

DATE: August 11, 2022

REPORT NO: PD-77-2022

SUBJECT: **Recommendation Report – Official Plan Amendment No. 63 – Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification**

CONTACT: Brian Treble, Director of Planning & Building

OVERVIEW:

- The Township of West Lincoln Master Community Plan consultants (Aecom/GSP and Wood) have been working hard on the Natural Heritage System mapping, the urban systems plans and Master Servicing Plans for Smithville. This has resulted in a proposed urban boundary expansion as previously shown in the Draft Official Plan Amendment No. 62 (now adopted by Township Council) and draft policy and mapping as presented in OPA 63.
- Four Public Information Centers have been held (January 2020, February 2021, October 2021 and April 2022) and two formal Public Meetings were held on April 27, 2022 and June 27, 2022 (OPA 63).
- A virtual open house was also held on the PlanSmithville.ca website from April 13 to April 20, 2022.
- On October 12, 2021 staff presented Planning Report PD-115-2021 entitled 'Recommendation Report, Proposed Smithville Urban Boundary for Growth to 2051 to be included in New Regional Official Plan' which endorsed the inclusion of the majority of the Smithville Urban Expansion Study Area in the new Regional Official Plan along with the residential and employment growth targets and the inclusion of a proposed new Escarpment crossing transportation connection.
- Council also directed staff and the study team to proceed on the development of a corresponding Official Plan Amendment to bring a portion of the study area lands into the urban boundary and set land use plans and policies for the urban area of Smithville. On July 18, 2022, OPA 62 was adopted by Township Council and forwarded to the Region of Niagara for approval. This process is complete.
- Planning Staff are now presenting a recommendation report on OPA 63 which provides secondary plan policies and mapping to the lands added to the urban boundary.
- A technical report was prepared in accordance of the second public meeting notice for June 27, 2022 and included public and agency comments as they relate to the extensive policy and mapping of OPA 63. OPA 63 includes the proposed land use designations and policies and represents a detailed and extensive amendment.
- Future staff reports will present the Master Servicing Plans to Committee and Council including Water, Waste Water, Stormwater and Transportation.

RECOMMENDATION:

1. That, Recommendation Report PD-77-2022, regarding “Official Plan Amendment No. 63 – Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification”, dated August 11th, 2022, be RECEIVED; and,
2. That, Official Plan Amendment No. 63 be adopted and corresponding implementation by-laws be APPROVED and passed; and,
3. That, as per the Planning Act, no further public meeting is required; and,
4. That, Staff be authorized to circulate the Notice of Adoption for Official Plan Amendment No. 63 to the required agencies and the public and to submit a copy of Official Plan Amendment No. 63 to the Region for approval, along with the required information record, with full force and effect occurring once Official Plan Amendment No. 63 has been approved by the Region of Niagara, without appeal.

ALIGNMENT TO STRATEGIC PLAN:

Theme ##3

- Strategic, Responsible Growth - West Lincoln will grow strategically and responsibly – welcoming new residents and businesses and respecting the heritage and rural character that people value.

BACKGROUND:

The Master Community Plan work in West Lincoln officially began in late October of 2019, with the passing of the Authorizing By-law 2019-96 and By-law 2019-97 and with the signing of contracts to hire Aecom and Wood to undertake the Master Community Plan work, Urban Structure work, and Natural Heritage system assessment work. All of this work in turn has been fed into the Regional Municipal Comprehensive Review, which is part of the new Regional Official Plan project. In order to do so, and to ensure compliance with the Planning Act and the Environmental Assessment Act, Public Information Centres (PICs) have also been held as required. To date, four PIC’s have now occurred, on January 30th, 2020 (PIC 0), February 11th, 2021 (PIC 1), October 6th, 2021(PIC 2) and a combined PIC (PIC 3) and statutory public meeting on, April 27th, 2022 for OPA 62. A virtual Public Open House was held from April 13 to 20, 2022. The statutory public meeting on OPA 63 was held on June 27th, 2022.

Additionally, in 2021 the Township retained MHBC Planning to complete a review of the Township’s rural settlement areas to see if there were any opportunities for limited growth, rounding out of boundaries and a location for a rural employment park. This study work is also implemented through Official Plan Amendment No. 62 as it relates to changes to a number of Township Rural Settlement Areas.

Official Plan Amendment No. 62 was drafted and circulated for review to the public and applicable agencies, prior to the Public Meeting and PIC on April 27, 2022, in accordance with the Planning Act. OPA 62 was refined and finalized in consideration of the input received, adopted by Township Council on July 18, 2022 and forwarded to the Region of Niagara for approval.

Official Plan Amendment No. 63 has also been drafted and was circulated for review in advance of the June 27, 2022 Public Meeting. OPA 63 includes land use designation mapping and policy for complimentary growth of the entire Community of Smithville in a phased and controlled format. Township staff and the consulting team reviewed all comments received and are submitting the final version of OPA 63 for consideration and adoption at the August 11, 2022 All Committee/Council meeting. The final version of OPA 63 is attached to this report at attachment no. 1.

Notices were circulated over a period of a number of weeks which included four newspaper notices, direct mailing to residents (nearly 1000 households) within the study area and within 120 metres of the study area, and through email based on the study contact list.

CURRENT SITUATION:

On August 11, 2021, Regional Planning Committee endorsed Regional staff report PDS-033-2021 entitled “Niagara Official Plan: Land Needs Assessment and Settlement Area Boundary Review Update”. The proposed growth targets for each lower tier municipality were provided in PDS-033-2021. For West Lincoln, they were as follows:

West Lincoln	2021	2051
Population	16,370	38,370
Households	5,330	14,060
Employment	4,460	10,480

It should be noted that population and employment growth in Smithville over the next 30 years is projected to be gradual and sustained and as a result, the urban growth area will increase in a phased approach with agriculture and natural heritage uses continuing in other parts of the proposed urban boundary until the lands are needed for urban purposes. Growth will need to be tied to the availability of Municipal services from the Region and the Township. Environmental protection of natural heritage areas is a key component of new growth and development.

Over this same time period the Region of Niagara is projected to grow from a 491,120 population (2021) to 694,000 (2051), representing a 40% increase in growth while West Lincoln’s population is projected to more than double over the next 30 years.

These allocations are generally consistent with the work that the Township’s Consultants have been working towards, notwithstanding the fact that the target growth was originally being planned to 2041, but was extended by the Province to 2051 on August 28, 2020 through Amendment 1 to *A Place to Grow, the Provincial Growth Plan*.

In order to achieve this growth while planning to maintain the character of Smithville, the following targets have been assigned by the Region:

- West Lincoln needs to achieve a 13% intensification rate and a greenfield density target of 50 people and jobs per hectare;
- The Region’s final Land Needs Assessment (June 2022) has determined that the Township will require an additional 360 hectares of urban land for

community needs (for residential, commercial, mixed-use, institutional, community facilities, parks and open space, and related urban land uses) and 75 additional hectares of land for employment needs, and an additional 40 hectares of land for residential and rural employment uses in Rural Settlement Areas.

These targets are only achievable through an urban boundary expansion, which was included in Official Plan Amendment No. 62; and through the design and approval of proper policy and designations as proposed in OPA 63. As the above-noted targets and land needs must be accommodated while protecting, restoring and enhancing natural heritage systems and areas, the total land area added to the Smithville Urban Area in OPA 62 is 540 hectares inclusive of protected natural heritage lands.

The purpose and effect of OPA 62 was to add land to the Smithville Urban Area boundary to reserve the land for future urban growth and development, while limiting permitted uses in the interim to ensure that urban development can occur efficiently over time, and while maintaining the current Natural Heritage System designations of the current Official Plan. Separately, but related to OPA 62, OPA 63 is intended to add the detailed Secondary Plan land use designations and policies, recommended infrastructure and transportation systems as well as the updated Natural Heritage System mapping and policies recommended through the Subwatershed Study.

In October of 2021, Council endorsed several recommendations outlined in Planning Report PD-115-2021 entitled 'Recommendation Report, Proposed Smithville Urban Boundary for Growth to 2051; to be included in the 'New Regional Official Plan' which endorsed the inclusion of the majority of the Smithville Urban Expansion Study Area in the new Regional Official Plan' and endorsed the preparation of an Official Plan Amendment to implement the urban expansion.

The Smithville Master Community Plan and Subwatershed study, and associated urban expansion was split into two separate Official Plan Amendments. Official Plan Amendment No. 62 includes the amount of land that needed to be brought into the urban boundary to accommodate future growth to 2051; while Official Plan Amendment No. 63, which was the focus of the June 27th, 2022 Public Meeting; includes land use policy and land use designations for the expansion lands to accommodate growth and protect natural heritage areas. OPA 63, once approved, will implement specific land use designations and policies regarding the urban expansion lands and will affect infill and redevelopment opportunities within the existing urban area of Smithville in a way that ensures compatibility with the existing urban character of Smithville.

The purpose of Official Plan Amendment No. 62, as approved, was to revise the Township Official Plan by doing the following:

- Update the population and employment growth forecasts to the 2051 planning horizon
- Add land to the boundary of the Smithville Urban Area by implementing the settlement area boundary recommended through the Smithville MCP process and corresponding to the expanded settlement area boundary for Smithville delineated in the new Niagara Region Official Plan.

- Designate the land to be added to the boundary of the Smithville Urban Area as “Future Greenfield Area” corresponding to the limits of the Designated Greenfield area delineated in the new Niagara Regional Official Plan
- Identify the land to be added to the boundary of the Smithville Urban Area as a Secondary Plan area being the Master Community Plan for Smithville; and
- Establish interim policies for the Smithville Master Community Plan Secondary Plan area to reserve these areas for appropriate future urban land uses, public service facilities and infrastructure, transportation and natural heritage systems based on land use mapping and policies to be incorporated in the Official Plan through a future and separate Township initiated Official Plan Amendment (OPA 63) to implement the Smithville Master Community Plan.

The purpose of Official Plan Amendment No. 63, as refined and presented now to Committee and Council for adoption, is to revise the current, Township Official Plan by:

- a) adding updated land use designation schedules; and,
- b) adding updated land use development policy to accommodate growth and protect the environment, and ensure compatibility with the character of Smithville.
- c) Articulate and support the achievement of the Vision for the future growth and expansion of Smithville to accommodate growth over a period of approximately 30 years (to 2051) as a complete, resilient and sustainable community with enhanced small-town character, a robust natural heritage system, efficient and optimized infrastructure systems, well-defined community edges, transportation choice and convenience, and supportive of the agricultural sector;
- d) Designate the land to be added to the Smithville Urban Area via the Niagara Region Official Plan and Township Official Plan Amendment No. 62 (OPA 62) for specific urban land uses and for the protection, restoration and enhancement of the natural environment by implementing the Smithville Master Community Plan (MCP) as a new Secondary Plan area based on the preferred concept plan and the recommended natural related system identified in the related Subwatershed Study (SWS), and establish related goals and policies;
- e) Identify Block Plan Areas within the Smithville MCP Area and establish policies for the future preparation of Block Plans to undertake further planning and Master Environmental Servicing Plans (MESPs) to establish the details of future land use and required servicing, transportation and natural heritage systems;
- f) Designate and establish a special policy area for agricultural-related and farm supportive uses on land to the north-west of the MCP Area;
- g) Establish policies to recognize and protect existing farm operations within the MCP Area while providing for the future transition of the area to urban land uses and designate a special policy area for specific land within the MCP Area where land uses will be limited until such time as constraints related to the proximity of the land to an existing livestock operation are addressed or no longer exist;
- h) Identify and establish policies for the recommended Smithville Transportation Plan and to guide and direct future transportation system improvement as well as future streets and active transportation/trail routes and including the potential

route of a future alternative truck route/Regional Road 20 by-pass conceptually identified in the Niagara Region Official Plan;

- i) Establish a Development Staging Plan for the Smithville MCP Area including overall stage areas and sub-phases to direct the coordinated and orderly development of the area for urban land uses aligned with the timing of required infrastructure and transportation systems in accordance with the Township's Master Servicing Plan (MSP) and Transportation Master Plan (TMP).

The original study area from 2019 was approximately 685 hectares, however, through the Master Community Plan and Subwatershed Study process, Official Plan Amendment No. 62 recommended the inclusion of 540 hectares into the Smithville Urban Boundary. The proposed expansion area is mainly to the north, south and west of the current urban boundary for Smithville. An area north of the Hydro One corridor, west of the Employment Park and south of Young Street was not included in the proposed expansion area mainly due to its proximity to existing livestock operations.

The growth targets set by the Region of Niagara for the Township of West Lincoln are to accommodate growth from a population of 16,454 (2021 census population) to a total population of 38,370 people and a total employment of 10,480 jobs by the year 2051. The majority of this growth will occur within Smithville and the proposed expanded study area.

The specific land use designations and policies regarding the expansion area are included in Official Plan Amendment No. 63. Official Plan Amendment No. 63 also provides revised policies for lands within the existing boundary of Smithville to ensure that the existing urban area is well blended with development in the urban expansion area. Further, the policy balances growth and environmental protection so that the community supports and embraces natural heritage areas.

The Region of Niagara is the approval authority for Official Plan Amendment No. 62 and 63 and Regional staff recently obtained Regional Council approval of their own new Regional Official Plan. Our work must implement their new plan. Public Consultation for the new draft Regional Official Plan, which includes the Smithville Expansion Area, was held on April 7 (Public Open House) and a public meeting was held on April 28th, 2022 with a Regional staff recommendation report considered at Regional Planning Committee on June 15 and Regional Council on June 23. Mr. Tom Richardson spoke on the Township's behalf several times at Regional Committee in support of the Region and Township's joint planning exercise around the Smithville expansion area.

The purpose of this report is to facilitate Council's final consideration and adoption of Official Plan Amendment No. 63. Now that the boundaries of the settlement areas are adopted through OPA 62, which has now been sent to Regional Council for final approval, OPA 63 can be considered for adoption.

FINANCIAL IMPLICATIONS:

This project has been front ended by the Land Owners group who have been an important partner in this project along with the NPCA and Regional Planning and Public Works staff. All agencies and the land owners group have been key players in bringing this work to this stage.

Without the support of these key players, this work would not be as thorough, well done, and complete as it is. Our project is of a quality deserving of Provincial recognition.

Finally, a future stage set to commence later in 2022 is an update of the Township Development Charge By-law and background study that will include new information and services to collect for. This is part of the consideration necessary for the land owners group to recuperate their contributions to the Master Community Plan work.

INTER-DEPARTMENTAL COMMENTS:

This project is a substantial undertaking that includes the Niagara Region Public Works and Planning Departments, the Niagara Peninsula Conservation Authority, Land Owners representatives along with Township Planning and Public Works staff, our consultants and our consulting facilitator, Mr. Richard Vandezande.

Several Technical Advisory meetings have occurred throughout the length of this project, as well as meetings nearly every week with different stakeholders.

Notices for draft Official Plan Amendment No. 62 and 63 were properly circulated to agencies. Comments were received from the Region of Niagara and NPCA (found at attachment no.3). The below are summaries of the received agency comments for OPA 63:

- **Region of Niagara** a matrix of comments was received relating to OPA 63. OPA 63 requires Regional Council approval which cannot occur until the Niagara Region Official Plan has been approved by the Province and is in effect. The matrix identified a number of days recommended by Regional staff as found in agency attachments. A future verbal concern was received about medical uses in the employment description.
 - **Action:** Issues relating to OPA 63 have been addressed through minor revisions as found in the revised OPA 63 attached to this report.
- **Niagara Peninsula Conservation Authority** comments were received/dated June 8, 2022. For OPA 63, there is discussion about the appropriate definition of wetland to use; support for the efforts relating to the Karst features and a few minor policy comments as found at attachment 3 to this report.
 - **Action:** No changes required on OPA 62 and NPCA concerns will be addressed at the time of development applications.

PUBLIC COMMENTS:

Notices for draft Official Plan Amendment No. 62 and 63 were circulated in four separate newspaper editions as well as mailed to all landowners within the study area and within 120 metres of the study area. This resulted in nearly 1,000 notices being mailed. Additionally, members of the public on the study contact list were emailed a copy of the notice and draft official plan amendments.

At the time of writing this report, the Township has received multiple written comments from members of the public along with substantial input throughout the entire Master Community Plan process. The public comments received as they relate to OPA 63 are attached to this report at Attachment 2. The below represents summaries of the received public comments:

- **Ron and Sylvia Budenas** – Harvest Gate – June 7, 2022 – support OPA 62 and 63. A previous email dated April 28, 2022, also provided comments that's generally support the environmental approach.
 - **Action:** Approval of OPA 63
- **Pat Wirth** – Tober Road June 15, 2022 – telephone, email and letter expressing support for OPA 62 and 63.
 - **Action:** Approval of OPA 63
- **Chris and Sid Frere** June 15, 2022 – support for OPA 62 and 63 by email correspondence including the environmental protection approach.
 - **Action:** Approval of OPA 63
- **Jennifer Meader** on behalf of Phelps Homes LTD and JTG Holdings Incorporated – letter dated June 24, 2022 – Supports the inclusion of her client's lands in the urban boundary. There are concerns with policies set out in OPA 63. The detailed concerns as expressed in the author's letter have been reviewed and considered by the Master Community Plan consultants. Concerns about natural heritage system policy, Karst policy and implementation policy/development staging are expressed in the letter.
 - **Action:** Revision to policy generally to address flexibility of the natural heritage system approach addressed some of the concerns raised.
- **Paul Lowes/Raymond Ziembra** on behalf of Smithville Land Owners Group – letter dated June 24, 2022 – expressed policy concerns related to:
 - Density
 - Mixed use
 - Restoration areas
 - Coverage target
 - Karst features
 - Sewage and transportation
 - Block plan and study requests
 - **Action:** Several follow-up discussions have occurred with Mr. Lowes and a number of revisions have been included in the final version of OPA 63 to address the comments.
- **Kathy and Henry Pupek** – June 8, 2022 – expressed support growing Smithville by protecting our natural heritage sites as critical habitat and protection if rare ecological processes etc.
 - **Action:** Approval of OPA 63
- **Toni Mills** – email dated June 22, 2022 supports efforts to protect green space and our natural heritage system. Green space has many benefits including to mental health.

- **Action:** Approval of OPA 63
- **John Ariens** – spoke on June 27, 2022 about discrepancies between the draft OPA 63 mapping and some key concepts that his client is proposing as part of “We the North”. A follow up email is attached to this report.
 - **Action:** Some minor revisions to the land use plan have been made in the final version of OPA 63 to better align the location of certain land uses and features with the landowner proposal for this area. Many of the concerns raised are addressed in OPA 63 through the flexibility in wording and approach to provide options at the time of block plans and planning applications, provided the intent of the Secondary Plan policies is maintained.
- **Mike Pettigrew** – on behalf of his client in “We the North” expressed concerns similar to these of John Ariens and Paul Lowes.
 - **Action:** Policy flexibility will allow refinement at the block plan and development application stage, provided the intent of the Secondary Plan policies is maintained.

As a result of all public and agency comments that have been received, the following summary of changes to OPA 63 will help to understand changes that have occurred since the June 27, 2022 Public Meeting:

- Refinements were made to the land use plan to ensure the urban boundary of Smithville aligns with the final location of the urban boundary in the Region’s new Official Plan and the urban boundary shown in OPA 62;
- The location of certain features such as future conceptual park locations (also added park labels and 400 metre / 5-minute walking radius), conceptual local street pattern, and the boundaries of mixed-use node overlays were refined on the land use and transportation plans, based on further review and in response to public feedback;
- The Natural Heritage System (NHS) policies (section 6.11.7.3) have been revised as follows:
 - Additional cross-reference to the existing Township Official Plan policies has been provided in particular to clarify and further establish the basis for the natural cover target for Smithville and its relationship to the Township-wide 30% target in the current Official Plan;
 - The areas which may be included towards measuring and achieving the natural cover target have been expanded to include complementary parks, trails, green infrastructure corridors and stormwater management facilities where these additional areas overlap or are located adjacent to the NHS;
 - Policies allowing for refinement of the boundaries of the NHS have been elaborated to clarify how the extent of refinement will be considered and determined;
 - For “Wetland for Further Review”, the policy has been elaborated to clarify when a linkage may be required to the larger NHS;

- The policy requiring Tree Preservation Plans has been reworded to clarify the relationship between these plans and other studies and demonstrating that the development will contribute to or not conflict with the achievement of the natural cover target;
- The policy for natural Buffers has been reworded to clarify the relationship between determining the appropriate buffer width and supporting the achievement of the natural cover target;
- The policies for Linkages has been clarified to permit stormwater management facilities within these areas;
- Policies for Restoration Areas have been expanded to identify criteria for the potential acceptance of certain restored land as parkland where a public recreational benefit is provided;
- The policies for karst features and associated buffers have been clarified to identify where these areas may be considered as part of the NHS and towards the achievement of the natural cover target;

The Open Space policies have been expanded to describe the intended distribution of parks to achieve an approximate 5-minute walking distance for neighbourhood parks using the 400m radii shown on the land use plan as a guide for parkland distribution as well as policies to guide the number and size of parks required.

CONCLUSION:

For over two and a half years the Township and its consulting teams, AECOM, GSP and Wood, as well as the Township project manager for this project, Mr. Richard Vandezande, have been working on the Smithville Master Community Plan project and Smithville Subwatershed Study. This work has been underway to provide additional lands to the urban boundary of Smithville to accommodate residential and employment growth to the year 2051, as allocated to the Township by the Region of Niagara.

Township Council endorsed the expansion area in October 2021 and also directed staff and the consulting teams to prepare a draft Official Plan Amendment to facilitate the expansion. This process has been split into two Official Plan Amendments. Official Plan Amendment No. 62 was finalized and aligns the Township's Official Plan with the new Regional Official Plan by expanding the urban boundary of Smithville and several rural settlement areas to accommodate residential and employment growth to the year 2051.

Official Plan Amendment No. 63 provides secondary planning for the expansion area including land use designations and policy. Official Plan Amendment No. 63 addresses policy for the existing urban area of Smithville to ensure there is an appropriate transition from existing to new development. The June 27th, 2022 Public Meeting was focused on the proposed Official Plan Amendment No. 63 document. This OPA is now the focus of this report to Committee and Council for consideration of adoption on August 11, 2022, full force and effect will not occur until Regional Council approval is obtained.

Planning Staff have now received all public and agency comments relating to OPA 63 and recommend that Township Council adopt OPA 63 as found attached to this report; pass

the necessary by-law; and forward OPA 63 to the Region of Niagara for final approval. All agency and public comments have been received and reviewed; now that the Region of Niagara has adopted their new Official Plan.

ATTACHMENTS:

1. Final Version of Official Plan Amendment No. 63 (maps and text)
2. Public Comments
3. Agency Comments
4. Authorizing By-law

Prepared & Submitted by:

Approved by:



Brian Treble
Director of Planning & Building

Bev Hendry
CAO

**AMENDMENT NUMBER 63
TO THE
OFFICIAL PLAN
OF THE
TOWNSHIP OF WEST LINCOLN
(SMITHVILLE MASTER COMMUNITY PLAN)
2022**

**AMENDMENT NUMBER 63
TO THE
OFFICIAL PLAN
OF THE
TOWNSHIP OF WEST LINCOLN**

PART 1 – THE PREAMBLE

1.1 TITLE

This Amendment when adopted by Council shall be known as Amendment Number 63 (Smithville Master Community Plan) to the Official Plan of the Township of West Lincoln.

1.2 COMPONENTS

This Amendment consists of Part 1 – The Preamble and Part 2 – The Amendment. The preamble does not constitute part of the actual amendment but is included as background information.

1.3 PURPOSE

The purpose of this Amendment is to revise specific policies and schedules of the Official Plan to:

- Articulate and support the achievement of the Vision for the future growth and expansion of Smithville to accommodate growth over a period of approximately 30 years (to 2051) as a complete, resilient and sustainable community with enhanced small-town character, a robust natural heritage system, efficient and optimized infrastructure systems, well-defined community edges, transportation choice and convenience, and supportive of the agricultural sector;
- Designate the land added to the Smithville Urban Area via the Niagara Region Official Plan and Township Official Plan Amendment No. 62 (OPA 62) for specific urban land uses and for the protection, restoration and enhancement of the natural environment by implementing the Smithville Master Community Plan (MCP) as a new Secondary Plan area based on the preferred concept plan and the recommended natural heritage system identified in the related Subwatershed Study (SWS), and establish related goals and policies;
- Identify Block Plan Areas within the Smithville MCP Area and establish policies for the future preparation of Block Plans to undertake further planning and Master Environmental Servicing Plans (MESP's) to establish the details of future land use and required servicing, transportation and natural heritage systems;
- Designate and establish a special policy area for agricultural-related and farm supportive uses on land to the north-west of the MCP Area;

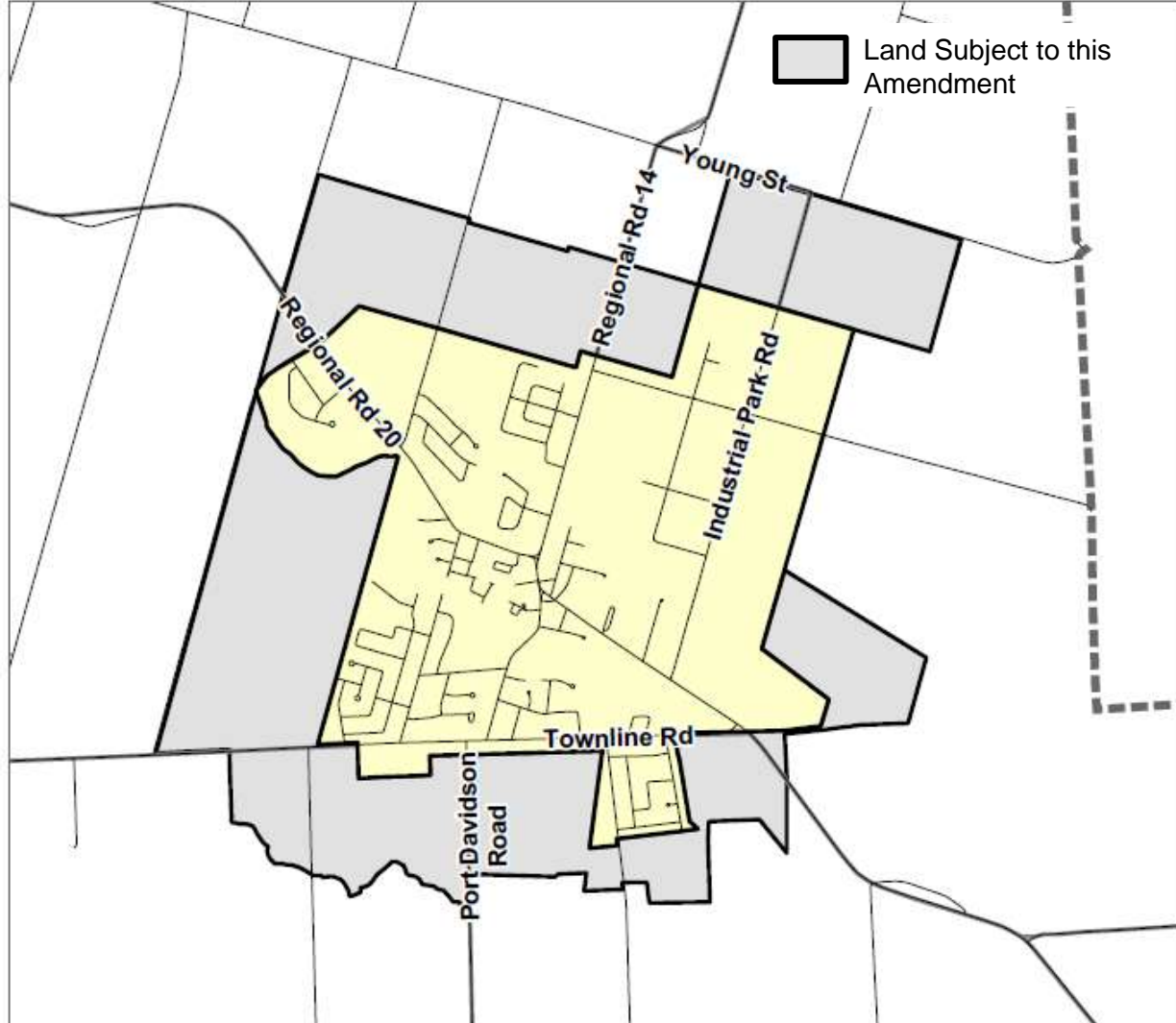
- Establish policies to recognize and protect existing farm operations within the MCP Area while providing for the future transition of the area to urban land uses and designate a special policy area for specific land within the MCP Area where land uses will be limited until such time as constraints related to the proximity of the land to an existing livestock operation are addressed or no longer exist;
- Identify and establish policies for the recommended Smithville Transportation Plan and to guide and direct future transportation system improvements as well as future streets and active transportation/trail routes and including the potential alignment of a future alternative truck route/Regional Road 20 by-pass conceptually identified in the Niagara Region Official Plan;
- Establish a Development Staging Plan for the Smithville MCP Area including overall stage areas and sub-phases to direct the coordinated and orderly development of the area for urban land uses aligned with the timing of required infrastructure and transportation systems in accordance with the Township's Master Servicing Plan (MSP) and Transportation Master Plan (TMP).

1.4 LOCATION

The Amendment applies primarily to land surrounding the existing community of Smithville in the Township of West Lincoln within the area shown on the location map on the following page.

The total land area within Master Community Plan Study Area is approximately 685 hectares, and the total land area included within the MCP Secondary Plan by this amendment is approximately 540 hectares.

Certain aspects of this amendment relate to matters beyond the MCP Secondary Plan Area and apply to the Smithville Urban Area as a whole, including the Natural Heritage System mapping and policies. Special Policy Area 1 (agriculture-related uses) applies to land within the MCP Study Area between Young Street and the south limit of the Hydro One Corridor between the unopened portion of South Grimsby Road 6 on the west and the Smithville Urban Area boundary (as amended by Official Plan Amendment No. 62) on the east.

Location Map**1.5 BASIS OF THE AMENDMENT**

This Amendment is based upon the Smithville Master Community Plan process undertaken by the Township of West Lincoln under the Planning Act integrated with related infrastructure planning in accordance with the requirements of the Municipal Engineers Association's Municipal Class Environmental Assessment (EA) for Water, Wastewater and Roads (as amended in 2015) Master Plan Approach #4. A Subwatershed Study has also been undertaken to address environmental and stormwater considerations associated with the Twenty Mile Creek watershed and support the Master Community Plan Study including the EA process.

The Master Community Plan process has been completed concurrently and coordinated with the Niagara Region Official Plan and this Amendment is intended to conform to and locally implement the policies of the Niagara Region Official Plan (2022) for West Lincoln and the Smithville Urban Area, as well as the Growth Plan for the Greater Golden Horseshoe (2020), and to be consistent with the Provincial Policy Statement (2020). This amendment is also based

on a phased implementation of the Smithville MCP building upon Township of West Lincoln Official Plan Amendment No. 62 which implements changes to the Smithville Urban Area boundary and 2051 growth forecasts for the Township of West Lincoln implementing the settlement area boundary and growth forecasts for West Lincoln in accordance with the Niagara Region Official Plan.

PART 2 – THE AMENDMENT

2.1 PREAMBLE

All of this part of the document entitled PART 2 - THE AMENDMENT, consisting of the text amendments and mapping amendments constitute Amendment No. 63 to the Official Plan of the Township of West Lincoln.

2.2 DETAILS OF THE AMENDMENT

2.2.1 The text of the Township of West Lincoln Official Plan is hereby amended by deleting the words “and future greenfield areas” from section 5.5 (a).

2.2.2 The text of the Township of West Lincoln Official Plan is hereby amended by deleting the following text from section 5.5 (d):

“Future Greenfield Areas are intended to be planned primarily for future residential neighbourhoods as complete communities with a range of housing, commercial and community facilities and services, parks and a linked natural heritage and open space system, to be developed on full municipal services and supported by a local, collector and arterial street network, including complete streets, providing for transportation options and the efficient movement of people and goods. Future Greenfield Areas will be designated for specific land uses, and related policies as well as the required infrastructure, transportation systems and natural heritage systems will be established for these areas, through Township-initiated Official Plan Amendment(s) to implement the Smithville Master Community Plan.”

2.2.3 The text of the Township of West Lincoln Official Plan is hereby amended by adding the following sentence to the end of subsection 4.2.1(a)(ii):

“These uses will be encouraged to be located within Special Policy Area 1 (see subsection 6.11.7.2.11).”

2.2.4 The text of the Township of West Lincoln Official Plan is hereby amended by re-wording the second sentence of clause (a) of subsection 6.11.1 to read as follows:

“Six (6) Secondary Plans are included in this Official Plan.”

2.2.5 The text of the Township of West Lincoln Official Plan is hereby amended by deleting subsection 6.11.7 and replacing it with the following new subsection 6.11.7 as follows:

6.11.7 Smithville Master Community Plan

6.11.7.1 Introduction

1. Area Context & Integrated Planning Approach

The Smithville Master Community Plan (MCP) Area (“MCP Area”) surrounds the existing community and is shown on Schedule “B-4”. The outer boundary of the MCP Area coincides with Smithville’s urban boundary while the inner boundary coincides with previous

urban boundary limit prior to the approval of the Niagara Region Official Plan (2022) and Township of West Lincoln Official Plan Amendment No. 62, encompassing a total land area of approximately 540 hectares.

Smithville including the MCP Area falls within three watersheds: the Twenty Mile Creek Watershed, the North Creek Watershed, and the Spring Creek Watershed. Natural features within the MCP Area consist of woodlands, wetlands, and watercourses. Twenty Mile Creek and its associated valley and floodplain is a prominent feature on the landscape, and North Creek lies along a portion of the southerly boundary of the MCP Area. Several headwater drainage features are found throughout the MCP Area, and karst features are also present.

The existing pattern of land uses in the MCP Area is characterized primarily by land that has historically been used for agriculture. The Leisureplex Township Park, located along South Grimsby Road 6, is the primary public outdoor sports venue in West Lincoln. Existing land uses in the MCP Area are privately serviced on the basis of individual on-site sanitary systems and water supply wells as well as private water cisterns.

Existing hydro transmission corridors are located along the north limits of the MCP Area, and a natural gas pipeline corridor crosses through the area south of Townline Road.

The transportation system is characterized by existing rural-standard roadways, with Regional Roads 14 and 20 being the primary through-routes and local Township roads (including Townline Road, South Grimsby Roads 5 and 6, Industrial Park Road, Port Davidson Road, Shurie Road, and Tober Road) providing secondary access to the Smithville area. Some existing and planned local streets within Smithville provide for future connections to the MCP Area. The Canadian Pacific Railway (CPR) that runs through Smithville also runs through the MCP Area, with three existing at-grade road crossings.

The Smithville MCP Area is the primary greenfield area designated to accommodate future growth in the Township to the planning horizon of the Official Plan, and the MCP establishes the future land use plan for that area to provide for its transition to urban land uses.

The MCP has been developed through a coordinated, integrated, and comprehensive approach, informed by watershed planning. The MCP was completed concurrently with the preparation of the Niagara Region Official Plan and followed the integrated *Planning Act* and Municipal Engineers Association's Municipal Class Environmental Assessment (EA) process (Approach #4). Infrastructure and transportation systems and improvements will be in accordance with

the Master Servicing Plan (MSP) and Transportation Master Plan (TMP) completed as part of the MCP.

A Subwatershed Study (SWS) has been prepared for the MCP Area to characterize the area's existing environmental conditions and water resources. The findings and recommendations of the SWS have been integrated into the MCP and, in conjunction with the MSP and TMP, will be used to inform and guide more detailed planning for the sustainable development and environmental management of the area and for the provision of infrastructure and services.

The MCP will be implemented through the preparation of Block Plans supported by Master Environmental Servicing Plans (MESPs), which will be required to guide complete applications for development under the *Planning Act*. Development in the MCP Area will require amendments to the Township's Comprehensive Zoning By-law.

The above paragraphs are intended as preamble to provide background and context to assist with the interpretation and application of the Secondary Plan.

2. Vision

The MCP process involved a series of public and stakeholder consultation events and opportunities, which included public information centres, a virtual engagement site, public meetings, and online community surveys and presentations featuring live polls. Several themes that emerged from the input received have contributed to the Vision for the Smithville MCP and informed the development of the MCP's goals, land use concept, and policies.

As the MCP is intended to accommodate growth over a period of approximately 30 years (to 2051), it is anticipated that future updates and changes to the MCP may be required by way of amendments to the Township's Official Plan. The Vision presented below describes the overall outcomes and desired future state of the MCP Area and articulates the general intent of the MCP. Future decision-making, including decision-making about possible updates to the MCP, should have reference to this Vision statement, particularly in circumstances where conformity with the MCP is in question.

The above paragraphs are intended as preamble to assist with the interpretation and application of the following Vision for the Secondary Plan and the community of Smithville more broadly.

Smithville is a vibrant centre of community life and economic activity in western Niagara, offering a range of services and amenities to residents across the Township and as a memorable place to visit.

West Lincoln's diverse agricultural sector is strengthened by local access to supportive and complementary businesses in Smithville's north-east employment area and farm-related services nearby, and local food retailing opportunities. The movement of goods including agricultural products is efficiently accommodated by strong regional transportation connections and delivery routes, connecting local businesses to broader markets. Smithville's well-defined community edges provide certainty to the long-term protection of high-quality farmlands and investment in agricultural production.

Smithville accommodates a growing population and employment while retaining its rural, small-town character, and using land, energy and infrastructure efficiently. Community and environmental health, sustainability and resiliency are protected by a linked system of natural features, water resources and open spaces, supported by environmental stewardship and watershed management. Urban places are framed and enhanced by connected natural landscapes.

Quiet residential neighbourhoods provide a range of housing to meet diverse needs. Local retail and services, parks, open spaces and community facilities are within convenient walking and cycling distances via safe, multi-modal streets and multi-use trails. A network of complete streets supports enhanced connectivity within neighbourhoods and throughout Smithville and provides access to local and regional transit and ride-sharing options.

3. Goals

The following goals have been identified to build on the Vision for the Smithville MCP and to further establish the intent and direction of this Plan, and future decision-making related to planning matters affecting land within the MCP Area, including decision-making about possible updates to the MCP, shall be consistent with these goals:

- a) Designate urban land areas, and direct the establishment of municipal infrastructure and transportation systems, to support Smithville's growth and expansion as the primary location for accommodating the Township's forecast growth and development to the planning horizon of this Plan.
- b) Provide a framework for the development of a balanced mix of urban land uses in the MCP Area that will help Smithville become a complete community while respecting and enhancing the small-town character of Smithville.

- c) Promote the development of a compact, sustainable, and resilient built environment that supports the reduction of greenhouse gas emissions.
- d) Recognize the importance of agriculture in the Township and protect agricultural areas by establishing well-defined community edges and appropriate transitions to urban land uses in the MCP Area while mitigating and minimizing impacts on agricultural operations.
- e) Provide opportunities for the establishment of land uses, businesses, industries, and facilities in the MCP Area that will support the agricultural sector, and enhance Smithville's role as a service centre by providing regional transportation connectivity and efficient goods movement corridors.
- f) Identify and designate a linked Natural Heritage System and direct the manner in which it will be protected, restored, and enhanced while promoting environmental stewardship and watershed management.
- g) Identify the conceptual locations for future stormwater management facilities, as informed by subwatershed planning for the MCP Area, and provide direction for addressing and managing the impacts of development through green infrastructure and low-impact development approaches, ensuring that these facilities help the community adapt to the effects of climate change.
- h) Identify the conceptual locations for future community facilities, parks, open spaces, and a well-connected active transportation and recreational trails system that will meet community needs and support access to a range of built and natural settings for active and passive recreation, education, health care, and other public and community services.
- i) Promote diversification in the local economy, and protect, reinforce, and provide for the expansion of the North-East Smithville Industrial Park as the primary location for urban employment growth in the Township.
- j) Protect corridors for future transportation facilities and other linear infrastructure needs, including potential routes for the future alternative truck route / by-pass (identified conceptually in the Niagara Region Official Plan) to support the implementation of that future by-pass.
- k) Establish a multi-modal transportation system that supports choice and efficiency through a well-connected street network, including complete streets, and identify the conceptual location

and general pattern of future streets and active transportation routes.

- l) Provide for a range and mix of housing types that meet residents' full range of housing needs while achieving targets for densities and for the mix of unit types.
- m) Provide for the emergence of mixed-use nodes as village centres that will serve as pedestrian-oriented neighbourhood and community focal points in central locations offering local access to retail, commercial services, community facilities, and public spaces while achieving a high level of quality for urban design.
- n) Establish new community commercial "anchors" at the north-west and south-east community gateways along Regional Road 20 (West Street and St. Catharines Street) as retail and service nodes to meet the needs of the community and of visitors.
- o) Avoid conflicts between incompatible land uses by directing development to appropriate locations that allow for the separation of incompatible uses and the provision of appropriate buffering and other mitigative measures.
- p) Direct development away from areas where natural hazards pose a risk to public safety or a risk of damage to property, buildings, and structures, and provide a framework for the further assessment of hazards and constraints on development related to flooding, erosion, and karst features particularly as those hazards are amplified by the impacts of a changing climate.
- q) Provide for the preparation of more detailed Block Plans, to be supported by Master Environmental Servicing Plans, that will facilitate the implementation of the MCP Land Use Concept; the protection, restoration and enhancement of the Natural Heritage System; and the establishment of required infrastructure and transportation systems, and clarify what is required for a complete application proposing development in the MCP Area.
- r) Ensure the logical, timely and orderly development of the MCP Area in a staged and coordinated manner that is aligned with investments in, and the timing of the development of, infrastructure and transportation systems based on and informed by the Region's and Township's Master Plans for servicing and transportation.

6.11.7.2 Land Use Plan

1. Land Use Concept

The land use designations for the Smithville MCP Area are shown on Schedules “E-8” (“North Community Area”), “E-9” (“Employment Area”), “E-10” (“South Community Area”), and “E-11” (“West Community Area”) to this Plan. This section of the MCP focuses on the designations listed under “Urban Place-Types” on the aforementioned Schedules, which consist of the following place-types:

- Residential;
- Medium Density;
- Commercial;
- Mixed Use Node;
- Open Space;
- Employment; and
- Restricted Employment.

All of the “place-types” are land use designations.

The “Mixed Use Node” and “Restricted Employment” place-types shall be interpreted as overlay designations (see Subsections 6.11.7.2.5 and 6.11.7.2.9).

Policies regarding the components of the Natural Heritage System shown on the Land Use Schedules and those identified as “Other Features” (Karst features and “Wetlands for Further Review”) can be found in Section 6.11.7.3 below. The identification of an area as a “Potential Restoration Area” indicates that the area is considered a possible alternative location for the “Recommended Restoration Area” designation (see Subsection 6.11.7.3.16). Potential Restoration Areas are subject to the policies in Subsection 6.11.7.3.16. Karst features are considered Natural Hazard features and as such are subject to the policies in Subsection 6.11.7.3.17.

Policies regarding “Infrastructure / Corridors” identified on the Land Use Schedules can be found in Section 6.11.7.4 below. The areas identified as “Proposed SWM Facilities” on the schedules are the recommended and preferred locations for stormwater management facilities associated with future development, which will be required to conform with the policies and permitted uses for the land use designations adjacent to the Proposed SWM Facility. The precise locations of SWM facilities will be confirmed through Block Plans and the development approval process, as informed by the SWS.

Applications proposing development adjacent to the rail corridor shown on the Land Use Schedules are strongly encouraged to consider the recommendations made in the Guidelines for New Development in Proximity to Railway Operations (prepared for the Railway Association of Canada and the Federation of Canadian Municipalities) regarding the mitigation of impacts from noise and vibration and regarding other safety and security measures.

It is the intent of this Plan that all development in the Smithville MCP Area will proceed through the preparation of Block Plans in accordance with Section 6.11.7.6.1 below. Block Plans will provide refined and more specific details regarding the location, dimensions, and types of land uses in conformity with the policies and permitted uses established in this section of the MCP.

The above paragraphs of this subsection are intended as preamble to assist with interpretation of the Secondary Plan and to be read in conjunction with applying the following policies:

- a) For the purposes of this section:
 - i. "Land Use Schedules" shall refer collectively to Schedules "E-8", "E-9", "E-10", and "E-11";
 - ii. "Place-types" and "land use designations" are synonymous, and the "Urban Place-Types", "Natural Heritage System (NHS)" and "Recommended Restoration Area" shown on the Land Use Schedules are land use designations;
 - iii. The "Mixed Use Node" and "Restricted Employment" place-types shall be interpreted as overlay designations; and,
 - iv. "the Official Plan" shall refer to the Official Plan of the Township of West Lincoln.
- b) Any area shown on one of the Land Use Schedules as being located in a Conceptual Buffer shall be considered part of the Smithville Natural Heritage System and shall be subject to the policies in Section 6.11.7.3.14 below, notwithstanding any underlying land use designation shown on the Land Use Schedules.
- c) The Smithville MCP Area will be planned to achieve an overall minimum density of 50 combined people and jobs per hectare.
- d) The minimum density target established in Policy No. 6.11.7.2.1.c) above should be interpreted as applying to the Smithville MCP Area as a whole. Complete applications for development will be required to demonstrate that the

development will achieve the target or, if the target will not be achieved by the development, that the development will not negatively affect the achievement of the target when considered in conjunction with other developments and the overall development of the MCP Area.

- e) Where a policy in this section of the Plan makes reference to building height in terms of storeys, a single “storey” should be understood as being the height defined through more specific regulations to be established in the implementing Zoning By-law.
- f) All development adjacent to the rail corridor shown on the Land Use Schedules shall comply with all applicable standards and requirements of CP Rail, Transport Canada, and any other relevant agency.
- g) Development in all land use designations shall be subject to the policies in Section 6.11.7.5 regarding community design and sustainability.
- h) Nothing in this Plan is intended to limit the ability of existing agricultural uses in the Smithville MCP Area to continue.

2. Residential

The “Residential” place-type is intended to provide opportunities for the development of low-rise, ground-related residential land uses at lower densities.

