

# URBAN SETTLEMENT AREA EXPANSION ANALYSIS REPORT

TOWNSHIP OF WEST LINCOLN

November 2013



**MHBC**  
P L A N N I N G  
U R B A N D E S I G N  
& L A N D S C A P E  
A R C H I T E C T U R E

November 7, 2013

Mr. Brian Treble  
Director of Planning and Building  
318 Canborough Street  
Township of West Lincoln  
Smithville ON L0R 2A0

Dear Mr. Treble:

**RE: Urban Settlement Area Expansion Analysis**

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MHBC is pleased to provide you with the final version of the Urban Settlement Area Expansion Analysis Report. The report includes an analysis of potential locations for urban settlement area expansions and includes final recommendations on locations that would provide for an additional 44 hectares of residential lands and an additional 16 hectares of employment lands within the Smithville Urban Settlement Area. This final report has been updated to consider the comments and input from the community and area landowners that was provided since the release of the draft report in September 2013.

Yours truly,

**MHBC**



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Dan Currie, MA, MCIP, RPP  
Partner

# 1.0

## INTRODUCTION

### 1.1 Background

MHBC was retained by the Township of West Lincoln to undertake a settlement boundary expansion analysis for Smithville to determine the most appropriate location(s) for an expansion to the Smithville Urban Settlement Area Boundary of approximately 60 hectares.

In 2009, the Township of West Lincoln appealed Regional Policy Plan Amendment 2-2009 (RPPA 2-2009) on the grounds that the Region of Niagara had not appropriately allocated population, household and employment allocations within the Region and had not properly addressed the land supply within West Lincoln. The Region and the Township ultimately reached a settlement at the Ontario Municipal Board.

A key element of the settlement was that approximately 60 hectares of land that is currently within the Smithville designated Urban Settlement Area Boundary and the Wellandport Hamlet Settlement Area boundary would be redesignated and/or removed from the settlement area. The lands proposed to be redesignated or removed are constrained by contamination, servicing difficulties or are otherwise unlikely to develop before 2031. In exchange for removing these lands from the Township's urban and hamlet settlement area land supply, an equal amount of approximately 60 hectares of land that could be developed for urban uses would be added to the Smithville Urban Area. The de-designation of lands and the related addition of lands to the settlement area would occur through an Official Plan amendment process.

In October 2012, MHBC prepared a Land Analysis Report for the Township which analyzed the Township's land supply and land needs, and provided recommendations on the appropriate land use for the additional 60 hectares of land. The report recommended that approximately 16 hectares of the 60 hectares be allocated for employment uses and 44 hectares be allocated to residential uses.

Allocating 16 hectares to employment uses replaces the employment lands lost due to de-designation and/or removal of the MOE controlled lands and the unserviceable employment lands in the Smithville Industrial Park and provides sufficient capacity to accommodate projected employment growth. Allocating 44 hectares of land for residential uses addresses the Township's need for additional lands to accommodate low density residential development.

## 1.2 Purpose and Scope of the Report

The purpose of this report is to evaluate potential settlement area expansion locations adjacent to the Smithville Urban Settlement Area Boundary, as identified by Schedule B-4 of the Township's Official Plan (Official Plan Amendment 21), and recommend the best location to accommodate 16 hectares of employment land and 44 hectares of residential lands. The Township adopted OPA 21 and OPA 15 in October 2010. The purpose of OPA 21 was to bring the Official Plan into compliance with the Growth Plan for the Greater Golden Horseshoe. OPA 21 provides new growth management policies, new settlement area policies and updated growth forecasts. The purpose of OPA 15 was to update the Official Plan as part of the five year review. When taken together, approval of OPA 15 & 21 will result in a new Township Official Plan.

The analysis of potential settlement area expansion locations is based on review of previously completed studies as well as the environmental and constraint mapping shown on the Official Plan schedules that form part of the Township's new Official Plan (as represented by OPA 15 and OPA 21). The studies that were reviewed and form part of the analysis criteria for this study include:

- Environmental Screening Report for the Smithville Growth Management Strategy that was completed by Colville Consulting Ltd in 2008;
- Agricultural Screening Report for the Smithville Growth Management Strategy that was completed by Colville Consulting Ltd in 2008; and
- Community of Smithville Water and Wastewater Servicing Study completed by AMEC Ltd in 2013.

The Provincial Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement and the Region of Niagara Regional Official Policies Plan were also reviewed and form part of the analysis criteria. The Growth Plan, PPS, Region of Niagara Regional Policy Plan all provide direction and criteria for urban settlement expansion. The Township of West Lincoln's new Official Plan (OPA 15 & 21) has not yet been approved by the Region of Niagara but the environmental and resource constraints mapping that forms part of these amendments represents the most accurate and up-to-date information on

constraints. This mapping was used as part of the evaluation criteria to assess the optimal locations for settlement expansion. The relevant schedules are included in Appendix B of this report.

