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| Subject: | Official Plan and Zoning By-law Amendment Applications for 4933 Victoria Ave N by Landwise |
| To: | Committee of the Whole – Planning & Economic Development |
| From: | Planning and Development Department |

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|---------------------------|-------------------|
| Report Number: | PD-41-24 |
| Wards Affected: | Ward 3 |
| Date to Committee: | December 2, 2024 |
| Date to Council: | December 16, 2024 |

Recommendation:

That Committee recommend to Council to approve the Official Plan Amendment application (PLOPA20240045) and Zoning By-law Amendment application (PLZBA20240046) by Landwise on behalf of 4933 Vic Court Globizen GP Inc., subject to the following conditions:

1. That the “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following conditions shall first be completed to the satisfaction of the Director of Planning of the Town of Lincoln:
 - (a) Sufficient water and wastewater services are or will be available to accommodate the proposed development to the satisfaction of the Town of Lincoln;
 - (b) That suitable financial arrangements have been prepared to the satisfaction of the Town of Lincoln, and if required the Regional Municipality of Niagara, with respect to any cost sharing arrangements, if applicable, pertaining to any servicing infrastructure requirements including any potential exceedances of sanitary sewer allocation; and
 - (c) The Owner has entered into a Site Plan Agreement and the Agreement has been registered on title.

That Committee recommend that Council enact and pass the Official Plan Amendment attached as Appendix D of Report PD-41-24 to amend the Official Plan policies for the subject lands; and

That Committee recommend that Council enact and pass the Zoning By-law Amendment attached as Appendix E of Report PD-41-24 to amend the zoning regulations for the subject lands; and

That Committee deem that Zoning By-law conforms to the Official Plan for the Town of Lincoln; and

That Committee declare that they have considered all of the written and oral submissions and agrees with the planning report analysis and recommendations and finds that, subject to the conditions of approval, this application meets the Planning Act criteria, is consistent with the Provincial Policy Statement, Provincial Planning Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.

Purpose:

This report provides a recommendation to Committee, Council and the general public regarding the Official Plan Amendment and Zoning By-law Amendment applications to permit the development of a mixed-use residential building with 346 dwelling units, 100 hotel suites, banquet space, and commercial uses including restaurant, café and spa on the subject lands.

The Official Plan Amendment seeks a site-specific amendment on the subject lands to permit an increased building height from a maximum of 4, 8 and 10 storeys to a maximum ranging from 6 to 13 storeys.

The Zoning By-law Amendment seeks to permit development of the subject lands by amending the current placeholder Future Development (FD-1) Zone on the site to a site-specific General Commercial (GC) Zone to implement the Prudhommes Secondary Plan. The Zoning By-law Amendment also seeks to refine the delineation of the Environmental Conservation (EC) Zone based on the submitted Environmental Impact Study.

Background:

Location:

The subject lands are located on the east side of Victoria Avenue North, north of Laurie Avenue in the Prudhommes urban area. The lands are municipally known as 4933 Victoria Avenue North and possess a lot area of 1.93 hectares with 226 metres of frontage along Victoria Avenue N. The lands are currently vacant and were previously occupied by an industrial building until 2023.

Land uses surrounding the subject lands consist of:

- To the north: Lake Ontario
- To the south: Single-detached residential properties within the Victoria Shores Subdivision
- To the east: Prudhommes Creek watercourse and woodland area, owned by the Town of Lincoln; and

To the west: Victoria Avenue North; further to the west is Millenium Forest and Vineland Research and Innovation Centre (VRIC).

A map illustrating the location and extent of the subject lands is provided below.



Summary of Development Application:

The proposed mixed-use development consists of 346 residential units, a 100-suite hotel with associated banquet space, and commercial space (restaurant, café, bar and retail space, and spa). A privately-owned and publicly accessible (POPS) waterfront plaza fronting on Lake Ontario and a multi-use path running along the water's edge and surrounding the property is also proposed to provide public amenity space. Lands on the east side of the property, comprised of 3,050 sm of natural heritage space, are proposed to be conveyed to the Town as passive open space. These areas are illustrated in Appendix A (see Drawings A100 and A104) to this report.