The following policies shall apply to those areas designated “Residential” on the Land Use Schedules:

- a) The following residential uses shall be permitted in the “Residential” designation:
 - i. single detached dwellings;
 - ii. semi-detached dwellings;
 - iii. duplex dwellings; and
 - iv. townhouse dwellings.
- b) The following shall be permitted in the “Residential” designation in conjunction with the uses permitted in Policy No. 6.11.7.2.1.a):
 - i. accessory apartments (either in the same building as the primary dwelling or in a detached building), subject to the policies in Section 17.1 of the Official Plan;

- ii. converted dwellings, subject to the policies in Section 17.1 of the Official Plan; and
 - iii. garden suites, subject to the policies in Section 18.4 of the Official Plan.
- c) The following non-residential uses may be permitted in the “Residential” designation in conjunction with the uses permitted in Policy No. 6.11.7.2.1.a):
- i. home occupations, provided that:
 - A) the use is clearly secondary to the primary residential use of the property;
 - B) the overall residential character of the property is maintained; and
 - C) the use complies with all relevant provisions of the Zoning By-law;
 - ii. bed-and-breakfast establishments, provided that:
 - A) the use is clearly secondary to the primary residential use of the property;
 - B) all guest rooms are contained within the same building as the principal dwelling unit;
 - C) the establishment is operated by someone who resides in the principal dwelling unit and who is present when the establishment is operating;
 - D) any additions or modifications to the property to accommodate the establishment are compatible with the residential character of the neighbourhood; and
 - E) the establishment will not have any negative impacts on the privacy of residents of adjacent properties or on their ability to enjoy their property; and
 - iii. public and private utilities, provided that:
 - A) the proposed location is supported by technical reports prepared by qualified professionals;
 - B) the scale of any buildings and structures associated with the utility is compatible with the residential character of the area; and
 - C) the use will not interfere with the ability of nearby residents to enjoy their properties.

- d) The following uses may be permitted in the “Residential” designation but shall require an amendment to the Zoning By-law:
 - i. local convenience or service retail uses, provided that:
 - A) the use is small in scale and does not exceed a gross floor area of 200 m²;
 - B) the use serves the needs of the immediate neighbourhood;
 - C) the use is compatible with adjacent uses and will not detract from the overall residential character of the area; and
 - D) adequate buffering and screening will be provided between the use and adjacent residential properties;
 - ii. day-care facilities, provided that:
 - A) the property has access to a Collector Road;
 - B) the use is compatible with adjacent uses and will not detract from the overall residential character of the area;
 - C) adequate buffering and screening will be provided between the use and adjacent residential properties; and
 - D) the use is able to safely accommodate on-site drop-off and pick-up points and will be provided with sufficient parking;
 - iii. places of worship, provided that:
 - A) the property has an area no greater than 0.75 ha;
 - B) the property has access to a Collector Road, an Arterial “B” Road, or a Rural Road;
 - C) the use is compatible with adjacent uses and will not detract from the overall residential character;
 - D) the building in which the use is located is designed to a high standard of quality; and
 - E) extensive buffering and screening will be provided between the use and adjacent residential properties; and
 - iv. educational facilities, provided that:

- A) the property has access to a Collector Road, an Arterial “B” Road, or a Rural Road;
 - B) the use and the scale of any buildings associated with the use is compatible with adjacent uses and will not detract from the overall residential character of the area;
 - C) Council is satisfied that the proposed use will not have any negative impacts on surrounding uses; and
 - D) adequate buffering and screening will be provided between the use and adjacent residential properties.
- e) Any land use in the “Residential” designation, other than those listed in Policy No. 6.11.7.2.2.a) above, may be subject to site plan control.
 - f) Areas designated “Residential” shall be planned to achieve an overall gross density of between 15 and 20 dwelling units per hectare, which shall be implemented through the Block Plan process and shall be measured across the designated area in each Block Plan.
 - g) Residential areas shall provide an appropriate mix of dwelling types in a variety of compatible sizes and styles, as determined through the Block Plan process.
 - h) No building or structure in the “Residential” designation shall exceed a height of 2.5 storeys, except that this policy shall not apply to structures that have specific relief or exemption from the maximum height regulations of the Zoning By-law as set out therein.
 - i) Residential uses should be designed to accommodate or facilitate the addition of an accessory dwelling unit.
 - j) Development in the “Residential” designation shall be designed in accordance with the principles and policies for the “Residential Neighbourhood” character area set out in Subsection 6.11.7.5.2 below.

3. Medium Density

The “Medium Density” place-type is intended to provide opportunities for the development of low-rise, multi-unit residential land uses at medium densities, such as triplex, four-plex, and townhouse dwellings.

The following policies shall apply to those areas designated “Medium Density” on the Land Use Schedules:

- a) The following residential uses shall be permitted in the “Medium Density” designation:
 - i. townhouse dwellings in a variety of forms (including street, cluster, back-to-back, and stacked);
 - ii. triplex dwellings;
 - iii. four-plex dwellings;
 - iv. other forms of multi-residential development, up to six units unless otherwise approved by the Township through the implementing Zoning By-law; and
 - v. apartment buildings, subject to Policy No. 6.11.7.2.3.c) below.
- b) Single detached dwellings, semi-detached dwellings, and duplex dwellings may be permitted in the Medium Density designation, subject to Policy No. 6.11.7.2.3.c) below and provided that the overall density target established in Policy No. 6.11.7.2.3.g) is achieved.
- c) The Block Plan process will be used to determine the specific mix of housing types provided in any given development, which shall generally adhere to the following proportions:
 - i. those residential uses listed in Policy No. 6.11.7.2.3.a) above except for apartment buildings should comprise no less than 80% of all units;
 - ii. apartment buildings should comprise no more than 10% of all units; and
 - iii. the low-density residential uses referred to in Policy No. 6.11.7.2.3.b) should comprise no more than 10% of all units.
- d) The following may be permitted in the “Medium Density” designation where permitted in conjunction with the uses permitted in Policy No. 6.11.7.2.3.a) or 6.11.7.2.3.b):
 - i. accessory apartments (either in the same building as the primary dwelling or in a detached building), subject to the policies in Section 17.1 of the Official Plan;
 - ii. converted dwellings, subject to the policies in Section 17.1 of the Official Plan; and

- iii. garden suites, subject to the policies in Section 18.4 of the Official Plan.
- e) The following uses may be permitted in the “Medium Density” designation where permitted in conjunction with the uses permitted in Policy No. 6.11.7.2.3.a) or 6.11.7.2.3.b):
 - i. communal housing, provided that:
 - A) the nature and scale of the use are compatible with adjacent uses and with the overall residential character of the area;
 - B) the development provides adequate amenity areas for residents and sufficient parking facilities for employees, residents, and visitors, as necessary; and
 - C) adequate buffering and screening is provided between the use and adjacent residential uses;
 - ii. home occupations, provided that:
 - A) the use is secondary to the primary residential use of the property;
 - B) the use maintains the overall residential character of the property and is compatible with adjacent uses; and
 - C) the use complies with all relevant provisions of the Zoning By-law;
 - iii. bed-and-breakfast establishments, provided that:
 - A) the use is secondary to the primary residential use of the property;
 - B) all guest rooms are contained within the same building as the principal dwelling unit;
 - C) the establishment is operated by someone who resides in the principal dwelling unit and who is present when the establishment is operating;
 - D) any additions or modifications to the property to accommodate the establishment are compatible with the overall character of the area; and
 - E) the establishment will not have any negative impacts on adjacent properties; and
 - iv. public and private utilities, provided that:

- A) the proposed location is supported by technical reports prepared by qualified professionals;
 - B) the scale of any buildings and structures associated with the utility is compatible with the character of the area; and
 - C) the use will not have any negative impacts on adjacent properties.
- f) The following uses may be permitted in the “Medium Density” designation but shall require an amendment to the Zoning By-law:
- i. local convenience or service retail uses, provided that:
 - A) the use is small in scale and does not exceed a gross floor area of 200 m²;
 - B) the use serves the needs of the immediate area;
 - C) the use is compatible with adjacent uses and will not detract from the overall character of the area; and
 - D) adequate buffering and screening will be provided between the use and adjacent residential properties;
 - ii. day-care facilities, provided that:
 - A) the property has access to a Collector Road, an Arterial “B” Road, or a Rural Road;
 - B) the use is compatible with adjacent uses and will not detract from the overall character of the area;
 - C) adequate buffering and screening will be provided between the use and adjacent residential properties; and
 - D) the use is able to safely accommodate on-site drop-off and pick-up points and will be provided with sufficient parking;
 - iii. places of worship, provided that:
 - A) the property has an area no greater than 0.75 ha;
 - B) the property has access to a Collector Road, an Arterial “B” Road, or a Rural Road;
 - C) the use is compatible with adjacent uses and will not detract from the overall character of the area;

- D) the building in which the use is located is designed to a high standard of quality; and
- E) adequate buffering and screening will be provided between the use and adjacent residential properties; and
- iv. educational facilities, provided that:
 - A) the property has access to a Collector Road, an Arterial “B” Road, or a Rural Road;
 - B) the use is compatible with adjacent uses and will not detract from the overall character of the area;
 - C) Council is satisfied that the proposed use will not have any negative impacts on surrounding uses; and
 - D) adequate buffering and screening will be provided between the use and adjacent residential properties.
- g) Areas designated “Medium Density” shall be planned to achieve an overall gross density of between 20 and 40 dwelling units per hectare, which shall be implemented through the Block Plan process and shall be measured across the designated area in each Block Plan.
- h) No building or structure in the “Medium Density” designation shall exceed a height of 3 storeys, except that this policy shall not apply to the following:
 - i. structures that have specific relief or exemption from the maximum height regulations of the Zoning By-law as set out therein;
 - ii. buildings and structures for which a site-specific amendment to the Zoning By-law permits a greater height, but such an amendment shall not permit a height greater than 4 storeys, and the application shall include information to justify the additional height based on the applicable policies of this Plan.
- i) All development in the “Medium Density” designation, except for the development of a use identified in Policy No. 6.11.7.2.3.b) above, shall be subject to site plan control.
- j) Development in the “Medium Density” designation outside of the “Mixed Use Node” overlay designation shall be designed in accordance with the principles and policies for the “Residential

Neighbourhood” character area set out in Subsection 6.11.7.5.2 below.

4. Commercial

The “Commercial” place-type is meant to accommodate a wide range of commercial uses to meet the needs of Smithville residents, located within reasonable walking distance and developed in a manner that will contribute to the achievement of complete communities. This designation is also meant to accommodate some residential uses in dwelling units above the first floors of buildings.

The following policies shall apply to those areas designated “Commercial” on the Land Use Schedules:

- a) The following non-residential uses shall be permitted in the “Commercial” designation:
 - i. a full range of retail commercial uses;
 - ii. personal service uses and commercial service uses;
 - iii. office commercial uses;
 - iv. medical clinics, dental clinics, and other health care-related uses;
 - v. restaurants;
 - vi. hotels;
 - vii. cultural, recreational, and entertainment uses;
 - viii. community uses and institutional uses; and
 - ix. public and private utilities.
- b) The following uses may be permitted in the “Commercial” designation:
 - i. day-care facilities, provided that:
 - A) the use is compatible with adjacent uses and will not detract from the overall commercial character of the area;
 - B) adequate buffering and screening will be provided between the use and adjacent commercial properties; and
 - C) the use is able to safely accommodate on-site drop-off and pick-up points and will be provided with sufficient parking; and
 - ii. public and private utilities, provided that:

- A) the proposed location is supported by technical reports prepared by qualified professionals;
 - B) any buildings or structures associated with the utility will be compatible with the commercial character of the area; and
 - C) the use will not have any negative impacts on adjacent commercial properties.
- c) The following uses may be permitted in the “Commercial” designation but shall require an amendment to the Zoning By-law:
- i. automotive-oriented uses, such as gas stations, automotive sales establishments, and automotive service and repair establishments, provided that:
 - A) these uses shall not be permitted in Mixed Use Nodes;
 - B) through the implementing Zoning By-law, the land area zoned for such uses does not exceed 25% of the total land area zoned for commercial land uses within the Commercial designation (excluding Mixed Use Nodes) in the MCP Area;
 - C) the use is compatible with adjacent uses and will not detract from the overall commercial character of the area; and
 - D) adequate buffering and screening will be provided between the use and adjacent commercial properties.
 - ii. places of worship, provided that:
 - A) the property has an area no greater than 0.75 ha;
 - B) the use is compatible with adjacent uses and will not detract from the overall commercial character of the area; and
 - C) adequate buffering and screening will be provided between the use and adjacent commercial properties.
- d) Parking for a place of worship permitted under Policy No. 6.11.7.2.4.c.ii above may be provided through a shared parking arrangement with an adjacent commercial use through the implementing Zoning By-law and appropriate development agreements.

- e) The following uses shall not be permitted in the “Commercial” designation:
 - i. adult entertainment establishments; and
 - ii. residential uses, except within Mixed Use Nodes in accordance with Subsection 6.11.7.25.
- f) Permitted commercial uses may be located in free-standing buildings or in multi-unit commercial buildings. In Mixed Use Nodes, permitted commercial uses may be located in mixed commercial–residential buildings.
- g) All development in the “Commercial” designation shall be subject to site plan control.
- h) No building or structure in the “Commercial” designation shall exceed a height of 3 storeys except that this policy shall not apply to the following:
 - i. structures that have specific relief or exemption from the maximum height regulations of the Zoning By-law as set out therein;
 - ii. buildings and structures for which a site-specific amendment to the Zoning By-law permits a greater height, but such an amendment shall not permit a height greater than 4 storeys, and the application shall include information to justify the additional height based on the applicable policies of this Plan.
- i) Development in the “Commercial” designation outside of the “Mixed Use Node” overlay designation shall be designed in accordance with the principles and policies for the “Commercial” character area set out in Subsection 6.11.7.5.3 below.

5. Mixed Use Node

The “Mixed Use Node” place-type identifies areas meant to serve as neighbourhood focal points, accommodating a mix of compatible residential, commercial, and community uses. Most of the Mixed Use Nodes in the Smithville MCP Area are centrally located to serve as walkable destinations. There are also some Mixed Use Nodes located along key corridors or at community gateways.

The “Mixed Use Node” designation is an overlay designation, with areas classified as either “Commercial Mixed Use Nodes” or “Medium-Density Mixed Use Nodes,” as determined by the underlying place-type designation.

The following policies shall apply to those areas designated “Mixed Use Node” on the Land Use Schedules:

- a) For the purposes of this section of the Plan:
 - i. “Commercial Mixed Use Node” shall refer to any area shown on the Land Use Schedules that is designated “Commercial” and is located within an area designated “Mixed Use Node”; and
 - ii. “Medium-Density Mixed Use Node” shall refer to any area shown on the Land Use Schedules that is designated “Medium Density” and located within an area designated “Mixed Use Node”.
- b) The policies that apply to the underlying land use designation shall also apply to the “Mixed Use Node” designation, except that where a policy that applies to the underlying land use designation conflicts with a policy contained in this section (Section 6.11.7.2.5) of the Plan, the policy in this section shall prevail.
- c) The uses permitted in the “Mixed Use Node” designation shall be those permitted in the underlying designation.
- d) Notwithstanding Policy No. 6.11.7.2.5.c), the implementing Zoning By-law may permit the following non-residential uses in a Medium-Density Mixed Use Node:
 - i. small-scale retail commercial uses;
 - ii. personal service commercial uses;
 - iii. small-scale office commercial uses;
 - iv. live–work units; and
 - v. community uses.
- e) For the purposes of Policy No. 6.11.7.2.5.d), the meaning of “small-scale” shall be determined as part of the implementing Zoning By-law which shall establish provisions to regulate the size of retail commercial and office commercial uses so that they are secondary to the primary residential uses and based on information demonstrating that they will support the planned function, viability and successful integration of compatible uses in the Medium-Density Mixed Use Node.
- f) Notwithstanding Policy No. 6.11.7.2.5.c), the implementing Zoning By-law may permit residential uses in a Commercial Mixed Use Node, except that:

- i. single detached dwellings, semi-detached dwellings, and duplex dwellings shall not be permitted in any Commercial Mixed Use Node; and
 - ii. no residential use shall be permitted on the ground floor of a building in a Commercial Mixed Use Node, unless the residential use in question is:
 - A) a communal housing use; or
 - B) an apartment building.
- g) Commercial Mixed Use Nodes should feature a mix of uses that generally adheres to the following proportions:
 - i. commercial uses should comprise between 75% and 85% of the gross floor area of development; and
 - ii. residential uses should comprise between 15% and 25% of the gross floor area of development.
- h) Residential uses in the Commercial Mixed Use Nodes may consist of buildings with dwelling units such as apartments and live-work units that are located on floors above the ground floor and/or separate commercial and residential buildings on the same site provided that
 - i. if separate commercial and residential buildings are proposed, the ground floor area of residential building(s) shall not exceed the lesser of the commercial ground floor area or 15% of the total net developable land area of the site;
 - ii. if separate commercial and residential buildings are proposed, the residential building(s) shall be for one or more uses permitted by Policy No. 6.11.7.2.5.f); and,
 - iii. if shared parking provisions are proposed these requirements shall be established in the implementing Zoning By-law.
- i) Medium-Density Mixed Use Nodes should feature a mix of uses that generally adheres to the following proportions:
 - i. residential uses should comprise between 75% and 85% of the gross floor area of development, with a mix of unit types similar to that described in Policy No. 6.11.7.2.3.c) above; and
 - ii. commercial uses should comprise between 15% and 25% of the gross floor area of development, provided that

stand alone commercial uses shall not exceed 15% of the net developable land area of the site.

- j) The proportions set out in Policy No. 6.11.7.2.5.g) and Policy No. 6.11.7.2.5.i) above are intended as general targets, shall not be used as the sole basis for refusing a development application, and shall be more specifically set out in the implementing Zoning By-law. The provisions of the Zoning By-law may vary from the proportions set out in Policy No. 6.11.7.2.5.g) and Policy No. 6.11.7.2.5.i) above and may differ by location if alternative proportions are justified based on information demonstrating that:
 - i. the proposed alternative to the development proportions set out in Policy No. 6.11.7.2.5.g) will support the planned function, viability and successful integration of compatible uses in the Commercial Mixed Use Node primarily for permitted commercial uses and secondarily for permitted residential uses;
 - ii. the proposed alternative to the development proportions set out in Policy No. 6.11.7.2.5.i) above will support the planned function, viability and successful integration of compatible uses in the Medium-Density Mixed Use Node primarily for permitted residential uses and secondarily for permitted commercial uses; and,
 - iii. the development is in keeping with the other applicable policies of this Plan.
- k) Medium-Density Mixed Use Nodes shall be planned to achieve an overall gross density of between 20 and 40 dwelling units per hectare, which shall be implemented through the Block Plan process and shall be measured across the designated area in each Block Plan.
- l) No building or structure in the “Mixed Use Node” designation shall exceed a height of 3 storeys except that this policy shall not apply to the following:
 - i. structures that have specific relief or exemption from the maximum height regulations of the Zoning By-law as set out therein;
 - ii. buildings and structures for which a site-specific amendment to the Zoning By-law permits a greater height, but such an amendment shall not permit a height greater than 4 storeys, and the application shall include information to justify the additional height based on the applicable policies of this Plan.

- m) Development in the “Mixed Use Node” designation shall be designed according to the principles and policies for the “Mixed Use Neighbourhood Node” character area set out in Subsection 6.11.7.5.4 below.
- n) Parking for developments within Mixed Use Nodes may be provided through shared parking arrangements through the implementing Zoning By-law and appropriate development agreements.

6. Open Space

The “Open Space” place-type is intended to accommodate a range of outdoor recreation facilities and amenities to support both active and passive recreation uses. These areas will help establish a connected public open space system, and are further intended to provide opportunities for community greening, green infrastructure, and enhanced tree canopy coverage.

The following policies shall apply to those areas designated “Open Space” on the Land Use Schedules:

- a) The following uses shall be permitted in the “Open Space” designation:
 - i. public parks, trails, and associated buildings and structures;
 - ii. a range of active and passive recreation uses; and
 - iii. conservation uses and natural areas, including those intended to protect, restore, or enhance features of the Natural Heritage System.
- b) Public and private utilities may be permitted in the “Open Space” designation, provided that:
 - i. the proposed location is supported by technical reports prepared by qualified professionals; and
 - ii. the use will not interfere with public enjoyment of the area or have any negative impacts on natural heritage features.
- c) Development and land uses in the “Open Space” designation shall be designed in accordance with the principles and policies for the “Residential Neighbourhood” character area set out in Subsection 6.11.7.5.2 below.
- d) As shown on the Land Use Plan, the conceptual locations for a total of eight (8) future Neighbourhood Parks (NP1 to NP8) are shown within the “Open Space” designation with an associated

400-metre (approximately 5-minute walking distance) to illustrate the approximate number, location, size and distribution of Neighbourhood Parks intended to service the planned population growth within the Secondary Plan Area. The final number, location, size and distribution of new Neighbourhood Parks and other parks within the Secondary Plan Area shall be determined through the Block Plan process which may refine the Neighbourhood Parks shown on the Land Use Plan, subject to the following:

- i. The minimum number of new Neighbourhood Parks provided shall be no less than eight (8) as shown on the Land Use Plan, with an overall target provision level of 1.0 hectare of parkland per 1,000 residents;
- ii. Neighbourhood Parks shall be centrally located within the surrounding neighbourhood to support convenient access and based on the following criteria:
 - A) highly visible street frontage on at least one adjoining street shall be provided along at least one quarter of the park perimeter;
 - B) adjacent to schools and/or other community facilities where possible;
 - C) with a target service area radius of 400 metres or a 5-minute walking distance from surrounding residential areas; and,
 - D) where the adjoining street layout and walkways support direct walking and cycling routes to the park;
- iii. Neighbourhood Parks should have a minimum park area of approximately 1 hectare and may be up to 3 hectares in size to support a range of local park facilities and amenities, and the Township may accept smaller parkettes that are provided in addition and supplementary to the required Neighbourhood Parks to enhance geographic access to parkland and connectivity of the overall parks and open space system and to support the achievement of the overall target parkland provision level.
- e) The location of the existing Leisureplex Township Park is depicted within the “Open Space” designation on the Land Use Plan and is intended to continue to function as the primary location for major outdoor recreational facilities for the entire Township. To contribute to addressing the needs of the growing community and as the adjoining neighbourhoods

develop, the Township may improve, expand or otherwise change the range and type of public recreational facilities and complementary uses, buildings and structures within the Leisureplex site based on a Parks Master Plan or similar initiative. Adjoining lands shall be developed in a manner that maintains and contributes to convenient access to the Leisureplex via walking and cycling and by providing an additional street access via Street D.

7. Community Facility

The “Community Facility” place-type is intended to accommodate a range of community facilities that play an important role in civic life. These places are often at the heart of community activities and host social events for people of all ages, abilities, and cultural backgrounds.

The following policies shall apply to those areas designated “Community Facility” on the Land Use Schedules:

- a) The following uses shall be permitted in the “Community Facility” designation:
 - i. schools and other educational facilities;
 - ii. libraries;
 - iii. community centres;
 - iv. cultural and recreational facilities;
 - v. places of worship;
 - vi. parks; and
 - vii. other similar uses and facilities as may be defined in the implementing Zoning By-law.
- j) No building or structure in the “Community Facility” designation shall exceed a height of 3 storeys except that this policy shall not apply to the following:
 - i. structures that have specific relief or exemption from the maximum height regulations of the Zoning By-law as set out therein;
 - ii. buildings and structures for which a site-specific amendment to the Zoning By-law permits a greater height, but such an amendment shall not permit a height greater than 4 storeys, and the application shall include information to justify the additional height based on the applicable policies of this Plan.

- b) Development in the “Community Facility” designation shall be designed according to the principles and policies for the “Mixed Use Neighbourhood Node” character area set out in Subsection 6.11.7.5.4 below.
- c) The Township will work with the School Boards to determine the need for new schools and the number and final location, size, distribution and other aspects of new school sites and school facilities based on planned growth and development in the Secondary Plan Area. Where the need for additional school facilities is identified through consultation with the Boards of Education, the Township will encourage the Board(s) to locate the school site(s) within the “Community Facility” designation.

8. Employment

The “Employment” place-type is intended to serve as an extension of Smithville’s existing North-East Industrial Park and to provide a land base for a range of industrial, office, and other ancillary and supportive uses.

The following policies shall apply to those areas designated “Employment” on the Land Use Schedules:

- a) The following uses shall be permitted in the “Employment” designation:
 - i. industrial uses, including manufacturing, processing, servicing, warehousing, and the storage of goods and raw materials;
 - ii. data processing, laboratories, and research and development facilities;
 - iii. agricultural services;
 - iv. offices associated with and ancillary to a permitted use in Policy No. 6.11.7.2.8.a)i, 8.a)ii. and 8.a)iii;
 - v. business parks, including professional and administrative offices, but excluding major offices; and,
 - vi. such other uses as may be permitted by the implementing Zoning By-law.
- b) Ancillary uses and facilities that are supportive of the overall employment area may be permitted in the “Employment” designation, provided that such uses and facilities:
 - i. are compatible with permitted employment uses;

- ii. will not hinder the establishment or continuation of any permitted employment use by virtue of sensitivity or other factors; and
 - iii. will support, or will not detract from, the overall functioning and viability of the area as an employment area.
- c) Retail sales that are ancillary to a permitted employment use may be permitted in the “Employment” designation, provided that the goods for sale are manufactured or processed on-site. Stand-alone and major retail and major commercial uses shall not be permitted.
 - d) All development on lands designated “Employment” shall be subject to site plan control.
 - e) Development in the “Employment” designation shall be designed according to the principles and policies for the “Urban Employment” character area set out in Subsection 6.11.7.5.5 below.

9. Restricted Employment

The “Restricted Employment” place-type is an overlay designation that has been applied to a small area at the southeasterly corner of the North Community Area, as shown on Schedule “E-8”. The purpose of this designation is to limit the types of employment uses permitted to those that will be compatible with adjacent residential areas. This designation is also intended to provide for an appropriate transition between the residential areas to the west and the larger employment area to the east.

The following policies shall apply to those areas designated “Restricted Employment” on the Land Use Schedules:

- a) The following uses shall be permitted in the “Restricted Employment” designation:
 - i. automotive-related uses, including car wash facilities;
 - ii. automobile sales establishments;
 - iii. business parks;
 - iv. commercial recreational facilities;
 - v. financial institutions;
 - vi. health clubs;

- vii. light industrial and prestige industrial uses, including light manufacturing, processing, servicing, warehousing, and the storage of goods and raw materials;
 - viii. local convenience/retail uses;
 - ix. nurseries and garden centres;
 - x. data processing, laboratories, and research and development facilities;
 - xi. professional and administrative offices;
 - xii. agricultural services; and
 - xiii. such other uses as may be permitted by the implementing Zoning By-law.
- b) All development on lands designated “Restricted Employment” shall be subject to site plan control.
 - c) Loading and outdoor storage areas shall be screened and generally directed towards the rear of buildings away from street frontages.
 - d) The Township will encourage buildings with continuous street frontage to promote a consistent urban character, and enhanced building and landscape design of visible gateway and prestige sites.
 - e) Development in the “Restricted Employment” designation shall be designed according to the principles and policies for the “Urban Employment” character area set out in Subsection 6.11.7.5.5 below.
10. Special Policy Area 1 (Agriculture-Related Uses)

Special Policy Area 1 consists of approximately 132 hectares of land on the south side of Young Street, from South Grimsby Road 6 to about 420 metres east of Thirty Road. This area is located just to the north of the North Community Area and includes the lands within the hydro right-of-way. These lands are designated “Good General Agricultural” with portions being located with the Natural Heritage System.

Special Policy Area 1 is intended to support rural economic development and to provide employment opportunities in the agricultural sector. Land uses in this area will support to continued viability and vitality of farming in the Township of West Lincoln and in Niagara Region. In particular, these lands are envisioned as accommodating uses that will benefit from a central location at the

edge of Smithville that has access to primary goods movement corridors.

- a) The following land uses shall be permitted in “Special Policy Area 1”:
 - i. agriculture-related uses, including the sales and servicing of farm equipment and the processing of food and agricultural products;
 - ii. agricultural uses; and
 - iii. on-farm diversified uses.
- b) Passive recreation uses, including multi-modal trails and other facilities and infrastructure for active transportation, may be permitted in Special Policy Area 1, in accordance with the conceptual alignment for such facilities shown on Schedule “E-13” to this Plan.
- c) Development permitted in Special Policy Area 1 shall be limited to that which can be supported by rural services.
- d) All development and land uses in Special Policy Area 1 shall be designed:
 - i. to ensure compatibility with nearby sensitive land uses;
 - ii. to maintain the area’s rural character;
 - iii. to avoid negative impacts on natural heritage features and to mitigate any such impacts to the fullest possible extent; and
 - iv. to minimize the potential of any adverse impacts on farm operations in the area and to mitigate any such impacts to the fullest possible extent.

11. Special Policy Area 2 (Limited Permitted Uses/Urban Infrastructure)

Special Policy Area 2 is located at the westerly edge of the North Community Area, as shown on Schedule “E-8” to this Plan. The purpose of Special Policy Area 2 is to limit permitted uses within the designated area until such time as the livestock operation at 6817 Highway 20 ceases to operate or it is demonstrated through future MDS analysis that a reduced MDS setback is justified based on changes to the livestock operation and/or intervening land uses provided that no urban community uses shall be permitted within the new MDS setback, while providing for the establishment of urban infrastructure to support the development of Blocks 1 and 2 for their intended urban uses.

- a) The uses permitted in “Special Policy Area 2” shall be limited to the following:
 - i. public roads, trails, and multi-use pathways;
 - ii. public utilities and other forms of linear infrastructure;
 - iii. stormwater management facilities; and
 - iv. public open space uses that do not involve a sensitive land uses.
- b) Nothing in Policy No. 6.11.7.2.11.a) is intended to hinder the ability of existing agricultural uses to continue.

6.11.7.3 **Natural Heritage System**

1. Natural Heritage System Context & Subwatershed Study

The Natural Heritage System (NHS) for Smithville including the MCP Area was identified primarily through the Subwatershed Study (SWS) undertaken as part of the MCP and in fulfillment of the requirements set out in Section 3.2.3 of the Niagara Region Official Plan. The SWS process involved a review of the existing policies in the Township of West Lincoln’s Official Plan alongside regional and provincial policies, as well as field surveys to identify significant and sensitive features in the Smithville MCP Area.

The Township’s overall NHS is considered part of Niagara Region’s Natural Environment System, as defined in the Niagara Region Official Plan and as represented by the “Natural Environment System Overlay” designation shown on Schedule “C1” to the Niagara Region Official Plan. Those portions of the Region’s Natural Environment System that are located within settlement areas, which includes the Smithville MCP Area, are subject to the policies in Section 3.1.9 of the Niagara Region Official Plan. The NHS identified through the SWS has refined the limits and boundaries of the areas designated by the Region, in accordance with Section 3.1.4 of the Niagara Region Official Plan.

According to Section 3.1.1.2 of the Niagara Region Official Plan, the components of the Region’s Natural Environment System also include groundwater features (such as recharge areas and aquifers), surface water features, and other features that serve hydrologic functions. The SWS has identified the locations of such features within the Smithville MCP Area.

The NHS for Smithville including the MCP Area is shown on Schedule “E-12” to this Plan. The NHS consists of the following components:

- Core Areas, which are the central defining features of the NHS and which consist of significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat, fish habitat, and habitat of endangered and threatened species;
- Conceptual Buffers, which serve to protect Core Areas from nearby land uses and to mitigate the impacts of development;
- Linkages, which provide physical and functional connections between Core Areas and which maintain the ability of various species to move between habitats; and
- Recommended Restoration Areas, which represent areas whose restoration to a natural state will enhance the functions and connectivity of the overall NHS and provide a range of ecological benefits.

The policies presented below shall apply to all lands in the NHS for the settlement area of Smithville including the MCP Area. These policies are meant to work in harmony with those set out in other sections of the Official Plan, in particular those contained in Section 10 (“Natural Environment”) and Section 11 (“Watershed Planning”). Specifically, the SWS and the NHS for Smithville including the policies of this Section are intended to:

- Support the achievement of the following objectives of this Plan within the Smithville Urban Area:
 - Section 10.2.1 (“Objectives for a Healthy Landscape”);
 - Section 10.3.1 (“Objectives” for Natural Vegetation and Wildlife)
 - Section 10.4.1 (“Objectives” for Water Resources)
 - Section 10.6.1 (“Objectives” for Natural Hazards)
 - Section 10.7.1 (“Objectives” for the Core Natural Heritage System); and,
 - Section 11.2 (“Objectives for Watershed Planning”);
- Further detail and support the appropriate application and implementation of the following policies of this Plan within the Smithville Urban Area:
 - Section 10.2.2 (“Policies for a Healthy Landscape”);
 - Section 10.3.2 (“Policies” for Natural Vegetation and Wildlife) including but not limited to the achievement of the coverage target identified in Section 10.3.2 (a) and the naturally vegetated buffers identified in Section 10.3.2 (b)

through the implementation of the SWS and also through voluntary landowner stewardship and restoration;

- Section 10.4.2 (“Policies” for Water Resources);
- Section 10.6.2 (“Policies for Natural Hazards”);
- Section 10.7.2 (“Policies” for the Core Natural Heritage System); and,
- Section 11.3 (“Policies for Watershed Planning”).

To support the achievement of the Township-wide coverage target in Section 10.3.2 (a) of this Plan, within the Smithville MCP Secondary Plan Area the area included as natural cover is not limited to woodlands and wetlands. The SWS and the NHS policies recognize and support the protection, restoration, enhancement and integration of additional features and areas and their contributions to achieving natural cover, and includes all components of the NHS as well as complementary public open spaces including parks, trails, green infrastructure corridors and stormwater management facilities where these additional areas overlap or are located adjacent to the NHS. The intent is to allow for refinement of the limits of the NHS in specific areas based on more detailed studies while supporting the achievement of the overall natural cover target across the Smithville MCP Secondary Plan Area, based upon the SWS and in keeping with the policies of this Plan. The above paragraphs of this subsection are intended as preamble to assist with interpretation of the Secondary Plan and to be read in conjunction with the following principles/objectives and applying the following policies:

2. Principles / Objectives

This objectives for the NHS for the Smithville settlement area including the MCP Area are as follows:

- a) Identify, plan for, and protect a robust NHS, including Core Areas, Buffers, Linkages and Restoration Areas, that will contribute to the creation of a complete and resilient community and achieving the natural cover target, while helping mitigate climate change.
- b) Protect, and where possible enhance and restore, high-quality habitats that accommodate a diverse range of flora and fauna, including rare and significant species.
- c) Ensure that the water budget of important natural heritage and water resource features is maintained to support those features post-development.

- d) Provide buffers that will protect key natural heritage features and their functions.
- e) Ensure that connectivity between key natural heritage features is maintained.
- f) Identify and plan for suitable areas to be restored to a natural state, including Recommended Restoration Areas, while providing for some flexibility in their location and extent, to enhance the functions and connectivity of the overall NHS, provide a range of ecological benefits. These areas will contribute towards achieving the natural cover target in combination with the other features and areas identified in Policy No. 6.11.7.3.3.e).

3. Interpretation

For the purposes of Section 6.11.7.3:

- a) "adjacent to a wetland" shall refer to lands that are located:
 - i. within 120 metres of:
 - A) a significant wetland;
 - B) a wetland that is not considered significant that has an area of more than 2 hectares; or
 - C) an unevaluated wetland that has an area of more than 2 hectares; or
 - ii. within 30 metres of:
 - A) a wetland that is not considered significant that has an area of 2 hectares or less; or
 - B) an unevaluated wetland that has an area of 2 hectares or less.
- b) "key natural heritage feature" shall have the same meaning as it does in the Region of Niagara's Official Plan, as amended;
- c) "Ministry of the Environment" shall refer to the Ministry presided over by the Minister responsible for the administration of the *Ministry of the Environment Act* (R.S.O. 1990, c. M.24);
- d) "Ministry of Natural Resources" shall refer to the Ministry presided over by the Minister responsible for the administration of the *Ministry of Natural Resources Act* (R.S.O. 1990, c. M.31).
- e) "natural cover target" shall mean the percentage of the total land area within the Smithville MCP Secondary Plan Area that

is intended to be maintained in or restored to a natural state inclusive of the NHS and which may also include parks, trails, green infrastructure corridors and stormwater management facilities where these additional areas overlap or are located adjacent to the NHS, being the target identified in the SWS pursuant to support the achievement of the Township-wide coverage target in Section 10.3.2 (a) of this Plan.

- f) “significant wetland” shall mean a provincially significant wetland (PSW);
- g) “unevaluated wetland” shall mean a wetland that has been assessed as meeting the definition of “wetland” set out in the Conservation Authorities Act but that has not yet been evaluated in accordance with Provincial standards;
- h) “wetland” shall mean a wetland as that term is defined in the *Conservation Authorities Act*;
- i) “Wetland for Further Review” shall mean an area that might be a wetland but that has not been assessed or evaluated; and
- j) “wetland that is not considered significant” shall mean a wetland that has been evaluated in accordance with Provincial standards but is not a PSW.

4. General Policies

- a) Notwithstanding the boundaries of the Smithville MCP Area, the NHS shown on Schedule “E-12” is intended as the NHS for the entire Smithville Urban Area, including the Smithville MCP. As such, the policies of this subsection apply to all land within the Smithville Urban Area, including the Smithville MCP Area, except where otherwise indicated, and shall be read and applied in conjunction with those contained in Section 10 (“Natural Environment”) and those of the other Secondary Plans, as applicable.
- b) Where the policies of this subsection conflict with those in Section 10, the policies of this subsection shall prevail.
- c) Where Schedule “E-12” and/or the NHS policies of this subsection conflict with the policies and/or mapping of any other approved Secondary Plans for land within the Smithville Urban Area, the policies and mapping of the other approved Secondary Plan shall prevail. If any future Secondary Plans are adopted for land within the Smithville Urban Area, those Secondary Plans shall conform with the NHS shown on Schedule “E-12” unless otherwise approved by the Township

as part of the Secondary Plan process and implementing Official Plan Amendment.

- d) Within the MCP Area, the boundaries of the NHS shown on Schedule “E-12” will be confirmed and may be refined through the Block Plan process as determined through the preparation of the required Master Environmental Servicing Plan (MESP) and Environmental Impact Study (EIS). The extent of refinement that may be permitted shall be determined based upon the EIS and in a manner that contributes to the achievement of the natural cover target in combination with the other features and areas identified in Policy 6.11.7.3.3.e)..
- e) Any EIS required under the policies of this Plan shall be prepared in accordance with the policies in Section 10.8 of the Official Plan and based upon the SWS.
- f) No work required as part of an EIS shall proceed until a terms of reference for such work has been approved by the Township, the Region, and the NPCA.
- g) Future studies that refine the NHS shown on Schedule “E-12” shall identify any additional natural heritage features, appropriate buffers, linkages, or restoration areas that should be considered. Where an EIS or other site-specific study has identified a natural feature that meets the appropriate criteria, and such feature is not shown as a component of the NHS on Schedule “E-12”, the natural feature shall be subject to the applicable policies of this Plan.
- h) Any refinements to the boundaries of Linkage Areas or Recommended Restoration Areas resulting from future studies as described in Policy No. 6.11.7.3.4.g) should be made in a manner that ensures the overall land area occupied by such Areas in the NHS is maintained or increased.
- i) No refinements or adjustments to the boundaries of the NHS shown on Schedule “E-12” shall be approved unless the Township and Region have each been provided with a georeferenced shape-file in a standard format that is acceptable to the Township and the Region.
- j) The NHS shall be retained within appropriately sized property boundaries and shall not be further fragmented in ownership. Where possible, the consolidation of ownership of features into larger land holdings will be encouraged, and lot creation will not be permitted within the NHS except to facilitate the conveyance of a feature to public ownership and/or to accommodate required roads and infrastructure.

- k) Crossings of roads and infrastructure, where necessary, should be aligned at the narrowest part of NHS, perpendicular to watercourses, and located and designed to:
 - i. minimize the width of crossings;
 - ii. maximize the span of crossings over watercourses where appropriate and financially feasible;
 - iii. consider fluvial geomorphological design requirements;
 - iv. consider the impacts of crossings and properties upstream on flood hazards;
 - v. consider wildlife movement underneath crossings;
 - vi. consider wildlife road mortality;
 - vii. consider the naturalization of areas used for infrastructure crossings to the greatest extent possible; and
 - viii. minimize maintenance requirements.
- l) Residential development, where permitted on land adjacent to the NHS, will be subject to requirements for the provision of fencing or other appropriate delineation and separation between the residential use and the NHS, especially where the rear yards of residential dwellings abut the NHS. Such requirements are to be set out through conditions of development approval and in development agreements.

5. Core Areas

The Core Areas of the Smithville NHS consist of significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat, fish habitat, and habitat of endangered species and threatened species. These features are identified by the “Core Area” designation on Schedule “E-12” to this Official Plan. Provincially Significant Wetlands, although shown separately on Schedule “E-12”, are within the Core Area designation and are part of the NHS.

- a) No development or site alteration shall be permitted in any area designated as a “Core Area” on Schedule “E-12” to this Official Plan, except in accordance with the policies in this section of the Plan.
- b) No development or site alteration shall be permitted in the following features in the Core Area:
 - i. significant wetlands; or
 - ii. significant woodlands.

- c) No development or site alteration shall be permitted in any of the following features unless an Environmental Impact Study has demonstrated, to the satisfaction of the Township, Niagara Region, and any other approval authority, that there will be no negative impacts on the feature or its ecological functions:
 - i. significant valleylands;
 - ii. significant wildlife habitat;
 - iii. wetlands that are not considered significant;
 - iv. woodlands that are not considered significant; or
 - v. significant areas of natural or scientific interest (ANSIs), should any be identified or designated.
- d) No development or site alteration shall be permitted in any of the following features, except in accordance with provincial and federal requirements:
 - i. fish habitat; or
 - ii. habitat of endangered species and threatened species.
- e) Notwithstanding Policy Nos. 6.11.7.3.5.b), c) and d) above, the following uses are not considered as development and may be permitted as follows:
 - i. forest management, fisheries management, and wildlife management, subject to the approval of the Township in consultation with Niagara Region and the NPCA;
 - ii. conservation projects, flood control projects, and erosion control projects, as approved by the Township in consultation with the Region and the NPCA, provided that it has been demonstrated that the project is necessary to maintain the public interest and all alternatives have been considered;
 - iii. activities that create or maintain infrastructure authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the *Environmental Assessment Act*, and
 - iv. small-scale structures for passive recreational uses, such as boardwalks, footbridges, and picnic facilities, provided that the Township, in consultation with the Region and the NPCA, is satisfied that the number of such structures will be minimized and that there will be no negative impacts on Core Area features or their functions.

- f) Where development or site alteration is permitted in accordance with Policy No. 6.11.7.3.5.c) or No. 6.11.7.3.5.d), then the permitted uses shall be those permitted by the land use designation (or designations) in which the feature is located.
- g) The determination of uses that are permitted under Policy No. 6.11.7.3.5.f) will be made at the Block Plan stage, where applicable.
- h) The expansion of an existing building or structure, or the conversion of a legally existing use to a use that has less of an impact on Core Area features, may be permitted, provided that the building, structure, or use does not expand into a Core Area feature.
- i) The expansion of, or the making of alterations to, an existing building or structure for an existing agricultural use, agriculture-related use, or on-farm diversified use, or the expansion of an existing residential dwelling, may be permitted in the Core Area, provided that:
 - i. there is no alternative to the proposed expansion or alteration;
 - ii. the extent to which the expansion or alteration occurs in Core Area features is minimized, notwithstanding Policy No. 6.11.7.3.5.f) above; and
 - iii. the impact of the proposed expansion or alteration on Core Area features and their ecological functions is minimized and mitigated to the fullest possible extent.
- j) Block Plans proposing development adjacent to a Core Area feature shall include an EIS as part of the required MESP in accordance with the policies of this Plan.
- k) Applications proposing development adjacent to a Core Area feature shall be required to include a scoped EIS as part of a complete application, in keeping with the EIS prepared for the Block Plan area and to further demonstrate that the requirements of this Plan are met based on the details of the proposed development and its potential impacts.
- l) For the purposes of this section of the Plan, “adjacent” shall be defined as referring to all lands that are located:
 - i. within 120 metres of a significant wetland or a significant woodland;
 - ii. within 50 metres of significant valleylands, significant wildlife habitat, habitat of endangered species or

threatened species, an ANSI (should any be designated), or a woodland that is not considered significant; or

- iii. within 30 metres of fish habitat (top of bank) or a wetland that has been evaluated and is not considered significant.
- m) Notwithstanding Policy No. 6.11.7.3.5.k) above, applications proposing a new building or structure for an existing agricultural use, agriculture-related use, or on-farm diversified use shall not be required to complete an EIS if the proposed building or structure will be provided with a buffer that is at least 30 metres wide from the adjacent feature.

6. Wetlands

- a) All development or site alteration in or adjacent to a wetland shall be subject to the regulations and policies of the Niagara Peninsula Conservation Authority (NPCA) and shall require the approval of the NPCA.
- b) Applications proposing development or site alteration adjacent to a wetland shall be required to undertake a wetland water balance assessment to ensure that the water balance for each wetland unit is maintained to pre-development conditions. Where possible, wetland water balance assessments should be completed at the Block Plan stage through the MESP.
- c) Any Environmental Impact Study required for development proposed adjacent to a significant wetland shall be undertaken in consultation with the Township, Niagara Region, the NPCA and other review agencies.
- d) Information on wetlands and surveyed wetland boundaries obtained through an EIS or other site-specific study should be provided to the Ministry of Natural Resources (MNR) to allow for updates to the Lower Twenty Mile Creek wetland evaluation.

7. Wetlands for Further Review

- a) Certain areas are identified on Schedule "E-12" as "Wetlands for Further Review". While these features are not necessarily considered to be part of the Core Area, they are nonetheless subject to the applicable policies of this subsection of the Plan.
- b) Any area that possesses characteristics suggesting it could potentially be identified as a wetland shall be considered a "Wetland for Further Review", regardless of whether the area is identified as such on Schedule "E-12".