A preliminary draft of this report was released for community review and discussion in September 2013. The Township of West Lincoln held two public information meetings in October 2013 to receive comments and feedback on the draft report. This final report considers the comments and input that was received from the community and area landowners.

## 1.3 Potential Expansion Areas

Several potential urban settlement area expansion locations were evaluated. The potential settlement area expansion locations are situated north, west and south of the existing settlement boundary of Smithville and shown on Figure 1 in Appendix A. Potential areas on the east side of Smithville were not included due in part to the considerable environmental constraints on the east side and due in part to servicing constraints. The employment lands that are proposed to be re-designated and/or removed from the settlement area are located on the east side of Smithville.

The potential settlement area expansion locations have been assessed based on four main criteria that are consistent with Regional Official Policies Plan and Township of West Lincoln Official Plan:

### **1. The lands must be contiguous to the existing Urban Settlement Area Boundary.**

Only lands that are directly adjacent to the existing settlement boundary were included in the evaluation. The Growth Plan states that urban areas should be developed with a compact urban form and directs against urban patterns that are a result of “leap-frogging” areas that are not currently included within the settlement area. The Colville Agricultural Screening Report also identifies that in order to adequately protect adjacent agricultural lands, the extension of urban settlement areas should minimize the length and number of places where agricultural lands interface with urban boundaries. Expansions should focus on opportunities to square off an irregular boundary or opportunities where a road, railway or natural feature can provide an effective boundary and transition between urban and agricultural uses.

## **2. The expansion must conform with the Province's Growth Plan for the Greater Golden Horseshoe ('Growth Plan') and be consistent with the 2005 Provincial Policy Statement ('PPS').**

The Growth Plan and the PPS contain criteria for potential settlement area expansions. As discussed earlier in this report, approximately 60 hectares of land are being added to the Smithville settlement area in exchange for an equal amount of land that is being removed from the Township's urban and hamlet settlement areas based on an Ontario Municipal Board approved Minutes of Settlement between the Township and Region.

The potential expansion areas were assessed based on the presence and/or proximity of natural and water features, agricultural resources, mineral aggregate resources, cultural heritage and archaeological resources, and natural and human-made hazards in accordance with the Growth Plan and PPS. The Growth Plan and PPS criteria are described in Section 2.

## **3. The lands must be able to be serviced in a financially and environmentally sustainable manner.**

A Water and Wastewater Servicing Study has been prepared by AMEC in June 2013 to review the existing water and wastewater systems in Smithville and identify constraints and recommendations for servicing potential settlement area expansion locations. The AMEC study concludes that the existing servicing systems in Smithville are capable of accommodating planned growth within the existing Urban Settlement Area Boundary with relatively minor upgrading. However, the inclusion of additional urban lands within Smithville will require further upgrades to both the water and wastewater systems in order to accommodate future development.

The AMEC Study provides a list of recommended improvements and rehabilitation works for increasing the capacity of the existing systems in Smithville to accommodate future growth. Regarding potential expansion area options, the study notes that there is substantial wastewater servicing constraints related to any additional development on southwest side of Smithville (the area south of 20 Mile Creek and west of the existing settlement area boundary). The Study also notes that while there is sufficient water services for existing conditions there are pressure issues in the northwest part of Smithville and any urban area expansion in this area would provide opportunity for additional watermain looping that could rectify the existing water pressure deficiencies.

**4. The location of the expansion should represent a logical extension of the existing urban area.**

The potential expansion areas should be considered in the context of how they relate to the existing settlement area and existing land uses in Smithville. For example, designated employment areas are located in the northeast corner of Smithville. Consideration should be given to expanding employment areas where there are existing employment uses present as well as addressing land use compatibility issues for options that would locate employment areas adjacent to existing residential neighbourhoods.

The analysis of potential expansion areas should also consider how new areas would connect with the existing transportation network without the need for substantial expansions and / or improvements.

# 2.0

## Provincial Growth Plan Expansion Criteria

### 2.1 Growth Plan for the Greater Golden Horseshoe

In June 2006, the Growth Plan was released under the Places to Grow Act. The Growth Plan provides policy direction for where and how growth is to be accommodated for municipalities within the Greater Golden Horseshoe including the Township of West Lincoln. Section 2.2.8 of the Growth Plan provides policies on settlement area boundary expansions.