The purpose of the Official Plan Amendment is to request an increase in building height on the subject lands from a permitted 4, 8, and 10 storeys (from south to north) to 6, 8, 11, 12, 13, 10, and 6 storeys (from south to north). Figure 1 and 2 below illustrate the current and proposed maximum building heights. The OPA also seeks to remove the minimum building height requirement of 2 storeys to permit portions of the building to be 1 storey, and proposes to refine the delineation of the Natural Environment Designation in accordance with the submitted Environmental Impact Study (see Appendix D for the proposed Official Plan Amendment schedules).

Figure 1. Current Official Plan Schedule 'B2'
Permitted Maximum Building Heights

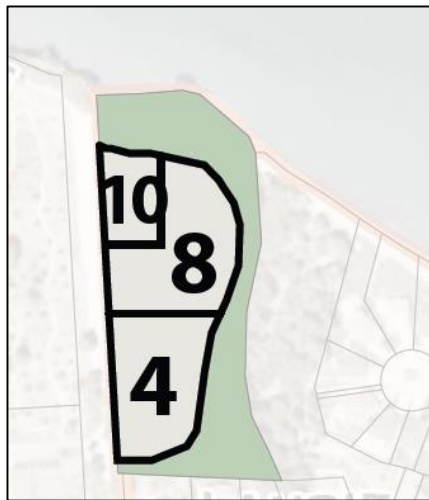
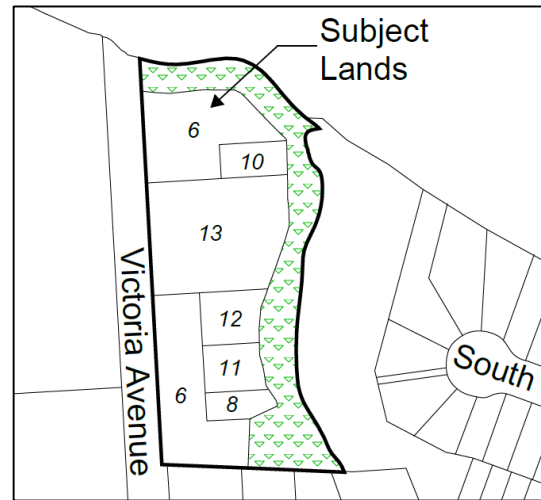


Figure 2. Proposed OPA
Proposed Maximum Building Heights



The purpose of the Zoning By-law Amendment (ZBA) is to rezone the property from a Future Development (FD-1) Zone to a General Commercial (GC) Zone, with site-specific provisions to permit the development as proposed. A summary of the proposed GC Zone site-specific provisions is provided in Table 2 of this report. The detailed Zoning By-law Amendment and associated schedules are attached as Appendix E to this report.

The ZBA also proposes to refine the delineation of the Environmental Conservation (EC) Zone in accordance with the submitted Environmental Impact Study. Within the EC Zone, the development proposes to naturalize the Prudhommes Creek corridor with native plantings. A publicly accessible, passive recreational trail is also proposed along the western edge of the proposed EC Zone limits. These uses are permitted in accordance with the Town's EC Zone regulations.

The application is further summarized as follows:

| Application Details | |
|---------------------|---------------------------------|
| Agent: | Landwise |
| Applicant/Owner: | 4933 Vic Court Globizen GP Inc. |

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| Type of Application: | Official Plan Amendment and Zoning By-law Amendment |
| Policy Context | |
| Official Plan Existing: | <ul style="list-style-type: none"> • Mixed Use designation <ul style="list-style-type: none"> - Max. heights of 4, 8, and 10 storeys (from south to north) - Min. height of 2 storeys • Natural Environment designation |
| Official Plan Proposed: | <ul style="list-style-type: none"> • Mixed Use designation <ul style="list-style-type: none"> - Max. heights of 6 to 13 storeys - No minimum height • Natural Environment designation <ul style="list-style-type: none"> - Refined delineation based on Environmental Impact Study |
| Zoning By-law Existing: | <ul style="list-style-type: none"> • Future Development (FD-1) Zone • Environmental Conservation (EC) Zone |
| Zoning By-law Proposed: | <ul style="list-style-type: none"> • General Commercial (GC) Zone <ul style="list-style-type: none"> - Implementation of the Prudhommes Secondary Plan with site specific zoning provisions (see Table 2 of this report) • Environmental Conservation (EC) Zone <ul style="list-style-type: none"> - Refined delineation based on Environmental Impact Study |
| Processing Details | |
| Date of Pre-Consultation Meeting with Town: | July 27, 2023 |
| Date of Pre-Application Community Information Meeting: | November 21, 2023 |
| Date of Application Submission: | March 22, 2024 |
| Date Application Deemed Complete: | May 31, 2024 |
| Date of Public Meeting: | July 8, 2024 |
| Statutory Deadline for Decision: | September 27, 2024 |
| Date of Recommendation Report COW Meeting: | December 2, 2024 |
| <p>Note: Section 34(11) of the Planning Act permits an applicant to file an appeal to the Ontario Land Tribunal if Council refuses or neglects to make a decision on a Zoning By-law Amendment/Official Plan Amendment Application within 120 days of the submission of a complete application.</p> | |