- c) Where a “Wetland for Further Review” is also identified in the Niagara Region Official Plan as an “other wetland”, the feature shall be deemed to have been assessed as meeting the definition of a “wetland” under Policy No. 6.11.7.3.7.d) below and shall be subject to Policies Nos. 6.11.7.3.7.e)– 6.11.7.3.7.h).
- d) Proponents of development on lands that contain all or part of a “Wetland for Further Review” shall be required to complete a wetland assessment for the purpose of determining whether that feature meets the definition of “wetland” (as defined in the *Conservation Authorities Act*) and/or the criteria of Other Wetland as defined by the Niagara Region Official Plan. The making of this determination will be required at the Block Plan stage, where applicable.
- e) Where a wetland assessment has determined that a “Wetland for Further Review” meets the definition of “wetland,” no further development shall be approved on the lands containing all or part of that feature until the wetland has been evaluated in accordance with Provincial standards.
- f) Where it has been determined that a “Wetland for Further Review” is a significant wetland, the proponent may be required to incorporate linkages connecting the feature to the larger NHS as part of the Block Plan and to implement such linkages as a condition of development approval. The determination of whether linkages are required shall be based upon an EIS which evaluates the need for linkages to provide physical and functional connections between the significant wetland and the larger NHS to maintain or enhance the ability of various species to move between habitats.
- g) Where a “Wetland for Further Review” has been evaluated and is determined to be a wetland that is not considered significant, development and site alteration may be permitted in or adjacent to the feature, subject to the applicable policies of this Plan and to the approval of the Township in consultation with the Region and the NPCA and which may include the requirement for wetland compensation as determined in accordance with NPCA policies. Such wetlands may be regulated by the NPCA.
- h) Where development or site alteration is permitted under Policy No. 6.11.7.3.7.g), the permitted uses shall be those permitted by the adjoining land use designation (or designations).

8. Woodlands

- a) Significant woodlands have been identified as Core Area features of the Smithville NHS and shall be preserved.
- b) All development shall comply with the Regional Municipality of Niagara's Woodland Conservation By-law No. 2020-79 or any successor thereto and with the Region's policies for "other woodlands," as set out in the Region of Niagara Official Plan.
- c) Block Plans proposing development adjacent to a significant woodland shall include an EIS as part of the required MESP in accordance with the policies of this Plan and in consultation with the Township, Niagara Region, and other review agencies.
- d) Applications proposing development adjacent to a significant woodland shall be required to include a scoped EIS as part of a complete application, in keeping with the EIS prepared for the Block Plan area and to further demonstrate that the requirements of this Plan are met based on the details of the proposed development and its potential impacts.
- e) Any development that proposes the removal of trees shall be required to prepare a Tree Preservation Plan in accordance with the Region's Woodland Conservation By-law and to the satisfaction of the Township, as a condition of approval.
- f) In determining the extent of tree removal that may be permitted, Tree Preservation Plans shall be used in conjunction with an EIS and other supporting information to demonstrate that the development will contribute to, or will not conflict with, the achievement of the natural cover target in combination with the other features and areas identified in Policy No. 6.11.7.3.3.e).
- g) Proponents of development adjacent to a woodland that is not considered a significant woodland shall be required to undertake an EIS for the purpose of assessing the feature's ecological functions.
- h) Development proposals that involve the removal of a woodland that is not considered significant shall not be approved unless supported by an EIS that assesses Species at Risk, Significant Wildlife Habitat (which shall include an assessment of the presence of Bat Maternity Colony SWH), and the potential for woodland retention.

9. Significant Valleylands

- a) Any development or site alteration that occurs adjacent to a significant valleyland shall take place in a manner that

preserves and protects, or where possible enhances, the linkage functions of that feature.

10. Significant Wildlife Habitat

- a) Proponents of development adjacent to any watercourse or water body that provides suitable habitat for turtles may be required to undertake an EIS for the purpose of assessing the area for the presence of Turtle Nesting Area Significant Wildlife Habitat.
- b) Proponents of development on any lands in the Smithville Urban Area located east of Industrial Park Road and north of the railway line that bisects the Urban Area may be required to undertake an EIS for the purpose of assessing the subject lands for the presence of Raptor Wintering Area Significant Wildlife Habitat.
- c) Where an EIS has identified the presence of significant wildlife habitat that is not already protected as a Core Area feature:
 - i. the significant wildlife habitat and any additional lands required to protect that habitat may be incorporated into the Smithville NHS as Core Areas by way of an amendment to this Official Plan; and
 - ii. until such time as this Official Plan has been amended to designate the significant wildlife habitat and any additional lands as Core Areas, the Township may ensure the protection of the habitat through development agreements, holding provisions, or any other methods at the Township's disposal that are considered appropriate.
- d) For greater clarity, Policy No. 6.11.7.3.10.c) above may apply with respect to any significant wildlife habitat, including but not limited to those identified in Policies No. 6.11.7.3.10.a) and 6.11.7.3.10.b).

11. Habitat of Endangered Species and Threatened Species

- a) The proponent of any work or undertaking shall be responsible for consulting with the appropriate agencies and authorities regarding compliance with the *Endangered Species Act, 2007* and with the regulations under that Act.
- b) No development that proposes the demolition or removal of a barn, garage, outbuilding, culvert, or any other structure that might provide nesting for barn swallows shall be approved unless an appropriate study has been undertaken to assess the presence of barn swallows and barn swallow nests.

- c) Proponents of development in or adjacent to any area that might provide suitable habitat for bobolinks or eastern meadowlarks may be required to undertake an appropriate study to assess the impacts of the proposed development with respect to the requirements of the *Endangered Species Act, 2007* and the regulations under that Act.
- d) Proponents of development involving the removal of trees or buildings may be required to undertake a bat survey, in consultation with the Ministry of the Environment, to assess the impacts of the proposed development with respect to the requirements of the *Endangered Species Act, 2007* and the regulations under that Act.
- e) The need for an EIS or other appropriate study to assess the impacts of proposed development on the habitat of endangered species and threatened species will be determined in consultation with the NPCA, the Ministry of the Environment, the Region, and any other appropriate review agency.

12. Fish Habitat

- a) Block Plans proposing development adjacent to a watercourse, water body, or headwater drainage feature may, as part of the required EIS, be required to determine whether fish habitat is present, to the satisfaction of the Township and the Region.
- b) If fish habitat is present as determined in accordance with Policy No. 6.11.7.3.12.a), the applicable policies of this section shall apply to proposed development on adjacent land.

13. Areas of Natural and Scientific Interest

- a) Should the Province or the Region identify an area of natural and scientific interest (ANSI) in the Smithville Urban Area, this Plan shall be amended to designate that area as a Core Area.

14. Conceptual Buffers

Conceptual Buffers are meant to protect Core Area features from interference and from the impacts of nearby development. (Such areas may sometimes be referred to as “Vegetation Protection Zones” in the Niagara Region Official Plan.) The designated “Conceptual Buffers” shown on Schedule “E-12” to this Plan should be interpreted as conceptual, in that they generally represent the buffer that will be required. The actual width required for any given Buffer will be specified at the Block Plan stage or, where a Block Plan is not required, through the review of information required in support of a complete application for development (such as an EIS).

- a) All development lands adjacent to a Core Area shall be required to provide a Buffer, within which no development or site alteration shall be permitted except in accordance with Policy No. 6.11.7.3.14.f) below.
- b) The ecologically and hydrologically appropriate width for each Buffer associated with a proposed development shall be established through the completion of an Environmental Impact Study and shall generally be 30 metres.
- c) The determination of the appropriate width for each Buffer shall take into consideration and support the achievement of the natural cover target in combination with the other features and areas identified in Policy No. 6.11.7.3.3.e)..
- d) Notwithstanding anything else in this section of the Plan, the width of any Buffer adjacent to a watercourse shall be determined in accordance with the regulations and requirements of the Niagara Peninsula Conservation Authority.
- e) Where the width established for a Buffer through the completion of an EIS differs from the conceptual width shown on Schedule "E-12", minor alterations may be made to the boundaries of the Buffer on that Schedule without requiring an amendment to this Official Plan.
- f) The uses permitted within a Buffer shall be limited to:
 - i. those uses identified as permitted uses in Core Areas in Policy No. 6.11.7.3.5.e); and
 - ii. passive recreation uses, provided that appropriate separation from the feature protected by the Buffer is maintained.
- g) Proposals to establish a passive recreation use and for any development or site alteration for a permitted use within a Buffer may be required to complete an EIS to assess the potential impacts of the use on the Buffer and its ecological function.
- h) Buffers shall be maintained as self-sustaining, natural vegetation, primarily comprised of native species.
- i) Where proposed development involves the creation of one or more lots, any Buffers required in association with that development shall be maintained as single blocks along with the Core Area feature for which the Buffer is required.
- j) Where a Buffer is required in association with proposed development, the Township shall require the preparation of a detailed Buffer Management Plan as a condition of approval.

- k) The Township may require that a Buffer Management Plan include measures for the active naturalization of Buffers, such as the planting of native species and the creation of habitat.

15. Linkages

Linkages have been identified as part of the Smithville NHS for the purpose of connecting Core Areas into a single integrated system. Linkages help to protect Core Areas and maintain their ecological functions by providing movement corridors for different species, which helps support healthy population levels. Where possible, Linkages have been aligned with watercourses and headwater drainage features.

Linkages are identified separately on Schedule “E-12” to this Plan but are considered integral components of the Smithville NHS. Linkages have generally been mapped as either Primary Linkages (200 metres wide) or Secondary Linkages (50 metres wide). High-constraint watercourses — i.e., those that are most environmentally sensitive and thus warrant the greatest protection — generally require buffers of at least 30 metres on each side, resulting in a 60-metre-wide Linkage. The identification of the type, classification and width of Linkages shall be determined based on the SWS.

In some places, Linkages incorporate elements of the recommended trail network (shown on Schedule “E-13”).

- a) Wherever possible, Linkages shall be maintained as areas of self-sustaining natural vegetation, primarily comprised of native species, to provide high-quality habitat that is suitable for the species intended to use the linkage. Linkages may be refined where appropriate as determined through an EIS based upon the SWS and provided the ecological role and functions of the identified linkages are identified and maintained and taking into consideration and supporting the achievement of the natural cover target in combination with the other features and areas identified in Policy No. 6.11.7.3.3.e).
- b) No development or site alteration shall be permitted in, or within 30 metres of, a Linkage unless an Environmental Impact Study has demonstrated, to the satisfaction of the Township, Niagara Region, and any other approval authority, that there will be no negative impacts on the Linkage or its ecological functions. This requirement will be addressed through both the EIS required at the Block Plan stage and where a scoped EIS is required as part of a complete application for development.
- c) The uses permitted within a Linkage shall be limited to the following:

- i. those uses identified as permitted uses in Core Areas in Policy No. 6.11.7.3.5.e);
 - ii. passive recreation uses and infrastructure to support such uses, such as trails and rest areas, provided that the overall ecological function of the Linkage is maintained; and,
 - iii. Stormwater management facilities, based upon the SWS.
- d) Notwithstanding Policies Nos. 6.11.7.3.15.a), b), and c) above of this subsection, nothing in this Plan is intended to limit the ability of an existing agricultural use to continue within a Linkage.
- e) Notwithstanding Policy No. 6.11.7.3.15.b), the following forms of minor construction may be permitted within a Linkage without requiring the completion of an EIS:
 - i. the erection of a new building or structure for an existing agricultural use, an existing agriculture-related use, or an existing on-farm diversified use, provided that the building or structure has a ground floor area less than 200 m²;
 - ii. expansions to an existing building or structure for an existing agricultural use, an existing agriculture-related use, or an existing on-farm diversified use, provided that such expansions occupy an area that is less than 50% of the size of the original building and that is less than 200 m²;
 - iii. the erection of a new accessory building to an existing residential use, provided that the accessory building has a ground floor area less than 50 m²;
 - iv. expansions to an existing residential building or an existing accessory building to a residential use, provided that such expansions occupy an area that is less than 50% of the size of the original building; and
 - v. the reconstruction of an existing residential dwelling of the same size in the same location.
- f) Where development is proposed on lands that contain all or part of a Linkage, the Township may require that active restoration measures, such as the planting of native species, be undertaken as a condition of development approval.
- g) Where the proposed development of lands that contain all or part of a Linkage involves the creation of one or more lots:
 - i. the Linkage shall be maintained as a single block; or

- ii. where it is not possible to maintain a Linkage as a single block, any fragmentation of the Linkage into multiple blocks shall be minimized.
- h) It is the intent of this Plan that the hydro corridor lands running east–west across the northern portion of the Smithville Urban Area, which lands are identified as a Linkage on Schedule “E-12”, be incorporated into the active transportation network as a naturalized multi-modal trail in a manner that maintains the ecological functions of the corridor as a Linkage.
- i) The Township will encourage proposed development to incorporate linkages that are not shown on Schedule “E-12” where the provision of such linkages is ecologically appropriate, and particularly where such linkages would serve to connect otherwise isolated features (such as those identified as “Wetlands for Further Review”) to the larger NHS.
- j) Further to Policy No. 6.11.7.3.15.i) above, the Township may seek to establish a linkage of any width between the unnamed tributary of Twenty Mile Creek that runs south of Forestview Court and the U-shaped woodland located approximately 500 metres to the south, notwithstanding that this corridor is not identified as a Linkage on Schedule “E-12”.

16. Recommended Restoration Areas and Potential Restoration Areas

The areas designated as “Recommended Restoration Areas” on Schedule “E-12” to this Plan were identified by the SWS as lands that have the potential to be restored to a natural state and therefore warrant inclusion in the Smithville NHS (in accordance with the definition of “natural heritage system” in the Provincial Policy Statement, 2020). These are areas whose restoration or rehabilitation to a naturalized state would provide a range of ecological benefits to, and would enhance the overall health and resilience of, the Smithville NHS. (The Niagara Official Plan contains policies regarding “Supporting Features and Areas” and as “Enhancement Areas,” both of which serve a similar purpose as the Restoration Areas discussed here.)

Schedule “E-12” also identifies “Potential Restoration Areas”, which should be interpreted as possible alternative locations for, or in addition to, certain Recommended Restoration Areas, to be determined through the completion of one or more Environmental Impact Studies.

Recommended Restoration Areas are identified separately on Schedule “E-12” but are considered component features of the Smithville NHS. Potential Restoration Areas that are recommended to be incorporated as Restoration Areas through an EIS may also be

considered to be part of the Smithville NHS as determined by the Township based on the findings and recommendations of the EIS. The term “Restoration Area” refers collectively to all Recommended Restoration Areas and Potential Restoration Areas that are confirmed through an EIS to be restored to a natural state.

- a) The “Recommended Restoration Areas” shown on Schedule “E-12” to this Plan shall be interpreted as representing the preferred boundaries of lands that have the potential to be restored to a natural state.
- b) The proposed development of lands that contain all or part of a Recommended Restoration Area, or on lands that are within 30 metres of a Recommended Restoration Area, shall be subject to the requirement to undertake an Environmental Impact Study, to the satisfaction of the Township and any other appropriate agency or public body. This requirement will be addressed through both the EIS required at the Block Plan stage and where a scoped EIS is required as part of a complete application for development.
- c) An EIS undertaken under Policy No. 6.11.7.3.16.b) with respect to a Recommended Restoration Area:
 - i. shall delineate the boundaries of the Restoration Area to be incorporated into the proposed development;
 - ii. shall make recommendations regarding the specific types of restoration that are to be undertaken;
 - iii. may refine the boundaries of Recommended Restoration Areas as they are shown on Schedule “E-12”, provided that the overall area designated as “Recommended Restoration Area” is not reduced by such refinements;
 - iv. may recommend the designation of an alternative Restoration Area, with priority given to those identified as Potential Restoration Areas on Schedule “E-12”, provided that such an alternative Restoration Area will achieve the same, or very similar, ecological goals and outcomes as the original Recommended Restoration Area; and,
 - v. shall take into consideration and support the achievement of the natural cover target in combination with the other features and areas identified in Policy No. 6.11.7.3.3.e).
- d) Once the boundaries of a Restoration Area have been confirmed through the completion of an EIS:
 - i. the Block Plan shall reflect the Restoration Area boundaries recommended by the completed EIS;

- ii. applicable plans and drawings submitted as part of a complete application for development shall reflect the final Restoration Area boundaries recommend by the completed EIS; and,
 - iii. the proponent of development of the lands that contain that Restoration Area shall be required to prepare and implement an Active Restoration Plan as a condition of development approval.
- e) An Active Restoration Plan should, among other things, include:
 - i. a detailed planting plan for the planting and seeding of native species;
 - ii. measures for restoring the habitat of significant species; and
 - iii. a plan for the amendment of soils, where necessary.
- f) As an alternative to requiring the preparation and implementation of an Active Restoration Plan, the Township may enter into one or more agreements with a proponent of development regarding the costs associated with restoration work or regarding the conveyance of Restoration Area lands as part of a land exchange.
- g) Proponents of development on lands that are within 30 metres of a Recommended Restoration Area shall be required to undertake an EIS to ensure that the proposed development will not interfere with the potential restoration of the adjacent area.
- h) The uses permitted within a Restoration Area shall be limited to the following:
 - i. those uses identified as permitted uses in Core Areas in Policy No. 6.11.7.3.5.e); and
 - ii. passive recreation uses and infrastructure to support such uses, such as trails and rest areas.
- i) Where proposed development includes a Restoration Area as recommended by a completed EIS, an appropriate Buffer may be designated surrounding that Restoration Area, which Buffer shall be subject to the policies set out in Subsection 6.11.7.3.14.
- j) Where proposed development on lands that contain all or part of a Restoration Area involves the creation of one or more lot:

- i. any Restoration Area shall be maintained as a single block; and
 - ii. Restoration Areas shall be consolidated with adjacent Core Areas in order to maintain the overall integrity of the NHS.
- k) The Township may consider accepting all or a portion of a Restoration Area as part of the required conveyance of land for park or other public recreation purposes, provided that the Township is satisfied that:
 - i. the active recreation needs of the surrounding area are adequately addressed by existing or planned parks and facilities; and
 - ii. the Restoration Area or part thereof in question:
 - A) can support an appropriate range of passive recreation uses without hindering the restoration of the area's ecological functions; or
 - B) is located in a way that would enhance connections to other parks, open spaces, or recreational facilities; and,
 - iii. the amount of land accepted as part of the required conveyance of land for park or other public recreational purposes is limited to the area which is suitable for and can sustain appropriate public recreational use(s).
- l) Where development is proposed on lands that include one of the Potential Restoration Areas identified on the Land Use Schedules, the Township may require the proponent to undertake an EIS for the purpose of determining whether a Restoration Area to be incorporated into the development should be identified.
- m) Where an EIS undertaken under Policy No. 6.11.7.3.16.l) recommends that proposed development incorporate a Restoration Area, the appropriate policies in Section 6.11.7.3.16 a) to k) shall apply.

17. Natural Hazards

Lands within the Smithville MCP Area that are subject to flood and erosion hazards are generally included in the Natural Heritage System, either as part of a Core Area or as part of a Conceptual Buffer. Development within the Conservation Authority Regulation Limit will be subject to the approval of the NPCA.

Karst features, which the Provincial Policy Statement, 2020 includes in its definition of “hazardous sites” due to unstable bedrock conditions, are identified on Schedules “E-8”, “E-11”, and “E-12” using the letter “K”. These features are not considered components of the Smithville NHS but are nonetheless subject to the policies of this section as Natural Hazard features.

Karst features are categorized as high-constraint, medium-constraint, or low-constraint. There are three high-constraint karst features in the Smithville MCP Area: two high-constraint features are shown on Schedule “E-8” (the feature located in the area designated “Open Space” to the north of Spring Creek Road and the feature located south of the railway) and another on Schedule “E-11” (the more northerly of the two features shown on that schedule). The other two karst features identified on the schedules are medium-constraint features. Low-constraint karst features are not identified on the schedules to this Plan.

- a) The Natural Hazard policies set out in Section 10.6 of the Township of West Lincoln’s Official Plan shall apply to all lands in the Smithville MCP Area.
- b) Where an EIS has identified a flood or erosion hazard corridor that is not included as part of the NHS on Schedule “E-12”, the corridor may be designated as a Buffer, Linkage Area, or Recommended Restoration Area, as determined by the Township in consultation with the Region and the NPCA and based on the recommendations made in the EIS.
- c) Although karst features have not been included as components of the NHS, they may be added using an appropriate designation if an EIS has determined that the karst feature forms part of a key natural heritage feature or water resource feature, or that the karst feature is supportive of the ecological or hydrological functions of a key natural heritage feature or water resource feature. Where a karst feature and its associated buffer are added to the NHS the combined area of the karst feature and buffer may be counted towards the achievement of the natural cover target.
- d) No development or site alteration shall be permitted within 50 metres of:
 - i. a high-constraint karst feature; or
 - ii. the medium-constraint karst feature shown on Schedule “E-11” to this Plan.
- e) No development or site alteration shall be permitted within 50 metres of a medium-constraint karst feature not identified in

Policy No. 6.11.7.3.17.d)ii above, unless a Karst Hazard Assessment has been completed and has demonstrated that:

- i. the proposed development or site alteration will have no adverse impact on the hazard with respect to the control of flooding, erosion, or other hazard-related conditions;
 - ii. all applicable Provincial standards related to floodproofing, protection works, and access can be met and will be implemented;
 - iii. people and vehicles have a way to safely enter and exit the area during times of flooding, erosion, and other emergencies;
 - iv. the proposed development or site alteration will not aggravate an existing hazard or create a new hazard; and
 - v. there will be no negative impacts on the ecological or hydrological functions of the feature.
- f) Any development or site alteration proposed within 50 metres of a karst feature shall be subject to the approval of the NPCA, in accordance with NPCA regulations and policies.
- g) Where development or site alteration is proposed within 50 metres of a low-constraint karst feature, the proponent may be required to undertake a geotechnical study, EIS, or similar study, which may make recommendations regarding the removal or by-passing of the feature.
- h) Where a karst feature is left to function in the landscape, any development or site alteration within the same drainage area of that feature shall be required to undertake a water balance study to ensure that post-development flows to the feature do not exceed pre-development flows, to the greatest extent possible.
- i) Where the proposed development of lands that contain all or part of a karst feature involves the creation of one or more lots:
- i. the karst feature and its associated setback area shall be maintained as a single block; or
 - ii. where it is not possible to maintain a karst feature and its associated setback area as a single block, any fragmentation of the karst feature and its associated setback area into multiple blocks shall be minimized.
- j) All flood control and erosion control measures associated with future development in the Smithville MCP Area shall have

regard to the unitary storage and discharge criteria set out in the SWS, unless such criteria have been refined based on the recommendations of an approved EIS or similar study.

6.11.7.4 **Infrastructure & Transportation Systems**

1. General Policies

- a) All infrastructure and transportation systems will be planned and developed through appropriate Environmental Assessment (EA) processes to ensure that full regard is had to the Natural Heritage System, to natural hazard features, and to cultural heritage resources.
- b) Infrastructure and transportation systems will be located, designed, constructed, and operated in a strategic, sustainable, and cost-efficient manner that minimizes adverse impacts.
- c) The Township will assess its infrastructure and transportation systems for risks and vulnerabilities, with particular emphasis on those caused by the impacts of climate change.

2. Water & Wastewater

The strategy for providing water services to development in the Smithville MCP Area has been developed to optimize the use of existing and future road corridors and to take advantage of planned improvements to existing roads. The provision of water services to the early development phases of the Smithville MCP Area will be coordinated with the servicing of the Northwest Quadrant Secondary Plan Area, which is adjacent to MCP Block Plan Areas 1, 2, and 3. Meeting the future water demands of development in the expanded Smithville Urban Area will require upgrades to the Smithville Pumping Station to provide additional pumping capacity.

The wastewater servicing strategy for development in the Smithville MCP Area is based on conveying wastewater flows from future development to the existing Smithville Wastewater Pumping Station, once that station has been upgraded to provide the necessary capacity. Wastewater flows will be conveyed by new sanitary sewers that avoid sending flows through the existing sanitary sewer network. New sanitary sewers will use existing and future road corridors.

The wastewater servicing strategy proposes two new pumping stations in the South Community Area, as shown on Schedule "E-10". A third station is proposed at Streamside Drive, located to the north of the West Community Area. (The proposed location of this third station is not shown on the schedules.) The siting of pumping stations will be guided by topography and by the desire to integrate

these stations with planned open spaces and stormwater management facilities.

The installation of infrastructure to provide water and wastewater services is anticipated to take place through separate four-phase projects and through the integrated Municipal Class Environmental Assessment (MCEA) process, following the final approval of the Smithville Master Community Plan (OPA 63).

Water and wastewater servicing systems for the Smithville MCP Area will follow the direction provided by the Region's Water and Wastewater Master Servicing Plan (WWMSP) and will be captured in future updates to the WWMSP.

The above paragraphs of this subsection are intended as preamble to assist with interpretation of the Secondary Plan and to be read in conjunction with applying the following policies:

- a) All new development in the Smithville MCP Area shall be provided with full municipal water services and full municipal wastewater services according to an approved Master Environmental Servicing Plan (MESP) that has been prepared in accordance with Subsection 6.11.7.6.2 of this Plan.
- b) New development in the Smithville MCP Area may be required to provide for the future connection of adjacent existing uses to full municipal services, as established through an approved MESP, as a condition of development approval, where appropriate and financially feasible.
- c) No development shall proceed in any given Overall Stage Area shown on Schedule "E-14" unless the infrastructure and services to support that development have been constructed, in accordance with the policies in Subsection 6.11.7.6.3 of this Plan.
- d) It is expected that existing uses in the Smithville MCP Area will eventually be connected to full municipal water and wastewater services, but expansions to, or the redevelopment of, an existing use may be permitted on existing private services, provided that:
 - i. the use of private services is appropriate for the proposed expanded or redeveloped use, either because the existing use is located in an area for which there is not yet capacity available in existing water and wastewater systems or because the nature of the proposed expansion or redevelopment does not warrant connection to full municipal services;

- ii. site conditions are appropriate for the continued provision of such services with no negative impacts; and
 - iii. the existing private services will be used to service only the expanded or redeveloped existing use and will not provide services to more than one property.
 - e) Where the connection of an existing use to full municipal services has been provided for under Policy No. 6.11.7.4.2.b) above, expansions to, or the redevelopment of, that existing use shall generally be required to connect to full municipal services, provided that sufficient capacity is available in existing systems.
 - f) The Township may exempt minor expansions to an existing use from the requirement to connect to full municipal services set out in Policy No. 6.11.7.4.2.e).
 - g) Infrastructure and systems for water, wastewater, and other buried services shall be installed using best management practices to prevent the redirection of groundwater flow.
 - h) It is recommended that any construction of municipal services that will require dewatering systems apply for and obtain a Permit to Take Water from the Ministry of the Environment before any construction activities begin, in the event that unexpectedly high flows are encountered.
 - i) Backfilling during the decommissioning of any existing sewer lines should consider the use of materials with low hydraulic conductivity to prevent preferential groundwater flow.
3. Stormwater Management

The Land Use Schedules (“E-8” through “E-11”) identify the general locations for stormwater management facilities in the Smithville MCP Areas. The locations shown are conceptual but represent the preferred locations for such facilities, as informed by the Subwatershed Study (SWS).

A Stormwater Management (SWM) Plan for the Smithville MCP Area is being prepared as part of Phase 3 of the SWS and will achieve stormwater quality management to an “Enhanced” standard of treatment in accordance with current Provincial guidelines, and provide erosion control and flood control for the receiving watercourses. The SWM Plan will refine the general locations shown on the Land Use Schedules and will identify the recommended types of facilities and infrastructure to be provided for future development. The SWM Plan will also include guidelines for incorporating low-

impact development best management practices into future development.

- a) All development in the Smithville MCP Area shall proceed according to a stormwater management strategy that has been prepared as part of an approved Master Environmental Servicing Plan (MESP) that itself has been prepared in accordance with Subsection 6.11.7.6.2 of this Plan.
- b) The required stormwater management facilities to be provided with development in the Smithville MCP Area shall be determined in accordance with the following:
 - i. stormwater management facilities shall generally be located in consideration of the conceptual locations shown on Schedules “E-8” through “E-11” to this Plan, except where the SWM Plan prepared as part of Phase 3 of the SWS has recommended a different specific location for the facility and except as otherwise provided in Policy No. 6.11.7.4.3.b)iii;
 - ii. the location and configuration of the stormwater management facilities will be further refined through the applicable MESP and through Stormwater Management Plans prepared in support of individual development applications; and,
 - iii. stormwater management facility sites can be relocated or consolidated without amendment to this Plan, subject to the following:
 - A) information provided in conjunction with the stormwater management strategy required under Policy No. 6.11.7.4.3.a) demonstrating that the alternative sites are consistent with the goals, objectives, and policies of this Plan and the recommendations of the Subwatershed Study;
 - B) the stormwater management facility site shall be co-located with other infrastructure where stormwater management facility locations are shown adjacent to or near a Proposed Sanitary Pumping Station on the Land Use Schedules to this Plan or the SWM Plan for the MCP Area recommends the co-location of stormwater management facilities with other infrastructure; and,
 - C) approval of the Township and relevant agencies.
- c) All wet end-of-pipe facilities which provide stormwater quality control shall be constructed as wet ponds and shall provide a

permanent pool volume and forebay design, in accordance with current Provincial guidelines.

4. Transportation Network

Schedule “E-13” shows the multi-modal transportation network envisioned for the Smithville MCP Area, which comprises Regional Roads, Township Roads (Arterial, Collector, Rural, and Local), the C.P.R. rail corridor, and future active transportation facilities. Where a road is identified on Schedule “E-13” as a “Future” Road, the alignment depicted on that Schedule should be interpreted as a conceptual approximation that represents the preferred configuration for the future road network in the Smithville MCP Area. This conceptual alignment is also shown on the Land Use Plans in Schedules “E-8” through “E-11”.

It is the intent of this Plan that the conceptual network shown on Schedule “E-13” will be refined through the Block Plan process and finalized through the approval of development applications.

The roads identified as “Future Arterial ‘A’ Roads” on Schedule “E-13” represent the conceptual route for the future Smithville Bypass Road, which when complete will be under the jurisdiction of the Region of Niagara. The purpose of the Smithville Bypass Road is to provide an alternative route for trucks and other heavy vehicle traffic using Regional Road 20 that avoids Downtown Smithville. The Region will undertake an Environmental Assessment to establish the specific alignment for this route, as well as other details, such as the required minimum right-of-way.

- a) For the purposes of Subsections 6.11.7.4.4 through 6.11.7.4.7:
 - i. “Block Plan Area”:
 - A) when followed by a numeral, shall refer to the area designated by that numeral on Schedule “E-6” to this Plan; and
 - B) when used on its own, shall be understood as referring generally to such areas; and
 - ii. “Smithville Bypass Road” shall refer to the planned future corridor whose conceptual alignment is shown on Schedule “J1” to the Niagara Region Official Plan and which is more specifically shown using the “Future Arterial ‘A’ Road” designation on Schedule “E-13” to this Plan.
- b) The hierarchy of roads in the Smithville Urban Area shall consist of the following:

- i. Regional Roads, which are under the jurisdiction of the Region of Niagara and are not subject to the policies of this Plan, and which shall include the Smithville Bypass Road, once complete;
 - ii. Township Arterial Roads, identified on Schedule “E-13” as “Future Arterial ‘B’ Roads”, which are intended to serve as major transportation routes connecting the Smithville Urban Area with the Township more widely;
 - iii. Collector Roads, which are intended to convey traffic between higher-volume Regional Roads and Township Arterial Roads, on the one hand, and Local Roads, on the other; and
 - iv. Local Roads, which are intended to carry low volumes of traffic and to provide access to abutting properties.
- c) The “Rural Roads” shown on Schedule “E-13” shall be classified as Local Roads or as Collector Roads according to the classifications shown on Schedule “F” (Infrastructure & Transportation) to this Official Plan.
- d) All Block Plans shall be required to include a network of roads based on the conceptual Arterial and Collector Road alignments and the general pattern of Local Roads shown on Schedule “E-13” to this Plan in accordance with the policies of this subsection.
- e) Adjustments and modifications may be made to the conceptual alignments of future Township Arterial Roads and Collector Roads shown on Schedule “E-13” without requiring an amendment to the Official Plan, provided that:
 - i. the intended role and function of the roads will be maintained or improved with the proposed modification or adjustment;
 - ii. the proposed adjustment or modification is consistent with the overall goals of the Smithville MCP and the recommendations of the Township’s Transportation Master Plan (TMP); and,
 - iii. the final alignment is identified on an approved Block Plan.
- f) The Local Roads shown on Schedule “E-13” are not intended to represent the entire local street network and the location, number and alignments of Local Roads will be determined and defined through the Block Plan process, and will be further detailed and changed based on the following criteria:

- i. the intended role and function of the roads will be maintained or improved with the proposed changes;
 - ii. the roads are laid out in a grid-like pattern or modified grid format and connectivity and efficiency of the street network will be maximized;
 - iii. the roads will be located, aligned and designed to minimize travel distances and avoid offset intersections, the need for dead-end streets, cul-de-sacs or single-access development areas;
 - iv. the roads will extend from and complete the connection with existing and planned streets and intersections located along the boundaries of the Smithville MCP Area, generally as shown on Schedule "E-13", where applicable; and,
 - v. the roads are identified on an approved Block Plan and refined and finalized through complete applications for development.
- g) All roads under the Township's jurisdiction in the Smithville Urban Area shall have a minimum right-of-way width of 20 metres, except as otherwise required in this Plan.
- h) Notwithstanding Policy No. 6.11.7.4.4.g) above, the Township may reduce the minimum right-of-way width of any road under its jurisdiction without requiring an amendment to this Plan, provided the final right-of-way width is to the satisfaction of the Township.
- i) Direct driveway access from an Arterial "A" Road to a land use abutting that road shall not be permitted. The number of Local Road intersections along Arterial "A" Roads shall be minimized.
- j) Direct driveway access from a Township Arterial "B" Road to abutting properties shall generally be limited, and development adjacent to these roads shall be designed to avoid direct access wherever possible, or to minimize the number of access points where such avoidance is not possible, and access shall not be permitted where it would create a safety hazard or impact the primary function of the corridor.
- k) Notwithstanding Policy No. 6.11.7.4.4.j), direct access from a Township Arterial Road to an abutting commercial property may be permitted, provided that access points are designed and controlled so as not to create a safety hazard or impact the primary function of the corridor, to the satisfaction of the Township.

- l) The number of direct access points from a Collector Road to abutting properties shall be minimized wherever possible.
- m) The determination of the number of accesses required for any development shall be made by the Township in consultation with emergency service providers and in consideration of Transportation Impact Studies and other information provided as part of Block Plans and complete applications for development.
- n) All new roads in the Smithville MCP Area shall be required to provide sidewalks on both sides of the street.
- o) All Local Roads that are internal to a Block Plan Area shall be required to provide continuous sidewalks on both sides of the street unless otherwise approved by the Township, where appropriate.
- p) The appropriate orientation of future development adjacent to Street "A" will be determined based on the Township's Urban Design Guidelines and the design of such development may be required to incorporate appropriate noise mitigation measures. Reverse lotting shall be discouraged and only permitted where there is no alternative.
- q) Future development adjacent to Street "B" should be designed so that building fronts are oriented towards internal Local Roads.
- r) The design and reconstruction of Township Arterial Roads and Collector Roads shall adopt a complete streets approach and in a manner that supports multiple modes of transportation, including possible future transit service, in accordance with the Smithville MCP Urban Design Guidelines regarding matters such as streetscape elements and with any guidelines as may be set forth in the Transportation Master Plan.
- s) The design and reconstruction of all Local Roads shall adopt a complete streets approach and in a manner that prioritizes the safety of pedestrians, cyclists, and other users of active transportation modes, in accordance with guidelines set forth in the Transportation Master Plan.
- t) The "Rural Roads" identified on Schedule "E-13" are meant to be identifiable as defining the edge of the Smithville Urban Area, and should be designed to maintain a rural profile outside of the urban area, but may be required through the Block Plan process to provide some urban or "semi-urban" streetscape elements, where appropriate.

- u) The extension of Spring Creek Road west of Thirty Road/Station Street may be required to provide berms, fencing, or other streetscape elements on the south side of the street to address the back-lotting of existing residential development. The extension of Spring Creek Road west of South Grimsby Road 5 to Street “A” is shown on Schedule “E-13” to maximize the use of CPR setback area and with the understanding that a crossing of the rail line will not be permitted by the CPR unless other existing at-grade crossings in Smithville are closed. An additional rail crossing, if permitted in the future and supported by appropriate studies, to facilitate a southerly connection between Spring Creek Road and Regional Road 20, within the existing South Grimsby Road 6 right-of-way or in that vicinity, may be permitted without an amendment to this Plan.

5. Smithville Bypass Road Corridor

- a) Any Block Plan prepared with respect to Block Plan Area 2, Block Plan Area 3, Block Plan Area 4 or Block Plan Area 5, shall be required to provide and protect a sufficient corridor to accommodate Street “A” as a potential Arterial “A” Road in accordance with the conceptual alignment shown on Schedule “E-13”.
- b) Any Block Plan prepared with respect to Block Plan Area 7 shall be required to provide and protect a sufficient corridor to accommodate Street “B” as a potential Arterial “A” Road in accordance with the conceptual alignment shown on Schedule “E-13”.
- c) The widths of the corridors referred to in Policies No. 6.11.7.4.5.a) and b) above will be determined in consultation with the Region during the Block Plan process, but shall be sufficient to accommodate a minimum right-of-way width of 31.5 metres unless an alternative right-of-way width is determined th.
- d) If the Environmental Assessment undertaken by the Region recommends an alignment for the Smithville Bypass Road that does not include the conceptual alignment for Street “A” shown on Schedule “E-13”, then:
 - i. Schedule “E-13” shall be amended to designate Street “A” a Township Arterial “B” Road with a minimum right-of-way width of 25.5 metres;
 - ii. Policy No. 6.11.7.4.5.a) above shall no longer apply; and
 - iii. any Block Plan prepared with respect to a Block Plan Area identified in Policy No. 6.11.7.4.5.a) shall provide a

corridor for Street "A" as a Collector Road in accordance with the conceptual alignment shown on Schedule "E-13".

- e) If the Environmental Assessment undertaken by the Region recommends an alignment for the Smithville Bypass Road that does not include the conceptual alignment for Street "B" shown on Schedule "E-13", then:
 - i. Policy No. 6.11.7.4.5.b) above shall no longer apply; and
 - ii. any Block Plan prepared with respect to Block Plan Area 7 shall include at least one Collector Road, whose alignment may differ from what is shown on the Schedules to this Plan.

6. Road Improvements for Block Plan Areas

Block Plans undertaken in accordance with Policy No. 6.11.7.6.1 shall identify through the MESP the timing of the following transportation improvements in relation to the phasing of development within the respective Block Plans:

- a) Block Plan Area 2:
 - i. the segment of South Grimsby Road 5 adjacent to Block Plan Area 2 to be upgraded to an urban standard; and
 - ii. the portion of the road allowance for South Grimsby Road 6 between the CPR rail corridor and the corridor for Street "A" to be opened and developed to an urban standard.
- b) Block Plan Area 3:
 - i. the segment of South Grimsby Road 5 adjacent to Block Plan Area 3 to be upgraded to an urban standard; and
 - ii. the segment of Thirty Road adjacent to Block Plan Area 3 to be upgraded to an urban standard.
- c) Block Plan Area 4:
 - i. the segment of Thirty Road adjacent to that Block Plan Area to be upgraded to an urban standard.
- d) Block Plan Area 5 or Block Plan Area 6:
 - i. the segment of Industrial Park Road adjacent to those Blocks to be upgraded to an urban standard.
- e) Block Plan Area 9, Block Plan Area 10, or Block Plan Area 11:

- i. the segment of Smithville Road (Regional Road 14) between South Grimsby Road 6 and Canborough Street to be upgraded to an urban standard; and
 - ii. the segment of Townline Road between Canborough Street and St. Catharines Street (Regional Road 20) to be upgraded to an urban standard.
 - f) Block Plan Area 12, Block Plan Area 13, or Block Plan Area 14:
 - i. the segment of Smithville Road (Regional Road 14) between South Grimsby Road 6 and Canborough Street, to be upgraded to an urban standard; and
 - ii. the segment of South Grimsby Road 6 between Smithville Road (Regional Road 14) and West Street (Regional Road 20) to be upgraded to an urban standard.
 - g) For the purposes of Policy Nos. 6.11.7.4.6.e) and f) above, “an appropriate standard” shall mean a standard that is appropriate for the road’s planned function with respect to development in the Block Plan Areas identified, to the satisfaction of the Township and the Region.
 - h) Any Block Plan prepared with respect to Block Plan Area 9 may be required to consider the potential future realignment of Port Davidson Road, as represented by the conceptual alignment shown on Schedule “E-13”, subject to the recommendations made in the Township’s Transportation Master Plan.
 - i) Any Block Plans prepared with respect to Block Plan Area 10 and Block Plan Area 11 may be required to consider the future realignment of Tober Road and the location or removal of the intersection with Townline Road for the road segment shown as “Existing Tober Road” on Schedule “E-10”.
7. Active Transportation & Trail System

The transportation network shown on Schedule “E-13” includes the conceptual primary routes (both on-street and off-street) for the future active transportation network in the Smithville MCP Area. The same conceptual alignments are shown on the Land Use Schedules to this Plan (Schedules “E-8” through “E-11”).

This Plan intends for the active transportation network to be developed as a well-connected system of multi-modal trails and based on the recommendations of the Transportation Master Plan, with the alignment of trail segments to be refined during the Block Plan process and finalized as part of a complete development application.

- a) All Block Plans shall be required to include active transportation routes and infrastructure that is consistent with the general conceptual alignments shown on Schedule “E-13”.
- b) To clarify, a Block Plan prepared with respect to a Block Plan Area that is not depicted on Schedule “E-13” as containing a conceptual active transportation route or trail route may nonetheless be required to provide active transportation routes, facilities, or infrastructure as a condition of development approval.
- c) Requirements regarding the provision of on-street active transportation facilities and infrastructure will be established as recommended through the Township’s Transportation Master Plan or as recommended through typical road profile designs.
- d) Land uses in the MCP Area may be required to provide bicycle parking or bicycle storage areas as a condition of development approval.
- e) Active transportation facilities and infrastructure located in or adjacent to the Smithville Natural Heritage System shall be designed and developed in accordance with all applicable policies in Section 6.11.7.3 of this Plan.
- f) Policy No. 6.11.7.2.10.b), which permits passive recreation uses in Special Policy Area 1, is intended to encourage opportunities for the use of the hydro corridor just north of Block Plan Areas 2, 3, and 4 as multi-use trail, to be naturalized in a way that maintains the ecological function of that corridor as a Linkage Area in accordance with the policies set out in Section 6.11.7.3.15 above, in particular Policy No. 6.11.7.3.15.h).
- g) Required active transportation facilities and infrastructure for the Smithville Urban Area will also be determined in accordance with the recommendations of the Township’s Transportation Master Plan which may be updated and revised from time-to-time without amendment to this Plan.
- h) Street and active transportation network design should integrate design principles from the Niagara Region Complete Streets Model Policy Handbook.

6.11.7.5 Community Design & Sustainability

The Smithville Master Community Plan Urban Design Guidelines, as may be adopted by Council and revised or updated from time-to-time, are meant to complement the policies in this Plan by providing direction for the design of specific types of development. These

Design Guidelines, and the policies of this section, which reference the Urban Design Guidelines shall be implemented through Block Plans, site plan control, and other development approval processes.

Among other things, the Urban Design Guidelines will ensure that all development in the Smithville MCP Area is sustainable and resilient and will contribute to mitigating and adapting to the impacts of climate change.

The Urban Design Guidelines for the Smithville MCP Area has identified distinct “character areas” within the community. These character areas are:

- Residential Neighbourhood Areas;
- Commercial Areas;
- Mixed Use Neighbourhood Nodes; and
- Urban Employment Areas.

The sections below set out the principles and policies for the design of each character area and explain which place-type designations are included in each character area.

1. General Design Policies

- a) In this section, “Design Guidelines” shall refer to the “Smithville Master Community Plan Urban Design Guidelines” adopted by Council and as may be revised or updated from time to time.
- b) Any development proposed in a Block Plan shall be designed according to the guidelines for “Public Realm Design” set out in Section 3 of the Design Guidelines.
- c) All development in the Smithville MCP Area, except for the development of one low-density dwelling, shall be designed according to the guidelines for “Private Realm Design” set out in Section 4 of the Design Guidelines.
- d) For the purposes of Policy No. 6.11.7.5.1.c), “low-density dwelling” shall refer to any of the following:
 - i. a single detached dwelling;
 - ii. a semi-detached dwelling; or
 - iii. a duplex dwelling.
- e) To clarify, any development that contains more than one low-density dwelling, as defined in Policy No. 6.11.7.5.1.d), such as development proceeding by plan of subdivision, shall be required to comply with Policy No. 6.11.7.5.1.c) above.

- f) All development in the Smithville MCP Area shall be designed according to the applicable specific guidelines set out in Section 5 of the Design Guidelines.
- g) Where it is necessary to determine which specific guidelines in Section 5 of the Design Guidelines will apply to different uses in a proposed development, such determination shall be made during the Block Plan process or during pre-submission consultation for a development application.
- h) All future development in the Smithville MCP Area will be encouraged to incorporate sustainable design practices and to incorporate elements that promote water conservation, energy conservation, and the reduction of greenhouse gas emissions.

2. Residential Neighbourhood Areas

Residential Neighbourhood Areas represent the largest portion of the Smithville MCP Area, and their design will play a central role in establishing the visual character of the community. These areas comprise a range of housing types and forms, from lower-density forms of low-rise housing (such as single detached and semi-detached dwellings) to townhouses and other residential uses that are permitted in the “Medium Density” designation.

- a) The “Residential Neighbourhood” character area shall comprise the following areas, as designated on the Land Use Schedules:
 - i. “Residential” areas;
 - ii. “Medium Density” areas, where such areas are located outside the “Mixed Use Node” overlay designation; and
 - iii. “Open Space” areas.
- b) Development in the “Residential Neighbourhood” character area shall be designed according to the following general principles:
 - i. Encourage variety and compatible alternatives in the form and design of the built environment.
 - ii. Ensure that the built environment is designed to create a consistent and attractive edge to the street.
 - iii. Establish block and street network patterns that are conducive to pedestrian movement.
 - iv. Ensure that buildings are sited in a way that defines and reinforces the public realm.