#### *2.2.8 Settlement Area Boundary Expansions*

- 1. The policies in this section apply only to the expansion of a settlement area within a municipality.*
- 2. A settlement area boundary expansion may only occur as part of a municipal comprehensive review where it has been demonstrated that –*
  - a) sufficient opportunities to accommodate forecasted growth contained in Schedule 3, through intensification and in designated greenfield areas, using the intensification target and density targets, are not available:*
    - i. within the regional market area, as determined by the upper-or single-tier municipality, and*
    - ii. within the applicable lower-tier municipality to accommodate the growth allocated to the municipality pursuant to this Plan*



- b) *the expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy 2.2.8(a)*
- c) *the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets, and the other policies of this Plan*
- d) *where applicable, the proposed expansion will meet the requirements of the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans*
- e) *the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner*
- f) *in prime agricultural areas:*
  - i. *the lands do not comprise specialty crop areas*
  - ii. *there are not reasonable alternatives that avoid prime agricultural areas*
  - iii. *there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas*
- g) *impacts from expanding settlement areas on agricultural operations which are adjacent or close to the settlement areas are mitigated to the extent feasible*
- h) *in determining the most appropriate location for expansions to the boundaries of settlement areas, the policies of Section 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2005 are applied*
- i) *for expansions of small cities and towns within the outer ring, municipalities will plan to maintain or move significantly towards a minimum of one full-time job per three residents within or in the immediate vicinity of the small city or town.*

The Growth Plan states that boundary expansions may only occur as part of a municipal comprehensive review subject to prescribed criteria. It is important to note that the addition of 60 hectares of land to Smithville is occurring within the context of the review of the Township's Official Plan which is considered a municipal comprehensive review under the Growth Plan. The addition of 60 hectares of land to the Smithville Urban Settlement Area Boundary is essentially a land swap. The additions to the Urban Settlement Area boundary are in exchange for an equal amount of land that is being

removed from urban and hamlet settlement areas. As a result, the need and intensification criteria (Policy 2.2.8.2 a – c) do not apply since additional land is not being added to settlement areas within the Township.

In order to properly assess and evaluate the expansion locations, it is appropriate to do so in the context of the other settlement expansion criteria in Policy 2.2.8.2 of the Growth Plan. The following section outlines this criteria and the applicability to the potential settlement area expansion locations.

*d. where applicable, the proposed expansion will meet the requirements of the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans*

The potential settlement area expansion locations are not located within the Greenbelt Plan, Niagara Escarpment Plan or Oak Ridges Moraine Conservation Plan.

*e. the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner*

The Community of Smithville Water and Wastewater Servicing Study (AMEC, June 2013) indicates that upgrades to the existing water and wastewater systems are required to accommodate any expansion to the Urban Settlement Area in Smithville. The study provided an overview of the potential costs to complete these upgrades.

The study identified locations where required substantial servicing upgrades are required. These areas are located on the west side of the Urban Settlement Area boundary, south of Twenty Mile Creek. The AMEC study identified that development in this area would result in substantial sewer discharging and requires considerable upgrades to existing infrastructure to accommodate any additional development.

In terms of road infrastructure, the proposed expansion area should be located adjacent to existing regional and local roads in order to utilize existing higher-order roads. No major transportation infrastructure is planned for Smithville in the near future other than the potential for a Highway 20 by-pass. The potential alignment of the bypass is shown conceptually on Schedule F of the new Official Plan (see Appendix B). Any future urban area expansions should not be located such that the development of that area would preclude the future development of the bypass.

- f. *in prime agricultural areas:*
- i. *the lands do not comprise specialty crop areas*
  - ii. *there are no reasonable alternatives that avoid prime agricultural areas*
  - iii. *there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas*

The Agricultural Screening Report prepared by Colville Consulting in November 2008 identified the agricultural capability of potential settlement area expansion locations adjacent to Smithville and determined which areas have lower, long-term agricultural priority through a screening exercise.

Specialty crop areas and Canada Land Inventory Class 1-3 soils are considered to be prime agricultural lands. In areas where prime agricultural lands predominate, the area is considered to be a prime agricultural area. All of the potential settlement area expansion locations are located within prime agricultural areas. There are no specialty crop areas as identified by the Province within the potential settlement area expansion locations.

The potential settlement area expansion locations are primarily located on prime agricultural lands that contain Class 2 and 3 soils according to the agricultural study (see Figure 3 in Appendix C). These lands do not contain Class 1 soils (considered to be the highest quality soils that have very few limitations for growing a wide range of crops).

There are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.

- g. *impacts from expanding settlement areas on agricultural operations which are adjacent or close to the settlement areas are mitigated to the extent feasible*

The Agricultural Screening study also included a Minimum Distance Separation (MDS) evaluation. MDS is a tool used to determine the separation distance between livestock facilities and non-compatible land uses. This evaluation determined where development of urban uses is generally prohibited based on existing agricultural facilities (see Figure 6 in Appendix C). Potential expansion areas on the south side of the existing settlement area are the most affected by the MDS evaluation. Areas to the north and west are generally not impacted by existing agricultural operations.

*h. in determining the most appropriate location for expansions to the boundaries of settlement areas, the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2005 are applied*

Section 2.2 of this Report assesses the Settlement Boundary Expansion Areas relative to the policies of Sections 2 and 3 of the PPS.