Summary of Development Proposal:

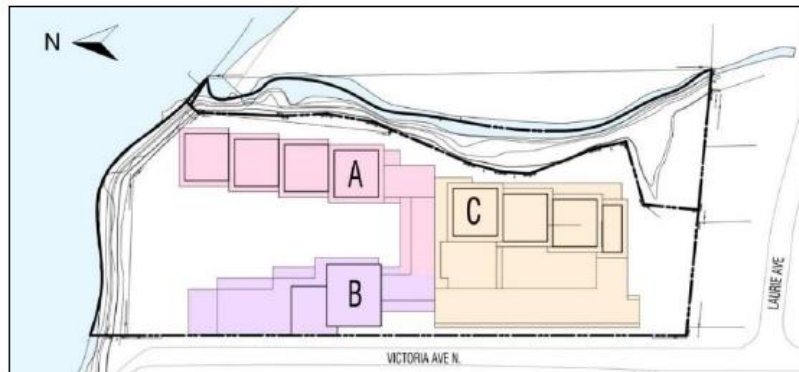
The subject lands are comprised of a total of 1.93 gross hectares (4.77 acres). Approximately 0.57 ha (1.41 acres) is comprised of the Environmental Conservation Zone and 1.36 ha (3.36 acres) is comprised of the General Commercial Zone.

The mixed-use development comprises of 346 residential units, 100 hotel suites, 800 sm of banquet use, and approximately 2,000 sm of retail, restaurant, café, bar and spa use.

The development consists of one building connected by a podium, with three distinct sections hereinafter referred to as:

- Building A (northeast) - Residential units and retail space;
 - stepped 13-storey residential building (5, 8, 11, 13 storeys)
- Building B (northwest) - Hotel with associated spa and banquet space, restaurant, café, bar, and retail;
 - stepped 13-storey hotel building (1, 4, 12 and 13 storeys)
- Building C (south) - Residential units and five levels of above-grade parking
 - stepped 12-storey residential building (4, 7, 10 and 12 storeys)

Figure 3. Proposed Building Sections A, B, and C.
Illustration from Urban Design Study, Landwise and gh3* (March 2024).



The proposed development incorporates various indoor and outdoor amenity spaces, balconies, terraces, and a green roof. A privately owned, publicly accessible space (POPS) consisting of a waterfront plaza fronting on Lake Ontario and a courtyard between Building A and B is proposed to provide a variety of public amenity spaces. The plaza is proposed to contain a reflecting pool that may be programmed as an outdoor skating rink in the winter, outdoor seating, and a covered pavilion. Commercial uses are proposed to be accessible from the plaza to activate the space. These areas are illustrated in Appendix A ('Ground Floor Site Plan' and 'Roof Site Plan') to this report.

Lands on the east side of the property, comprising of 3,050 sm of natural heritage space, are proposed to be conveyed to the Town as passive open space. This natural heritage space forms part of the Prudhommes Creek area and is not intended for active recreational purposes, but as a conservation use to retain the ecological functions of the area.

The building frontage along Victoria Avenue North is proposed to be comprised of the following uses at grade: hotel lobby, common residential lobby, restaurant, and grade-related townhouse style residential units that are accessible from the street and from within the building.

Two driveways to access the site are proposed. One driveway off Victoria Ave N is proposed at the southern end of the subject lands, across from Viceroy Ave, and is primarily intended to provide access to resident parking spaces. It includes a downward ramp that is partially below grade with a retaining wall enclosure to the south and east to minimize any impacts to existing residences in the area. A drop-off area and new proposed access to the parking structure has been added midway down the property, off Victoria Ave N., to provide access to hotel, commercial and visitor parking spaces. A sidewalk is proposed on the east side of Victoria Ave N. along the length of the subject lands and will connect to an existing sidewalk south of Viceroy Ave. A multi-use path loop is proposed around the perimeter of the property, extending from the southwest corner of the subject lands, along the west side of Prudhommes Creek, and adjacent to the Lake Ontario shoreline.