- c) Development in the “Residential” designation shall be designed with a street-facing orientation in a manner that provides and supports an attractive and animated streetscape.
- d) Development in the “Medium Density” designation shall be designed:
 - i. to have a street-facing orientation that provides and supports an attractive, animated, and pedestrian-oriented streetscape; and
 - ii. to provide an appropriate transition in building heights and density from any adjacent “Residential” areas.
- e) All parking areas in the “Medium Density” designation shall be designed and located in a manner that helps achieve the design objectives identified in Policy No. 6.11.7.5.2.d) above.
- f) Development and land uses in the “Open Space” designation shall be designed:
 - i. to meet the various recreational and social needs of the community;
 - ii. to enhance the character and aesthetic appeal of the area in which they are located;
 - iii. to promote and facilitate public safety; and
 - iv. to contribute to a well-connected system of parks and open spaces that is accessible to all residents.
- g) Reverse lotting of development shall be discouraged and may only be permitted in circumstances where:
 - i. the road onto which the rear lot lines abut runs along the Smithville Urban Boundary; and
 - ii. there is no alternative that will achieve the same overall objectives of the proposed development.

3. Commercial Areas

The “Commercial” character area, which comprises the “Commercial” place type-designation outside of the “Mixed Use Nodes”, is meant to provide a wide range of retail and service commercial uses that support adjacent and nearby residential neighbourhoods. Buildings and streetscapes will be designed to provide continuous façades and a pedestrian-friendly environment, with on-street parking in retail areas to support pedestrian safety. Development blocks are sized to accommodate future intensification, with limited surface parking areas located behind buildings that front onto commercial streets.

- a) The “Commercial” character area shall comprise all “Commercial” areas that are located outside the “Mixed Use Node” overlay designation, as shown on the Land Use Schedules.
- b) Development in “Commercial” areas shall be designed according to the following general principles:
 - i. Ensure that the built environment is designed to create a consistent and attractive street edge that is pedestrian-friendly and transit-oriented.
 - ii. Provide high-quality public amenity spaces and landscaping, with features and facilities that support walking and cycling.
 - iii. Design spaces and streetscapes that provide for the future integration of transit stops and transit connections.
 - iv. Minimize the presence and prominence of parking areas along street frontages, and ensure that such areas are not located between the fronts of buildings located near the front lot line and the street.
 - v. Design areas that feature attractive interfaces with adjacent land uses.
- c) Where necessary, development in “Commercial” areas shall be designed to ensure compatibility with any adjacent low-density residential uses.
- d) Commercial blocks should be designed to incorporate more centralized, “one-stop” parking facilities that allow customers to park once and visit multiple destinations on foot.

4. Mixed Use Neighbourhood Nodes

“Mixed Use Neighbourhood Nodes” are located at community focal points and high-profile locations at gateways and along key corridors. These areas are meant to provide a “main street”, “urban village” atmosphere with an enhanced pedestrian realm and multi-modal access to ground-level retail and service commercial uses. These areas feature mixed-use, multi-functional developments with a variety of uses that transition gradually to adjacent lower-density residential neighbourhoods.

- a) The “Mixed Use Neighbourhood Node” character area shall comprise the following areas, as designated on the Land Use Schedules:
 - i. “Medium Density” areas, where such areas are located in the “Mixed Use Node” overlay designation;

- ii. “Commercial” areas, where such areas are located in the “Mixed Use Node” overlay designation; and
 - iii. “Community Facility” areas.
- b) Development in the “Mixed Use Neighbourhood Node” character area shall be designed according to the following general principles:
 - i. Encourage variety and a range of compatible alternatives in the form and design of the built environment.
 - ii. Ensure that the built environment is designed to create consistent and attractive street edges, with buildings sited in a way that balances creating a strong street edge with providing a visual foreground for the structure.
 - iii. Minimize the visual impacts of parking areas, garbage storage areas, and equipment storage areas on the streetscape, and ensure such areas are not located between the fronts of buildings and the street.
 - iv. Ensure that private outdoor amenity areas are designed to be visually appealing when seen from the street.
 - v. Design visually attractive interfaces between medium-density residential areas and adjacent land uses.
- c) Development in the “Mixed Use Node” overlay designation shall be designed to provide:
 - i. prominent building entrances and clear-glazed street-level façades to promote a vibrant, pedestrian-oriented streetscape and a high level of visibility;
 - ii. separate residential entrances for mixed-use buildings; and
 - iii. appropriate transitions between commercial and residential components of buildings through architectural detailing (such as cornices, signage, porches, and changes in materials or colours).
- d) Development in the “Community Facility” designation shall be designed:
 - i. to serve as an extension of the public realm that is accessible to all residents;
 - ii. to provide focal points for neighbourhoods and communities;

- iii. to provide access to transit and other transportation options;
 - iv. to incorporate best practices with respect to sustainable design; and
 - v. to feature high-quality design with prominent entrances, transparency between indoor and outdoor spaces, and clear lines of sight that promote community safety.
- e) Parking facilities in the “Mixed Use Neighbourhood Node” character area should be design to provide centralized, “one-stop” parking wherever possible to promote a compact and pedestrian-oriented environment.

5. Urban Employment Areas

The “Urban Employment” character area is an extension of the existing North-East Industrial Park in Smithville. Urban Employment Areas are meant to provide for a range of industrial and office uses, agricultural services, and ancillary supportive uses, with development that supports the achievement of high-quality urban design and landscaping.

- a) The “Urban Employment” character area shall comprise all areas in the “Employment” designation, including those in the “Restricted Employment” overlay designation, as shown on the Land Use Schedules.
- b) Development in the “Urban Employment” character area shall be designed according to the following general principles:
 - i. Ensure that the built environment is designed to create a consistent and attractive edge to the street.
 - ii. Provide a high degree of access and connectivity to primary goods movement corridors.
 - iii. Avoid negative impacts on the visual appeal of streetscapes, which includes minimizing the presence and prominence of parking areas and outdoor storage areas along street frontages.
 - iv. Avoid negative impacts on adjacent residential uses and areas, on adjacent open spaces, and on natural heritage features.
- c) The Township will encourage the development of buildings that have continuous street frontage to promote a consistent urban character, with enhanced building and landscape design for visible gateway and prestige sites.

- d) Parking, loading, and outdoor storage areas shall be directed towards the rears of buildings away from street frontages and shall be appropriately screened.
- e) Employment uses shall be required to provide appropriate screening and buffering from adjacent sensitive uses and areas, in accordance with the Zoning By-law and Urban Design Guidelines.

6.11.7.6 **Implementation**

1. Block Plans

- a) Detailed planning for development will occur by Block Plan. Block Plan Areas are shown on Schedule “E-6”.
- b) The Block Plan Areas on Schedule “E-6” represent the smallest area for which a Block Plan will be accepted by the Township.
- c) The Township may accept a single Block Plan for multiple Block Plan Areas provided that the land within the proposed Block Plan is contiguous and is located within the same overall Development Stage.
- d) For the purposes of Section 6.11.7.6:
 - i. references to “Development Stages” shall refer to the “Overall Staging Areas” shown on Schedule “E-14” (“Development Staging Plan”);
 - ii. any reference to a “Development Stage” in conjunction with a numeral (“1”, “2”, “3”, or “4”) shall be interpreted as referring collectively to all “Sub Phases” shown on Schedule “E-14” whose alphanumeric designation begins with that numeral; and
 - iii. all “Sub Phases” shown on Schedule “E-14” whose alphanumeric designation begins with the same numeral shall be understood as being located in the same overall Development Stage.
- e) Prior to the preparation of a Block Plan, a Terms of Reference shall be prepared in consultation with and to the satisfaction of the Township and in consultation with Niagara Region. The Township may prepare and adopt a standard Terms of Reference for the preparation of Block Plans. A Terms of Reference shall identify the required studies and plans required, and the scope thereof, as well as public and agency notice, consultation, review and approval requirements for Block Plans.

- f) Block Plans shall be required to conform with the Smithville MCP and no Block Plans shall be approved until the Smithville MCP is in effect.
- g) Block Plans for Block Plan Areas that are located in the same overall Development Stage shall be prepared in a manner that provides for the coordination of elements such as transportation infrastructure, services, features of the NHS, and other matters as determined through the preparation of a Terms of Reference.
- h) Further to Policy No. 6.11.7.6.1.g), Block Plans for Block Plan Areas 10, 11, and 12 shall be prepared in a manner that provides for the coordination of various elements, as determined through the preparation of a Terms of Reference.
- i) The Township may accept a single Block Plan for Blocks 10, 11 and 12, notwithstanding Policy No. 6.11.7.6.1.c) above and the fact that these Block Plan Areas are located in two different Development Stages.
- j) No applications proposing development in a Block Plan Area shall be approved unless a Block Plan for the area in question has been prepared and has been approved by the Township.
- k) All development in the Smithville MCP Area shall generally conform with and implement the approved Block Plan for the Block Plan Area in which that development is located.
- l) Block Plans shall:
 - i. Illustrate the detailed land uses including the location, type, area, and approximate dimensions of each land use proposed, in conformity with and as a refinement to the land use designations shown on the applicable Land Use Plan in Schedules “E-8” through “E-11”;
 - ii. identify the location, distribution, and land areas for required community facilities, parks, and open spaces, in conformity with and as a refinement to the land use designations intended to accommodate such uses shown on the applicable Land Use Plan in Schedules “E-8” to “E-11” and based upon any applicable Township Master Plans;
 - iii. be accompanied and supported by, and based upon, a Master Environmental Servicing Plan (MESP) that has been prepared in accordance with Subsection 6.11.7.6.2 below, with the SWS, and with the MSP and TMP;

- iv. include a description of the vision and design principles, along with graphics and imagery to illustrate the design intent and to demonstrate conformity with the applicable policies in Section 6.11.7.5 above and in keeping with the applicable Township Design Guidelines.
 - m) In addition to the requirements set out in Policy No. 6.11.7.6.1.I), any Block Plan prepared for a Residential Neighbourhood Area, a Commercial Area, or a Mixed Use Neighbourhood Node shall identify the proposed housing mix and calculated densities, provide estimates for population and the number of population-related jobs estimate, conform with the policies for the applicable land use designations, and demonstrate that the greenfield density target will be achieved.
 - n) In addition to the requirements set out in Policy No. 6.11.7.6.1.I), any Block Plan prepared for an Urban Employment Areas shall provide an estimate for the number of jobs and demonstrate that the employment density target will be achieved.
 - o) The Township may waive the requirement for a Block Plan for the development of land within the Employment and Commercial land use designations, if the Township is satisfied that all of the required information normally provided as part of a Block Plan will be provided as part of a complete application for development for the entirety of the land within the Block Plan Area. The Region will be consulted regarding the planning process for development proposed in the Employment land use designation.
 - p) The Township may waive the requirement for a Block Plan for minor development applications, such as minor variances or site plans related to existing or interim land uses. However, applications involving the development or transition of land in the MCP Area to an urban land use shall be subject to the requirement for an approved Block Plan, except where otherwise permitted by the policies of this Plan.
 - q) Block Plans shall be subject to approval by Township Council. Council may delegate this responsibility to an appropriate Township staff person, either for specific Block Plans or generally for all Block Plans.
2. Master Environmental Servicing Plans (MESPs)
- a) A Master Environmental Servicing Plan shall be prepared for each Block Plan, and may be prepared for multiple Block Plan Areas, and shall include the following:

- i. an Environmental Impact Study (EIS) to delineate and confirm the boundaries of the NHS, in conformity with and as a refinement to the NHS shown on Schedule “E-12” and based upon the SWS;
- ii. proposed water and wastewater servicing plans, along with a review and confirmation of capacity of municipal servicing systems, including water and wastewater system modelling, based upon the MSP;
- iii. the proposed order or phasing of development and the provision of services, in accordance with the Development Staging Plan and with the policies in Subsection 6.11.7.6.3;
- iv. a stormwater management strategy that includes the proposed location and sizing of stormwater management facilities and low-impact development measures, preliminary grading plans, and coordination with areas external to the subject Block Plan Area, in conformity with and as a refinement to the conceptual SWM locations shown on Schedules “E-8” through “E-11” and based upon the SWS;
- v. a Karst Hazard Assessment, where required, based on the presence of identified Karst features and the policies of this Plan;
- vi. a Transportation Impact Study (TIS), prepared in accordance with the recommendations and guidelines of the TMP, that identifies and provides an assessment of connections to the existing road network, as well as the required timing and phasing of upgrades to existing roads and intersections;
- vii. detailed plans showing the street and active transportation network, along with typical street profiles or cross-sections, in conformity with and as a refinement to the Transportation System shown on Schedule “E-13” and based upon the TMP;
- viii. a noise impact assessment with respect to any transportation-related or stationary noise sources, where applicable, based on the location of existing or proposed sensitive land uses and provincial guidelines and requirements;
- ix. an assessment of, and detailed plans for the avoidance and mitigation of, potential land use conflicts with any existing livestock facilities within the MCP Area based on

the application of Minimum Distance Separation (MDS I) setbacks;

- x. environmental site assessment(s); and
- xi. archaeological assessments;

3. Development Staging Plan

- a) It is the intent of this Plan that development in the Smithville MCP Area will occur in a logical and orderly manner over the planning period of this Plan.
- b) Development of the Smithville MCP Area shall be staged to align with the planning and implementation of the required infrastructure and transportation systems.
- c) The order of development of the MCP Area shall be based on the Development Staging Plan in Schedule “E-14” and on the timing of the provision of the required infrastructure and transportation systems in accordance with the MSP and TMP.
- d) Notwithstanding Policy No. 6.11.7.6.3.c) above, the Township may consider and approve changes to the ordering of the Sub Phases within any Development Stage, or changes to the overall sequencing of Development Stage without an amendment to this Plan, provided that the following requirements are addressed through the Block Plan process and associated MESP, to the satisfaction of the Township:
 - i. There is a demonstrated need for the Block Plan Area to advance to development earlier or in a different order than what is contemplated by the Development Staging Plan, based on the growth forecasts of this Plan, current and forecast average annual growth expectations and absorption rates, the status of other developments, non-participating landowners, and the available supply and timing of residential units and/or non-residential floor space in the Smithville Urban Area including the MCP Area.
 - ii. Development that proceeds according to the altered ordering will not adversely affect the achievement of the intensification target within the built-up area.
 - iii. The proposed development of the Block Plan Area according to the altered ordering will provide the necessary roads and infrastructure required for the development of the Block Plan Area, as well as necessary roads and infrastructure external to the Block Plan Area to provide for the future development of other

Block Plan Areas in Sub Phases that under the original Development Staging Plan would have been developed earlier.

- iv. Proposed development in the Block Plan Area will have adequate access to, and will not adversely affect traffic conditions on, existing or new roads or on the future development and transportation needs of other Block Plan Areas in Sub Phases that under the original Development Staging Plan would have been developed earlier.
- v. Any proposed changes to the order of Sub Phases will neither compromise nor adversely affect the provision of the required infrastructure and transportation systems for any other land in the MCP Area in accordance with the MSP and TMP.
- vi. Any improvements or oversizing external to the Block Plan Area will be addressed through development agreements with the Township, Region, and affected landowners, as applicable, which may include front-ending considerations.
- vii. Grading, drainage and stormwater management will be addressed and coordinated with the future development of adjacent Block Plan Areas.
- viii. The required community facilities and parks will be provided to meet the needs of the estimated population growth in the Block Plan Area, or there is adequate capacity within existing community facilities, as determined by the Township based on applicable Master Plans and in consultation with the relevant agencies.
- ix. Adequate reserve infrastructure capacity is or will be available to service development in the Block Plan Area without compromising or negatively impacting the future development of land in Sub Phases that under the original Development Staging Plan would have been developed earlier.
- x. An Environmental Assessment has been prepared and approved as an addendum to the MSP or the TMP, as the case may be, where changes to the planned infrastructure and transportation systems are proposed or required.
- xi. Any temporary or interim infrastructure, transportation, or other facilities or systems required that are not part of the

permanent systems identified in the MSP or TMP are appropriately designed for their future decommissioning and removal, and such decommissioning and removal has been addressed through appropriate development, operational, and maintenance agreements.

- e) The Township will consult and work with the Region to plan for the provision of municipal services in a co-ordinated, timely and financially viable manner, based on the principle that growth pays for growth to the extent permitted by applicable legislation, aligned with Block Plans and complete applications for development as well as the Region's and Township's Master Servicing and Transportation Plans. Infrastructure and transportation projects may be advanced in a Development Stage or a Sub Phase before development is permitted.
- f) Approval of Block Plans and development applications will be based on the timing of the implementation of required infrastructure and available reserve servicing capacity. The Township may adopt and implement a servicing allocation policy to establish the requirements and criteria for obtaining and renewing servicing allocations for development approvals and to ensure infrastructure capacity is reserved and allocated in a manner that supports the implementation of this Plan, the achievement of the intensification target, and other objectives and targets of this Plan.
- g) The Township may use holding provisions, conditions of development approval (including the phasing or staging of development within plans of subdivision), as well as front-ending and credit agreements with extended reimbursement periods, where necessary, to support the logical and orderly development of the MCP Area, manage the pace of growth and development, and ensure development is aligned with the provision and timing of the required infrastructure and transportation systems.
- h) The Township may, at its sole discretion, revise the Development Staging Plan without an amendment to this Plan where circumstances warrant, such as, but not limited to, unreasonable delay by landowner(s), in order to facilitate the planned progression of growth and development in a manner that supports the implementation of the MCP.

4. Complete Applications

- a) All proponents of development in the Smithville MCP Area shall be required to consult with the Township prior to the submission of a development application, which consultation

shall be undertaken in accordance with the policies in Section 18.16 of the Official Plan of the Township of West Lincoln.

- b) In order to be considered a complete application, a development application may be required to include detailed studies and reports in support of the proposed development, which may in some cases be scoped based upon or limited to confirmation of certain studies completed at the Block Plan stage, which may include any of the following:
- i. Planning Justification Report;
 - ii. Conceptual Site Plan;
 - iii. Land Use / Market Needs Report;
 - iv. Archaeological Assessment;
 - v. Heritage Impact Assessment;
 - vi. Environmental Impact Study;
 - vii. Transportation Impact Study;
 - viii. Noise Study;
 - ix. Vibration Study;
 - x. Grading Plan;
 - xi. Detailed Road Design Study;
 - xii. Urban Design Brief;
 - xiii. Landscape Plan;
 - xiv. Tree Preservation Plan;
 - xv. Functional Servicing Report;
 - xvi. Environmental Assessment;
 - xvii. Geotechnical Report;
 - xviii. Hydrogeological Study;
 - xix. Detailed Stormwater Management Study;
 - xx. Karst Hazard Assessment;
 - xxi. Active Restoration Plan; and
 - xxii. any other study, report, or assessment deemed necessary by the Township of West Lincoln, the Region of Niagara, the Niagara Peninsula Conservation Authority, or any other agency that may have an interest in the application, as determined by the Township.

5. Parks Master Plan / Greening Plan

- a) The Township may undertake and adopt a Parks Master Plan / Greening Plan or similar initiative to further study and recommend policies, strategies and implementation plans to address community recreational and parkland needs, standards and targets as well as the overall sustainability, naturalization and greening of the Smithville Urban Area and the Township more broadly. Through the process of developing this Secondary Plan, the holding ponds located to the south Twenty Mile Creek, east of Shurie Road, to the south-east of Smithville, were identified as a potential opportunity for natural area enhancement, restoration, management and to accommodate future public recreational use, as well as ecological offsetting to compensate for any potential loss of natural cover associated with the urban expansion of Smithville. This Plan may be amended in the future to incorporate appropriate policies and other updates based on the recommendations of Parks Master Plan / Greening Plan for Smithville and surrounding areas.”

2.2.6 Schedule “A” – Municipal Structure of the Township of West Lincoln Official Plan is hereby amended by adding Special Policy Area 1 and Special Policy Area 2 as shown on Schedule “A” hereto.

2.2.7 Schedule “B-4” – Land Use Smithville of the Township of West Lincoln Official Plan is hereby amended by:

- a) Updating the Natural Heritage System designation as shown on Schedule “B” hereto; and,
- b) Removing areas from the Natural Heritage System designation as shown on Schedule “B” hereto.

2.2.8 Schedule “B-5” – Urban Structure Smithville of the Township of West Lincoln Official Plan is hereby amended by adding area to the Designated Greenfield Area (P2G) as shown on Schedule “C” hereto.

2.2.9 Schedules “C-1”, “C-2”, “C-3” and “C-4” – Natural Heritage System are hereby amended by deleting the Natural Heritage System designations within the Smithville Urban Area and adding reference to a new map schedule showing the Natural Heritage System designations for the Smithville Urban Area, Schedule “E-12”, as shown on Schedules “D”, “E”, “F” and “G” hereto, respectively.

2.2.10 The following new map schedules are hereby added to the Township of West Lincoln Official Plan:

- a) Schedule “E-6” – Smithville MCP Block Plan Areas, being Schedule “H” hereto;
- b) Schedule “E-7” – Smithville MCP Overall Land Use Plan Index Map, being Schedule “I” hereto;

- c) Schedule "E-8" – Smithville MCP North Community Area Land Use Plan, being Schedule "J" hereto;
- d) Schedule "E-9" – Smithville MCP Employment Area Land Use Plan, being Schedule "K" hereto;
- e) Schedule "E-10" – Smithville MCP South Community Area Land Use Plan, being Schedule "L" hereto;
- f) Schedule "E-11" – Smithville MCP West Community Area Land Use Plan, being Schedule "M" hereto;
- g) Schedule "E-12" – Smithville Natural Heritage System, being Schedule "N" hereto;
- h) Schedule "E-13" – Smithville Transportation Plan, being Schedule "O" hereto;
- i) Schedule "E-14" – Smithville MCP Development Staging Plan, being Schedule "P" hereto.

2.2.11 Schedule "F" – Infrastructure and Transportation of the Township of West Lincoln Official Plan is hereby amended by adding reference to a new map schedule showing the Transportation Plan for the Smithville Urban Area, Schedule "E-13", as shown on Schedule "Q" hereto.

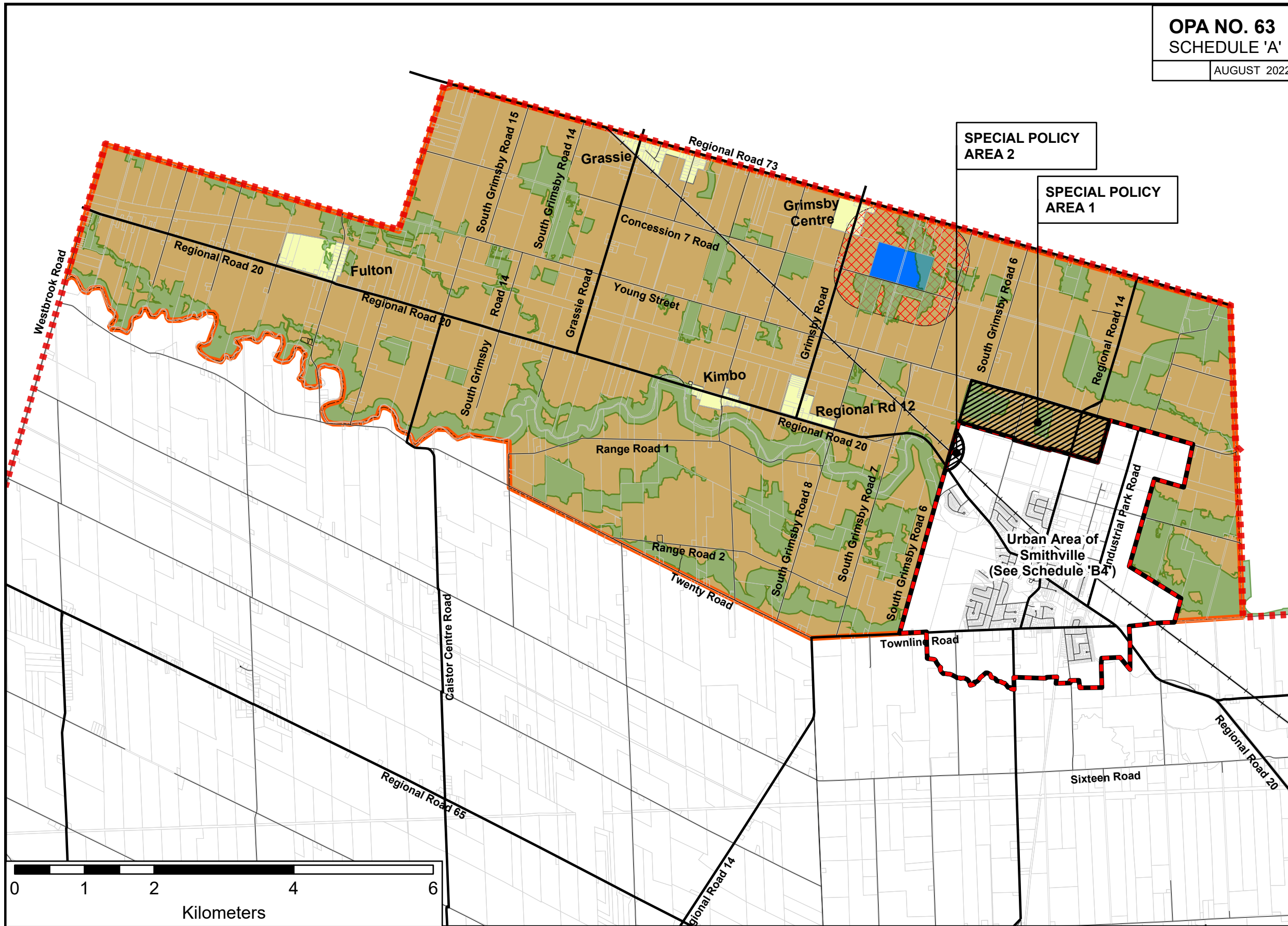
OPA NO. 63
SCHEDULE 'A'
 AUGUST 2022

TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN

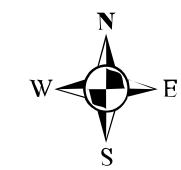
SCHEDULE 'B-3'
LAND USE
SOUTH GRIMSBY

Legend

-  Smithville Urban Boundary
-  Hamlet Settlement Area
-  Public Parks
-  Solid Waste Landfill Site
-  Landfill Area of Possible Influence
-  Good General Agricultural
-  Natural Heritage System
-  Municipal Boundary
-  Special Policy Areas
-  SPECIAL_POLICY_AREAS
-  HAMLET_BNDRY_NEW_JULY2022



PLANNING DEPARTMENT



Note:
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Detail on some features may be lost at this scale.

Date: July 2022

OPA NO. 63
SCHEDULE 'B'

- AREA TO BE DESIGNATED AS NATURAL HERITAGE SYSTEM
- AREA TO BE REMOVED FROM NATURAL HERITAGE SYSTEM

AUGUST 2022

TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN

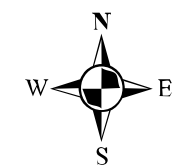
SCHEDULE 'B-4'
LAND USE
SMITHVILLE

Legend

- Smithville Urban Boundary
- Mixed Use Corridor
- Urban Boundary Expansion - Employment
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Secondary Plan
- Commercial Core
- Commercial Plaza
- Service Commercial
- Employment Area
- Institutional
- Public Parks
- Public Use
- Floodline (NPCA)

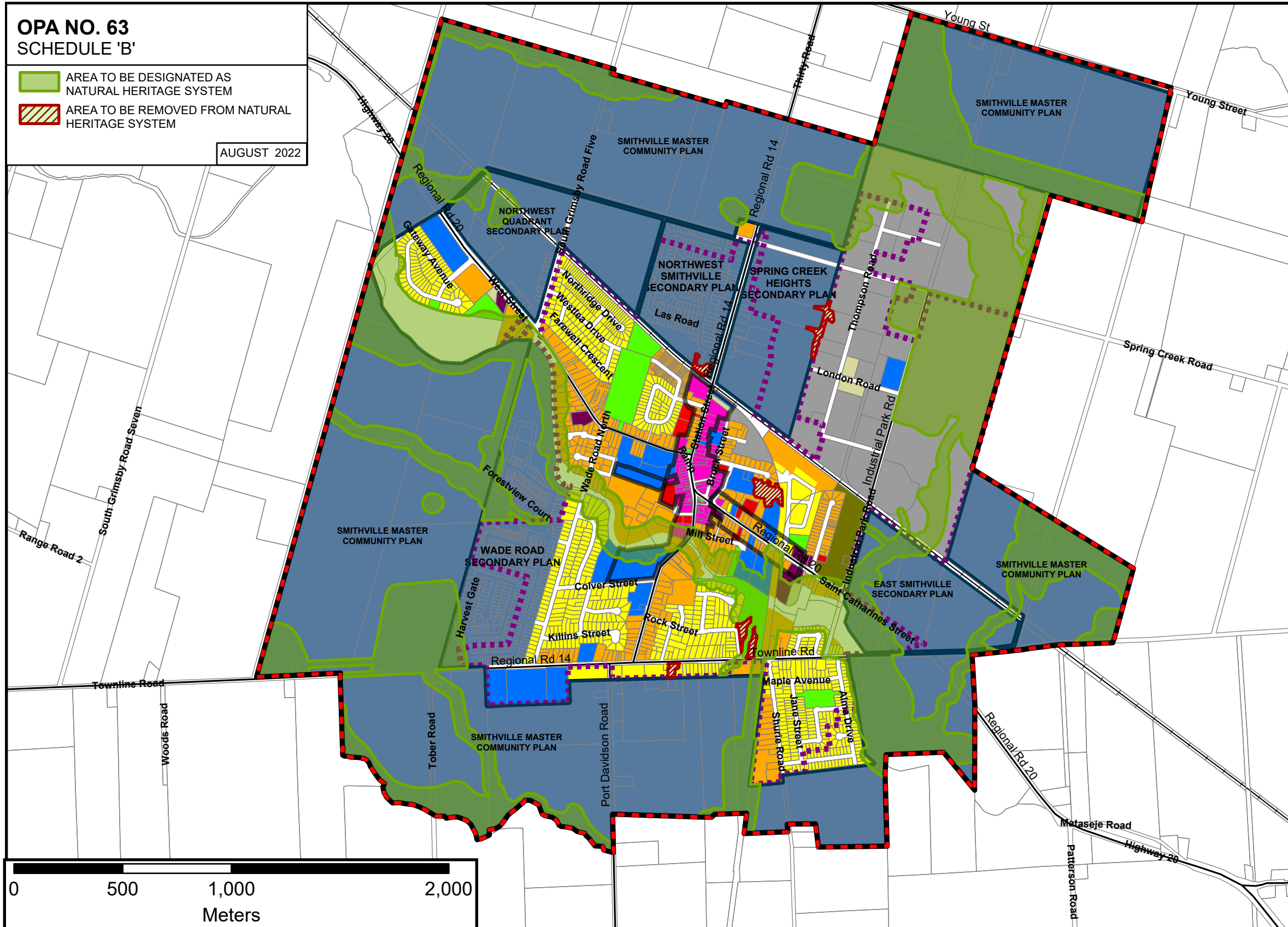


PLANNING DEPARTMENT

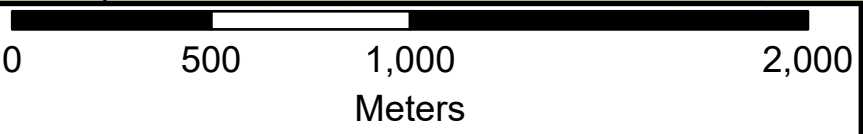
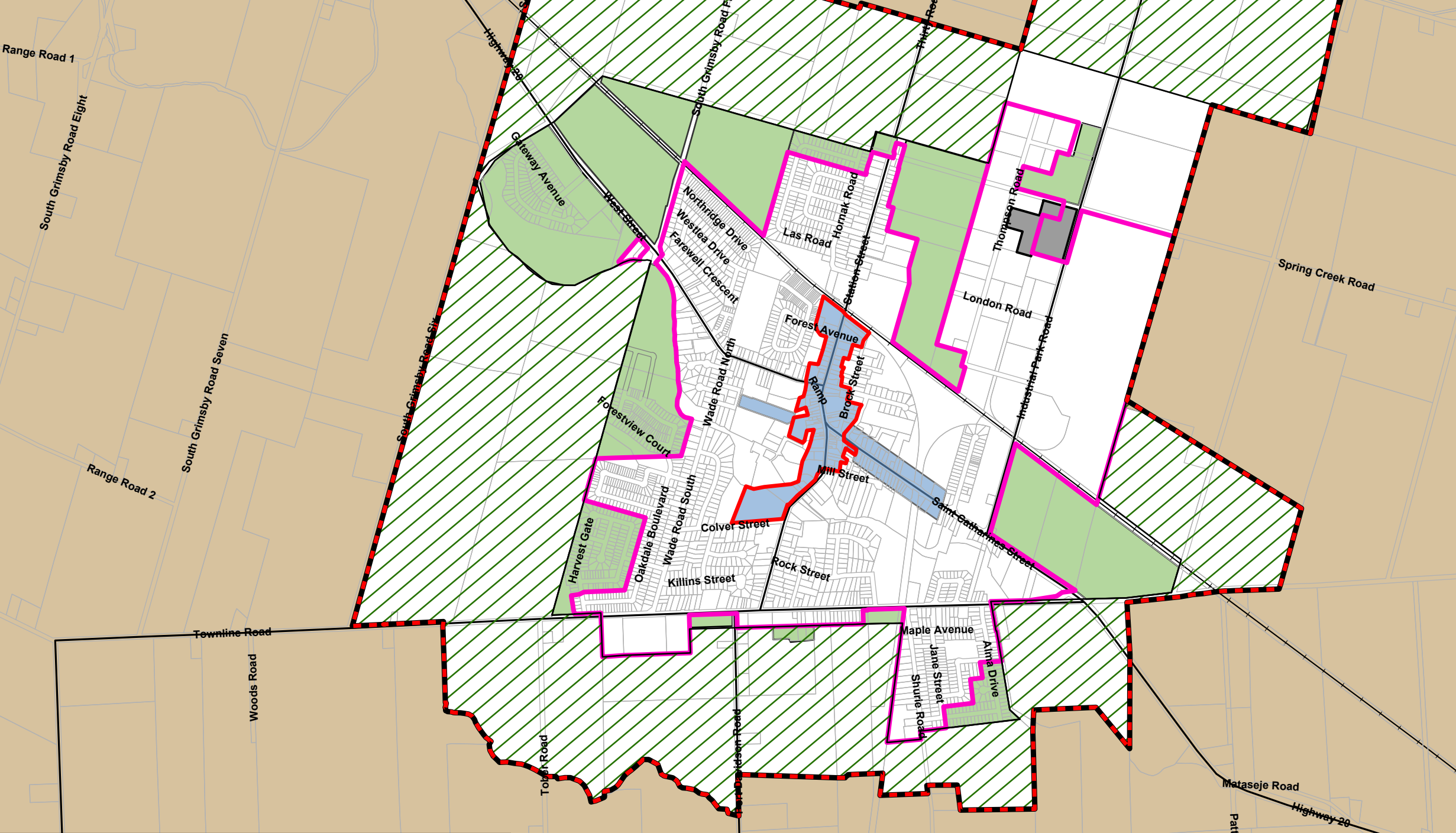


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Date: July 2022



OPA NO. 63
SCHEDULE 'C'
 AREA TO BE DESIGNATED AS
 GREENFIELD AREA (P2G)
 AUGUST 2022



TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN

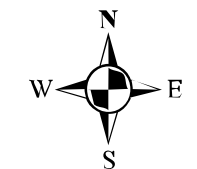
SCHEDULE 'B-5'
URBAN STRUCTURE
SMITHVILLE

Legend

- Smithville Urban Boundary
- CIP Boundary
- Built Boundary
- PCB Lands
- Greenfield Area (P2G)
- Intensification Area
- Agricultural & Rural Area



PLANNING DEPARTMENT



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Date: July 2022

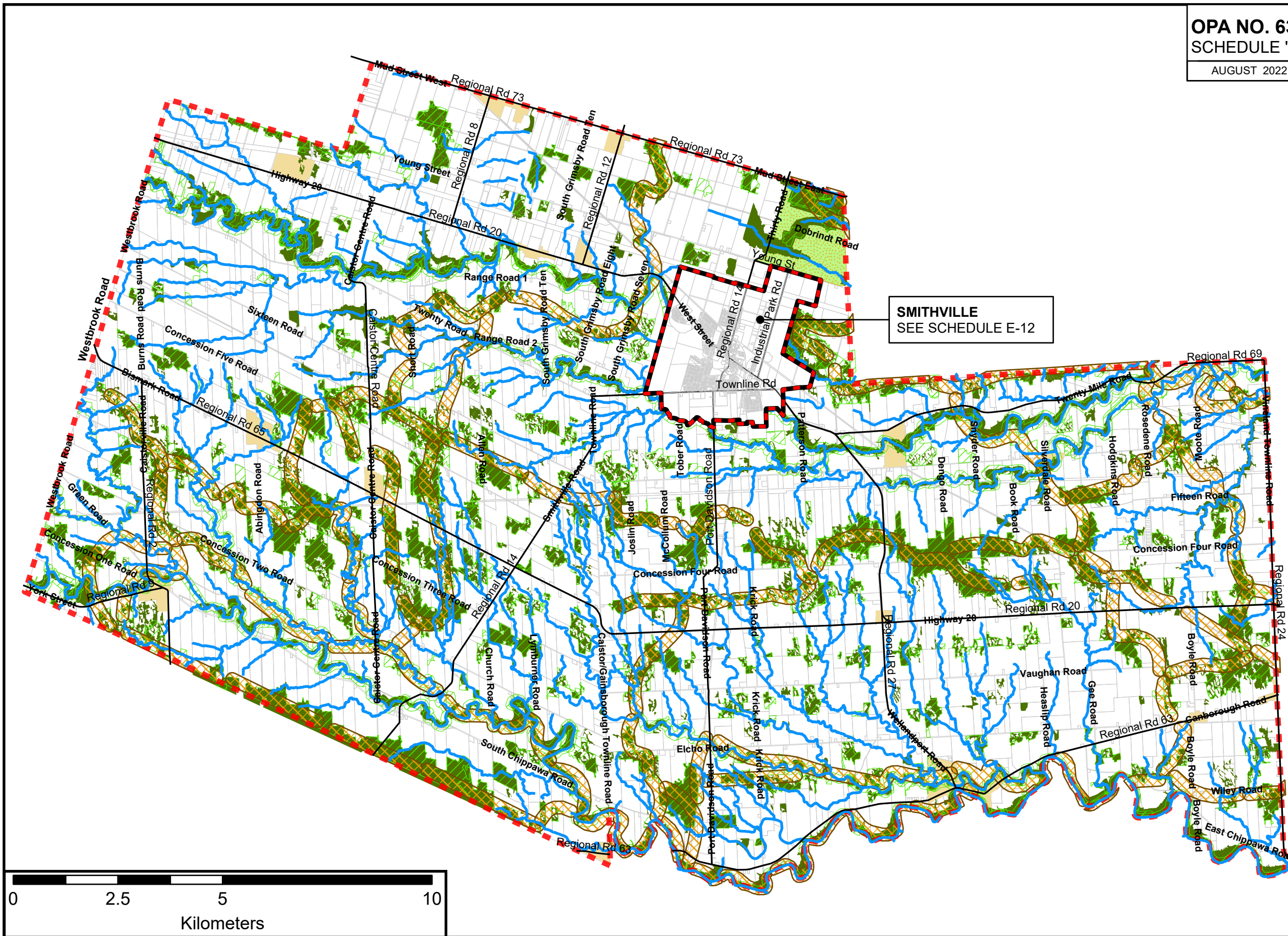
OPA NO. 63
SCHEDULE 'D'
AUGUST 2022

TOWNSHIP OF WEST LINCOLN OFFICIAL PLAN

SCHEDULE 'C-1' NATURAL HERITAGE SYSTEM

Legend

-  Smithville Urban Boundary
-  Greenbelt Lands
-  Environmental Protection Area
-  Environmental Conservation Area
-  Potential Corridors
-  Fish Habitat
-  Municipal Boundary
-  Hamlet Settlement Boundary



SMITHVILLE
SEE SCHEDULE E-12

West Lincoln
Your Future Naturally
PLANNING DEPARTMENT



Note:
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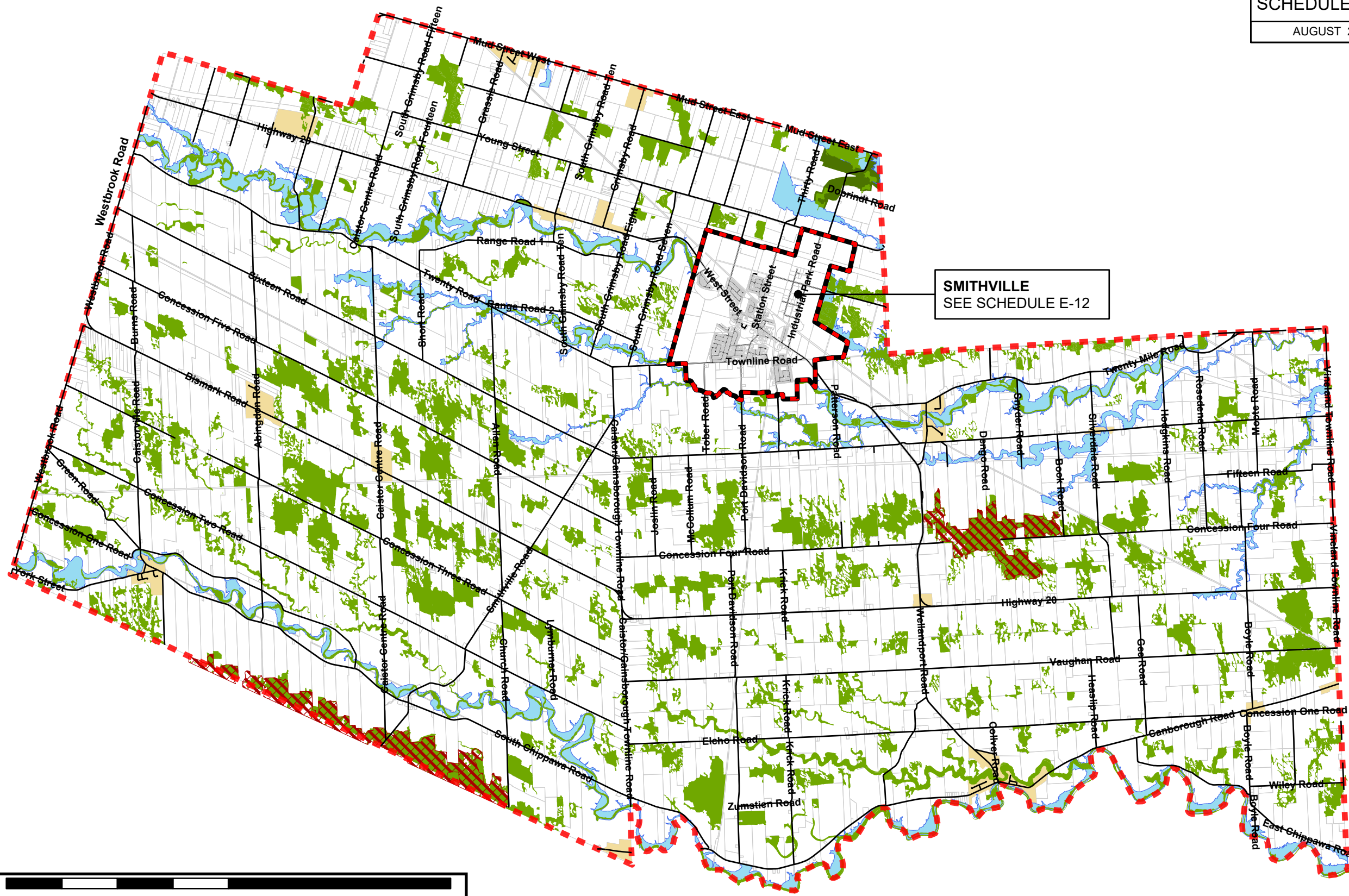
Detail on some features
may be lost at this scale.