*i. for expansions of small cities and towns within the outer ring, municipalities will plan to maintain or move significantly towards a minimum of one full-time job per three residents within or in the immediate vicinity of the small city or town.*

The Growth Plan defines small cities and towns as settlement areas that do not include an urban growth centre. Smithville does not include an urban growth centre. The Region of Niagara is included within the “outer ring” of the Growth Plan.

The proposed Urban Settlement Area Boundary expansion does not increase the land area within designated settlement areas in West Lincoln. The exercise will add lands to the Smithville settlement area and remove the same amount of lands from the Urban Settlement Area and Hamlet Settlement Areas. Sixteen hectares of employment lands will be added to replace the 16 hectares of employment lands that will be lost. The location of the proposed expansion areas will not affect the existing or future ratio of jobs to residents.

## 2.2 Provincial Policy Statement

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment.

Policy 2.2.8.2(h) of the Growth Plan states that in determining the most appropriate locations for settlement expansions, the policies of Sections 2 and 3 of the PPS should be applied. The following provides a list of the relevant policies and how they apply within the Settlement Boundary Expansion Areas.

## 2.2.1 Section 2 – Wise Use and Management of Resources

The PPS states that Ontario's natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources should be protected for their economic, environmental and social benefits. The policies of this section of the PPS describe the framework for where development can and cannot occur and provide criteria for evaluating settlement area expansions.

### 2.1 *Natural Heritage*

The PPS states that natural features shall be protected for the long term. As stated in Section 2.1 of the PPS, there are natural heritage features where development is not permitted (2.1.3) and features in which development may be permitted if it can be demonstrated that there will be no negative impacts on the feature or its ecological functions (2.1.4). Development is not permitted on adjacent lands to natural heritage features unless it can be demonstrated that there will be no negative impacts (2.1.5).

The Environmental Screening Report prepared by Colville Consulting documented, mapped and assessed the natural heritage features within and surrounding Smithville. Development constraints were then applied to the identified natural heritage features through a screening process (See Appendix D).

The majority of the potential settlement area expansion locations were identified as Category 1 lands which are considered unconstrained from a natural environment perspective. The areas that contain environmental constraints are primarily associated with significant woodlands, significant wetlands or fish habitat.

The environmental constraints mapping from OPA 15 identifies the natural heritage system within the Township. The natural heritage system identifies Greenbelt Lands, Environmental Protection Areas, Environmental Conservation Areas, floodplains and fish habitat. These areas are considered the most significant natural areas in the Township and the potential settlement area expansion locations should avoid these areas (see Appendix B).

There are significant natural areas located northeast of Smithville and associated with Twenty Mile Creek and North Creek. Development would likely not be permitted within these areas including a potential expansion of the settlement boundary.

Future development of the potential expansion lands would require an Environmental Impact Study (EIS) if development is proposed within 120 metres of a natural heritage feature or as otherwise specified in the Regional Plan or Township Official Plan. The EIS would be required to identify and assess the presence of natural heritage features and determine whether there would be any negative impacts on the natural features or their ecological functions. Consistency with the PPS including the natural heritage policies in Section 2.1 would be required.

## **2.2 Water**

*2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.*

*Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.*

The PPS defines sensitive in regards to surface water features and ground water features as areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

The environmental study prepared by Colville identified wetlands (significant and other), significant valleylands, fish habitat and floodplains. These areas were assigned a constraint level as previously described. In addition, OPA 21 identifies these areas on Schedule C-1 using current information (see Appendix B). Development should avoid these areas subject to the policies in the PPS, the Regional Plan, Township Official Plan and site-specific evaluations.

## **2.3 Agriculture**

The PPS states that Prime agricultural areas shall be protected for long-term use for agriculture (Policy 2.3.1). Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Classes 1, 2 and 3 soils, in this order of priority.

The PPS also states that “New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae”. The PPS policies provide a framework regarding the removal of land from agricultural areas

2.3.5.1 *Planning authorities may only exclude land from prime agricultural areas for:*

- a) *expansions of or identification of settlement areas in accordance with policy 1.1.3.9;*
- b) *extraction of minerals, petroleum resources and mineral aggregate resources, in accordance with policies 2.4 and 2.5; and*
- c) *limited non-residential uses, provided that:*
  - 1. *the land does not comprise a specialty crop area;*
  - 2. *there is a demonstrated need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use;*
  - 3. *there are no reasonable alternative locations which avoid prime agricultural areas; and*
  - 4. *there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.*

As with Policy 2.3.5 of the PPS, the Growth Plan contains similar criteria for considering settlement expansions in prime agricultural areas. These criteria were discussed in Section 2.1 of this Report.

The agricultural study prepared by Colville concluded that there are no specialty crop areas within potential settlement area expansion locations and that all of these lands are located within prime agricultural areas. There are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.

The agricultural study also included an MDS evaluation which determined where development of urban uses is generally prohibited based on existing agricultural facilities. The proposed expansion area should not be located within an MDS area and impacts on surrounding agricultural operations or lands should be mitigated to the extent feasible.