Structured parking is proposed within 1 underground level and 5 above-grade levels in Building C. A total number of 610 structure parking spaces and 34 on-street parking spaces along Victoria Avenue N. is proposed.

The proposed conceptual site plan, floor plans, elevations, and landscape concept plan are provided in Appendix A to this report.

Summary of Development Proposal: Refinements Undertaken Throughout the Application Process

The development proposal has been revised from the applicant's initial proposal (November 2023, Community Information Meeting) and subsequent proposal (July 2024, Public Meeting) in response to comments provided by residents, Council, Town Planning staff, and commenting Agencies. The public feedback which was received is summarized in the Public Engagement Matters section of this report.

The most prominent changes are summarized as follows:

- **Reduced Building Height and Massing:** The following revisions were made to address public concerns regarding the imposition of buildings on the skyline and potential shadowing and overlook onto Victoria Shores properties:
 - o The maximum building height was initially 17 storeys and reduced to 15 storeys (see Figure 4 below) in advance of the statutory public meeting. The current request is now 13 storeys maximum (see Figure 5 below). Building heights across the site have generally been reduced by 1 to 3 storeys (see Appendix B for revised Building Elevations); and
 - o The floorplates for the tallest storeys (i.e. Building A – Floor 13, Building B – Floor 13, and Building C – Floor 12) have been reduced in size by

approximately 10%, resulting in a slimmer building top and containing fewer units. This adjustment has been proposed to increase sky views (see Appendix B for building renderings from the perspective of South Shore Blvd). Approximately 7% of the total building floor area is located above the 10th storey.

Figure 4. Previously Proposed Building Heights (July 8th, 2024, Public Meeting). Illustration from Urban Design Study, Landwise and gh3* (March 2024).

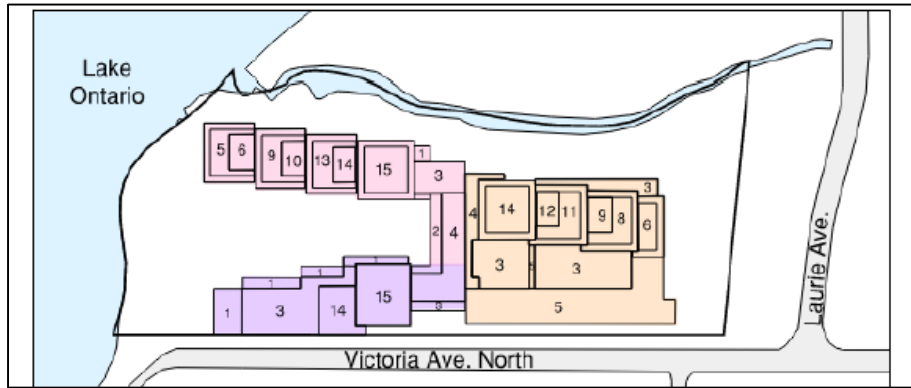
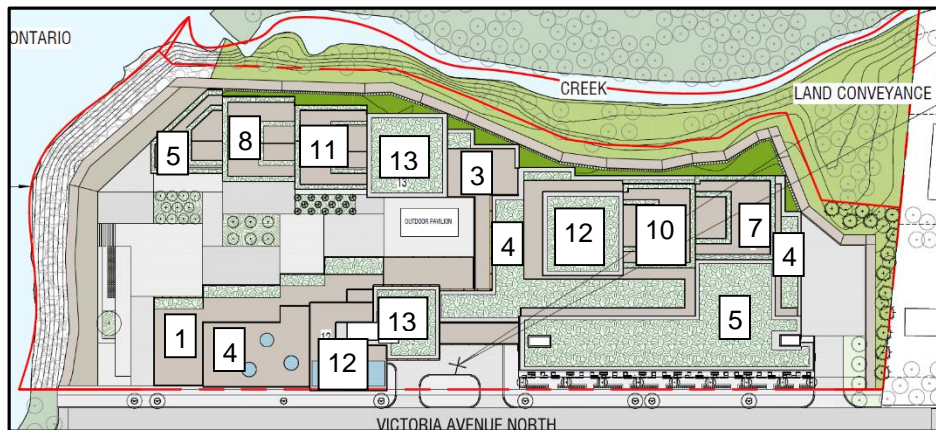


Figure 5. Currently Proposed Building Heights (Dec 2nd, 2024). Illustration from Context Plan A012 by gh3* (see Appendix A).