Date: July 2022

OPA NO. 63
SCHEDULE 'E'
 AUGUST 2022








TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN

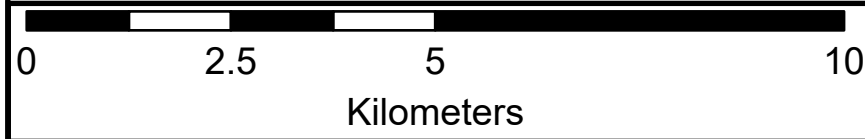
SCHEDULE 'C-2'
NATURAL HERITAGE SYSTEM
ENVIRONMENTAL PROTECTION
AREA



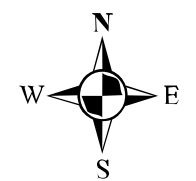
SMITHVILLE
 SEE SCHEDULE E-12

Legend

-  Smithville Urban Boundary
-  Areas of Natural and Scientific Interest
-  Greenbelt Natural Heritage System
-  Provincialy Significant Wetlands (PSW)
-  Floodplain
-  Municipal Boundary
-  Hamlet Settlement Boundary



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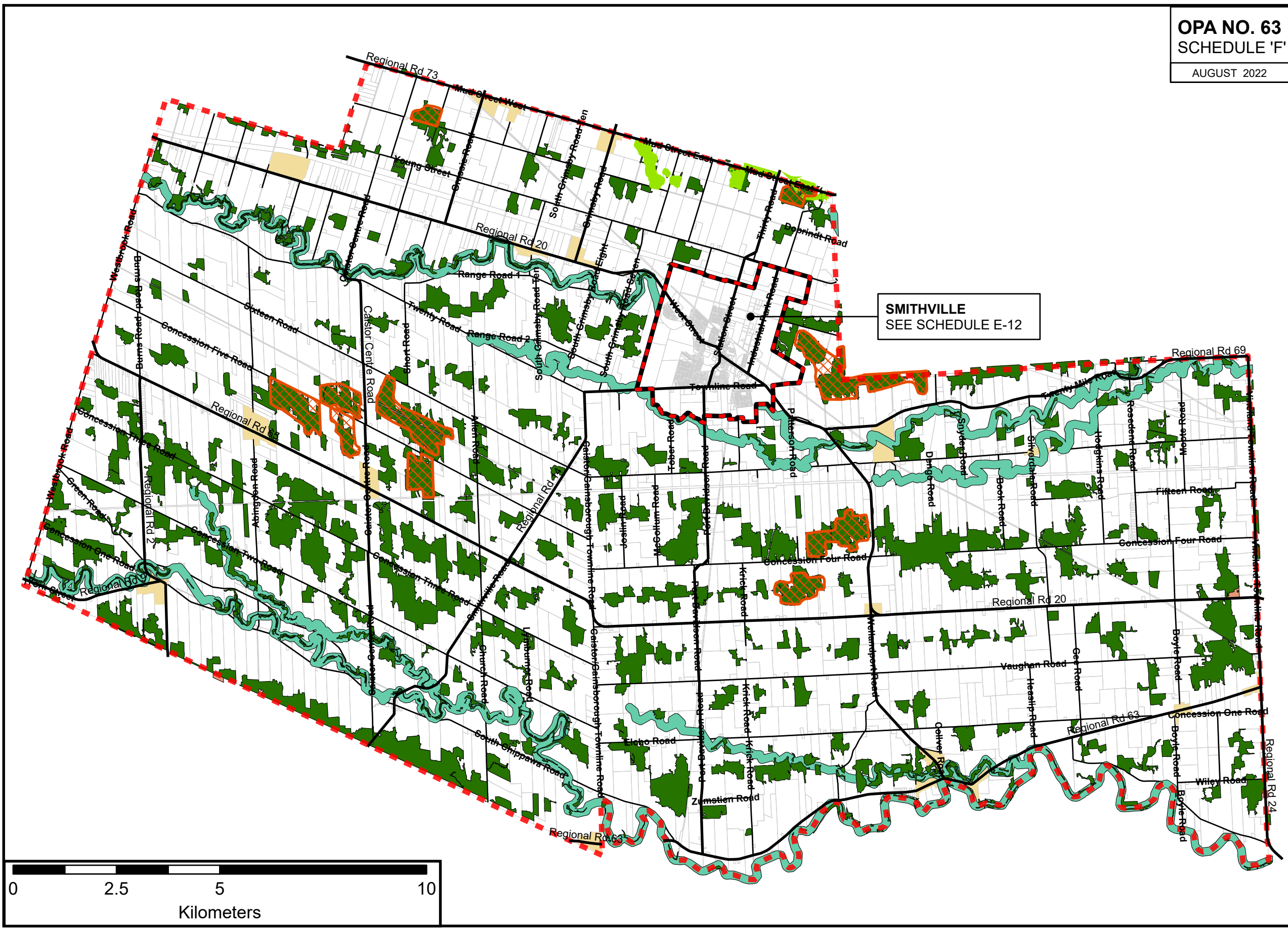
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Date: July 2022

OPA NO. 63
SCHEDULE 'F'
 AUGUST 2022

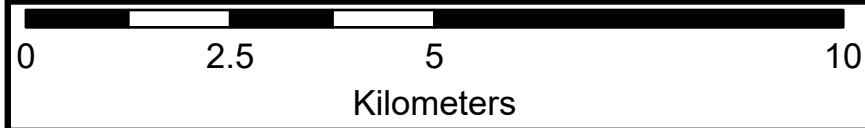
TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN

SCHEDULE 'C-3'
NATURAL HERITAGE SYSTEM
ENVIRONMENTAL
CONSERVATION
AREA

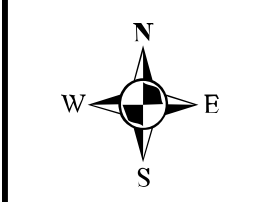


SMITHVILLE
 SEE SCHEDULE E-12

- Legend**
- Smithville Urban Boundary
 - Regionally Significant Life Science ANSI
 - Other Evaluated Wetlands
 - Significant Woodlands
 - Public Conservation Land
 - Valley Shoreline
 - Municipal Boundary
 - Hamlet Settlement Boundary



West Lincoln
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 PLANNING DEPARTMENT



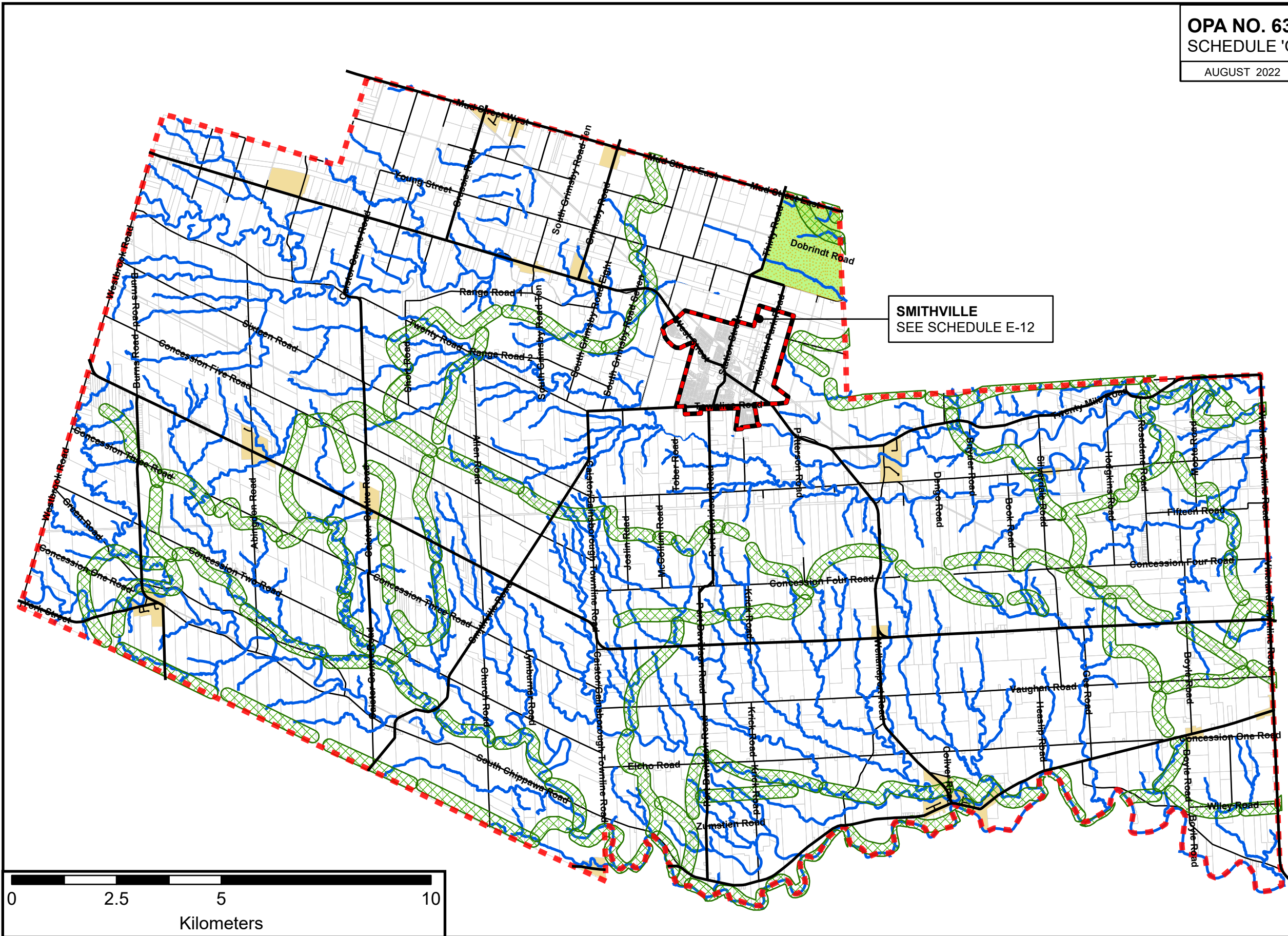
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Date: July 2022

OPA NO. 63
SCHEDULE 'G'
 AUGUST 2022

TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN

SCHEDULE 'C-4'
NATURAL HERITAGE SYSTEM
OTHER FEATURES

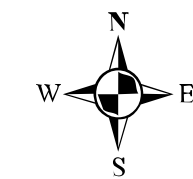


Legend

-  Smithville Urban Boundary
-  Greenbelt Lands
-  Core Natural Heritage Corridors
-  Fish Habitat
-  Municipal Boundary
-  Hamlet Settlement Boundary



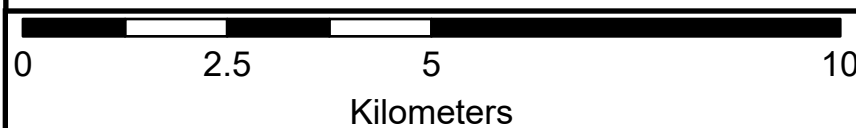
PLANNING DEPARTMENT



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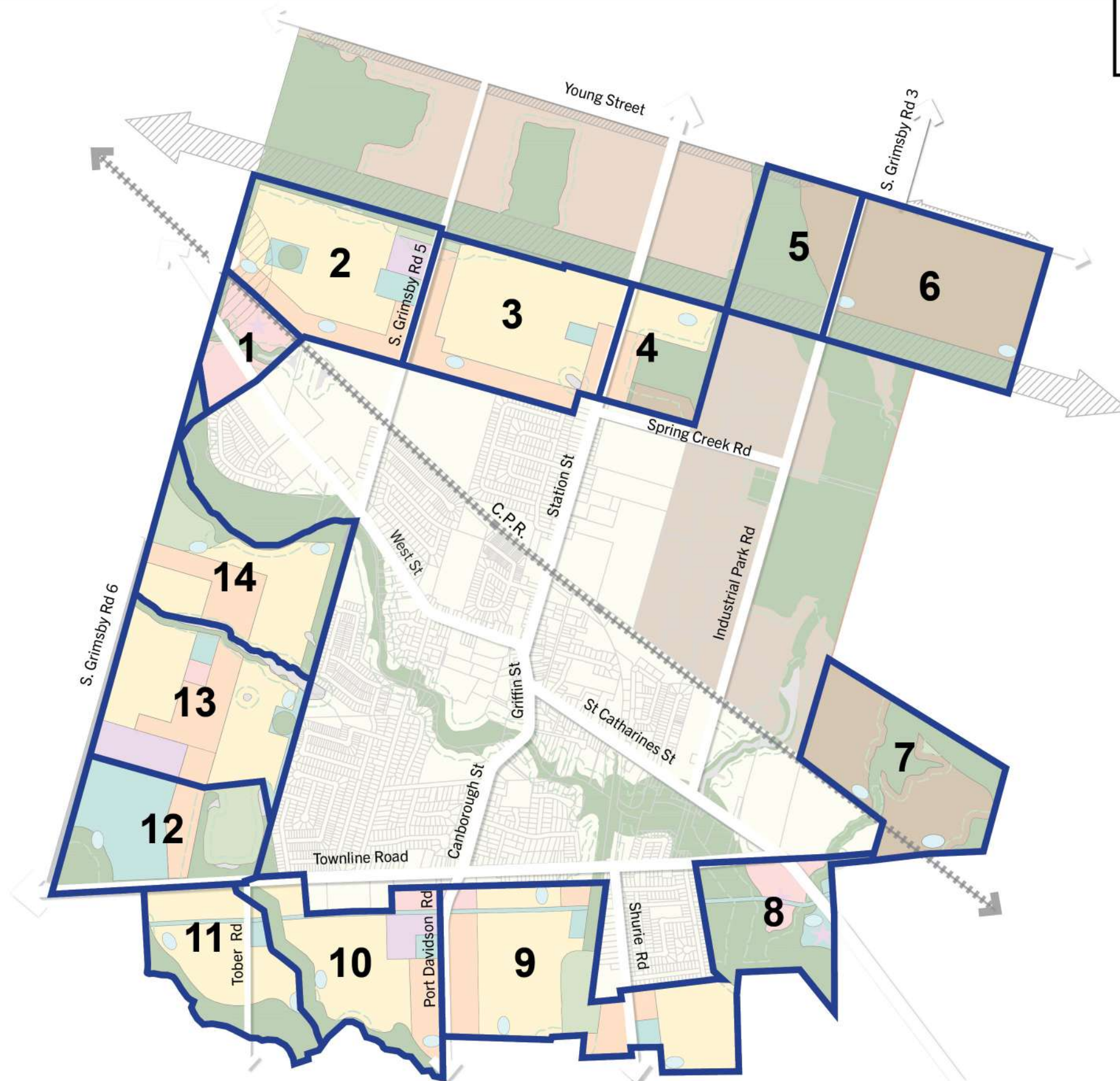
Date: July 2022



OPA NO. 63
SCHEDULE 'H'

TOWNSHIP OF WEST LINCOLN OFFICIAL PLAN

SCHEDULE 'E-6' SMITHVILLE MCP BLOCK PLAN AREAS



Legend
Block Plan Areas



PLANNING DEPARTMENT

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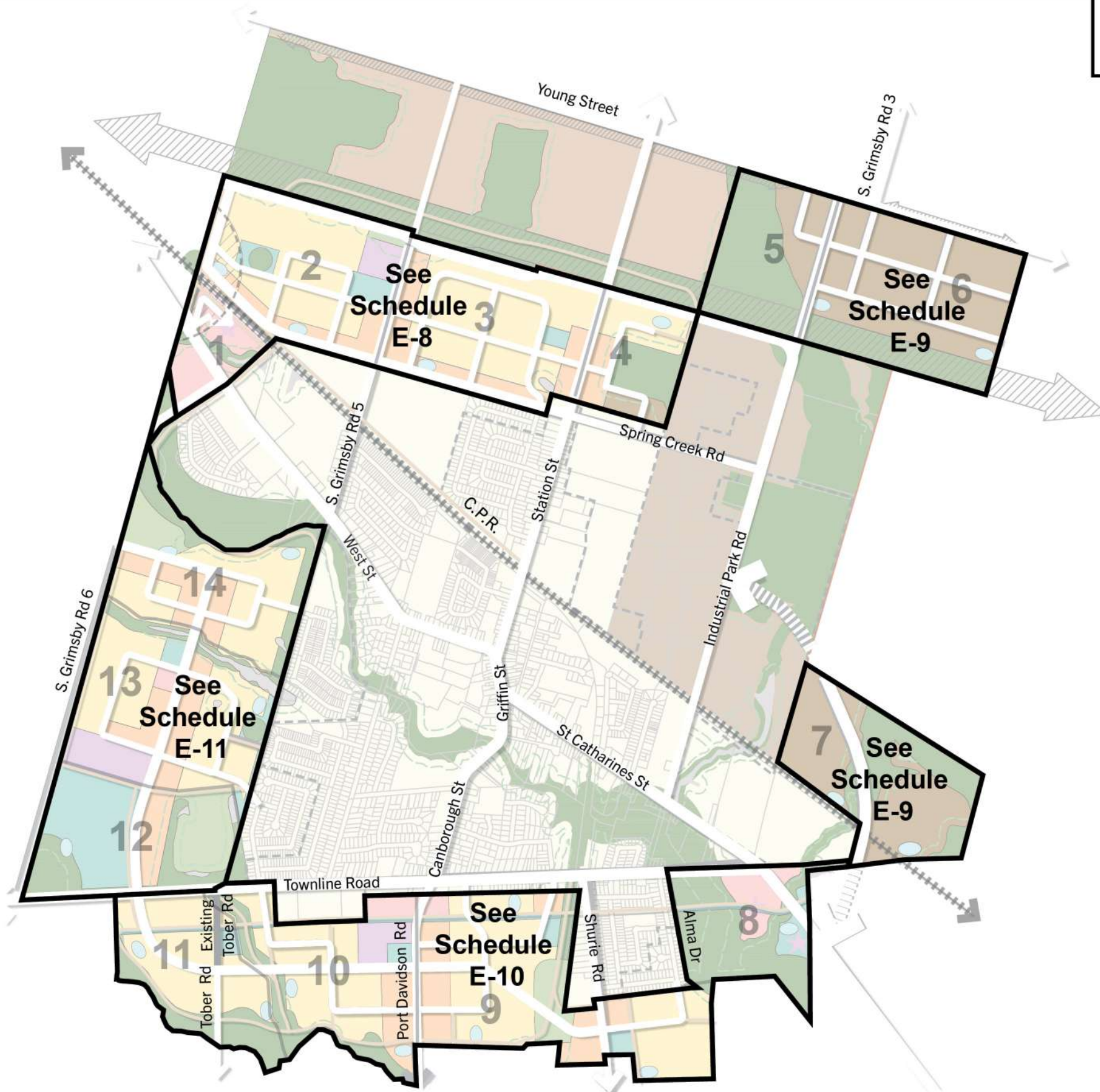
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maybe lost at this scale.

Date: August 2022

OPA NO. 63
SCHEDULE 'I'

**TOWNSHIP OF WEST
LINCOLN
OFFICIAL PLAN**

**SCHEDULE 'E-7'
SMITHVILLE MCP
OVERALL LAND USE PLAN
INDEX MAP**



Legend
Secondary Plan Sub-Areas



PLANNING DEPARTMENT

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Detail on some features
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Date: August 2022

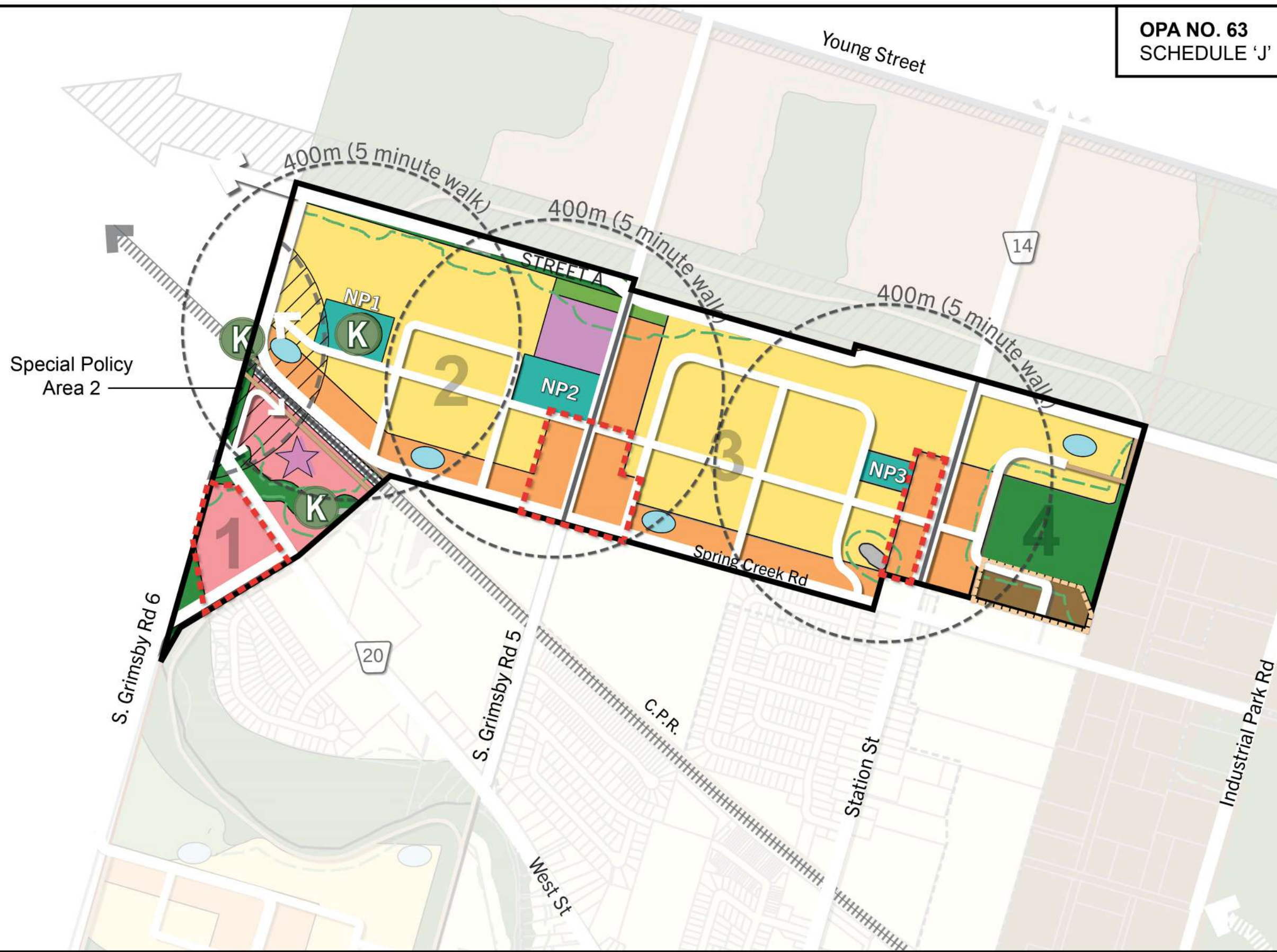
OPA NO. 63
SCHEDULE 'J'

**TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN**

**SCHEDULE 'E-8'
SMITHVILLE MCP
NORTH COMMUNITY AREA
LAND USE PLAN**

Legend

- Built-up Area
- Secondary Plan Sub-Area Boundary
- Urban Place-Types**
- Residential
- Medium Density
- Mixed Use Node
- Commercial
- Open Space (NP = Neighbourhood Park)
- Community Facility
- Employment
- Restricted Employment
- Natural Heritage System**
- Natural Heritage System (NHS)
- Conceptual Buffer
- Recommended Restoration Area
- Potential Restoration Area
- Other Features**
- Karst
- Wetlands for Further Review
- Infrastructure/ Corridors**
- Future Active Transportation/Trails
- Proposed SWM Facility
- Proposed Sanitary Pumping Station
- Gas Pipeline
- Hydro Corridor
- Existing Rail Corridor

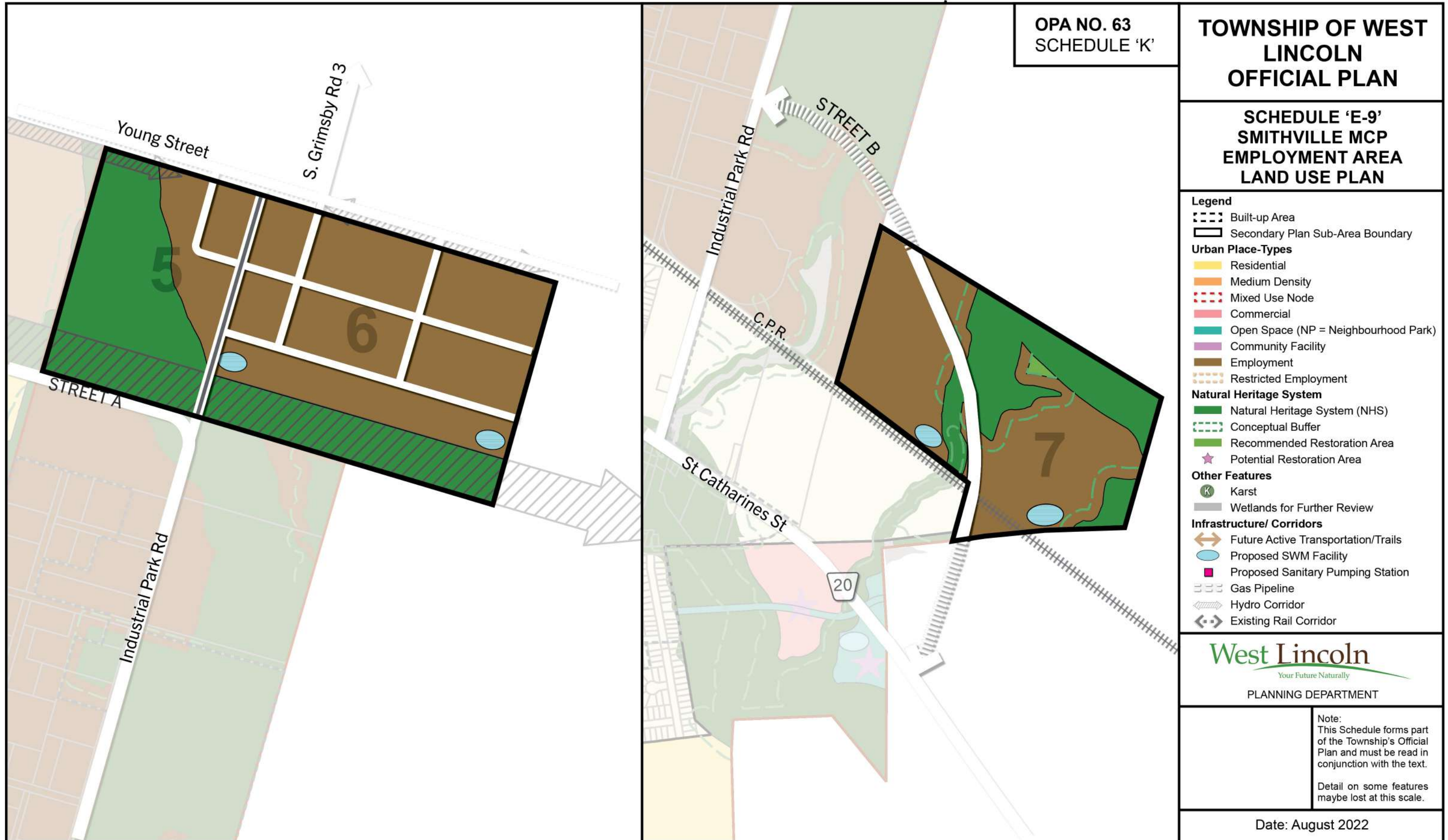


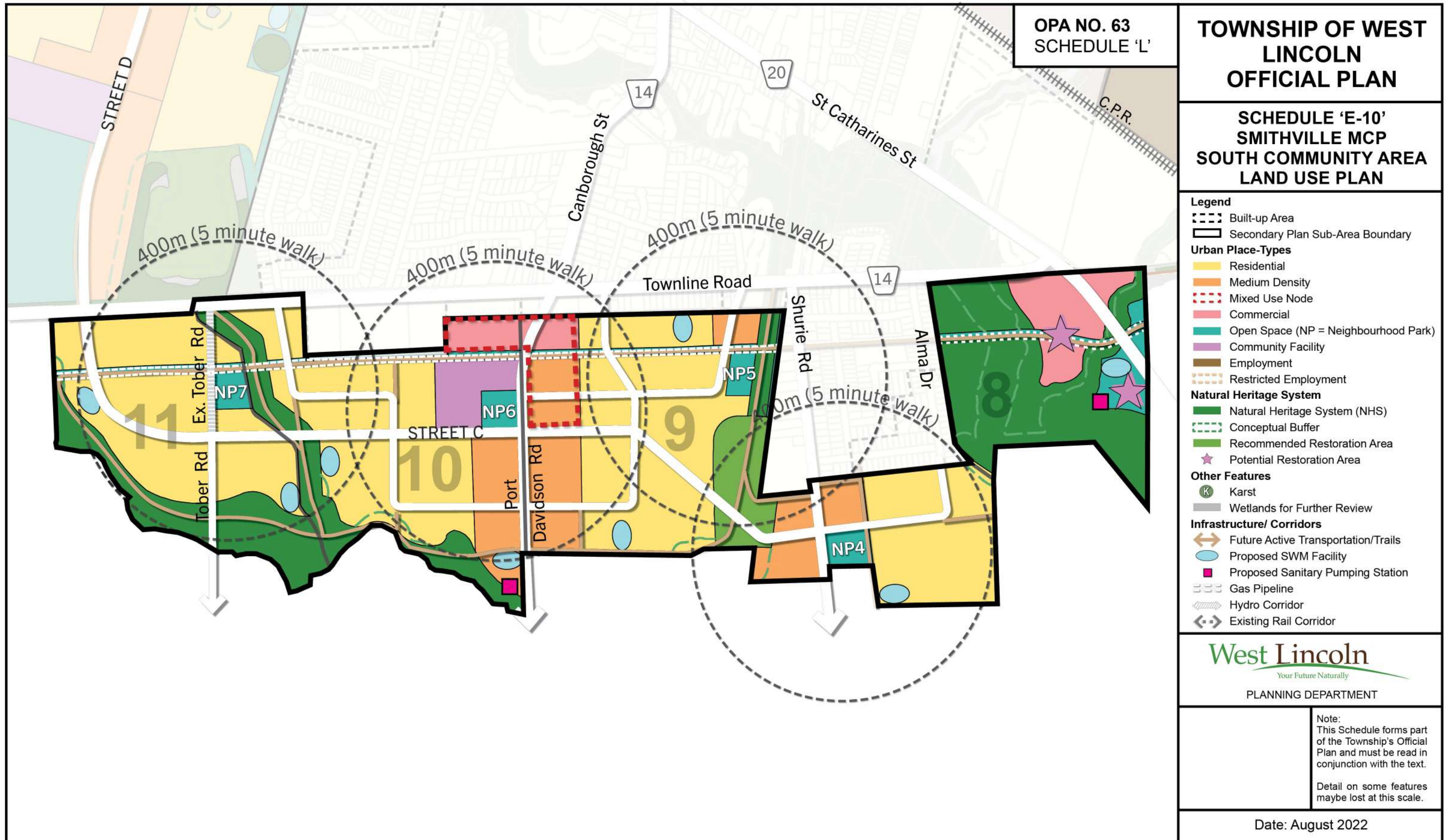
West Lincoln
Your Future Naturally
PLANNING DEPARTMENT

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Detail on some features maybe lost at this scale.

Date: August 2022





OPA NO. 63
SCHEDULE 'L'

**TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN**

**SCHEDULE 'E-10'
SMITHVILLE MCP
SOUTH COMMUNITY AREA
LAND USE PLAN**

- Legend**
- Built-up Area
 - Secondary Plan Sub-Area Boundary
 - Urban Place-Types**
 - Residential
 - Medium Density
 - Mixed Use Node
 - Commercial
 - Open Space (NP = Neighbourhood Park)
 - Community Facility
 - Employment
 - Restricted Employment
 - Natural Heritage System**
 - Natural Heritage System (NHS)
 - Conceptual Buffer
 - Recommended Restoration Area
 - Potential Restoration Area
 - Other Features**
 - Karst
 - Wetlands for Further Review
 - Infrastructure/ Corridors**
 - Future Active Transportation/Trails
 - Proposed SWM Facility
 - Proposed Sanitary Pumping Station
 - Gas Pipeline
 - Hydro Corridor
 - Existing Rail Corridor

West Lincoln
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PLANNING DEPARTMENT

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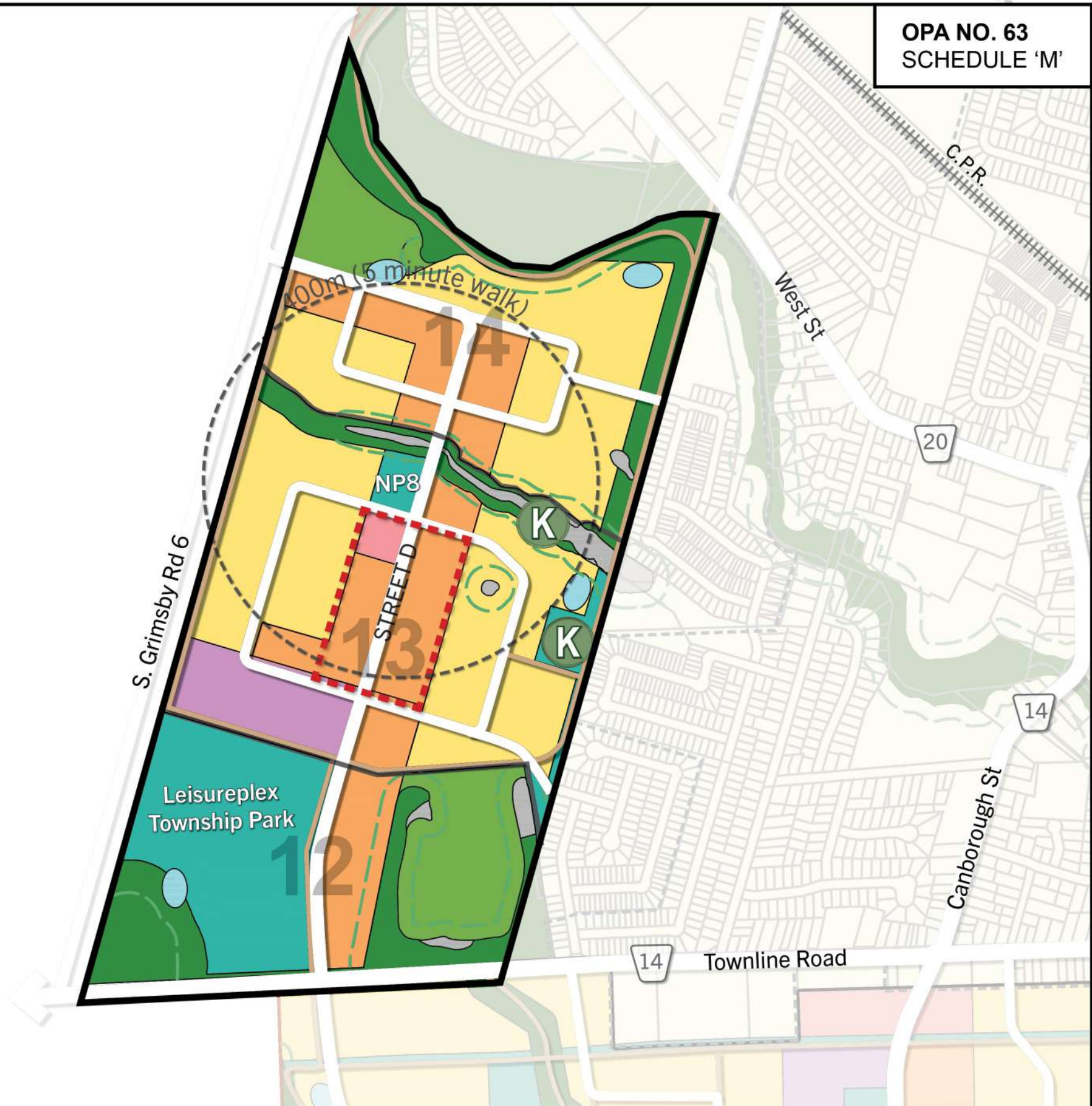
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Date: August 2022

OPA NO. 63
SCHEDULE 'M'

**TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN**

**SCHEDULE 'E-11'
SMITHVILLE MCP
WEST COMMUNITY AREA
LAND USE PLAN**



- Legend**
- Built-up Area
 - ▭ Secondary Plan Sub-Area Boundary
 - Urban Place-Types**
 - Residential
 - Medium Density
 - Mixed Use Node
 - Commercial
 - Open Space (NP = Neighbourhood Park)
 - Community Facility
 - Employment
 - Restricted Employment
 - Natural Heritage System**
 - Natural Heritage System (NHS)
 - Conceptual Buffer
 - Recommended Restoration Area
 - ★ Potential Restoration Area
 - Other Features**
 - Ⓚ Karst
 - Wetlands for Further Review
 - Infrastructure/ Corridors**
 - ↔ Future Active Transportation/Trails
 - Proposed SWM Facility
 - Proposed Sanitary Pumping Station
 - Gas Pipeline
 - ▨ Hydro Corridor
 - Existing Rail Corridor

West Lincoln
Your Future Naturally
PLANNING DEPARTMENT

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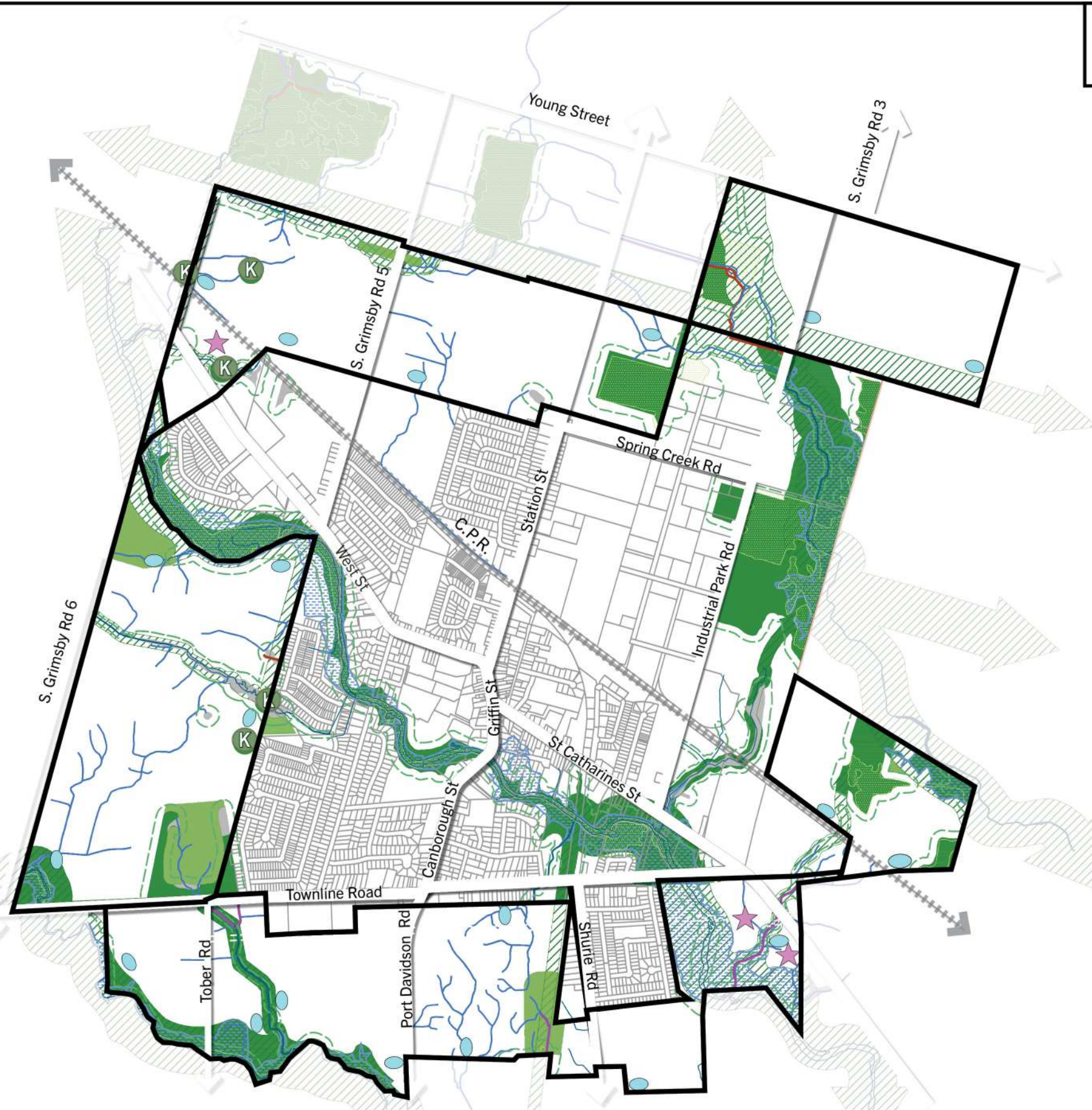
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Date: August 2022

OPA NO. 63
SCHEDULE 'N'

**TOWNSHIP OF WEST
LINCOLN
OFFICIAL PLAN**

**SCHEDULE 'E-12'
SMITHVILLE
NATURAL HERITAGE SYSTEM**



Legend

Secondary Plan Sub-Area Boundary

Natural Heritage System

- Core Area
- Conceptual Buffer
- Recommended Restoration Area
- Linkage

Other Features

- Karst
- Potential Restoration Area
- Provincially Significant Wetland (MNRF)
- Wetlands for Further Review
- Floodline (NPCA)

Waterbodies

- Watercourse
- HDF Protection
- HDF Conservation
- Proposed SWM Facility



PLANNING DEPARTMENT

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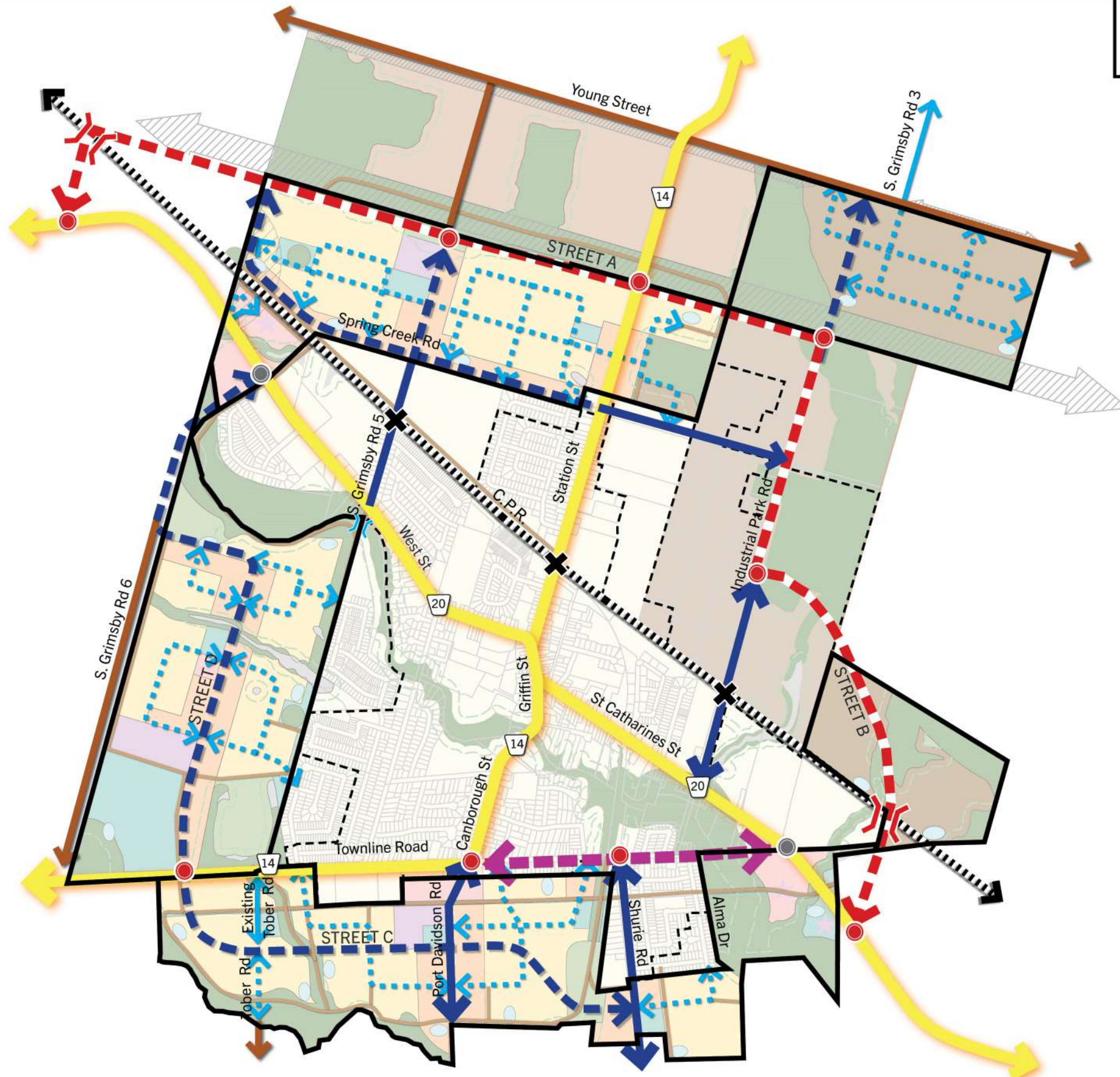
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maybe lost at this scale.

Date: August 2022

OPA NO. 63
SCHEDULE 'O'

**TOWNSHIP OF WEST
LINCOLN
OFFICIAL PLAN**

**SCHEDULE 'E-13'
SMITHVILLE
TRANSPORTATION PLAN**



Legend

- Existing Urban Boundary
- Secondary Plan Boundary
- Transportation Network**
- Future Active Transportation/Trails
- Regional Road
- Future Arterial 'A' Road
- Future Arterial 'B' Road
- Existing Collector Road
- Future Collector Road
- Existing Rural Road
- Conceptual Local Road
- Existing Rail Corridor
- Existing Rail Crossings (At Grade)
- Future Rail Crossings (Grade Separated)
- Future Pedestrian Bridge
- Key Intersection / Roundabout
- Future Key Intersection / Roundabout



PLANNING DEPARTMENT

Note:
This Schedule forms part
of the Township's Official
Plan and must be read in
conjunction with the text.

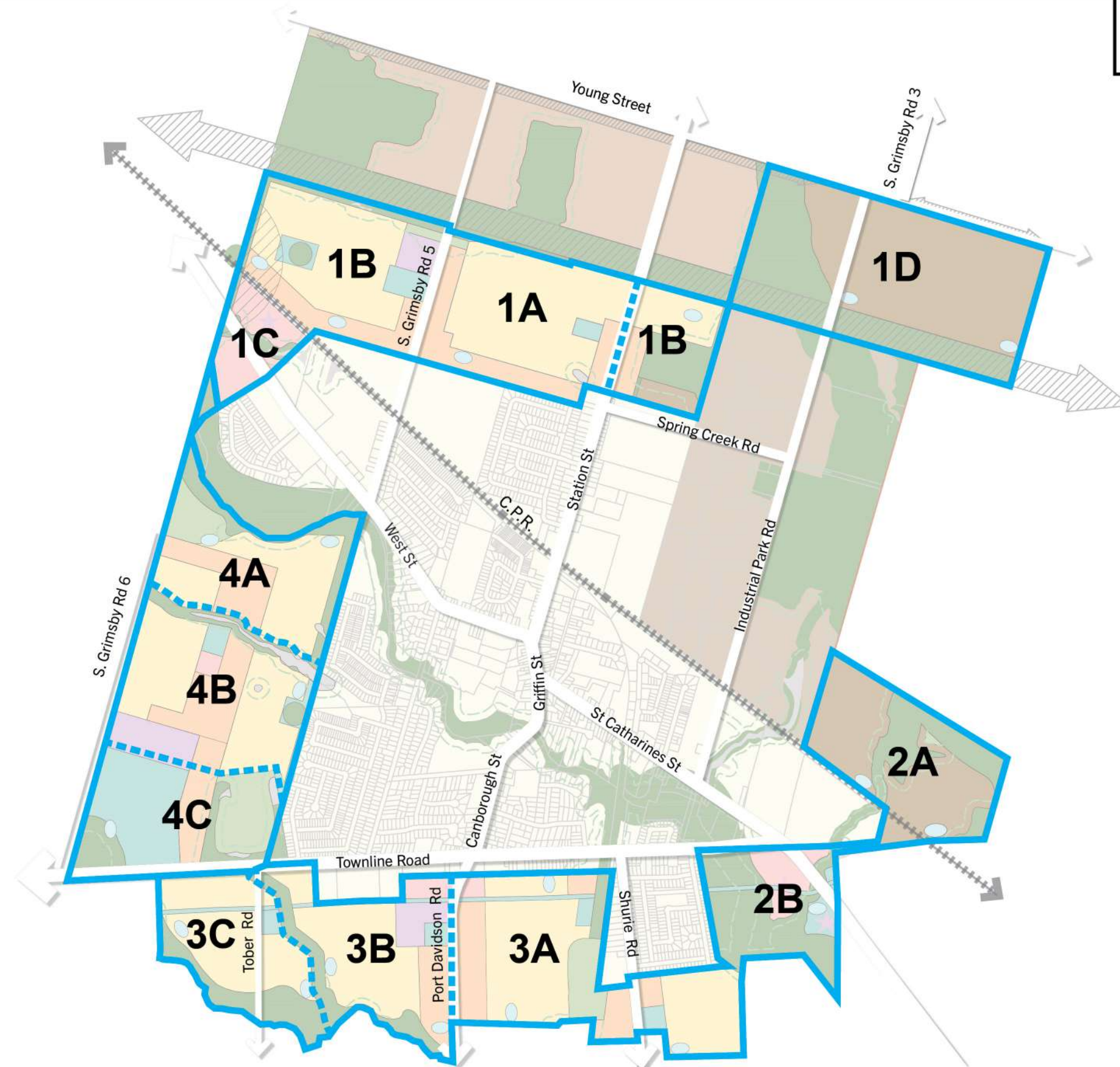
Detail on some features
maybe lost at this scale.