## **2.4 Minerals and Petroleum**

The PPS states that Minerals and petroleum resources shall be protected for long-term use.

2.4.2.1 *Mineral mining operations and petroleum resource operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.*

2.4.2.2 *In areas adjacent to or in known mineral deposits or known petroleum resources, and in significant areas of mineral potential and significant areas of petroleum potential, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:*

- a) resource use would not be feasible; or*
- b) the proposed land use or development serves a greater long-term public interest; and*
- c) issues of public health, public safety and environmental impact are addressed.*

The PPS defines minerals as metallic and non-metallic minerals but not including mineral aggregate resources or petroleum resources. Metallic minerals are those from which metals are derived (e.g. copper, nickel, gold) and non-metallic minerals are those that are of value for intrinsic properties of the mineral themselves and not as source of metal (industrial minerals). There are no known minerals or mineral mining operations within potential settlement area expansion locations.

Petroleum resources are defined as oil, gas and brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. Potential petroleum resources are identified on Schedule C-5 of the Official Plan (see Appendix B). The majority of the potential resources are located within the southern half of the Township and are not located within potential settlement area expansion locations. There are no existing petroleum resource operations located within potential settlement area expansion locations.

## **2.5 Mineral Aggregate Resources**

The PPS requires that mineral aggregate resources shall be protected for long-term use. Mineral aggregate resources include gravel, sand, stone or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes. The PPS policies state:

2.5.2.4 *Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.*



2.5.2.5 *In areas adjacent to or in known deposits of mineral aggregate resources, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:*

- a) resource use would not be feasible; or*
- b) the proposed land use or development serves a greater long-term public interest; and*
- c) issues of public health, public safety and environmental impact are addressed.*

Schedule C-5 (see Appendix B) identifies potential aggregate resources (as identified by the Ministry of Natural Resources) which require protection to allow the opportunity for future utilization of the resource. Based on Schedule C-5, potential aggregate resources are located northwest and southeast of Smithville. This mapping is based on information from the Province on a regional scale. Future development in or adjacent to these areas would be required to demonstrate that the proposed uses are not precluding or hindering the establishment of new operations or access to the resources. This could include site-specific resource testing to determine the quality and quantity of the aggregate resources prior to development of non-aggregate uses.

Nelson Aggregate has a licensed quarry that is located along Yonge Street in the Town of Lincoln, over 2 km east of the Settlement Boundary Expansion Area near Industrial Park Road. Due to the location of the quarry relative to Smithville, a proposed expansion of Smithville within the Settlement Boundary Expansion Area would not preclude or hinder the expansion or continued use of the Nelson Quarry.

## **2.6 Cultural Heritage and Archaeology**

The PPS states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Built heritage resources, cultural heritage landscapes and archaeological resources are considered significant in the PPS if they are valued for the important contribution they make to our understanding of the history of place, an event or a people. Development may only be permitted within these significant resources if they are consistent with the policies in Section 2.6.

Site-specific evaluations would be required for future development if they are located within areas that may contain built heritage resources, cultural heritage landscapes or archaeological resources. Based on existing information, these resources have not been identified in the potential settlement area expansion locations but this does not preclude the requirement for future work to assess potential heritage and archaeological resources.

## 2.2.2 Section 3 – Protecting Public Health and Safety

The PPS states that development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage.

Policy 3.1 states that development shall generally be directed to areas outside of natural hazards which include:

- a) *hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*
- b) *hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
- c) *hazardous sites.*

The Settlement Boundary Expansion Areas are not located adjacent to the shoreline of the Great Lakes – St. Lawrence River System or large inland lakes. The environmental study prepared by Colville identified floodplains and natural hazards based on mapping from the Niagara Peninsula Conservation Authority and the Region. These features are also located on Schedule C-1 of OPA 21 (see Appendix B). The potential settlement expansion areas would have to avoid the natural hazards associated with Twenty Mile Creek and North Creek, which are the main watercourses that pass through or around Smithville.

Hazardous sites are defined as property or lands that could be unsafe for development due to naturally occurring hazards (e.g. unstable soils or bedrock). Based on existing information, it does not appear that hazardous sites occur within the potential settlement area expansion locations.

The potential settlement expansion areas should generally avoid hazardous lands, hazardous sites and floodplains. If future development is proposed near or adjacent to a watercourse, and/or within a regulated area of the Niagara Peninsula Conservation Authority, site-specific evaluations would be required to determine if there are hazardous lands or hazardous sites present and whether development could be permitted.

Human-made hazards are defined in the PPS as

- 3.2.1 *Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or*

*petroleum resource operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.*

Based on existing information, it does not appear that mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations are located within the potential settlement area expansion locations.

As part of the exchange of 60 hectares of lands, approximately 5.5 hectares of the lands to be removed from the Smithville Urban Area are controlled by the Ministry of the Environment (MOE) due to contamination by PCBs. These lands are expected to be controlled by the MOE over the long-term and should not be considered part of the Township's employment land supply. By exchanging the 5.5 hectares of contaminated land with new employment lands, the Township is ensuring that development can occur without adverse effects from contaminated sites.

# 3.0

## EXPANSION AREA ANALYSIS

### 3.1 Options for Expansion

In consideration of the factors discussed in Section 2, seven Urban Settlement Area expansion options have been identified (see Figure 1 in Appendix A). These option areas are adjacent to the existing settlement boundary, generally contain large tracts of land and appear to have limited to moderate constraints to development based on existing studies completed to date.

Area 1 and Area 2 are located at the north end of Smithville adjacent to the Smithville Industrial Park and both areas would be appropriate locations for additional employment lands. Areas 3 – 7 are located on the west and south sides of the existing Smithville urban settlement area boundary and would be more appropriate for residential development.

Urban settlement area expansions on the east side of Smithville were not considered as potential options. There are significant environmental constraints related to the floodplains, woodlands and wetlands associated with Spring Creek and Twenty Mile Creek that would preclude development in much of this area. Also, the lands in this area are difficult to service. The employment lands that are proposed to be redesignated and/or removed from the settlement area boundary because of servicing constraints are located in this area.

Each of the seven options for urban settlement area expansion were reviewed and analyzed in the context of the four criteria described in Section 1.3:

- a) The lands must be contiguous to the existing Urban Settlement Area Boundary;
- b) The expansion must conform with the Province's Growth Plan for the Greater Golden Horseshoe ('Growth Plan') and be consistent with the 2005 Provincial Policy Statement ('PPS');
- c) The lands must be able to be serviced in a financially and environmentally sustainable manner; and
- d) The location of the expansion should represent a logical extension of the existing urban area.

## 3.2 Analysis of Potential Expansion Areas

Analysis undertaken for this study compares Area 1 and Area 2 as potential locations for the additional 16 hectares of employment lands. Areas 3-7 were reviewed as potential locations for the additional 44 hectares of residential lands. Some of the areas are less than 44 hectares in size and some are greater. The analysis considered the benefits or several smaller areas that cumulatively add to the required 44 hectares' of required residential lands versus one single area of 44 hectares.

### **1. The lands must be contiguous to the existing Urban Settlement Area Boundary;**

All of the seven potential areas for urban settlement area expansion are contiguous to the existing Urban Settlement Area boundary.

### **2. The expansion must conform with the Province's Growth Plan for the Greater Golden Horseshoe ('Growth Plan') and be consistent with the 2005 Provincial Policy Statement**

#### ***a) Employment lands (Areas 1 and 2)***

Figure 2 in Appendix A shows Area 1 and Area 2 in the context of environmental and resource constraints. Both areas have some environmental constraints. In the case of Area 1 the Spring Creek floodplain and designated Environmental Conservation Area lands divides the parcel into three potential development areas. Similarly, in Area 2, the existing woodlot would limit potential employment development.

Area 1 is not identified as having Potential Mineral Aggregate Resources. A portion of Areas 2 is shown as having Potential Mineral Aggregate Resources.

The Colville Agricultural Screening Report identified that neither Area 1 or Area 2 would be constrained by the MDS requirements regarding existing agricultural operations (See Figure 6 in Appendix C). The Agricultural Screening Report identified that Area 2 (identified as Candidate Site 5 in the Agricultural Screening Report – see Table 6 in Appendix C) has relatively low agricultural priority, while Area 1 (identified as Candidate site 10 and 11) would have medium agricultural priority in comparison to all of the potential expansion locations assessed in the report.

### ***b) Residential lands (Areas 3-7)***

Based on the mapping provided by the Township's draft Official Plan Schedules, there are no significant environmental constraints associated with Areas 3, 4, 5, 6 and 7. With regard to Potential Mineral Aggregate Resources, Areas 3 and Areas 4 are shown to be located within areas that may have potential mineral aggregate resources. Whether or not these lands have aggregate resources that are feasible to extract would require further study. However, it is important to note that there are no existing aggregate extraction operations in the near vicinity. Further, the location of the parcels (especially Area 3) may preclude feasible extraction given the likely setbacks from the existing residential neighbourhood that would be required for any future aggregate extraction operation.

Based on the Agricultural Screening Report, Areas 3, 4, 5 and 6 are identified as having low agricultural priority (see Table 6 in Appendix C). Area 7 is identified as having a medium priority. As shown on Figure 6 in Appendix C, Areas 3, 4, and 7 are not constrained by agricultural MDS requirements. Areas 5 and 6 are shown to be constrained by MDS requirements of agricultural operations located in Area 6.

## **3. The lands must be able to be serviced in a financially and environmentally sustainable manner**

### ***a) Employment lands (Areas 1 and 2)***

The AMEC report identified that water and wastewater servicing upgrades would be required for any additional urban area expansion. The report did not identify any specific upgrades that would identify either Area as a better candidate than the other.