Date: August 2022

OPA NO. 63
SCHEDULE 'P'

TOWNSHIP OF WEST LINCOLN OFFICIAL PLAN

SCHEDULE 'E-14' SMITHVILLE MCP DEVELOPMENT STAGING PLAN



Legend
Overall Stage Areas
Sub Phases



PLANNING DEPARTMENT

Note:
This Schedule forms part
of the Township's Official
Plan and must be read in
conjunction with the text.

Detail on some features
maybe lost at this scale.









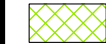

Date: August 2022

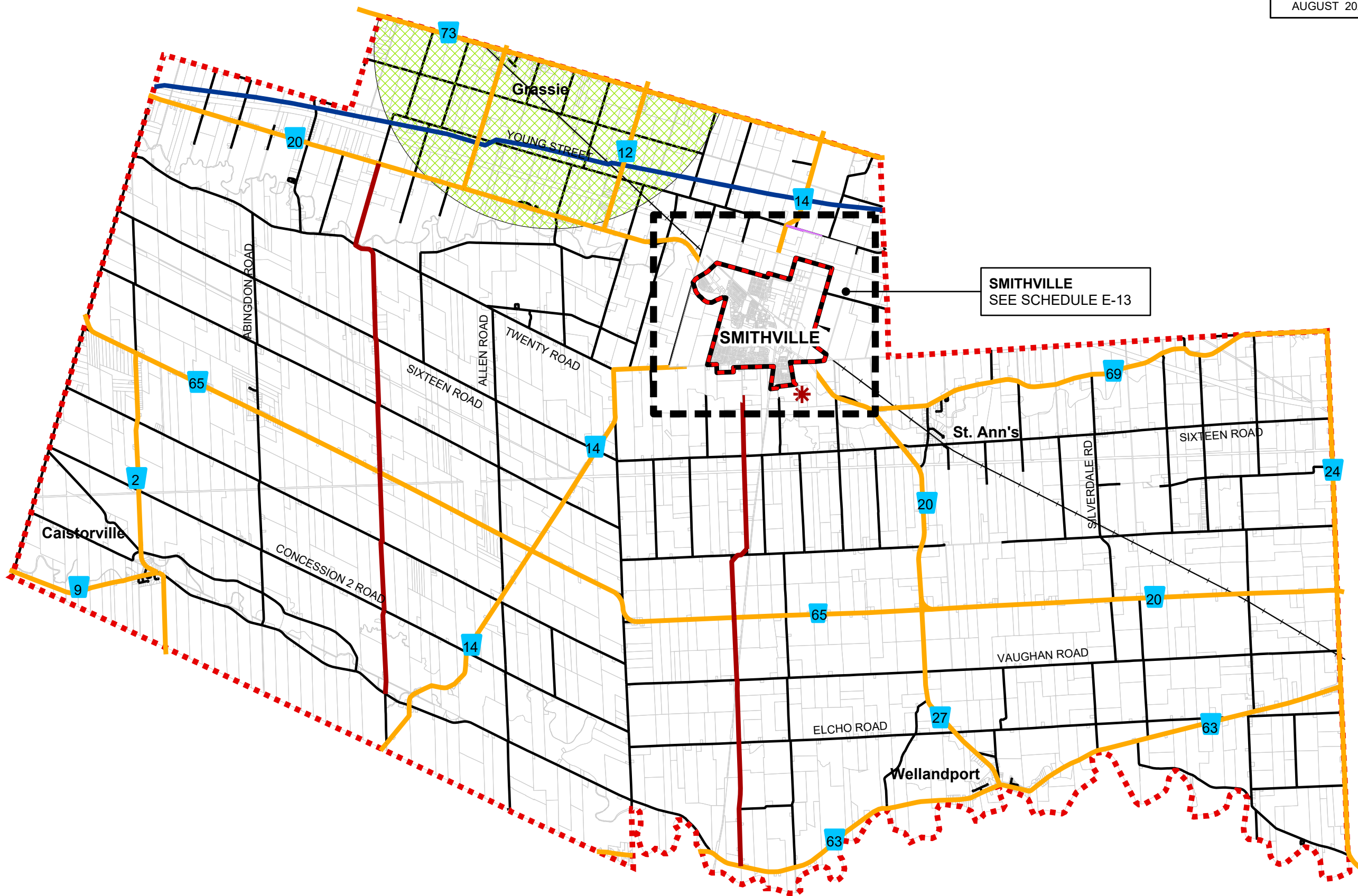
OPA NO. 63
SCHEDULE 'Q'
 AUGUST 2022

TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN

SCHEDULE 'F'
INFRASTRUCTURE & TRANSPORTATION

Legend

-  Smithville Urban Boundary
-  Smithville Sewage Lagoons
-  Arterial
-  Township Arterial
-  Collector
-  Trans Canada Pipeline
-  Municipal Boundary
-  Rail Corridor
-  Airfield Outer Surface
-  Local Road



PLANNING DEPARTMENT



Note:
 This map is to be interpreted in conjunction with the text of the Official Plan.

Date: July 2022

June 15, 2022

Pat Wirth



Township of West Lincoln

318 Canborough Street
Smithville, Ontario, LOR 2A0

Attention: Dave Bylsma, Mayor, Mike Rehner, Jason Trombetta,
Shelley Bradaric, Harold Jonker, Cheryl Ganann, William Reilly, Councilors and
Joanne Scime, Town Clerk

Re: Passing of OPA 62 and 63

I have recently been receiving correspondence from Planning regarding the new urban boundary which will come to the edge of the creek on my property at 2428 Tober Road sometime in the future.

I have now been made aware of the passing of OPA 62 and OPA 63 regarding existing green space which is to happen on June 27th. While the passing of OPA62 and OPA63 will protect our existing green space, I am led to believe that this may be contested by existing land owners and developers. I trust that that Council will use their best efforts to see that OPA 62 and OPA 63 remain as prepared and that no changes be made.

It is important that Smithville move forward and at the same time retain its identity as a great place to live with parks, waterways, trails, open space and natural habitat.

Sincerely, Pat Wirth

A handwritten signature in cursive script, appearing to read "Pat Wirth".

On Jun 15, 2022, at 3:58 PM, Chris <[REDACTED]> wrote:

Hi Joanne: Wednesday, June 15, 2022

We hope you are in favor of this official plan since to us it seems to be a win/win situation.

There is sensible urban expansion along with good protection for our natural heritage systems.

Our paid experts should know what they are talking about and looking out for the future of our community and its citizens.

We ask that you strongly support the Official Plan Amendment 62 and 63 for the sake of West Lincoln's residents and their physical and mental well-being.

Supporting you on June 27,
Sid and Chris Frere

-----Original Message-----

From: noreply@westlincoln.ca [<mailto:noreply@westlincoln.ca>] On Behalf Of Kathy & Henry Pupek, 46 Richard Crescent
Sent: June 8, 2022 4:00 PM
To: Barb Hutchinson <BHutchinson@westlincoln.ca>
Subject: [BULK] Support of OPA 63

Dear Mayor and Councillors,

As residents of Smithville, we whole-heartedly support the above proposal that will help ensure that Smithville will 'grow naturally' by protecting our Natural World Heritage sites that provide crucial habitats to many iconic species, as well as protect rare ecological processes and stunning landscapes. Thanks to all who progressively vote to contribute to our economy, climate stability and overall human well-being, now and for future generations.

Origin: https://www.westlincoln.ca/en/township-office/mayor-and-council.aspx?fbclid=IwAR0d701Gb9abo0tZhr_ubRbPKbv_LpP13iW2PAsKfZToomGzKGy1hNHlYgQ

This email was sent to you by Kathy & Henry Pupek <[REDACTED]> through <https://www.westlincoln.ca/>.

From: Toni Mills [<mailto:>]
Sent: June 22, 2022 8:01 PM
To: Joanne Scime <jscime@westlincoln.ca>
Subject: OPA 63

I am sending you a copy of an email I have sent to the Councillors so that it can be entered into records.

I am just sending this email to compliment the effort and thought that has gone into the growth plan for Smithville. It demonstrates a conscientious effort to be responsible about “building on” to our community. I am also happy to see the fair inclusion of a Natural Heritage System for so many reasons. Personally, my kitchen, living room and deck look out onto the creek and the walk bridge. Although, I have seen some changes in water flow and sometimes overflow, there is still a substantial gathering of wildlife and waterfowl. Having this green space, with all of the creatures that go with it, has been a major contributor to my mental health, especially during the past two years of Covid and isolation. As a Christian, I understand we are all stewards of God’s creation, and I am pleased with OPA 63 and its inclusion of a proper amount of green space.

Thanking you, in advance, for approving this plan, I am

Sincerely,

Antoinette (Toni)Mills

Ron and Sylvie Budenas

18 Harvest Gate
Smithville, Ontario
L0R 2A0

June 7, 2022

Township of West Lincoln

318 Canborough Street
Smithville, Ontario
L0R 2A0

Attention: *Dave Bylsma, Mayor; Mike Rehner, Jason Trombetta, Shelly Bradaric, Harold Jonker, Cheryl Ganann, William Reilly, Councillors and Joanne Scime, Town Clerk*

Re: **OPA 62 and 63**

We have previously written to Mr. Reilly and Mr. Treble regarding our profound displeasure with the egregious actions initiated by the landowner and a developer that occurred behind our property this past spring. We were very thankful that the actions taken by Mr. Reilly and Mr. Treble halted those actions as swiftly as they did. Our immediate neighbours were equally thankful and appreciative.

Consequently, that left us with the feeling that members of council and our mayor are supportive of the common sense approach to development and expansion of Smithville and we believe that this will continue to be the case.

We are therefore writing again to express our support of Council in passing OPA 62 and OPA 63 on June 27, 2022 with particular protection of our Natural Heritage Systems. We must all remember that while development is inevitable it must be done in a manner that will benefit everyone now and for generations to come so council's responsibility is not just for us but for the future of everyone. Natural Heritage Systems which include waterways, trees and wildlife are critically important for a healthy community and must be protected at all costs.

We trust that our wishes will be given full consideration and remain,

Yours respectfully,



Ron and Sylvie Budenas
289-799-0830



1547 Bloor Street West
Toronto, Ontario M6P 1A5
☎ (416) 923-6630
✉ info@sglplanning.ca

June 24, 2022

Project: UE.WL

VIA EMAIL

Mayor and Members of Council
Township of West Lincoln
318 Canborough St. Box 400
Smithville, ON
L0R 2A0

Re: Draft OPA 63

SGL Planning & Design Inc. represents the Smithville Landowners Group. The Landowners Group are also being assisted by GEI Consultants Ltd., A.J. Clark and Associates Ltd., Colville Consulting, Terra-Dynamics and BA Group. Individual landowners have also retained other consultants to assist on the review of OPA 63. Our team of consultants has been actively involved in the Smithville Master Plan and have attended the Technical Advisory Committee meetings, the Steering Committee meetings and public open houses. This letter represents the combined input from all of these consultants.

We would like to thank Township staff and their consultants for the work to date to advance the Smithville urban expansion. The Smithville Landowners Group continues to be fully supportive of the settlement expansion as set out in OPA 62. However, the landowners have significant concerns with some of the policies and schedules of OPA 63 as discussed in this letter and the attachments. We have summarized the key concerns in this letter with specific concerns and recommended changes set out in **Attachment A** with more detailed comments from Terra-Dynamics on Karst features and policies contained in **Attachment B**.

Densities

The Residential and Medium Density designations provide an appropriate range of housing types to addressing the housing needs in Smithville over the next 30 years. However, we are concerned that the density ranges are too low to accommodate the full range of housing permitted in those two designations as further explained in Attachment A.

Mixed Use

The Mixed Use policies set out various targets to ensure that the Mixed Use Nodes become mixed use areas. This objective is laudable. However, we are concerned that the percentage targets for Commercial Mixed Use Nodes is overly prescriptive and will

not achieve truly mixed use buildings. We have recommended an alternative approach in Attachment A.

For the Medium Density Mixed Use Nodes, we understand what the consultants are trying to achieve, but we are concerned that the targets would result in a significant amount of commercial development being required in the interior of neighbourhoods. This amount of commercial development is neither feasible nor appropriate. We have proposed an alternative policy approach in Attachment A.

Restoration Areas

We understand the need for restoration in a Natural Heritage System, but we have significant concerns with the approach being taken in OPA 63. OPA 63 establishes two classes of restoration areas. Potential Restoration Areas and Recommended Restoration Areas. These two classifications provide for the same restoration function, but Recommended Restoration areas are specifically mapped without any analysis demonstrating the necessity of those specific lands to be restored while Potential Restoration Areas are identified schematically. In our opinion, all restoration areas should be identified schematically as Potential Restoration Areas to be evaluated further through an EIS at the block plan and/or draft plan of subdivision stage.

Coverage Target

OPA 63 sets out a process for refinements to natural areas, linkages, restoration areas and conceptual buffers. We are supportive of that process. However, OPA 63 further states that refinements to these features should ensure that the overall land area occupied by the NHS is maintained or increased. This policy is based on the flawed principle that the Secondary Plan must meet an arbitrary coverage target of 30%. This 30% target comes from the Official Plan. It is an aspiration policy target that applies to the entire watershed and is to be **encouraged** through **voluntary** landowner stewardship and restoration. However, your consultants have recommended it be applied specially within an urban area not just an average across the watershed, and it is no longer either encourage nor voluntary. In our collective opinions, that is not appropriate. This policy requires that even if an area of the NHS is found not to contain any significant natural features an equally sized piece of farmland elsewhere will need to be included in the NHS. Not only is this approach not found anywhere in the Provincial Policy Statement, Growth Plan or Niagara Region Official Plan, but it is punitive to the last farmer who develops his or her lands, will make development and housing more expensive; could hinder the ability to reach the growth targets and potentially require further settlement expansion.

Karst Features

We recognize the importance of identifying karst features as a potential hazard. However, we are concerned that the consultants have not undertaken a sufficient level of analysis to identify certain karst features as a High or Medium Constraint features. We recommend that OPA 63 be revised to remove reference to the categorization of karst features and rather require that no development or site alteration be permitted



within 50 metres of a karst feature identified on the Schedules E-8, E-11 and E-12 unless a Karst Hazard Assessment has been completed.

Servicing and Transportation

We are concerned that a number of policies in the servicing and transportation section are overly prescriptive and do not provide the flexibility needed to prepare block plans and subsequent draft plans of subdivision. Nor do the policies recognize that the alignment and right of way widths of arterial and collector roads will be established through the Environmental Assessment process and the secondary plan should not restrict the alternatives that are required to be considered through that process.

Block Plans

We support the proposed block plan process, some policies set an overly restrictive process for implementing the Block Plans. Draft Plans of subdivision will refine the Draft Plans with greater specificity, but some of the policies in this section are too rigid and do not provide the flexibility for the creation of draft plans or recognize that the greater specificity required in a draft plan will necessitate revisions and refinements to the block plan.

Study Requirements at the Block Plan and Draft Plan stage.

OPA 63 sets out a requirement for a Master Environmental Servicing Plan (MESP) for each block plan. This is an extensive exercise that requires servicing, transportation, noise, stormwater and environmental studies. It will be applied to fairly small geographic areas. Due to this extensive work required for such small areas, it is not necessary to repeat such studies at the Draft Plan stage. As such, we request that OPA 63 clarify that studies at the draft plan stage be scoped in recognition of the work undertaken in the MESP.

Thank you for the opportunity to comment on OPA 63. The Smithville Landowners Group looks forward to working with the Township to implement OPA 63 over the coming decades, but we want to ensure that we get OPA 63 right. The landowners and their consultants have significant concerns, and we request that Council directs staff and their consultants to work with the Smithville Landowners Group in an effort to resolve these concerns.

Yours very truly,

SGL PLANNING & DESIGN INC.

A handwritten signature in black ink, appearing to read 'Paul Lowes', written over a light blue horizontal line.

Paul Lowes, MES, MCIP, RPP



c.c. Brian Treble
Richard Vandezande
Steve Wever, GSP
Diana Morreale, Region of Niagara
Tony Miele, Smithville Landowners Group



1547 Bloor Street West
Toronto, Ontario M6P 1A5
☎ (416) 923-6630
✉ info@sglplanning.ca

Attachment A

Formatting and Technical Comments

Below are formatting and technical comments related to our review of OPA 63 and the supporting schedules:

- Section 1.3 Purpose, sub-point two, should be updated to reference the “natural heritage system” not the “natural related system”;
- 6.11.7.1, Section 2 Vision and Section 3 Goals should include language regarding the accommodation of a growing population and employment sector, as well as providing for a diverse mix of housing;
- Section 3 Goals r.), we recommended that “timely” be added to “logical and orderly”, so it reads “logical, timely and orderly” as the timing of development and infrastructure provision as well as timing according to market needs is critical;
- Starting in Policy 6.11.7.2 d), OPA 63 changes from referring to the entirety of the policy number (i.e., 6.11.7.2.1c) to just “No. 1. c)”. This is confusing and an introductory interpretation policy would be appropriate to explain what the number is and where it applies;
- Policy 6.11.7.2.1, third paragraph refers to Subsections “6.11.7.25 and 6.11.7.2.9”, it should be policy “6.11.7.2.5”;
- Policy 6.11.7.2.5 f) ii. A) includes a faulty hyperlink, please review as there are multiple faulty hyperlinks;
- In Policy 6.11.7.2.5 Mixed Use Node, there are two sub policy “j)”. The second reference should be l) and l) should be m); and
- Sub Areas Schedules E-8 to E-12, consider removing the block plan area numbers for legibility.

Land Use Designations

Residential

Height policy 6.11.7.2.1 e) states that “a single storey should be understood as generally being between 3 metres and 4 metres”. We are concerned that this policy may confuse the public, and for instance, lead them to believe that a 2-storey building could be as low as 6 metres in height when in fact that fails to recognize that height will

include the portion of a basement that is above ground and typically half the height of a roof. Details such as this should be contained in the Zoning By-law and not in the Official Plan.

Policy 6.11.7.2.2 f) sets out a density of between 15 and 20 units per hectare. This density should be higher to accommodate townhouses which are a permitted use, unless this gross density is to be interpreted as applying across a plan of subdivision. If the latter is the intent, please provide that clarification in the policies.

Medium Density

The permitted Medium Density uses includes a range of multiple unit building types, however Policy 6.11.7.2.3 a) iv) limits a multi-residential development to six units. This limitation is overly restrictive. This type of detail should be included in the Zoning By-law, as it would be onerous to require an Official Plan Amendment to permit a 7th unit if it was appropriate.

Policy 6.11.7.2.3 g) states that the Medium Density designation shall be planned to achieve an overall density of between 20 and 40 dwelling units per hectare. Although this density is sufficient to permit street townhouse dwellings, it is not high enough to permit back-to-back or stacked townhouses either on their own or combined with street townhouses in a larger development. The Medium Density designation should contain a higher overall density to encourage denser forms of townhouses. Moreover, we reiterate our previous comment that the land on the south side of Street A should be designated Medium Density to provide higher density along the arterial road and transition to the lower density Residential designation in the interior of the neighbourhoods.

Mixed Use

Policy 6.11.7.2.5 d) sets out the permitted non-residential uses in a Medium-Density Mixed Use Node including small-scale retail commercial uses. Sub-policy e) explains that the meaning of “small-scale” shall be determined as part of the Block Plan process and the implementing Zoning By-law. Although the block plan will delineate the land area to which the Medium-Density Mixed Use Node will apply, it will not be identifying what specific uses or tenants will occupy those lands and as such will not be able to determine the meaning of ‘small-scale’. That determination should properly be the role of the Zoning By-law. In view of the above, the text “the Block Plan process and” should be deleted.

In the Mixed Use Node, Policy 6.11.7.2.5 provides differing policies for Commercial Mixed Use Nodes and Medium-Density Mixed Use Nodes. The Commercial Mixed Use Nodes policy g) states that generally commercial uses should comprise 75% to 85% of gross floor area while residential uses should comprise 15% to 25% of the gross floor area of development.

We are concerned that the requirement for 75-85% / 15-25% is still overly prescriptive. Further, if the Township wants a truly mixed use building with residential over ground floor retail, 15-25% of the floor area will not be anywhere sufficient. Two to three floors of residential above retail will require the residential floor area to be 2 to 3 times the amount of retail floor area. We recommend that the policy be changed to require an uncapped amount of residential gross floor area above the ground floor where it is in a mixed-use building. The policies should indicate that residential units are not permitted on the ground floor of a mixed use building to ensure the buildings are mixed use. Where residential units are not to be provided in a mixed use building but rather as stand-alone building on the same lot, we agree that a cap on residential development is appropriate, but we recommend it be capped based on 15-25% of the land area.

Though sub policy j) permits deviation, the policy language stating “will support the planned function” is problematic as it does not provide any flexibility. This policy is not required if the previous policies are amended as suggested above.

We have similar concerns for the residential and commercial targets in the Medium-Density Mixed Use Nodes. The Medium-Density Mixed Use Node requirement for 15-25% of the development’s gross floor area to comprise of commercial uses is too great. Residential uses will be multiple storeys. Any commercial development will be one storey. As such, 25% of the residential gross floor area means that one-storey commercial development will need to occupy over 50% of the lands covered by residential development, not only due to the difference in storeys but also because commercial development has much lower coverage than residential development. By our calculations, this policy would lead to up to 17,000 sq. m. of commercial development. We have not seen any market study that justifies this quantum of commercial space in addition to the actual Commercial designated areas particularly in an interior location. We recommend the policy be changed to require up to 15% of the net developable land area in the Medium-Density Mixed Use Nodes to be comprised of commercial uses.

We also recommended that Policy 6.11.7.2.5 direct the implementing zoning by-law to include provisions for shared parking.

Natural Heritage System

Restoration Areas

Section 6.11.7.2.10 set out the policies for the Potential Restoration Areas designation. It is still unclear why OPA 63 treats Recommended Restoration Areas in Policy 6.11.7.3.16 differently from Potential Restoration Areas in 6.11.7.2.1. In the opinion of our consulting team, these two classifications provide for the same restoration function, but some areas are specifically mapped without any analysis demonstrating the necessity of those specific lands to be restored while others are identified schematically. In our opinion, all restoration areas should be identified schematically as Potential Restoration Areas to be evaluated further through an EIS at the block plan or draft plan

of subdivision stage. Sections 6.11.7.2.10 and 6.11.7.3.16 should be combined and the policies revised to provide criteria and direction for the identification of restoration areas through the block plan process.

Section 6.11.7.2.10 c) allows Potential Restoration Areas to be accepted for parkland dedication, but the same policy does not apply to Recommended Restoration Areas. As indicated above, it is not clear why Recommended and Potential Restoration Areas are treated differently.

Coverage Target

The NHS General Policy 6.11.7.3.4 h) states that any refinements to boundaries of the Linkage Areas or Recommended Restoration Areas should be made in a manner that ensures the overall land area occupied by the NHS is maintained or increased. This policy is based on the flawed principle that the Secondary Plan must meet an arbitrary coverage target of 30%. The policy should simply state that the refinements to boundary of Linkage Areas and the rational for and delineation of Restoration Areas should occur through an MESP or EIS.

The rigid approach to the coverage target hinders the available land for development, potentially making development more expensive, and hindering the ability to reach the growth targets.

Policy 6.11.7.3.4 k) ii) states that crossings of the NHS should “maximize the span of crossings over watercourses”. This policy should be caveated with “where feasible and appropriate”.

Permitted Uses in Natural Features

The Core Area Designation policies (6.11.7.3.5) states that no development or site alteration is permitted in significant wetlands or significant woodlands. Sub policy 6.11.7.3.5 e) allows for forest management, wildlife management, conversation, infrastructure, and small-scale structures but not in significant woodlands or wetlands. It is overly restrictive to not permit forest management, wildlife management, conversation, and small-scale structures in these features. We recommend that 6.11.7.3.5 e) be revised to apply to significant wetlands and woodlands.

Refinements to Natural Features

Policy 6.11.7.3.5 c), d), e), f), and g) when read together are confusing. Sub-policy c) permits no development unless there are no negative impacts on the feature or its ecological functions. This policy follows through from the PPS and is appropriate and if no negative impacts are anticipated development can occur. However, sub-policy e) states that the only development that can occur after the EIS is limited to the activities and structures listed in that policy. Many of these activities are not development as defined by the PPS and in our opinion policy e) should not be linked to policy c). Similarly with policy d), if the federal or provincial agencies provide for a permit for development, it should not be limited by the activities in policy e).

Policy f) is also confusing as it references where development is permitted in a feature that is located outside of the Smithville NHS. This policy would seem to suggest that a natural feature located outside of the NHS can be developed for urban uses subject to demonstration of no impact on the feature or function, but an identical feature within the NHS cannot be developed for urban uses. This differentiation is inappropriate.

Conceptual Buffers

Policy 6.11.7.2.1 b) states any land located in a Conceptual Buffer shall be considered part of the Natural Heritage System and subject to Section 6.11.7.3.14. Policy 6.11.7.3.14 regarding Conceptual Buffers states that buffers are meant to protect Core Area features and that the actual width required for a given Buffer will be determined at the Block Plan stage. We are supportive of that approach as it will determine the appropriate buffer depending on the sensitivity of the feature and the type of adjacent land use. That approach is reiterated in sub-policy b), which states the ecologically appropriate width of each Buffer shall be established through an EIS. However, the policy then goes on to say ‘and shall generally be 30 metres’. There is nothing in OPA 63 or in the supporting subwatershed study that states why 30 metres is ecologically appropriate. We recommend that the text “and shall generally be 30 metres” be deleted or revised to say, “up to 30 metres”.

Policy 6.11.7.3.14 c) then says the appropriate width shall take into consideration the overall coverage target of 30%. As indicated previously, this policy is an arbitrary target that is driving the extent of all features even if determined not to be needed through an EIS and should be struck.

In addition, sub-policy e) further conflicts with the early parts of this policy which stated the actual width will be specified and the ecological appropriate width shall be established by now stating that minor alterations may be made to the boundaries of the Buffer without requiring an amendment to this Plan. It further states that the refinement of Conceptual Buffers should maintain the same general shape and configuration. In our consulting team’s opinion, this policy is entirely inappropriate and should be struck.

These conceptual buffer policies in combination are conflicting, overly restrictive and provide very little opportunity for refinement of an arbitrary pre-determined buffer width.

Linkages

OPA 63 introduces Primary (200 metres wide), Secondary Linkages (50 metres) and high constraint watercourses have a buffer of at least 30 metres on each side of the stream (policy 6.11.7.3.15). It is not clear on the schedules which width applies to which linkage. This should be shown on the Schedules or additional text should indicate where these widths apply.

Moreover, despite the Subwatershed Study indicating that stormwater management facilities are permitted in linkages, the Linkage Area designation does not permit

stormwater ponds and parks (policy 6.11.7.3.15c)). We also find the policy for permitting a linkage of any width between Twenty Mile Creek and the U-shaped woodland to be very concerning (policy 6.11.7.3.15j). This was brought up at the TAC meeting and Steve Wever mentioned this could be an open space connection, but the open-endedness of “any width” in the OPA is not appropriate. It should be revised to state based on the findings of an EIS, consistent with the approach for other linkages.

OPA 63 contains no policies requiring the confirmation of the ecological need for the linkage and the appropriate width and location of the linkage at the block plan stage. A policy approach such as this is necessary, as in our consulting team’s opinion, the identification of some linkages are unnecessary and have not been sufficiently justified.

Karst Features

Karst features are identified as other features not part of the NHS on Schedule E-12. We support that karst features are not shown as part of the NHS. However, it is Terra-Dynamics’ opinion that the Subwatershed Studies Phase 1 and 2 have not met the NPCA’s criteria to deem an exclusion zone or identify a High or Medium Constraint feature (refer to **Attachment B** for Terra-Dynamics’ memo). The NPCA’s Hazard policies require a site-specific Karst Hazard Risk Assessment be prepared by a karst specialist and a geotechnical engineer. In addition, the Subwatershed Studies did not complete any substantive assessment of flow monitoring into a karst; dye trace studies of the water sinking into a karst feature, geophysical mapping; drilling programs adjacent to a karst features; or the excavation of overburden materials. In other words, the Subwatershed Studies completed the first 3 of 5 requirements of the Ministry of the Natural Resources Technical Guide for Hazardous Site (1996), which are listed below:

- Information Study;
- Initial Site Inspection;
- Reporting of Visual Inspection;
- Subsurface Investigation; and
- Analyses and Reporting.

The Subwatershed Studies can be described as “Phase 1: Preliminary Work – Desktop Study and Initial Site Visit” as referenced by F.R. Brunton of the Ontario Geological Survey (2013) within the proposed guidelines for a geotechnical investigation related to karst features in Ontario. To deem lands as High Constraint for development or development exclusion zone, per Brunton, a Phase 2 Investigation is required which Brunton describes as Field-Based Karst Investigations which can include: passive geophysical mapping, soil probing or excavation, rock drilling and well studies, and tracer studies. More information is necessary for a site-specific Karst Hazard Risk Assessment by a karst specialist and geotechnical engineering before these are included in the Official Plan Amendment.

Moreover, there is no scientific or engineering support for the classification of low, medium and high karst constraint areas; specifically the subwatershed work to date includes:

- No dimension of sinkholes with respect to width, length, and depth;
- No calculations of the surface area of the catchment area of stormwater that drains towards each sinkhole/sink point;
- No quantification of the hazard risk; and
- No scientific or engineering studies in which to assess risk.

There is also conflicting information on the Subwatershed Studies karst features SW-1 and the Draft OPA 63 No Development within 50 m of Karst feature shown on Schedule “E-11”. The Subwatershed Studies stated SW-1 “does not have significant hydrological/hydrogeological function and has likely formed since deforestation of the area”, whereas the Powerpoint on March 3, 2022, recommended, “excavate, evaluate and grout can be considered”. As noted earlier, the work is too preliminary, and features should be evaluated by karst specialists and geotechnical engineering per NPCA’s Karst Hazard Policy. Similarly, there is not enough information to warrant Karst feature NW-2 shown on Karst Features Schedule E-8, Northeast “K” located in the open space north of spring creek road. It is Terra-Dynamics’ opinion this sink point is likely, not hazardous. The area warrants excavation and study by a karst specialist and geotechnical engineering before it can be classified as hazardous (refer to **Attachment A** for Terra-Dynamics’ memo)

Therefore, we recommend that 6.11.7.2.17 remove the third paragraph describing the categorization of Karst Features as it is unsubstantiated. We also suggest that sub-policy e) be revised to “No development or site alteration shall be permitted within 50 metres of a karst feature identified on Schedules “E-8”, “E-11”, and “E-12” using the letter “K”, unless a Karst Hazard Assessment has been completed and has demonstrated that:..”. As well, in sub policy g), the words “low constraint” should be removed.

Sub-policies d), e) and g) state that no development or site alteration shall be permitted within 50 metres of a karst. This policy should be changed to rely on the NPCA approval as certain uses can be permitted within 50 metres. As such, sub-policies 6.11.7.3.17 d), e) and g) are not necessary as sub-policy f) states any development within 50 metres of karst will be subject to the NPCA approval. We also recommend that sub-policy f) be revised to state “any development within 50m is subject to NPCA approval, studies & mitigation strategies”, to improve clarity. Moreover, sub-policy h) should be revised to state the post development flows should reflect the recommendations of a water balance study. Lastly, it is unclear how sub policy i) is relevant to Karst features.

Infrastructure and Transportation

Section 6.11.7.4.2 reads more like an introduction to Water & Wastewater. It is unclear if these are in fact policies or meant as information. Since this background information is included in the Official Plan, it now implies an Official Plan Amendment would be required if there are any refinements or changes to the servicing strategy. This is not appropriate, and there should be flexibility to allow for alternative servicing strategies that may be more efficient or cost effective. We recommend this section be removed or text added to say that it is background information for context and not a policy.

Water and Wastewater

Policy 6.11.7.4.2 b) references new developments may be required to provide future connections to adjacent existing uses; this policy should include a caveat of “where appropriate and financially feasible”.

Stormwater Management

Policy 6.11.7.4.3 states that the land use schedules identify the general locations for stormwater management facilities and these locations are conceptual but represent the “preferred locations” for such features. Further sub-policy b) i. states that stormwater management facilities shall generally be located to conform with the conceptual locations shown on Schedules E-8. The policies then go on to state that the location and configuration will be further refined through the MESP and Stormwater management plans and that stormwater management facilities can be relocated or consolidated. These later policies conflict with early statements of preferred locations and conform, and we request that those terms be removed from the text.

Transportation Network

Policy 6.11.7.4.4 d) states that Block Plans shall be required to include a network of roads that adheres to the conceptual alignment shown on Schedule “E-13”. Local roads shown on Schedule E-13 are quite conceptual and only represent a fraction of the local roads that will be developed. Collector and Arterial roads will need to proceed through an EA process to confirm alignments. As such, this policy is too prescriptive. We recommend that it be revised to state, “All Block Plans shall establish a network of roads based on the conceptual collector and arterial road alignments shown on Schedule E-13 of this Plan and the policy direction of Policy 4 e) and f)”.

Further, in sub-policy e), it is unnecessary to include the word “Minor”, as long as sub-policies i, ii, and iii are met; qualifying minor or major is not necessary. Moreover, the actual alignments of Arterial and Collector Roads will be established through the EA process and not the Block Plan unless it is an integrated EA process.

Moreover, in sub policy f), the words “and may be changed without requiring an amendment to the Official Plan” should be struck. As the policy indicates the local roads shown on Schedule E-13 are conceptual and not intended to represent the entire local street network as such the roads will be changed not may be changed. We

recommend the policy be revised to state, "...the location, number and alignments of Local Roads will be determined and defined through the Block Plan process based on the following parameters:"

Sub policy h) is too limiting on the ability to reduce the widths of local roads to address more compact development objectives, one side roads or other situations that may merit reduction. We recommend the policy be replaced with the following, "Notwithstanding No. 4 g) above, the Township may reduce the minimum right-of-way width of any road under its jurisdiction without requiring an amendment to the Official Plan, subject to the satisfaction of the Township and Director of Engineering".

Sub-policy i) should be expanded to stipulate that access to Arterial "A" Road via a local road is permitted where it can demonstrate there are no adverse impacts to the transportation network capacity through a transportation impact study.

We generally support the intent for local roads to have sidewalks on both sides in sub-policy o); however, some exceptions may be appropriate for window roads, constrained locations, and context-specific circumstances where there may already be an adjacent pedestrian connection.

It should also be noted that sub policy r), and throughout the document, references the Transportation Master Plan, but the Draft Transportation Master Plan is not yet available for review.

Sub-policy p) states that development adjacent to Street "A" should be oriented so that the side lot lines abut Street "A" and the design incorporates appropriate noise mitigation measures. There are two issues with this policy. First, orienting side lot lines to abut Street A requires local roads to access Street A, which we understand are to be limited. Second side yards abutting an arterial road are the more difficult arrangement to mitigate noise into rear yards. We recommend that the policy be revised to say that "Future development adjacent to Street "A" should be oriented to avoid rear lotting and to incorporate appropriate noise mitigation measures such as having houses face Street A along a window street".

Smithville Bypass Road Corridor

Policy 6.11.7.4.5 c) provides a minimum right-of-way width of 31.5 metres which presumes 4 lanes. The number of lanes is not in the scope or recommendation of the Smithville Traffic Assessment and will be determined through a subsequent EA. This policy should be revised to state that the right of way width and design of the roadway will be finalized through a future EA and detailed design process, and that the ultimate right-of-way width should be minimized where possible.

Road Improvements for Block Plan Areas

Policy 6.11.7.4.6 states in each sub-policy that No development in a specific Block Plan Area shall proceed unless or until certain roads are improved or upgraded. In the

consulting team's opinion, these policies are overly prescriptive and unrealistic to stage development and infrastructure this way. As many of these roads are existing municipal roads, the landowners have little control over the timing of these upgrades; nor is it clear if the upgrades are necessitated by existing development or the growth of the greenfield components of the neighbourhood. It is also unclear how the road improvements will be financed and whether there be Development Charge credits.

We recommend that the policy be revised as follows:

“Block Plans undertaken in accordance with Policy 6.11.7.6.1 shall identify through the MESP the timing of the following transportation improvements in relation to the phasing of development within the respective Block Plans:

- a) Block Plan Area 2
 - i) The segment of South Grimsby Road 5 adjacent to Block Plan Area 2 upgraded to an appropriate urban standard;
 - ii) the portion of the road allowance for South Grimsby Road 6 between the CPR rail corridor and the corridor for Street “A” opened and developed to an appropriate urban standard;
- b) Block Plan Area 3
 - i. The segment of South Grimsby Road 5 adjacent to Block Plan Area 3 upgraded to an appropriate urban standard;
 - ii. The segment of Thirty Road adjacent to Block Plan Area 3 has been upgraded to an appropriate urban standard;
- c) Block Plan Area 4
 - i) The segment of Thirty Road adjacent to that Block Plan Area upgraded to an appropriate urban standard;
- d) Block Plan Area 5 or Block Plan Area 6
 - i) The segment of Industrial Park Road adjacent to those Blocks upgraded to an appropriate urban standard;
- e) Block Plan Area 9, Block Plan Area 10, or Block Plan Area 11
 - i) The segment of Smithville Road (Regional Road 14) between South Grimsby Road 6 and Canborough Street upgraded to an appropriate urban standard;
 - ii) The segment of Townline Road between Canborough Street and St. Catharines Street (Regional Road 20) upgraded to an appropriate urban standard;
- f) Plan Area 12, Block Plan Area 13, or Block Plan Area 14
 - i) The segment of Smithville Road (Regional Road 14) between South Grimsby Road 6 and Canborough Street upgraded to an appropriate urban standard; and

-
- ii) The segment of South Grimsby Road 6 between Smithville Road (Regional Road 14) and West Street (Regional Road 20) upgraded to an appropriate urban standard.

Active Transportation and Trail System

In policy 6.11.7.4.7, we recommend adding a new sub-policy that states “The Township may reduce the minimum right-of-way width of any road under its jurisdiction without requiring an amendment to the Official Plan, subject to the satisfaction of the Township and Director of Engineering”.

Community Design and Sustainability

In Policy 6.11.7.5.3 sub policy b) iv), there may be situations where multiple commercial building are located on a lot and not all can abut the street; some may be situated at the rear of the site. As such, the policy should be revised to add “located near the front lot line” after “buildings”.

Block Plans

Although we support the proposed block plan process, some policies set an overly restrictive process for implementing the Block Plans. Draft Plans of subdivision will refine the Draft Plans with greater specificity. However, policies such as 6.11.7.6.1 k) that states “development shall conform” and policy l) i. that requires “dimensions of each land use” are too rigid and do not provide flexibility for the creation of draft plans. If these policies are not changed, developers will be forced to prepare draft plans of subdivision concurrently with any block plan. We recommend that policy k) be revised to say, “generally conform with and implement the approved Block Plan” and policy l) i. be revised to delete “dimensions”.

Master Environmental Servicing Plans

With block plans providing a high level of detail for a relatively small area and being accompanied by an MESP, OPA 63 should clarify that studies required at the draft plan of subdivision stage can be scoped or not required at all including studies such as a transportation study, noise study and stormwater management study all of which are required as part of the MESP.

The preparation of a MESP is a fairly extensive exercise that may not be cost effective at the scale of the block plans. The secondary Plan should be revised to permit a MESP to be prepared for multiple block plan areas.

Development Staging Plan

The policies allow for a change to the order of development without amendment to the policies provided the requirements are addressed through the Block Plan and MESP process. We support the approach of allowing changes to the order to ensure



development is not held up and allow for multiple areas to proceed in tandem where the market permits. Policy d) i. should be revised to also recognize non-participating owners as a rationale for change in the order of development.



Attachment B



Terra-Dynamics Consulting Inc.

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June 20, 2022

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Re: Draft Amendment Number 63 to the Official Plan of the Township of West Lincoln,
Comments on Karst Feature Policy

Dear Sirs,

1.0 Executive Summary

The 2022 Draft Amendment Number 63 to the Official Plan of the Township of West Lincoln pertaining to karst hazards and constraint mapping is not consistent with existing policy. This is because it relies on preliminary karst work completed as part of the Smithville Subwatershed Study (SWS), Phases 1 and 2 (Wood PLC, 2021 and 2022). The karst work completed for the SWS can be described as preliminary in nature, comprising of a desktop study and a few site visits. Constraint mapping resulting in development exclusion zones around karst features is premature in nature, and is not compliant with policies outlined by the Niagara Peninsula Conservation Authority (NPCA) (NPCA, 2020) who regulate karst hazards in Niagara Region. Requisite scientific and engineering studies have not been completed that are required to assess karst hazard conditions as per the NPCA's (2020) Karst Hazard Policies for Planning and Regulating Hazardous Sites and to assess whether the karst hazards can be remediated and development can occur, or whether there are constraints to development. In addition to the studies listed by the NPCA, the protocols for such scientific and engineering studies are outlined by the Ministry of Natural Resources (1996) and the Ontario Geological Survey (2013).

2.0 Introduction and Background Information

On behalf of JTG Holdings Ltd., Timberlee Homes and Phelps Homes, Terra-Dynamics Consulting Inc. (Terra-Dynamics) respectfully provide the following comments on the designation of Karst Hazards described in the Draft OPA 63. Our comments are provided with specific reference to *Section 17* of Draft OPA 63 and *Section 4.2, Karst Subsection 4.2.2 Impact Assessment* of the Wood PLC (2002, March 29) Draft Smithville Subwatershed Study – Phase 2: Impact Assessment.

JTG Holdings Inc. owns the property where the karst feature referenced in Draft OPA 63 as Schedule "E-11" (*the medium-constraint karst feature shown on Schedule "E-11" to this Plan*) or karst feature SW-1 from the Wood PLC Subwatershed Studies (Phase 1 and 2).

WEBB Planning and IBI GROUP

June 20, 2022

Page 2

Timberlee Homes owns the property where the karst feature referenced in Draft OPA 63 as Schedule E-8, Northeast "K" (*the feature located in the area designated "Open Space" to the north of Spring Creek Road*) or karst feature NW-2 from the Wood PLC Subwatershed Studies (Phase 1 and 2).

Phelps Homes owns the property where the karst feature referenced in Draft OPA 63 as Schedule E-11 (*the more northerly of the two features shown on that schedule*) or Karst Feature SW-2 from the Wood PLC Subwatershed Study (Phase 1 and 2). This karst feature is not discussed herein as it is located in a White Elm Mineral Deciduous Swamp Type that is within a Fresh-Moist Shagbark Hickory Deciduous Forestry Type according to the Wood PLC (2022) Draft Phase 2 Subwatershed Study. This feature is protected from development because it is located within an ecologically sensitive area as described above. This karst feature is not discussed any further in this document.

Section 17 of Draft OPA 63 states the following:

"17. Natural Hazards

Lands within the Smithville Master Community Plan (MCP) Area that are subject to flood and erosion hazards are generally included in the Natural Heritage System, either as part of a Core Area or as part of a Conceptual Buffer. Development within the Conservation Authority Regulation Limit will be subject to the approval of the NPCA.

Karst features, which the Provincial Policy Statement, 2020 includes in its definition of "hazardous sites" due to unstable bedrock conditions, are identified on Schedules "E-8", "E-11", and "E-12" using the letter "K". These features are not considered components of the Smithville Natural Heritage System (NHS) but are nonetheless subject to the policies of this section as Natural Hazard features.

Karst features are categorized as high-constraint, medium-constraint, or low-constraint. There are three high-constraint karst features in the Smithville MCP Area: two high-constraint features are shown on Schedule "E-8" (the feature located in the area designated "Open Space" to the north of Spring Creek Road and the feature located south of the railway) and another on Schedule "E-11" (the more northerly of the two features shown on that schedule). The other two karst features identified on the schedules are medium-constraint features. Low-constraint karst features are not identified on the schedules to this Plan.

a) The Natural Hazard policies set out in Section 10.6 of the Township of West Lincoln's Official Plan shall apply to all lands in the Smithville MCP Area.

b) Where an EIS has identified a flood or erosion hazard corridor that is not included as part of the NHS on Schedule "E-12", the corridor may be designated as a Buffer, Linkage Area, or Recommended Restoration Area, as determined by the Township in consultation with the Region and the NPCA and based on the recommendations made in the EIS.

c) Although karst features have not been included as components of the NHS, they may be added using an appropriate designation if an EIS has determined that the karst feature forms part of a key natural heritage feature or water resource feature, or that the karst feature is supportive of the ecological or hydrological functions of a key natural heritage feature or water resource feature.

WEBB Planning and IBI GROUP

June 20, 2022

Page 3

d) No development or site alteration shall be permitted within 50 metres of:

i. a high-constraint karst feature; or

ii. the medium-constraint karst feature shown on Schedule "E-11" to this Plan.

e) No development or site alteration shall be permitted within 50 metres of a medium-constraint karst feature not identified in No. 17.d) ii above, unless a Karst Hazard Assessment has been completed and has demonstrated that:

i. the proposed development or site alteration will have no adverse impact on the hazard with respect to the control of flooding, erosion, or other hazard-related conditions;

ii. all applicable Provincial standards related to floodproofing, protection works, and access can be met and will be implemented;

iii. people and vehicles have a way to safely enter and exit the area during times of flooding, erosion, and other emergencies;

iv. the proposed development or site alteration will not aggravate an existing hazard or create a new hazard; and

v. there will be no negative impacts on the ecological or hydrological functions of the feature.

f) Any development or site alteration proposed within 50 metres of a karst feature shall be subject to the approval of the NPCA, in accordance with NPCA regulations and policies.

g) Where development or site alteration is proposed within 50 metres of a low-constraint karst feature, the proponent may be required to undertake a geotechnical study, EIS, or similar study, which may make recommendations regarding the removal or by-passing of the feature.

h) Where a karst feature is left to function in the landscape, any development or site alteration within the same drainage area of that feature shall be required to undertake a water balance study to ensure that post-development flows to the feature do not exceed pre-development flows, to the greatest extent possible.

i) All flood control and erosion control measures associated with future development in the Smithville MCP Area shall have regard to the unitary storage and discharge criteria set out in the SWS, unless such criteria have been refined based on the recommendations of an approved EIS or similar study."

Appropriate Schedules showing the Karst Features in mapping format are attached in Appendix 1.

Section 4.2, Karst Subsection 4.2.2 Impact Assessment and Section 5.2 Summary – Karst of the Wood PLC (2002, March 29) Draft Smithville Subwatershed Study – Phase 2: Impact Assessment states the following:

WEBB Planning and IBI GROUP

June 20, 2022

Page 4

"Subsection 4.2.2 Impact Assessment

As noted in Section 2.1.2.4, karst sinkholes have the potential to impact development via bedrock instability and flooding. The PPS (Section 3.1.1[c]) defines "Karst Topography" as having the potential to be a "Karst Hazardous Site" which could impact development. The NPCA regulates karst features under Regulation 155/06 which requires an evaluation of each feature. The NPCA Policy Document (May 2020, Section 7.2.3.1) does not specify setbacks/buffers to all karst features, but those deemed to be a Karst Hazardous Site (KHS) require buffers of 50 m pending further studies.

Of the 7 features mapped within the study area, three have been evaluated as having a high constraint (NW 2, NW 3 and SW 2) based factors such as size, position in the landscape, and hydrological/hydrogeological role. These are all considered to be KHS's with a requirement to buffer by 50 m. Feature SW 1, although classed as a moderate constraint, should also be considered to be a KHS principally because, although relatively small, is very active having rapidly sloughing, vertical walls leading into the sinkhole's throat which could present a human hazard.

Subsection 5.2 Summary – Karst

Hazard constraints have been applied to each feature described in sections 2.1.2 and 4.2.1 as 'high', 'moderate' or 'low' based on qualitative factors associated with size, position in the landscape, and hydrological/hydrogeological function. Section 4.2.2 provides an impact assessment for each of the 6 karst features within the study area (as noted, SE 2 is not considered to be karst) and this informs management options.

Sinkholes NW 3 and SE 2, both defined as Karst Hazardous Sites (KHS), have significant hydrological and hydrogeological functions and should be buffered by 50 m and left to function within the post-development landscape.

NW 2 is also classified as a KHS due in large part to its position in the landscape, near the local height of land which suggests it could be associated with a paleokarst formed during an earlier period. It is the Study Team's opinion that Smithville Cave, for example, is a paleokarst feature so this is one possibility. Until recently, the sinkhole was located within an area of natural vegetation which could be restored.

SW 1 is also classed as a KHS. It does not have a significant hydrological/hydrogeological function and has likely formed since deforestation of the area. The primary hazard associated with this feature is its steep, sloughing banks which clearly create a human hazard, particularly to children. Its ecological role is likely minimal as it takes substantial sediment from the surrounding fields along with any herbicides or fertilizers that may be applied. Management options associated with SW 1 include removal (excavation and grouting) or incorporation within the NHS. In the former case, it should be left as some form of open space, as there would still be a potential for structural hazard; in the latter case, it should be vegetated to prevent/minimize further sediment movement.

Sinkhole NW 1 is likely the result of an undersized culvert beneath the rail line. Although not a KHS, it does have the potential to impact drainage on South Grimsby Road 6 and, thus the best management option is to re-size this culvert then the feature can be filled-in.

All of the culverts beneath the rail line are likely undersized – there appears to be significant spring flooding in each– and all should be right sized.

WEBB Planning and IBI GROUP

June 20, 2022

Page 5

Sinkholes SE 1 and SE 3 do not pose significant structural or flooding hazards and could be left or by-passed.

As noted in Section 2.1.2.5, water balance studies are required for any sinkholes that are left to function in the landscape. Each has a set capacity which if/when exceeded will result in back flooding at the sinkhole. Hence, post-development flows should not exceed pre-development flow to the degree possible."

It is Terra-Dynamics understanding that karst components of the Wood PLC (2002, March 29) Subwatershed Study Phase 2 were used to formulate *Section 17* of Draft OPA 63. As such, we have prepared the following summary table to directly compare the numbering systems between these two documents for clarity. The appropriate Schedules showing the Karst Features in mapping format from Draft OPA 63 are attached in Appendix 1. Figure 4.2.1 from the Wood PLC (2022, March 29) Subwatershed Study, Phase 2 is also presented herein in Appendix 1 and mapping from the Phase 1 Subwatershed Study showing karst features SW-1 and SW-2.

Summary Table of Comparison Of Karst Feature Mapping Information, Subwatershed Study and Draft OPA 63

Subwatershed Study Definition	Draft OPA 63 Definition
Karst Feature NW-2	Schedule E-8, Northeast "K" <i>(the feature located in the area designated "Open Space" to the north of Spring Creek Road)</i>
Karst Feature NW-3	Schedule "E-8", Southern "K" <i>(the feature located south of the railway)</i>
Karst Feature SW-2	Schedule "E-11", Northern "K" <i>(the more northerly of the two features shown on that schedule)</i>
Karst Feature SW-1	Schedule "E-11", Southern "K" <i>(the medium-constraint karst feature shown on Schedule "E-11" to this Plan)</i>

3.0 Terra-Dynamics Comments on Draft Amendment Number 63 to the Official Plan of the Township of West Lincoln and the Supporting Smithville Subwatershed Study, Phases 1 and 2

Terra-Dynamics Comment 1. The Use of Karst Constraint Mapping in the Subwatershed Studies and Draft OPA 63 Does Not Comply with the Niagara Peninsula Conservation Authority Conservation Authority Policy of Ontario Regulation 155/06, Karst Hazard Policy

The Niagara Peninsula Conservation Authority (NPCA) regulates karst within their watershed which includes West Lincoln. The NPCA’s Hazardous Sites Policy is presented herein in Appendix 2.

It is the undersigned professional opinion in reading the NPCA’s Hazard Policy that a site-specific Karst Hazard Risk Assessment, prepared by a karst specialist and a geotechnical engineer, is required before land within the NPCA’s watershed can be deemed a development exclusion zone or in terms of the Smithville Subwatershed, Phases 1 and 2 Studies – a High or Medium Constraint Feature. The subwatershed studies did not complete any substantive assessments of:

- Flow monitoring into a karst feature;
- Dye trace studies of the water sinking into a karst feature;
- Geophysical mapping;

WEBB Planning and IBI GROUP

June 20, 2022

Page 6

- Drilling programs adjacent to a karst feature; or
- Excavation of overburden materials.

This is described in Section 7.0, Subsection 7.1.2 *Defining and Assessing Hazardous Site* of the NPCA Hazard Policy as follows:

“Hazardous sites are considered to be part of the NPCA’s regulated areas. Due to the site specific nature of areas of unstable soil or unstable bedrock, it is difficult to identify these hazards without detailed mapping and studies. The potential for catastrophic failures in some areas of unstable soil and unstable bedrock warrant site-specific studies to determine the extent of these hazardous sites, and therefore the appropriate limits of the hazard and regulation limits. The regulated area will be based on the conclusions and recommendations of such studies, to the satisfaction of the NPCA. Accordingly, the limits for hazardous lands, such as leda clays, organic soils and karst formations, shall be determined on a site-specific basis according to the Ministry of Natural Resources Technical Guide for Hazardous Sites (1996) and Understanding Natural Hazards (2001). The policies of this provide additional context and guidance for two specific types of hazardous sites which are known to existing within the watershed:

- a) *Karst formations; and,*
- b) *Back-dune areas.”*

In other words, the Subwatershed Studies completed the first 3 of 5 requirements of the *Ministry of Natural Resources Technical Guide for Hazardous Sites (1996)* which are listed below:

1. Information Study;
2. Initial Site Inspection;
3. Reporting of Visual Inspection;
4. Subsurface Investigation; and
5. Analyses and Reporting.

The Subwatershed Study, Phase 1 and Phase 2 reports can be described as a *Phase 1: Preliminary Work – Desktop Study and Initial Site Visit* evaluation as referenced by F. R. Brunton of the Ontario Geological Survey (2013) within the *Proposed Guidelines for Geotechnical Investigations Related to Karst Hazards in Ontario* Section in his paper titled *Karst and Hazards Lands Mitigation: Some Guidelines for Geological and Geotechnical Investigations in Ontario Karst Terrains*. To deem land as a High Constraint for development or a development exclusion zone, as per Brunton (2013), a Phase 2 Investigation is required which Brunton describes as *Field-Based Karst Investigations – Passive to Invasive Investigations* which can include:

- (i) Passive Geophysical Mapping;
- (ii) Soil Probing or Excavation;
- (iii) Rock Drilling and Well Studies; and
- (iv) Tracer Studies.

Additional information pertinent to the need for a site-specific Karst Hazard Risk Assessment, prepared by a karst specialist and a geotechnical engineer, in order to develop on, or near a hazardous site is

WEBB Planning and IBI GROUP

June 20, 2022

Page 7

explicitly stated in Section 7.2 of the NPCA Policy titled Policies for Planning and Regulating Hazardous Sites (Appendix 2).

Terra-Dynamics Comment 2. There is No Scientific or Engineering Support to the Classification of Low, Medium and High Karst Constraint Areas

Similar to the above referenced Terra-Dynamics Comment No. 1, there is no scientific or engineering information on the constraint mapping classification. Specifically,

1. There are no dimensions of sinkholes with respect to width, length and depth;
2. There are no calculations of the surface area of the catchment area of stormwater that drains towards each sinkhole/sinkpoint;
3. There is no quantification of the hazard risk; and
4. As a repeat of Comment No. 1, there are no scientific or engineering studies in which to assess risk.

The types of studies required to assess risk are documented by the Ministry of Natural Resources Technical Guide for Hazardous Sites (1996) and the Ontario Geological Survey (Brunton, 2013). Further quantification of karst hazard risk is described by the BC Resources Inventory Committee (2001) or Zhou et al (2003).

Terra-Dynamics Comment 3. Conflicting Information Pertaining to the Subwatershed Studies Karst Feature SW-1 and the Draft OPA 63 No Development Within 50 m of Karst Feature Shown on Schedule "E-11" (the medium-constraint karst feature shown on Schedule "E-11" to this Plan)

Appendix 3 contains a series of PowerPoint presentation slides from the March 3, 2022 presentation by Wood PLC and its subconsultants pertaining to Karst. The Mitigation Alternatives/SW Karst Area the recommendation for Medium Constraint Feature SW-1 is to *"excavate, evaluate and grout can be considered."*

Phase 2 of the Wood PLC (2022, March 29) Subwatershed Study describes this feature as follows:

"SW 1 is also classed as a KHS (Karst Hazardous Site). It does not have a significant hydrological/hydrogeological function and has likely formed since deforestation of the area. The primary hazard associated with this feature is its steep, sloughing banks which clearly create a human hazard, particularly to children. Its ecological role is likely minimal as it takes substantial sediment from the surrounding fields along with any herbicides or fertilizers that may be applied. Management options associated with SW 1 include removal (excavation and grouting) or incorporation within the NHS (Natural Heitage System). In the former case, it should be left as some form of open space, as there would still be a potential for structural hazard; in the latter case, it should be vegetated to prevent/minimize further sediment movement."

With reference to Terra-Dynamics Comment 1, the "potential for structural hazard" cannot be determined from a Phase 1: Preliminary Work – Desktop Study and Initial Site Visit evaluation as described by the Ontario Geological Survey, Brunton (2013). It is the professional opinion of the undersigned that a more thorough investigation is required which should consist of dye tracing, excavation and an evaluation of the feature's structure by a geotechnical engineer as per the NPCA's Karst Hazard Policy. It is also the professional opinion of the undersigned that steep sloughing banks

WEBB Planning and IBI GROUP

June 20, 2022

Page 8

may create a human hazard to children (of note, this feature is presently fenced-off restricting access), however, sloughing banks on the edges of a sinkhole can easily be remedied by reducing the slopes of a sinkhole and more importantly does not preclude site development based on favourable results from additional karst and geotechnical studies.

Terra-Dynamics Comment No. 4. Karst Feature Schedule E-8, Northeast "K" (the feature located in the area designated "Open Space" to the north of Spring Creek Road) Does Not Warrant High Karst Constraint Status or Development Exclusion Status Based on Information Presented in the Subwatershed Study Phase 1 and 2 Reports

Further to Comments 1 and herein, there is not enough information to classify constraints for Karst Feature NW-2 or Schedule E-8, Northeast "K" (the feature located in the area designated "Open Space" to the north of Spring Creek Road). Timberlee Homes retained Terra-Dynamics in March, 2021 to complete a karst assessment of the NW-2 sinkpoint. The assessment is a work-in-progress but Sinkpoint NW-2 is an approximate 15 m depression in a farm field that receives less than 1.0 Litre/sec of flow (less than a garden hose flow rate) after significant rain events.

It is the professional opinion of the undersigned that this sinkpoint is likely not hazardous and may represent a pocket of buried tree stumps when the parcel of land was cleared for agricultural purposes in 2018 to 2020. This area warrants excavation and study by a karst specialist and a geotechnical engineer before it can be classified as a hazardous site.

A biographical sketch of the author of this letter is attached in Appendix 4. Please do not hesitate to contact the undersigned if there are any questions.

Respectfully submitted,

TERRA-DYNAMICS CONSULTING INC.



David D. Slaine, M.Sc., P. Geo.
Principal Hydrogeologist & President



c.c. David Deluce, NPCA
Sarah Mastroianni, NPCA
John Georgakakis, JTG Holdings Inc.
Don Manson, Timberlee Homes
Fred VanderVelde, Royal LePage
Suzanne Mammel, Stantec
David Samis, Phelps Homes
Jowett Lau, Phelps Homes
Barry Myler, Myler Ecological Consulting
Ian Shaw, Soil-Mat Engineers & Consultants

WEBB Planning and IBI GROUP

June 20, 2022

Page 9

Attachments

Appendix 1 Schedules from the Town of West Lincoln Draft OPA 63 and Maps from the Wood PLC Subwatershed Study Showing the Karst Features

Appendix 2 NPCA Policies for Planning and Regulating Hazardous Sites, 2020

Appendix 3 March 3, 2022 Wood PLC PowerPoint Presentation Slides Pertinent to Karst Features

Appendix 4 Biographical Sketch of David Slaine, M.Sc., P. Geo.

4.0 References

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Appendix 1

**Schedules from the Town of West Lincoln Draft OPA 63 and
Maps from the Wood PLC Subwatershed Study Showing the
Karst Features**

OPA NO. 63
SCHEDULE "J" **DRAFT**

**TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN**

**SCHEDULE "E-8"
SMITHVILLE MCP
NORTH COMMUNITY AREA
LAND USE PLAN**

Legend

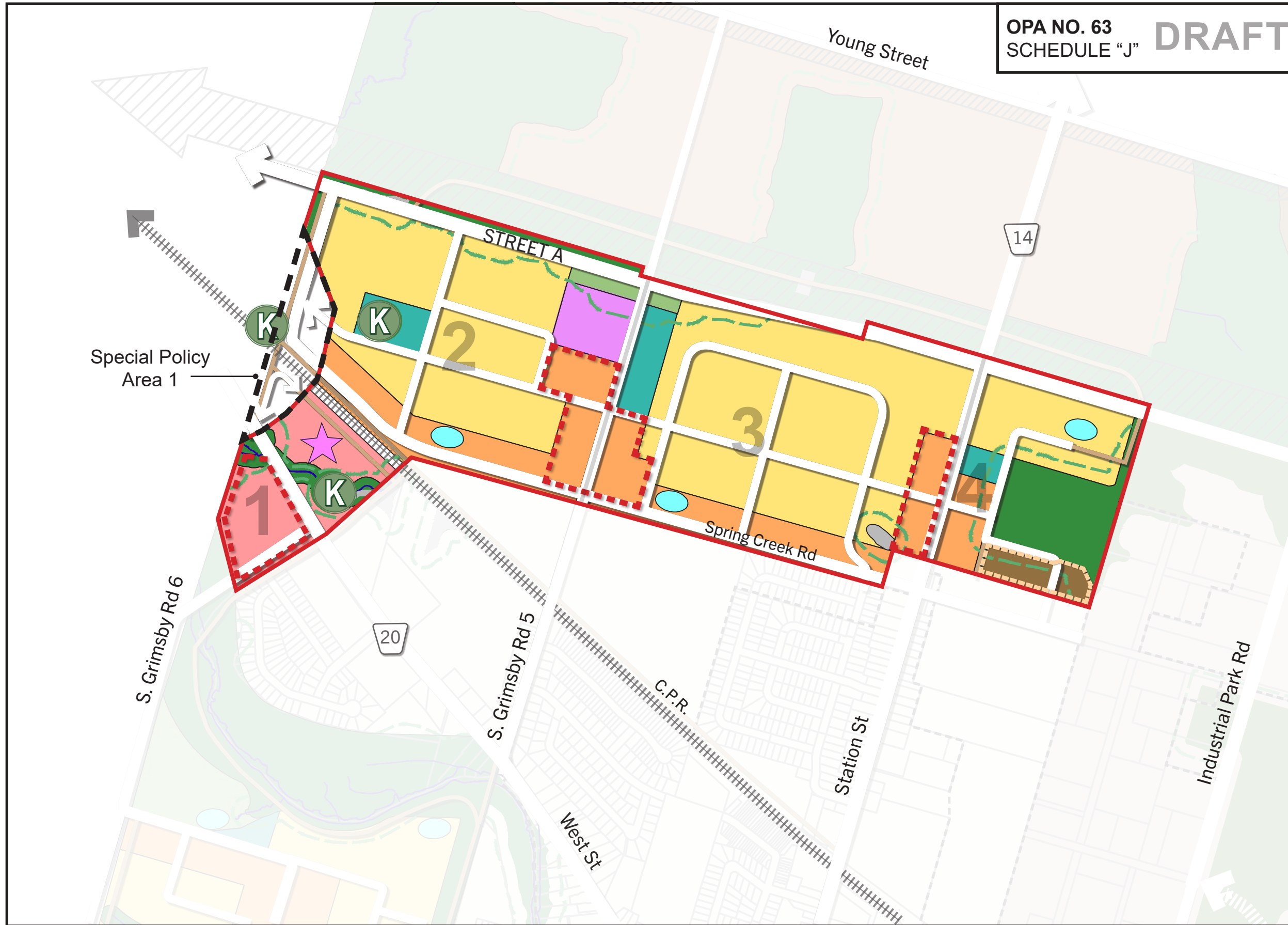
- Built-up Area
- Secondary Plan Sub-Area Boundary
- Urban Place-Types**
- Residential
- Medium Density
- Mixed Use Node
- Commercial
- Open Space
- Community Facility
- Employment
- Restricted Employment
- Natural Heritage System**
- Natural Heritage System (NHS)
- Conceptual Buffer
- Recommended Restoration Area
- Potential Restoration Area
- Other Features**
- Karst
- Wetlands for Further Review
- Infrastructure/ Corridors**
- Future Active Transportation/Trails
- Proposed SWM Facility
- Proposed Sanitary Pumping Station
- Gas Pipeline
- Hydro Corridor
- Existing Rail Corridor

West Lincoln
Your Future Naturally
PLANNING DEPARTMENT

Note:
This Schedule forms part of the Township's Official Plan and must be read in conjunction with the text.

Detail on some features maybe lost at this scale.

Date: May 2022



Special Policy Area 1

S. Grimsby Rd 6

20

S. Grimsby Rd 5

C.P.R.

Station St

West St

Spring Creek Rd

14

Industrial Park Rd

STREET A

K

K

2

3

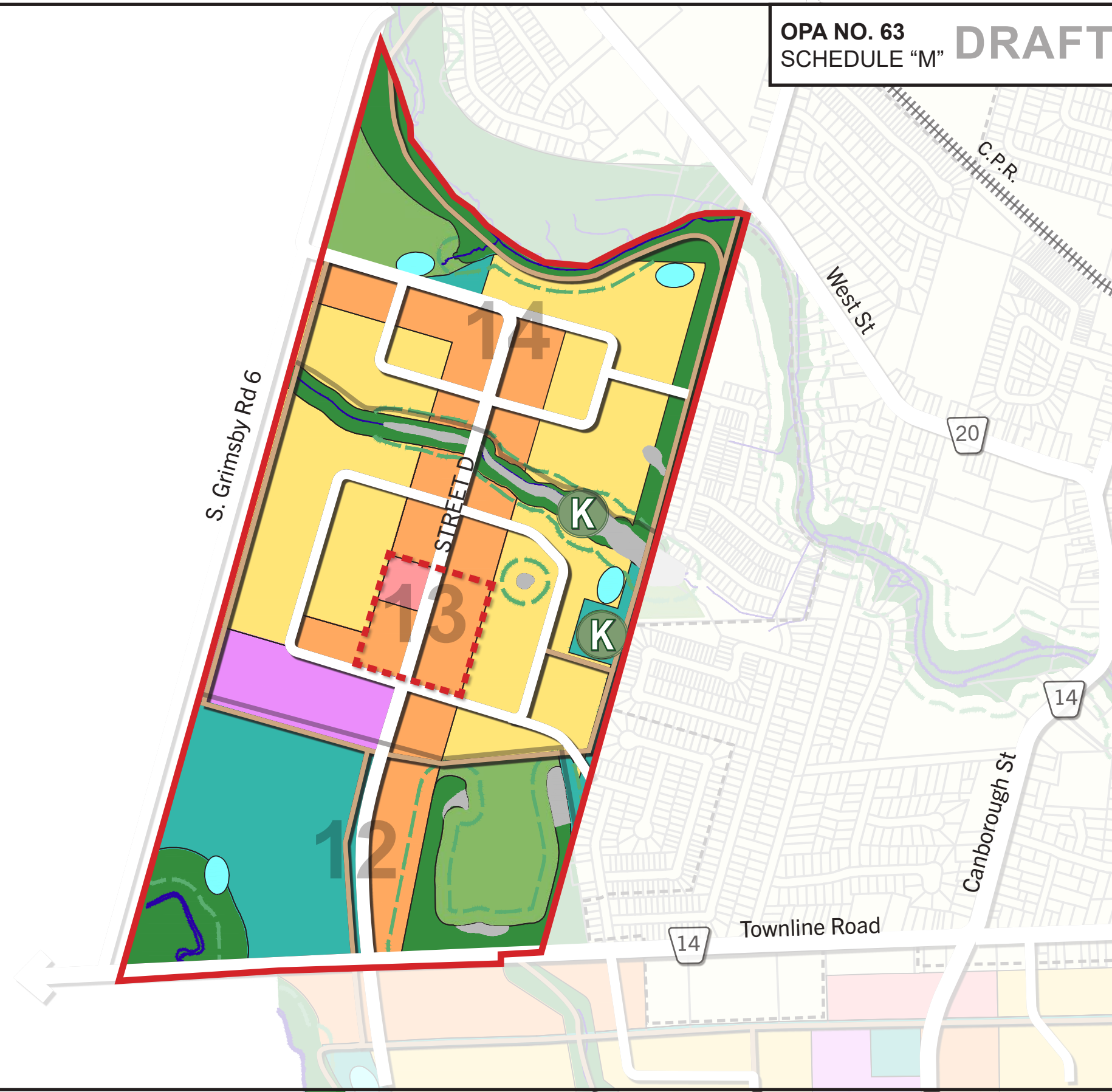
1

K

OPA NO. 63
SCHEDULE "M" **DRAFT**

**TOWNSHIP OF WEST LINCOLN
OFFICIAL PLAN**

**SCHEDULE "E-11"
SMITHVILLE MCP
WEST COMMUNITY AREA
LAND USE PLAN**



Legend

- Built-up Area
- Secondary Plan Sub-Area Boundary
- Urban Place-Types**
- Residential
- Medium Density
- Mixed Use Node
- Commercial
- Open Space
- Community Facility
- Employment
- Restricted Employment
- Natural Heritage System**
- Natural Heritage System (NHS)
- Conceptual Buffer
- Recommended Restoration Area
- Potential Restoration Area
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- Wetlands for Further Review
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- Proposed Sanitary Pumping Station
- Gas Pipeline
- Hydro Corridor
- Existing Rail Corridor



PLANNING DEPARTMENT

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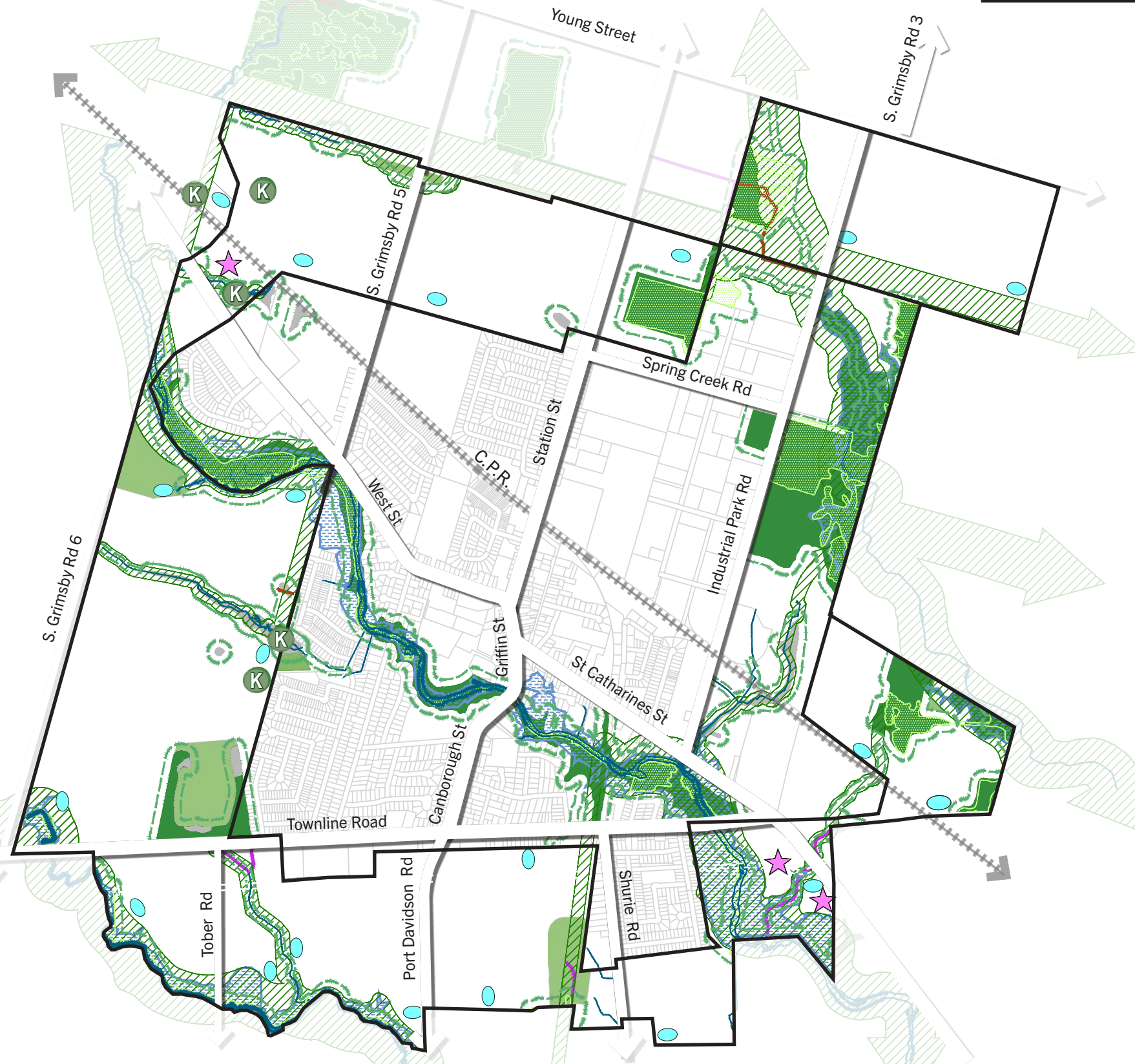
Detail on some features
maybe lost at this scale.

Date: May 2022

OPA NO. 63
SCHEDULE "N" **DRAFT**

**TOWNSHIP OF WEST
LINCOLN
OFFICIAL PLAN**

**SCHEDULE "E-12"
SMITHVILLE
NATURAL HERITAGE SYSTEM**



Legend

Secondary Plan Sub-Area Boundary

Natural Heritage System

- Core Area
- Conceptual Buffer
- Recommended Restoration Area
- Linkage

Other Features

- Karst
- Potential Restoration Area
- Provincially Significant Wetland (MNRF)
- Wetlands for Further Review
- Floodline (NPCA)

Waterbodies

- Watercourse
- HDF Protection
- HDF Conservation
- Proposed SWM Facility



PLANNING DEPARTMENT

Note:
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conjunction with the text.

Detail on some features
maybe lost at this scale.

Date: May 2022

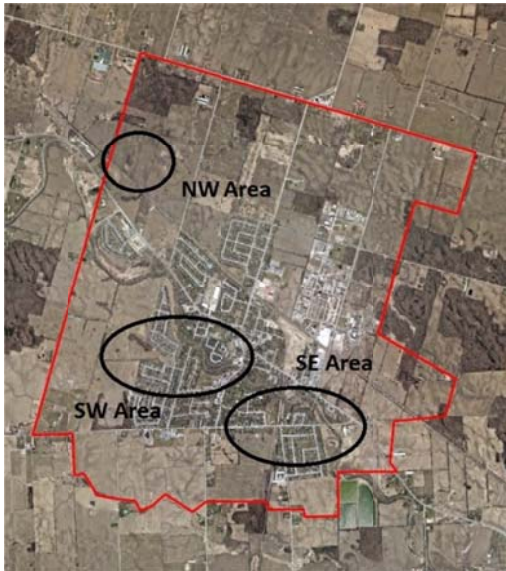


Figure 3.4.1. Karst Areas



Figure 3.4.2. Northwest Karst Features

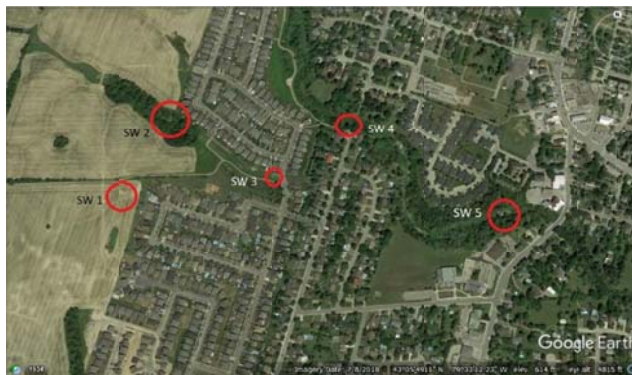


Figure 3.4.3. Southwest Karst Features

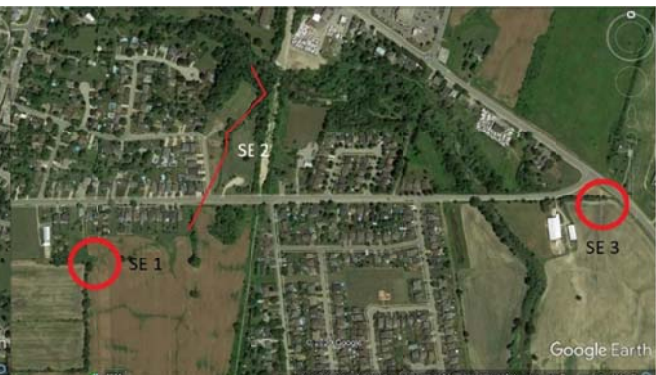


Figure 3.4.4. Southeast Karst Features

Sinkholes range from a very small surface depression taking water from a culvert (SE 3) to a large, significant feature (SW 2) draining an unnamed tributary of Twenty Mile Creek west of Wade Road. This latter feature lies about 440 m due west of SW 4 which is known to drain into the Smithville Cave (Worthington 2002). Most streamsinks and the loosing stream (SE 2) are the result of opportunistic capture either naturally or due to human activities.

Smithville Cave was originally studied and mapped by Young (1981). Worthington (2002) further investigated the cave as part of the CWML site investigations. As part of this work he undertook dye trace investigation at two locations. Figure 3.4.5 shows the approximate location of the cave, 2 dye-traced flowpaths and an inferred flow path (this study). The major and minor joint orientations are also provided in an insert joint rose diagram prepared by Novakowski et al. (2000).

Smithville Cave is oriented approximately parallel to minor joint set "V" and each of the 3 flowpaths lie within the range of orientations of major joint set "I". These joint orientations are for the Eramosa Formation but are similar to those in the underlying Guelph Formation.

Sinkholes SW 2 and SW 3 and spring SW 5 (Figure 3.4.3) are all on the trend of the inferred flow pathway. As noted, known connections between the cave and the spring and sinkhole SW4 and the spring have been identified by dye tracing. It is important to note that the traced connections (and the inferred

Due to lack of access, the sinkhole could not be described or measured in detail but it's essential data are as follows:

- Description – a large closed depression in the order of 30 m or so diameter and a depth in the order of 7 to 8 m;
- Constraint level – high;
- UTM Coordinates (interpreted) – 617300/4474250;
- HDF stream reach – TM4(5)2; and
- Distance from Twenty Mile Creek – 349 m.



Figure 4.2.1. Updated Map of NW Karst features with Addition of the Sinkhole located at NW 3

4.2.2 Impact Assessment

As noted in Section 2.1.2.4, karst sinkholes have the potential to impact development via bedrock instability and flooding. The PPS (Section 3.1.1[c]) defines “Karst Topography” as having the potential to be a “Karst Hazardous Site” which could impact development. The NPCA regulates karst features under Regulation 155/06 which requires an evaluation of each feature. The NPCA Policy Document (May 2020, Section 7.2.3.1) does not specify setbacks/buffers to all karst features, but those deemed to be a Karst Hazardous Site (KHS) require buffers of 50 m pending further studies.

Of the 7 features mapped within the study area, three have been evaluated as having a high constraint (NW 2, NW 3 and SW 2) based factors such as size, position in the landscape, and hydrological/hydrogeological role. These are all considered to be KHS’s with a requirement to buffer by 50 m. Feature SW 1, although classed as a moderate constraint, should also be considered to be a KHS principally because, although relatively small, is very active having rapidly sloughing, vertical walls leading into the sinkhole’s throat which could present a human hazard.

Appendix 2

NPCA Policies for Planning and Regulating Hazardous Sites, 2020



**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

NPCA POLICY DOCUMENT:

**POLICIES FOR THE ADMINISTRATION OF
ONTARIO REGULATION 155/06 AND**

THE PLANNING ACT



7.0 HAZARDOUS SITES

7.1 WHAT ARE HAZARDOUS SITES?

7.1.1 Hazardous Sites and Hazardous Lands

The Provincial Policy Statement defines hazardous sites as lands that could be unsafe for development due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography). The Conservation Authorities Act uses a similar term, referring to hazardous lands, which are lands that are unsafe to development due to naturally occurring processes. Naturally occurring processes includes flooding, erosion, dynamic beaches and unstable soils. In the context of the Conservation Authorities Act, the term hazardous lands is used as a general term, referring to a full range of natural hazards (i.e. flooding, erosion, unstable soils). Earlier chapters in this document address hazardous lands associated with flooding (Chapter 4), dynamic beaches (Chapter 5), erosion and unstable slopes (Chapter 6). The following chapter provides guidance for hazardous lands associated with unstable soils, such as sensitive marine clays (leda clays), organic soils and unstable bedrock, such as karst formations (such as sinkholes and caves). The term hazardous

site is used in this chapter to refer to naturally occurring hazards associated with unstable soils and unstable bedrock (similar in definition to the term hazardous sites which is used in the PPS to describe a similar feature). This chapter also provides guidance for unstable soils associated with back-dunes areas.

7.1.2 Defining and Assessing Hazardous Site

Hazardous sites are considered to be part of the NPCA's regulated areas. Due to the site specific nature of areas of unstable soil or unstable bedrock, it is difficult to identify these hazards without detailed mapping and studies. The potential for catastrophic failures in some areas of unstable soil and unstable bedrock warrant site specific studies to determine the extent of these hazardous sites, and therefore the appropriate limits of the hazard and regulation limits. The regulated area will be based on the conclusions and recommendations of such studies, to the satisfaction of NPCA. Accordingly, the limits for hazardous lands, such as leda clays, organic soils and karst formations, shall be determined on a site-specific basis according to the Ministry of Natural Resources Technical Guide for Hazardous Sites (1996) and Understanding Natural Hazards (2001). The policies of this provide additional context and guidance for two specific types of hazardous sites which are known to existing within the watershed:

- a) Karst formations; and,
- b) Back-dune areas.

7.1.3 Karst Formations

Karst is a landform that develops on or in limestone, dolomite, or gypsum by dissolution and is characterized by the presence of features such as sinkholes, underground (or internal) drainage through solution-enlarged fractures (joints) and caves. Karst formations can be significant geologic hazards. Sudden collapse of an underground opening of a sinkhole can cause surface subsidence that can severely damage overlying structures such as buildings, bridges or highways. Improperly backfilled sinkholes are prone to both gradual and sudden subsidence and similarly threaten overlying structures. Sewage, animal wastes and agricultural, industrial and ice control chemicals entering sinkholes as surface drainage are conducted directly and quickly into the groundwater/surface water systems.

There are at least five known locations within the watershed with Karst formations:

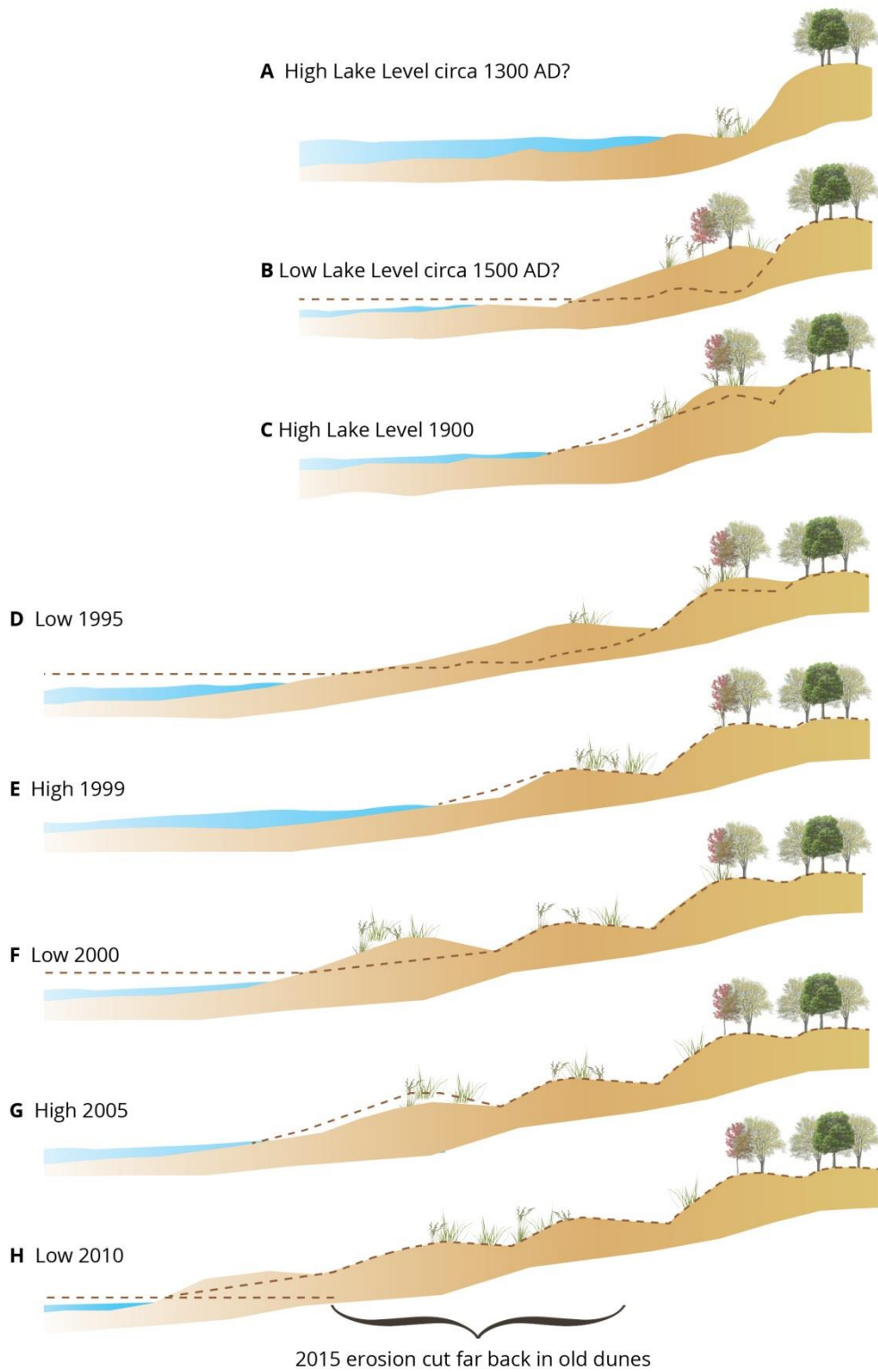
- a) The Stoney Creek "Mountain" Area;
- b) The Smithville Area;
- c) The Gavora Drain and Balls Falls Area in Vineland,
- d) The Brow of the Niagara Escarpment Area; and
- e) The Onondaga Escarpment Area.

(Geologic Hazard Mapping Study, Karst Topography, Phase I, NPCA Watershed Area, Terra Dynamics, 2006)

7.1.4 Back-Dune Areas

There are a number of back-dune areas located in-land from shorelines of Lake Erie and Lake Ontario. Back dune areas are considered to be a natural hazard, as these are locations which may be susceptible to slope failure and erosion, but may not be part of an apparent valleyland or part of the shoreline hazard area (as overtime they receded beyond the extent of the shoreline area). Back dunes form as a result of long term changes of lake levels and a gradual recession of dune areas from the shoreline area. **Figure 7.1** illustrates back-dune formation. The NPCA will evaluate the potential risks associated with development on back-dunes on a case by case basis.

Figure 7.1: Back-Dune Formation



Adapted from Olson, J.S., 1958d. Dune development 3: lake-level, beach, and dune oscillations. *J. Geol.* 66, 473–483

7.2 POLICIES FOR PLANNING AND REGULATING HAZARDOUS SITES

7.2.1 Objectives

The objectives of the hazardous sites policies are to:

- a) Prevent the loss of life;
- b) Minimize property damage;
- c) Reduce the potential for incurring public cost associated with the impacts of hazardous sites; and,
- d) Manage existing risks and reduce the potential for future risks.

7.2.2 Development Regulation on Hazardous Sites

Generally, development and/or site alteration shall not be permitted on or near hazardous sites, including but not limited to karst formations, back-dune areas and other areas where unstable soils/bedrock is known to exist. However, development may be permitted subject to the completion of a geotechnical study completed by a qualified engineer which demonstrates that all hazards and risks associated with the site have been addressed. An EIS may also be required to ensure that there are no negative impacts on the ecological function of natural features. In addition, development and/or site alternation may be permitted on or near hazardous sites where the effects and risk to public safety are minor and can be mitigated by addressing the following items:

- a) Applicable provincial standards related to floodproofing, protection works and access can be met and are implemented;
- b) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) Existing hazards are not aggravated;
- d) New hazards are not created;
- e) There are no negative impacts on ecological features or functions; and,
- f) All other relevant site development concerns are addressed to the satisfaction of the NPCA.

7.2.3 Development within 50 metres of a Hazardous Site

7.2.3.1 *Development within 50 metre of a Hazardous Site*

Development and/or site alteration shall not be permitted within 50 metres of a hazardous site unless it can be demonstrated that there are no adverse impacts to the hazard with respect to the control of flooding, erosion, dynamic beaches, pollution and conservation of land. The NPCA may require a geotechnical study. An EIS may also be required to demonstrate that there are no negative impacts on the natural features or their ecological function.

7.2.4 Prohibited Uses

Notwithstanding the policies of this section, the following uses are prohibited within hazardous lands:

- a) Sensitive uses, such as hospitals, nursing homes, day-cares/pre-schools and schools;
- b) Emergency services facilities;
- c) Uses associated with the disposal, treatment, manufacturing/processing or storage of hazardous substances;
- d) Any other use or development deemed to be inappropriate based on the objectives stated in policy 7.2.1.

7.2.5 Infrastructure

Notwithstanding the policies of this section, infrastructure approved through an environmental assessment may be permitted within hazardous lands associated with unstable soil or bedrock, where it has been demonstrated to the satisfaction of the NPCA that the five tests under the Conservation Authorities Act have been addressed. Infrastructure approved through an environmental assessment process shall require a work permit to develop from the NPCA.

7.2.6 Water Wells

No water wells shall be installed within 50 metres of a karst feature. The NPCA may require an assessment of the draw down impact of the well on the water table and may decline approval where the draw down has the potential to destabilize karst topography.

7.2.7 Policy Considerations for Developing on or Near Karst Areas

The following issues must be addressed when developing on karst:

- a) Storm water drainage: When the amount of paved surface is increased in developments, the rush of extra water gathered over the area can cause flooding.
- b) Utilities: Buried utility lines can serve as a focus for sinkhole development, as they provide a break in the bedrock for storm water to enter and slowly dissolve it.
- c) Groundwater contamination: Because water moves rapidly through karst, and undergoes little filtration, groundwater in karst areas is easily polluted. If contaminants are introduced into a karst system, they will spread quickly.
- d) Flooding: Sinkholes and conduits may become blocked with debris and litter, resulting in back-up and flooding. Sinkholes are often used as a convenient place to place trash.