### ***b) Residential lands (Areas 3-7)***

The AMEC report identified that water and wastewater servicing upgrades would be required for any additional urban area expansion. However, the report identified that development in Area 7 would require significant infrastructure upgrades and recommended against this area as a location for urban settlement area expansion.

## **4. The location of the expansion should represent a logical extension of the existing urban area.**

### ***a) Employment lands (Areas 1 and 2)***

Both Area 1 and Area 2 are contiguous to the current urban settlement area boundary and contiguous to Smithville Industrial Park. Area 1 is bounded on the east by environmentally

constrained lands associated with Spring Creek and by the Hydro Corridor on the north. Both of these provide a natural boundary to the urban area and help to reduce the impact of any future industrial uses on nearby lands by providing a buffer and separation distance between any potential sensitive uses on nearby lands. Area 1a and Areas 1b would be a “rounding out” of the existing settlement area boundary in consideration of the natural boundaries to development provided by Spring Creek and the hydro corridor.

### ***b) Residential lands (Areas 3-7)***

Of the five potential residential urban expansion areas, Area 3 represents the most logical extension of the existing urban area. The lands are bounded on the south and east by the existing urban area and bounded on the north by the rail line. As such, the interface between urban and agricultural lands is minimal. Urban development of Area 3 also would ‘balance’ development along both West Street and Grimsby Road 5 since both roads in this area have existing urban development on one side of the road. ‘Balancing’ urban development on both sides of major roads allows for effective transportation connections and efficiencies in the provision of sewer and water services.

Areas 4 and 6 also represent logical extensions to the existing urban area. Both can be accessed from existing public roads, although in both cases, existing urban development reduces the number of locations where new road connections can be made. Area 5 and Area 7 are complicated by the potential future development of a Highway 20 by-pass, which bisects both areas (see Figure 2 in Appendix A). The Highway 20 by-pass would provide for an effective urban settlement area boundary. However, the location of the by-pass is still conceptual and urban development in this area should be coordinated with more detailed planning for the bypass so that any future urban development does not preclude or conflict with the ultimate development of the by-pass.

## **3.3 Community Consultation**

A preliminary draft of this report was released for community review and discussion in September 2013. The Township of West Lincoln held two public information meetings in October 2013 to receive comments and feedback on the draft report. The purpose of the public information meetings was to determine community member’s views on the proposed expansion areas and determine if area landowners would consider development of their lands should they be brought into the settlement area. Since the purpose of this study is to identify potential areas for a settlement area expansion to provide capacity for residential and employment development in the short term, it is important to understand if the landowners are interested in having their lands develop to

urban uses. The feedback received indicates the landowners within all of the potential settlement area expansions are interested in the urban development of their lands and would facilitate this development if their lands were included in a settlement area expansion.

In addition, the Township received correspondence from representatives of three landowners with lands adjacent to the existing settlement area boundary. All of the comments received have been considered in the finalization of the recommendations of this report.

#### **a) Correspondence from Phelps Homes**

Representatives of Phelps Homes have requested that their lands be considered for inclusion within any proposed settlement area expansion. The lands are located to the southwest of Smithville adjacent to the existing settlement area boundary. The lands are within Area 7 as shown on Figure 2. The owners state that the inclusion of these lands is appropriate because:

- the lands are contiguous to the existing settlement area and would be a logical extension of existing street and trail networks;
- their market research indicates that the demand for housing is more pronounced on the west side of Smithville; and
- previous engineering reports identify that the lands can be appropriately serviced.

As noted in section 3.2 above, the lands in Area 7 are contiguous to the existing urban area and have few constraints related to environmental or agricultural features. The most recent servicing evaluation (undertaken by AMEC in 2013) does indicate that these lands are more difficult and more expensive to service. While Phelps contends that earlier servicing studies have indicated that the lands can be appropriately serviced, our evaluation undertaken for this report has relied on the most recent servicing study.

The lands in Area 7 are also constrained by the future alignment of the potential Highway 20 By-pass (see Figure 2). Given that the location of the by-pass has not yet been determined, the development of the lands within Area 7 may preclude some viable options for the routing of this road. Since there are other suitable locations for settlement area expansion to accommodate the short term need for 44 hectares of residential land, it makes sense to consider those options now. The lands in Area 7 could be considered at the time of the next urban area expansion once any servicing issues are resolved and the location of the Highway 20 by-pass is more defined.



## **b) Correspondence from Weston Consulting**

Weston Consulting requests that approximately 14 hectares of land adjacent to the south east corner of Smithville be included within the settlement area expansion. The lands are located on both sides of Highway 20 as it enters Smithville from the southeast. The lands are not within any of the seven potential expansion areas shown on Figure 2. Weston Consulting states it is appropriate to include these lands because:

- They provide opportunity for an attractive gateway at the entrance to the community;
- The lands are not prime agricultural lands;
- The same landowners are proposing redevelopment of the commercial and industrial designated lands to the north which would result in the extension of services to the settlement area boundary and would facilitate the development of the subject lands to a range of uses and densities; and
- The other alternative expansion area locations are at the edge of the urban area and would likely result in low density residential development and “could lead to an undesirable form of sprawl development at the fringe of the Smithville community”.