7.2.8 Lot Creation in Hazardous Sites

Lot creation may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

Appendix 3

**March 3, 2022 Wood PLC PowerPoint Presentation Slides
Pertinent to Karst Features**

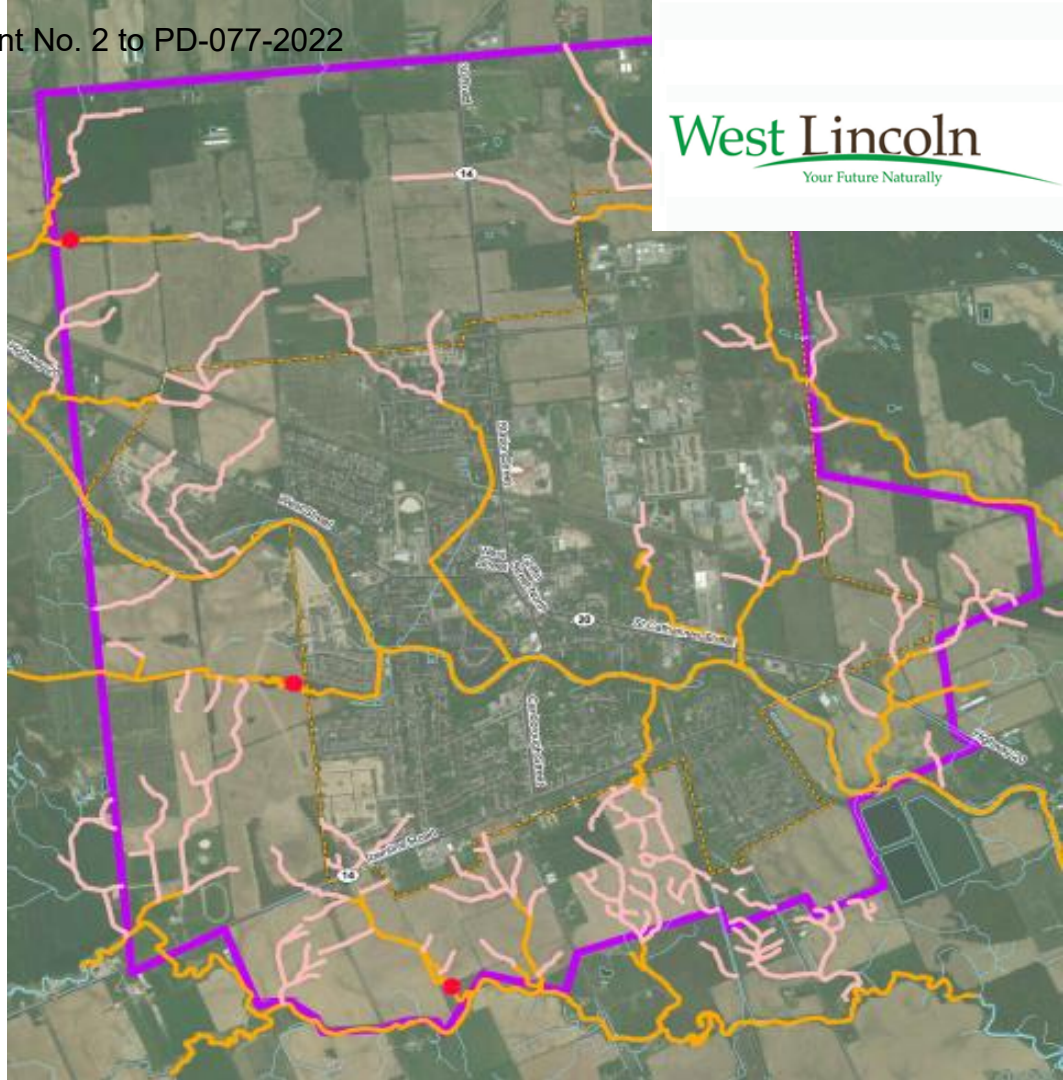


Smithville Subwatershed Study and Stormwater Management Plan for the Community of Smithville

TAC Meeting #7
March 3, 2022

woodplc.com

West Lincoln
Your Future Naturally



Agenda

1. Introductions
2. Process Overview and Update
3. Presentation of Impact Assessment (Phase 2)
 - Overview (Wood)
 - Groundwater (Blackport/Matrix)
 - Karst (Cowell)
 - Surface Water (Wood)
 - Stream Morphology (Matrix)
 - Aquatic and Terrestrial Ecology (NRSI)
 - Climate Change Considerations (Wood/NRSI)
4. Next Steps and Schedule
5. Discussion

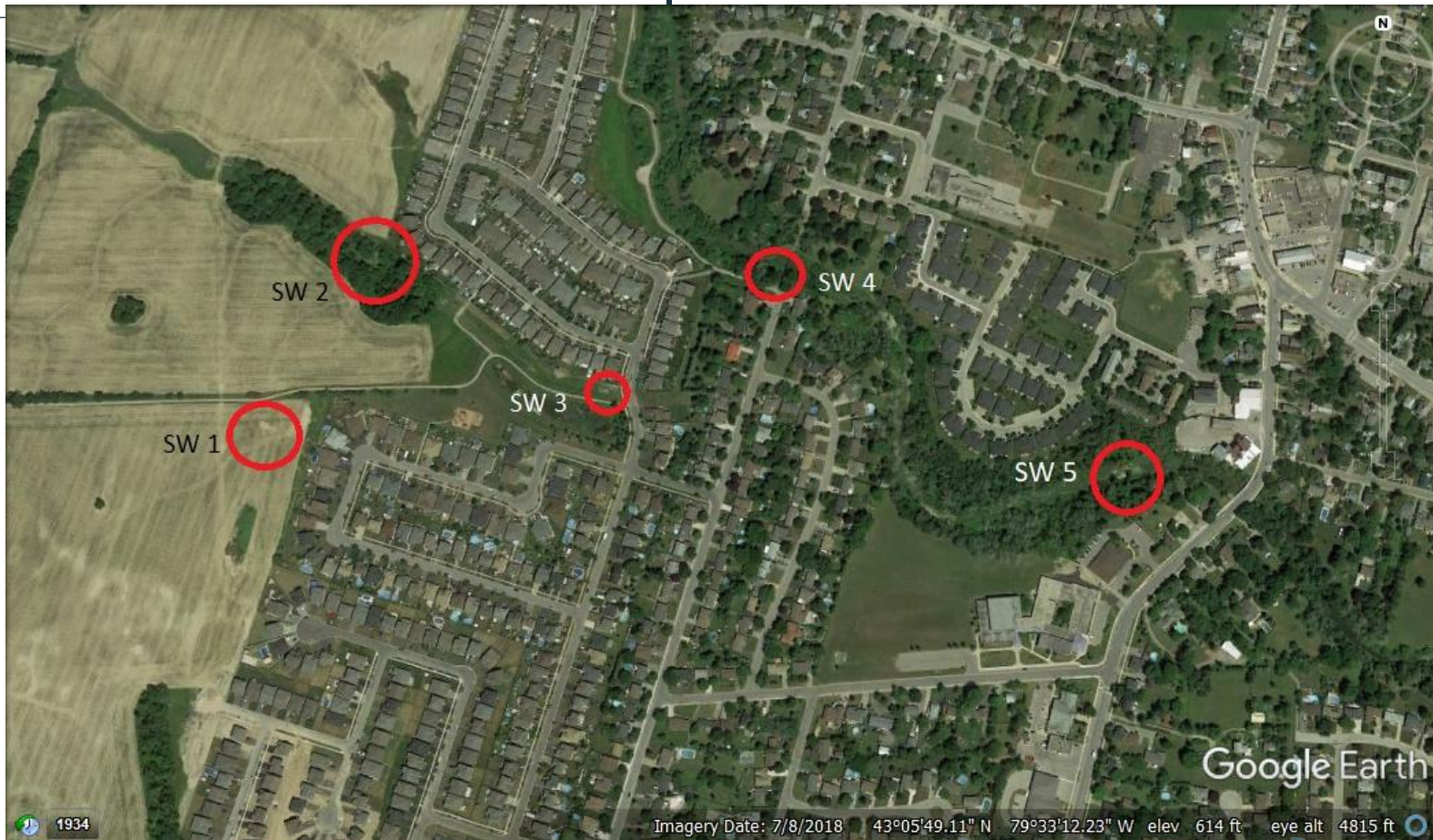


3. Presentation of Impact Assessment

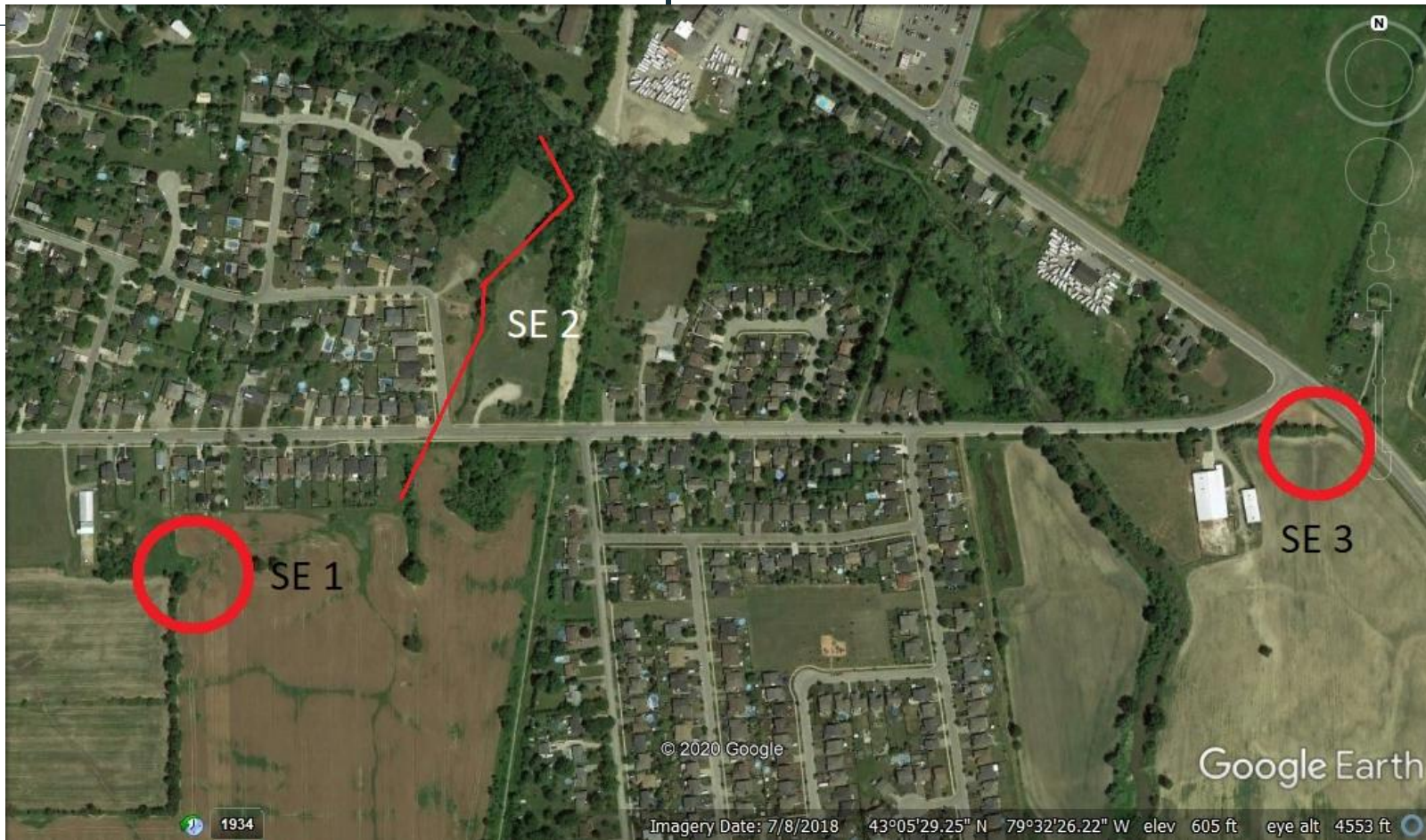
Karst: Key Input from Phase 1 Characterization



3. Presentation of Impact Assessment



3. Presentation of Impact Assessment



3. Presentation of Impact Assessment

Karst

Findings from Phase 2a Impact Assessment

A) General

- Development from agriculture to urban will result in increased run-off within subwatersheds.
- Sinkholes have a set capacity to drain surface water via bedrock conduits.
- All 7 sinkholes within the study area reach capacity and overflow at least during spring freshet.
- As a result, post-development surface flow should not exceed pre-development flow.

3. Presentation of Impact Assessment

Karst

Findings from Phase 2a Impact Assessment

B) Sinkhole Specific

- Under Ontario Regulation 155/06, NPCA does not specify automatic setbacks/buffers to all sinkholes (Policy Doc. May 2020, Section 7.2.3.1) – rather each requires assessment.
- If the feature is defined as a *Karst Hazardous Site*, then a 50 m buffer is applied pending further study.
- Our assessment identified three 'high constraint' features as requiring 50 m buffers - NW 2, NW 3 and SW 2. These are formally KHS's under NPCA's policies.
- We also recommend that medium constraint sinkhole SW 1 be designated a KHS based on its active sloughing and near vertical walls.

3. Presentation of Impact Assessment

Karst

Findings from Phase 2a Impact Assessment

In the case of KHS's, NPCA's Development Regulation (Section 7.2.2) requires mitigation based on the following:

- a) Applicable provincial standards related to floodproofing, protection works and access can be met and are implemented;
- b) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) Existing hazards are not aggravated;
- d) New hazards are not created;
- e) There are no negative impacts on ecological features or functions; and
- f) All other relevant site development concerns are addressed to the satisfaction of the NPCA.

3. Presentation of Impact Assessment

Karst

Mitigation Alternatives/NW Karst Area

- NW 1 (M): Re-size culvert beneath rail line;
- NW 2 (H): leave as is and buffer by 50 m;
- NW 3 (H): Leave as is and buffer by 50m.

3. Presentation of Impact Assessment

Karst

Mitigation Alternatives/SW Karst Area

- SW 1 (M): Excavate, evaluate and grout can be considered.
- SW 2 (H): Key hydrogeological component to Smithville Cave system - leave as, determine flow capacity and flooding limits then buffer accordingly.

3. Presentation of Impact Assessment

Karst

Mitigation Alternatives/SE Karst Area

- SE 1 (M): Can be bypassed (no on-going flow).
- SE 3 (L): Can be bypassed (no on-going flow).

Appendix 4

Biographical Sketch, David Slaine, M.Sc., P. Geo.

Biographical Sketch of David Slaine, M.Sc., P. Geo.

David Slaine, M.Sc., P. Geo., Principal Hydrogeologist & President of Terra-Dynamics, is a native of Hamilton, ON and attended elementary and secondary school in Grimsby, ON. He graduated in 1978 with a B.Sc. (Hons) in Physical Geography (Geomorphology) from the University of Guelph followed by an M.Sc. in Hydrogeology from the University of Waterloo in 1983. He is a licensed Professional Geoscientist in Ontario (No. 365) and the States of Delaware (No. 1143), Florida (No. 1943), New York (No. 248) & Tennessee (No. 3641). He has worked as an environmental consultant his entire 39-year career. Mr. Slaine is a Federally and Provincially-recognized expert in hydrogeology. He has many years of experience in interacting with all levels of government regulators and officials.

His career started at Gartner Lee Limited of Markham, ON where he worked on numerous projects in Canada, the nuclear industry in Switzerland and Germany, and for the US NAVY and US ARMY geophysically mapping sites as part of Base remedial programs. Mr. Slaine spent a total of 14 years in the USA where during the time frame of 1994 to 2001 he was a Principal, and later a Vice President, of Geomatrix Consultants Inc. in San Francisco, CA which was ranked the 98th largest engineering consulting firm in the USA at that time. He started Terra-Dynamics Consulting Inc. in 2001 when he was one of the main contaminant hydrogeology consultants for Waste Management Inc. of Houston, TX. In this capacity he worked at landfill sites in 5 Provinces, 30 States and the US Territory of Guam. He worked on karst investigation and remediation projects at landfill sites in Florida and Tennessee and a large dye tracing project in Delaware.

Since returning to the Hamilton/Niagara area in 2001, he became the lead hydrogeological consultant for land developers in Hamilton in addition to nurseries, farms, Niagara wineries and two large chemical plants in Niagara. He was the hydrogeological peer reviewer for Bruce County of the potential contamination associated with the proposed Deep Geologic Repository for low and intermediate level radioactive waste at the Ontario Power Generation facility near Kincardine, ON. Mr. Slaine has completed over 30 karst assessments in the Hamilton area and in conjunction with geotechnical engineers, has successfully remediated over a dozen sinkholes that were permitted by the Hamilton Conservation Authority or Conservation Halton.



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Hamilton Ontario Canada L8P 1T3
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Cell: 416.605.0508
jmeader@tmalaw.ca

VIA EMAIL

June 24, 2022

Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Attention: Mayor & Members of Council

Dear Messrs and Mesdames:

**Re: OFFICIAL PLAN AMENDMENT NO. 63 ("OPA 63")
Phelps Homes Ltd. & JTG Holdings Incorporated**

We are counsel to Phelps Homes Ltd. and JTG Holdings Incorporated ("**clients**"). Our clients own land bordering the existing Smithville settlement area that are proposed to be added to the Smithville Urban Boundary through proposed OPA 62. Our clients support the inclusion of their lands within the urban boundary as proposed, subject to the comments outlined in our submission of April 27th, 2022.

The purpose of this letter is to provide our clients' comments on the draft OPA 63. Draft OPA 63 sets out the detailed Secondary Plan ("**SP**") policies and schedules that will apply to the lands being added to the Smithville Urban Area through OPA 62. Based on our review of the draft OPA, we have noted specific concerns that should be addressed prior to adoption. A discussion of these concerns is set out below.

Please note that our clients are also part of the Smithville Landowners Group who are represented by SGL Planning & Design Inc. Separate submissions on OPA 63 have been provided on behalf of the Landowners Group, however this letter is intended to reinforce those comments and highlight specific concerns that affect our clients' lands.

Karst Features

Section 6.11.7.3.17 of Draft OPA 63 outlines policies for Natural Hazards and comments that Karst Features are included in the Provincial Policy Statement (“**PPS**”) definition of “hazardous site” and therefore are subject to the Natural Hazard policies of the Secondary Plan. These policies state that no development or site alteration shall be permitted within 50 metres of high and medium constraint karst features as shown on the accompanying Schedule E-11. This Schedule identifies two “Karst Features” on our clients’ lands: the more northerly feature, a high-constraint feature; and the second, a medium constraint feature.

The concern is that the background work that informed these policies is not consistent with the Hazardous Sites policies of the Niagara Peninsula Conservation Authority (“**NPCA**”). It is the opinion of the Karst expert retained by our clients that a site-specific Karst Hazard Risk Assessment is necessary before lands can be deemed a development exclusion zone or a High or Medium Constraint Feature in the context of the Secondary Plan.

It is the further opinion of our Karst expert that sufficient work has not been completed and it is therefore premature to so categorize the features. Instead, the Natural Hazard policies of the SP should be modified to direct the completion of the appropriate studies, consistent with NPCA policies, which will categorize the feature and determine if it is appropriate to permit development and site alteration on the adjoining lands.

It is the recommendation of our experts that the Karst policies in Section 17 of OPA 63 be revised to reflect and be consistent with the NPCA policy framework, essentially requiring further study prior to identifying if the feature should form part of the Natural Heritage System (“**NHS**”) and to establish the limits of development of lands adjoining a Karst feature. The third paragraph of section 17 should be deleted. Further specific modifications to Section 17 are provided as below:

c) Although karst features have not been included as components of the NHS, they may be added using an appropriate designation if an EIS has determined that the karst feature forms part of a key natural heritage feature or water resource feature, or that the karst feature is supportive of the ecological or hydrological functions of a key natural heritage feature or water resource feature.

e) No development or site alteration shall be permitted within 50 metres of a karst feature identified on Schedules “E-8”, “E-11”, and “E-12” using the letter “K”, unless a Karst Hazard Assessment has been completed and has demonstrated that:

- i. the proposed development or site alteration will have no adverse impact on the hazard with respect to the control of flooding, erosion, or other hazard-related conditions;*
- ii. all applicable Provincial standards related to floodproofing, protection works, and access can be met and will be implemented;*
- iii. people and vehicles have a way to safely enter and exit the area during times of flooding, erosion, and other emergencies;*

iv. the proposed development or site alteration will not aggravate an existing hazard or create a new hazard; and

v. there will be no negative impacts on the ecological or hydrological functions of the feature.

f) Any development or site alteration proposed within 50 metres of a karst feature shall be subject to the approval of the NPCA, in accordance with NPCA regulations and policies.

g) Where development or site alteration is proposed within 50 metres of a karst feature, the proponent may be required to undertake a geotechnical study, EIS, or similar study, which may make recommendations regarding the removal or by-passing of the feature.

h) Where a karst feature is left to function in the landscape, any development or site alteration within the same drainage area of that feature shall be required to undertake a water balance study to ensure that post-development flows to the feature do not exceed pre-development flows, to the greatest extent possible.

i) All flood control and erosion control measures associated with future development in the Smithville MCP Area shall have regard to the unitary storage and discharge criteria set out in the SWS, unless such criteria have been refined based on the recommendations of an approved EIS or similar study.

Natural Heritage Policies

Natural Heritage policies in the draft OPA 63, section 6.11.7.3, includes specific policies that are of concern to our clients. The concern with these draft policies is not new, as the policies are based on contested elements of the draft Subwatershed Study Phase 1 and Phase 2 reports (“**Draft SWS**”). Our clients were unable to resolve these issues despite their ecologist consultant’s review and comment on those draft reports and participation and contributions of the ecologist consultant in numerous TAC meetings.

The concerns rest fundamentally with the Draft SWS’s inappropriate promotion of a 30% natural cover target within the expanded urban boundary. The Draft SWS Phase 2 report cites guidance contained in Environment Canada’s *How Much Habitat is Enough?* (3rd Edition, 2013) as the rationale for the 30% natural cover target. However, it does not acknowledge that the Environment Canada guidance is meant to be applied on a watershed or large planning area scale, and not to small expansions of existing urban areas. It is notable that the Draft SWS Phase 2 report includes an acknowledgment that the Draft Niagara Region Official Plan does not include a natural cover target. It is also notable that the Phase 2 report does not address the appropriateness of a 30% natural cover target in an urban/urbanizing context, intended to develop in a compact form that efficiently uses land and services. In *How Much Habitat is Enough?* the Environment Canada authors included a section entitled “*Urban areas*”, the first sentence of which states: “*How Much Habitat is Enough?* assumes a predominantly non-urban context.” The Environment Canada authors proceed in that section of the guidance document to describe a nuanced approach to implementing the natural cover guidelines within urban

and urbanizing areas, including acknowledgement of the limitations of habitat function in an urban context, including the statements:

It may be far more appropriate to consider new baselines and targets for habitat in urban areas. There may also be discussions as to the need to compensate elsewhere in a region for habitat loss due to urbanization within that region, which would affect habitat targets outside urban areas.

The Draft SWS Phase 1 and Phase 2 reports do not address that portion of Environment Canada's advice, do not contain a nuanced discussion of habitat objectives in an urbanizing context, and instead seek to simply impose a 30% natural cover objective arbitrarily.

The NHS policies seek not just to protect and enhance existing natural heritage features within the expanded urban boundary but, through imposition of poorly justified and inappropriate 30m "Conceptual Buffers", Linkages, and "Recommended Restoration Areas", to substantially expand natural cover on developable lands within the expanded urban boundary. There is no acknowledgement that the newly added urban lands are supposed to be the focus of new development within limited areas that is stipulated by the Province, and that the 30% natural cover objective unduly "dilutes" the potential for compact, efficient development. The Draft SWS Phase 1 and Phase 2 reports, and the resulting Draft OPA 63 policies, do not adequately justify the imposition of wide 30m buffers in an urban context, do not provide fulsome rationale for the various proposed Linkages, and offer only arbitrary and technically unsound justification for the "Recommended Restoration Areas" on our clients' lands.

Although the Draft OPA 63 appears to include policies for the confirmation, delineation and refinement of natural heritage features that make up NHS through the completion of Environmental Impact Studies (EIS), it also includes policies that "freeze" the total area of the NHS by restricting EIS results and conclusions to those that would support a 30% natural cover target. As a result, our clients are concerned with all the natural heritage policies within the Draft OPA 63 that are predicated upon the 30% natural cover target, upon unevaluated Linkages, unjustified Restoration Areas, and upon the imposition of inappropriately wide buffers.

The Schedules accompanying the Secondary Plan show a Natural Heritage Feature located at the south-east corner of the subject lands, abutting Regional Road 14 (Townline Road). Schedule E-12 – Smithville MCP West Community Area Land Use Plan identifies the feature as core area and the interior portion as a recommended restoration area.

For the information of Committee and Council, our April 27th submission on OPA 62 had commented on this specific matter and noted that all lands being added to the MCP should be treated consistently. Specific designations and overlays would be informed by the Sub-watershed study and established by the Secondary Plan, however, our view the work undertaken by the consultants retained by our clients do not support the Natural

heritage Designation. Be advised that we have initiated a Planning process based on the recommendation of our consultants that will confirm that lands do not meet the threshold as a Natural Heritage feature and the recommendation to restore the interior area is without merit.

The Draft SWS Phase 2 report introduces the 30m “Conceptual Buffers” as a means to pursue the 30% natural cover target. The report vaguely cites the Growth Plan for the Greater Golden Horseshoe (“**Growth Plan**”) as justification for the blanket application of a 30m buffer on all natural heritage features. However, it neglects to mention that the Growth Plan applies such buffers to features outside of settlement areas, and not within urban areas. Likewise, the new Niagara Region Official Plan does not impose 30m buffers within urban areas but leaves the determination and recommendation of appropriate buffer widths to the EIS process. As such, the proposed 30m Conceptual Buffers conform neither to provincial guidance nor to the new Niagara Region Official Plan.

Implementation Policies - Block Plans and Development Staging

Schedule E-6 identifies the Block Plan Areas comprising the urban expansion area, our clients lands are located within Block Plan Areas 12 – 14. The Block Plan Policies, specifically Policies 6.11.6.7.6.1 (j) and (k) state that no development shall proceed unless a Block Plan has been prepared and approved for the area in question and all development shall conform and implement the approved Block Plans.

The Development Staging Policies are contained in Policy 6.11.6.7.3 and illustrated on Schedule “E-14”, our clients lands within areas 4A, 4B & 4C. Policy states that the order of development shall be based on the Staging Plan Schedule “E-14” and on the timing of the required infrastructure and transportation systems. Policies do however provide the Township the opportunity to consider and approve changes to the overall sequencing of the of the development stages without an amendment to the Plan provided specific requirements are addressed.

The ability to bring forward immediate development of our clients lands has been assessed by the consulting team retained by our clients and in their opinion a portion of the lands can develop immediately in a manner that represents a logical extension of existing development to accommodate the desired mix of housing forms and densities and efficiently utilize existing infrastructure without prejudicing orderly development of the MCP Area.

To facilitate the immediate development of our clients’ lands, it would be appropriate for the Development Staging Policies to recognize the various criteria set out in the attached ‘Land Attributes Letter’. These criteria clearly demonstrate the appropriateness of our clients’ lands for development immediately upon being included within the settlement boundary. Given the ongoing housing crises, there is no basis to delay the development of these lands. The Land Attributes Letter should be given clear status in the Development Staging Policies.

Thank you for the opportunity to put forward these concerns on behalf of our clients.

Yours truly,

A handwritten signature in black ink that reads "Jennifer Meader". The signature is written in a cursive style with a large, prominent initial "J".

Jennifer Meader

June 22, 2015

Via Email: nsmith@tmalaw.ca

Ms. Nancy Smith
Turkstra Mazza Associates
15 Bold Street
Hamilton, ON L8P 1T3

Dear Ms. Smith:

**Re: Township of West Lincoln and Regional Municipality of Niagara:
OMB File No. PL140700 -- ROPA 3, Smithville/Wellandport Boundary
OMB File No. PL140701 -- OPA 37, Swap/Exchange of Mapping West Lincoln
OMB File No. PL140702 -- OPA 38, Entire Township of West Lincoln
OMB Case No. PL140700**

This correspondence is further to our discussions regarding your client's appeal of OPA 37, 38, and ROPA 3, and a possible resolution of same. This submission is being made on behalf of both the Region and the Township in support of a resolution.

As you are aware, the Region is currently undertaking a Municipal Comprehensive Review ("MCR") to address its growth needs to 2041. As part of that process, the Region will be working with its local municipal partners to assess all opportunities for growth in the Region and how best to accommodate that anticipated growth. As you will appreciate, the MCR is an open public process, that will assess all information available at the time that it is prepared, to assist the Region in arriving at recommended growth strategies, and as such any information that may currently exist, while it may help and assist in that future process, such information cannot and will not, on its own, be considered determinative or given any priority consideration.

Understanding that the MCR is not yet completed and that the Region is seeking to ensure that the process and conclusions are not impacted in anyway, it is expected that the MCR in examining growth options for the Region to 2041, will examine a significant role for West Niagara in meeting projected growth needs and helping achieve economic competitiveness. To be clear, while the outcome of the MCR cannot be pre-determined, it is the view of Regional Staff that growth in West Lincoln presents a strong opportunity to meet those objectives and we would fully expect that the MCR will consider this option seriously.

When considering what lands may be included as part of any future urban expansion, the MCR will give consideration to a number of planning, engineering, transportation and other related matters at that time.

Your client's lands, which have been part of the process currently before the Board (OMB Case PL140700) (the "South West Lands"), possess many qualities that will be considered as part of any future MCR. However, the final determination as to whether or not these lands are appropriate for inclusion in any future urban area expansion must be left to the completion of the MCR.

In terms of the current process before the Board, both the Region and the Township acknowledge:

1. The South West Lands lie immediately to the west of the existing Smithville urban boundary;
2. (a) The Ministry of Transportation Ontario is currently undertaking the Niagara Greater Toronto Area Environmental Assessment and have released the Transportation Development Strategy, September 2013;

(b) The Transportation Development Strategy Report noted that there are existing highway designations within the study areas that are not being considered for new corridors and therefore are no longer of provincial interest and should be revoked;

(c) The corridor for the Smithville by-pass was established by Order in Council in 1971 as a controlled access highway; this is one of the affected highway designations that is no longer of provincial interest as noted above;
3. The Region and the Township have initiated a Transportation Strategy/Study to assess transportation options in Smithville, one of the terms of which is the review of the Smithville By-pass;
4. The existence of the By-pass does not prevent or prohibit the inclusion of the South West Lands in the Smithville Urban Area, as it should be possible to develop the South West Lands in a manner that recognizes the alignment of the Smithville By-pass, without encroaching within the area for the By-pass, and, in such a manner where any new roadway connections will not undermine the role and function of the By-pass;
5. The proposed layout for the South West Lands could be a logical extension of the existing road network;

6. That portion of the South West Lands owned your client are, capable of being serviced to accommodate future development;
7. As at the date of this correspondence, there are no agricultural buildings or agricultural infrastructure on the South West Lands;
8. The Township commissioned an agricultural screening report dated 2008 which was updated in 2015. That report determined from an agricultural screening perspective that the South West Lands are a reasonable location for a boundary adjustment;
9. The Township commissioned an environmental screening report dated 2008 which was updated in 2015. That report identified environmental features on the South West Lands, but not to a degree which would preclude development;
10. The South West Lands are in close proximity and convenient walking distance to a range of municipal services and amenities;
11. In the event the by-pass is not constructed, the South West Lands are capable of facilitating a direct connection to the Leisureplex lands to the south, thereby satisfying the Parks and Recreation Master Plan (January 2010) objective to address the relative isolation and limited pedestrian access to the Leisureplex;
12. The South West Lands provide the opportunity to complete trail connections to the Leisureplex, Leisureplex Trail and the South Creek Trail (both of which bisect the Subject Lands) thereby implementing the Smithville Trails and Corridors Master Plan (2012) and encouraging an active lifestyle and alternative transportation.

Upon completion of the current MCR, your clients lands, as well as information that has been submitted as part of this appeal process and any updates or additional studies that may be submitted or requested by the Region or the Township, along with all other appropriate options for growth will be considered and evaluated at that time and a decision will be made based on all the information available that examines all options.

We would also note that with regards to the Province's initiative to update the Greenbelt Plan, the Region has already advised the Province of those areas where the Region and the local municipalities are prepared to consider an expansion of the Greenbelt. Those recommendations do not include any expansion of the Greenbelt into the Township of West Lincoln. It is the Region's position that such an expansion is not warranted or appropriate.

It is our sincere hope that this letter will assist your client in evaluating its position going forward in terms of the appeals before the Board. In our view, the relief which your client is seeking as part of the current appeals is more appropriately addressed and assessed within the context of the ongoing MCR.

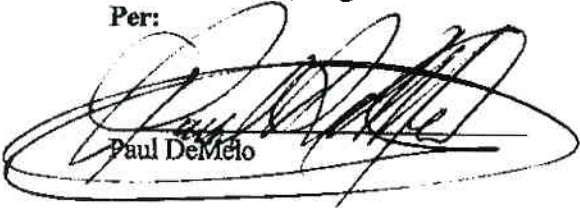
Both the Region and the Township are committed to ensuring that the process is open and impartial and that it considers all appropriate planning matters for all lands in arriving at a determination that best meets the needs and objectives of the Region, the Township and its residents.

**The Corporation of the Township
of West Lincoln**
By its solicitors, Sullivan Mahoney LLP
Per:



Thomas A. Richardson

**The Regional Municipality of
Niagara**
By its solicitors, Kagan Shastri LLP
Per:



Paul DeMelo

Section	Regional Comment
Special Policy Area 1	Special Policy Area 1 is identified on Schedule A at the north end of Smithville outside of the proposed settlement area boundary. However, there are no corresponding policies in OPA 63. Please provide the Region with the policies that will apply to Special Policy Area 1 and the intent of those policies.
Special Policy Area 2	Special Policy Area 2 is identified on Schedule A at the northwest quadrant of the proposed settlement area and encompasses the Minimum Distance Separation arc for poultry facilities west of the proposed boundary. However, there are no corresponding policies in OPA 63. Please provide the Region with the policies that will apply to Special Policy Area 2.
6.11.7.1 Introduction	<p>This section states, “The outer boundary of the Secondary Plan coincides with Smithville’s urban boundary while the inner boundary coincides with previous urban boundary limit prior to the approval of the MCP (Official Plan Amendment No. 63), encompassing a total land area of approximately 540 hectares.”</p> <p>Based on the review of OPA 62, the Region understands that the settlement area boundary is being expanded through the approval of OPA 62, not OPA 63. Please clarify.</p> <p>1. Area Context & Integrated Planning Approach - 3rd paragraph</p> <p>Existing land use in the MCP Area is characterized primarily by land historically used for agriculture. The Leisureplex Township Park located along South Grimsby Road 6 is the primary public outdoor sports venue in West Lincoln. Existing land uses are privately serviced on the basis of individual on-site sanitary systems and water supply wells <u>as well as private water cisterns</u>. Existing hydro transmission corridors are located along the north limits of the MCP Area, and a natural gas pipeline corridor crosses through the area south of Townline Road.</p>
6.11.7.2.1 Land Use Plan	Some sections refer to the “Smithville MCP”, whereas other sections refer to the “Secondary Plan”. Please make consistent.
6.11.1.7.2 d)	Suggesting removing this policy – it will be difficult to police and it is always left to the last development to get the overall MCP area to 50ppj/ha
6.11.7.2.2	Land use designations are referred to as place-types, such as the “Residential” place-type. In the land use maps designations are classified as place-types. The mapping should clearly state that these are land use designations.

6.11.7.2.3 h)	Requiring an Official Plan amendment to permit an additional storey at maximum will entail a lengthy process for negligible height increases. Consider revising the approach to permit an additional storey, or consider allowing four storeys as of right.
6.11.7.2.5 c)	It does not appear that “small-scale retail commercial uses” or “small scale office commercial uses” are defined. Has the Township considered placing a size restriction to define these terms? Has the Township considered creating a standalone mixed-use designation, rather than having a mixed-use overlay designation?
6.11.7.2.5 e) i	It is not clear what “commercial uses should comprise 80% of development” means. Consider revising to “commercial uses should comprise 80% of total planned ground floor area”.
6.11.7.2.5 h) i	It is not clear what “residential uses should comprise 80% of development,” means. Consider revising to “residential uses should comprise 80% of ground floor area,”.
6.11.7.2.8 a) ii, iii	The Employment designation located in the north east quadrant of the expansion area is identified as a Core Employment Area in the proposed Niagara Official Plan. Core Employment Areas are intended to accommodate clusters of traditional employment uses such as industrial, manufacturing, construction, transportation and warehousing. Major office uses and major institutional uses are prohibited. Office uses permitted should be ancillary to the core employment uses. The permitted uses in this section must be revised to align with the uses permitted in Core Employment Areas.
6.11.7.2.8 c)	Major retail and major commercial uses are not permitted in Regional Employment Areas. Please revise this policy to clarify that these uses are not permitted.
6.11.7.2.9 a)	The majority of these uses are not permitted in Regional Employment Areas as they are not traditional employment uses such as industrial, manufacturing, construction, transportation and warehousing. Please revise to permit only those uses permitted in Core Employment Areas.
6.11.7.3.4	Policy e) should be updated to clarify that a Terms of Reference (TOR) for all required EIS work must be submitted to the Township, Region and NPCA for review and approval. An additional section should be added which reads “Any approved refinements to the NHS as illustrated on Schedule E-12 must be submitted to the Township and Region in georeferenced shape-file format in order to ensure appropriate updates to digital mapping resources.”
6.11.7.3.7 c)	This policy should be updated to ensure that that wetland assessment determines whether a feature meets the definition of wetland (as defined by the CA Act and/or the criteria of Other Wetland as defined by the Niagara Official Plan).

6.11.7.3.14 f)	This policy should be updated to clarify that that EIS may be required in order to support any development or site alteration within a Buffer.
6.11.7.6.1 e) Implementation	Block Plans being submitted should be required to conform to the Smithville Community Master Plan Secondary Plan when it is in effect.
6.11.7.6.1 f) Implementation	The Region should also be involved in the consultation regarding Block Plan development to ensure that Block Plan build out aligns with infrastructure timing, and that the Block Plan is in conformance with the Secondary Plan when in force. The Region must be included in the review of Block Plans located within a Regional Employment Area.
6.11.7.6.1 h) Implementation	If development is proposed in a Regional Employment Area, the Region must be consulted and involved in the planning process as the Region is the approval authority.
6.11.7.6.2a) ii)	Proposed sanitary and water servicing plans and review and confirmation of capacity of municipal servicing systems, including water <u>and wastewater</u> system modelling, based upon the MSP;
6.11.7.6.2a) vi)	A Traffic <u>Transportation</u> Impact Study (TIS) prepared in accordance with the recommendations and guidelines of the TMP and identifying and providing an assessment of connections to the existing road network, and the required timing and
6.11.7.6.2 vi	The Region encourages the Township to participate in the Regional Development Charge public engagement to help establish that required infrastructure is coming online at the correct time for the Smithville MCP area.
6.11.7.6.2 vii	Street and active transportation network design should integrate design principles from the Complete Streets Model Policy Handbook.
6.11.7.6.3 d) v	Spelling mistake – it should read The proposal changes to the Sub Phasing...



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June 8, 2022

Via Email Only

Mr. Brian Treble, MCIP, RPP
Director, Planning & Building
Township of West Lincoln
318 Canborough Street, Box 400
Smithville, ON, L0R 2A0

Our File: PLOTH201800502

Dear Mr. Treble

**Re: Niagara Peninsula Conservation Authority (NPCA) Comments
OPA No. 62 – Smithville Urban Boundary Expansion
OPA No. 63 – Smithville Master Community Plan
Township of West Lincoln**

Thank you for the opportunity to review the above Official Plan Amendments (OPA). OPA No. 62 facilitates an urban boundary expansion for Smithville, which will help the Township achieve its growth targets while OPA No. 63 implements the Master Community Plan (MCP) for Smithville that provides the guiding land use policies for the urban boundary expansion. The NPCA has reviewed both amendments and offers the following comments.

OPA No. 62:

NPCA staff have no objections to OPA No. 62. The main component of the amendment is the expansion of the Smithville urban boundary. The area identified for inclusion into the urban boundary has undergone extensive review and is supported by technical studies such as the Smithville Subwatershed Study (SWS). The SWS has identified natural heritage features, natural hazards, restoration areas and a natural heritage system within Smithville and will be implemented as part of the MCP. NPCA staff are satisfied that the location of natural heritage features and natural hazards have been well documented for the Smithville urban boundary expansion.

OPA No. 62 includes several Hamlet boundary expansions. While the NPCA has no objection to any of the proposed Hamlet boundary expansions, several of the areas to be included in the various Hamlets contain potential NPCA-Regulated watercourses. These features would have to be reviewed at the time of future development/site alteration. Also, the lands identified for inclusion into the Fulton Hamlet boundary contain Provincially Significant Wetlands (PSW). Both NPCA

Policies and the Provincial Policy Statement (PPS) do not allow for development within PSWs. Any future development/site alteration adjacent to these PSWs will require review by the NPCA.

OPA No. 63

In general, the NPCA is supportive policies in OPA No. 63. One area we want to bring to the Township's attention is the definition of wetland. In the draft policies, wetland is defined using the *Conservation Authorities Act* definition. That definition is:

Wetland means land that,

(a) is seasonally or permanently covered by shallow water or has a water table close to or at its surface,

(b) directly contributes to the hydrological function of a watershed through connection with a surface watercourse,

(c) has hydric soils, the formation of which has been caused by the presence of abundant water, and

(d) has vegetation dominated by hydrophytic plants or water tolerant plants, the dominance of which has been favoured by the presence of abundant water,

but does not include periodically soaked or wet land that is used for agricultural purposes and no longer exhibits a wetland characteristic referred to in clause (c) or (d).

The PPS definition of wetland is:

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

The PPS definition has a lower threshold for what constitutes a wetland, whereas the *Conservation Authorities Act* definition requires each component to be present for a feature to be considered a wetland. This could result in a feature being excluded as a wetland that might have otherwise been included if wetlands were defined using the PPS definition. It is also unclear if using the *Conservation Authorities Act* definition for *Planning Act* decisions would be consistent with the PPS. This should be reviewed.

NPCA staff are pleased that the Township has taken the time to investigate the Smithville study area for the presence of karst through the SWS and included a comprehensive set of policies in OPA 63. Of note is Section 17 (d) which prohibits development within 50 metres of a high-constraint karst feature and one medium-constraint karst feature. While the NPCA has no objection to the Township's position to prohibit development within these karst features, the NPCA's natural hazard policies presently do not differentiate between levels of constraint for karst features and would allow consideration of development/site alteration within a karst feature subject to satisfying NPCA Policies. We note that the NPCA is currently reviewing its policies and this may change in the near future.

NPCA staff also support the use of Block Plans and Master Environmental Servicing Plans (MESPs) as the planning framework for Smithville. This approach has been used by many municipalities in the Greater Toronto Area and provides a mechanism to ensure coordinated build out of greenfield lands. It also allows for the completion of more detailed environmental and servicing work such as wetland water balances and the necessary pre-development monitoring to occur ahead of individual site applications.

Other minor comments for the policies of OPA No. 63 that we have include:

1. Section 2 (d) makes reference to “ecological buffers”. Since buffers can be provided for hydrologic function as well as ecological function of a feature, consideration should be given to simply using the term buffer.
2. Section 3 (c) and (d) – it may be simpler to define the acronym for each of these ministries e.g. MNDMNR means the Ministry of Northern Development, Mining, Natural Resources and Forestry/MECP means the Ministry of Environment, Conservation and Parks.
3. Section 5 (e)(iv) allows for small-scale structures for recreational uses within the Smithville Natural Heritage System. Consideration should be given to specifying active vs. passive recreational uses.
4. Section 6 (b) requires the completion of a wetland water balance assessment for applications adjacent to wetlands. NPCA staff support this and note that the policy should require that the wetland water balance be completed at the block plan stage through the MESP, to the extent possible.
5. Section 6 (c) should specifically mention the Niagara Peninsula Conservation Authority.
6. Section 6 (f) pertains to Wetlands for Further Review that have been evaluated and determined not to be significant and potentially allows for development and site alteration subject to the applicable Official Plan policies and approval by the Township. Please note that such wetlands may be regulated by the NPCA.
7. Section 14 (b) makes referent an ecologically appropriate width for buffers. Consideration should be given to including the term “and hydrologically” after the word ecologically.

I trust this information is helpful. If you have any questions, please let me know.

Regards,



David Deluce, MCIP, RPP
Senior Manager, Environmental Planning & Policy

cc: Mr. Richard Vandezande, MCIP, RPP, (email only)
Ms. Leilani Lee-Yates, BES, MSPL.RPD, MCIP, RPP, NPCA (email only)
Mr. Geoff Verkade, NPCA (email only)

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW 2022-XX

BEING A BY-LAW TO ADOPT AMENDMENT NO. 63 (LAND USE POLICY FOR DEVELOPMENT OF SMITHVILLE URBAN BOUNDARY EXPANSION LANDS PLUS INFILL AND INTENSIFICATION) TO THE OFFICIAL PLAN FOR THE TOWNSHIP OF WEST LINCOLN AND TO FORWARD TO THE REGIONAL MUNICIPALITY OF NIAGARA FOR APPROVAL

The Council of the Corporation of the Township of West Lincoln in accordance with the provisions of the Planning Act, R.S.O. 1990, hereby enacts as follows:

1. THAT, Amendment No. 63 (Land Use Policy for Development of Smithville Urban Boundary Expansion Lands plus Infill and Intensification) to the Official Plan for the Township of West Lincoln, attached hereto, is hereby adopted in the form as found at Schedule 'A'.
2. THAT, staff be directed to forward the adopted Official Plan Amendment No. 63 to the Regional Municipality of Niagara for approval; and,
3. 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
11th DAY OF AUGUST, 2022.**

DAVE BYLSMA, MAYOR

JOANNE SCIME, CLERK