In our view, the lands requested for inclusion by Weston Consulting should not be included within the settlement area expansion at this time. Our reasons are as follows. Existing water and sanitary services in this area are a considerable distance from the settlement area boundary. In order to service any expansion area, the services would need to be extended along St. Catherines Street. The landowners contend that the services would be extended as part of the development of the commercial and industrial lands on the north side St. Catherines Street. However, development applications have yet to be submitted, and based on the correspondence from Weston Consulting, official plan and zoning by-law amendments would be required in order to permit the mixed use and medium/high density residential development that the landowners are considering. Therefore, it may be considerable time before the lands within the settlement area are developed and services are extended to provide for any future development of lands outside the current settlement area. Furthermore, as shown on the Minimum Separation Distance figure in Appendix C, there are several existing agricultural operations in the vicinity that would limit the development of the lands for residential purposes.

## **c) Correspondence from IBI Group**

IBI Group supports the inclusion of Area 3 and Area 4a (as shown on Figure 3) in the urban area expansion and requests that an additional area of land that is directly to the north of Area 3 and directly to the west of Area 4a also be included. In IBI’s view, this larger block of land (which they estimate to be 44.16 hectares) would allow for

improved transportation connections by allowing for the westerly extension of Spring Creek Road to a connection with a northerly extension of Grimsby Road 6, thereby providing an alternative connection and route to Highway 20.

In our view, the additional parcel requested by IBI Group is a viable alternative. The lands area similar to Area 4a in that there are few constraints to development. If included with Area 3 and Area 4a, the lands would represent a logical extension of the urban area and could provide for improved transportation links in this part of Smithville.

## 3.4 Recommended Expansion Areas

### ***Employment lands***

Areas 1a and 1b are recommended as areas for an urban settlement area boundary expansion to provide 16 hectares of employment land (as shown on Figure 3 in Appendix A). These lands have few constraints to development and represent a logical extension of the existing urban settlement area boundary.

### ***Residential lands***

Area 3 and portions of Area 4 and Area 6 are recommended as locations for an urban settlement area boundary expansion to provide 44 hectares of residential land (as shown on Figure 3 in Appendix A).

Area 3 has few constraints to development and represents a logical extension and a “rounding out” of the existing settlement area boundary. Area 4 has few constraints to development and is an appropriate location for residential development. The western portion of Area 6 is constrained by the existing agricultural livestock operations in the area. However the eastern portion of Area 6 has few constraints and had been previously identified by the Township as a candidate area for urban expansion.

The purpose of this study was to determine the best locations for settlement boundary expansions to accommodate 44 hectares of residential development. Due to its location, Area 3 would also be a candidate area for future commercial development should there be a need for additional commercial lands in the future. The Township is currently, undertaking a commercial land needs assessment to determine if additional lands are required in the future to accommodate demand for commercial lands. Since the commercial land needs study is not yet complete, it is unclear whether the Township

requires more land for future commercial development and, if so, whether Area 3 represents the best, or one of the best, locations.

Therefore, should the Township wish to reserve Area 3 as a potential future location for commercial development, a larger portion of Area 4 could be added to the urban settlement area instead. All of Area 4b or a portion of Area 4b in combination with Area 4c (see Figure 3 in Appendix A) would be an alternative to Area 3.

# 4.0

## CONCLUSION

The purpose of this report is to evaluate potential settlement area expansion locations adjacent to the Smithville Urban Settlement Area Boundary and recommend the best location to accommodate 16 hectares of employment land and 44 hectares of residential lands. Evaluation of potential settlement area expansion locations was assessed based on policies of the Growth Plan, the Provincial Policy Statement, the Regional Policies Plan and the Township's draft Official Plan which all provide criteria for settlement area boundary expansions.

The analysis undertaken for this study is based on previous studies that were undertaken as part of the Township's Growth Management Strategy and based on the environmental and constraint mapping that forms part of the Township's draft new Official Plan. This report is intended to provide high level direction on the appropriate locations for settlement area expansions. Future detailed transportation, environmental impact, water and wastewater servicing, stormwater management and other studies that would need to be completed as part of more detailed land use planning exercises may indicate that some portions of these lands are not feasible for development.

Based on the analysis the lands identified as Area 1a and Area 1b on Figure 3 in Appendix A are recommended as the location for an urban settlement area boundary expansion to accommodate 16 hectares of employment lands. The lands identified as Area 3 and as Area 6 on Figure 3 in Appendix A are recommended as locations for an urban settlement area boundary expansion to accommodate 44 hectares of residential lands. Should the Township wish to consider Area 3 for other land uses, Area 4b would be an alternative location for some of the required 44 hectares of residential land.