- **Reduced Density:** The density of the proposed development was reduced to address concerns regarding traffic congestion, parking demand, and the overall intensity of development:
 - o Number of residential units reduced by 50 from 396 proposed at the public meeting to 346 currently; and
 - o Number of hotel suites reduced by 30 from 130 proposed at the public meeting to 100 currently.

As a result, the proposed residential density for the development has decreased from 243 units per hectare to 212 units per net hectare.

- **Parking:** Improvements to parking supply have been proposed to address concerns related to insufficient parking spaces and the size of parking stall:
 - o Increased parking ratios for:
 - Hotel Use (i.e. change from 0.75 spaces per suite to 1.0 space per suite)
 - This equates to 25 more parking spaces for 100 hotel suites; and
 - Eating Establishment Use (i.e. change from 1 space per 10 sm public floor area for Restaurant and 1 space per 30 sm public floor area for Bar and Café to 1 space per 8 sm public floor area for all Eating Establishment Uses)
 - This equates to 52 more parking spaces for the proposed Eating Establishment Uses.
 - o Proposed permissions for up to 50% of the Hotel Use parking spaces to be designed as tandem or stacked parking spaces, where an on-site parking attendant or valet is provided;
 - o Proposed permissions to allow for shared parking calculations for Banquet Use, due to the mixed-use site containing both a Hotel and Banquet Use. This reflects the understanding that a proportion of evening and overnight Banquet patrons will also be Hotel occupants. It is assumed that parking demand for Banquet Use remains at 100% for Morning and Afternoon hours. For more details see the Parking section below under the Planning and Development Staff Analysis section of this Report; and
 - o Increased parking stall dimensions so that the widths now conform to the Town Zoning By-law and the length is deficient by 20 cm. These 'small vehicle' parking stall sizes are proposed to be capped to a maximum of 60% of residential spaces and 50% of visitor/non-residential spaces. All other parking space sizes will conform to the Town Zoning By-law.
- **Traffic and Circulation:** Reductions to the development density and changes to traffic circulation within the development have been proposed to address concerns related to increased traffic congestion and impacts to adjacent residential dwellings on Victoria Ave N.:
 - o Creation of a second driveway access to the structured parking garage, midway along the Victoria Ave N. property frontage. This access would be utilized primarily by Hotel, Banquet Facility, Commercial and Visitor parking users. The purpose is to decrease the amount of traffic entering the site at the southerly driveway of the property which is located closer to existing residential dwellings; and
 - o Landscape, fencing, and potential noise wall features adjacent to the southerly property boundary are being explored to further mitigate impacts of vehicle traffic to existing residential dwellings. This detailed design

matter would be reviewed further at the Site Plan Control stage if the current planning applications are approved.

- **Noise:** Restrictions are proposed which will require a separation distance of at least 100 metres from any proposed restaurant/bar outdoor patio use above the 3rd floor to any residential building surrounding the property. This addresses concerns related to noise impacts from outdoor patio uses to nearby residential dwellings. More information on noise impacts are provided under the Public Engagement Matters section of this Report.

Table 1: Summary of Prominent Changes to Proposed Development

| | November 2023 (Initial Proposal) | July 2024 (Public Meeting) | December 2024 (Current Plan) |
|-----------------------------|--|--|--|
| Apartment Units | 375 | 396 | 346 |
| Hotel Suites | 120 | 130 | 100 |
| Maximum Building Height | Bldg A: 17 storeys Bldg B: 15 storeys Bldg C: 16 storeys | Bldg A: 15 storeys Bldg B: 15 storeys Bldg C: 14 storeys | Bldg A: 13 storeys Bldg B: 13 storeys Bldg C: 12 storeys |
| Residential Density | 230 units per net hectare | 243 units per net hectare | 212 units per net hectare |
| Parking | | | |
| Residential Spaces: | - 375 (1 per unit) | - 396 (1 per unit) | - 346 (1 per unit) |
| Residential Visitor Spaces: | - 38 (0.1 visitor space per unit) | - 40 (0.1 visitor space per unit) | - 35 (0.1 visitor space per unit) |
| Hotel Spaces: | - 90 (.75 space per suite) | - 98 (.75 space per suite) | - 100 (1.0 space per suite) |
| Commercial Spaces: | - 138 commercial spaces | - 103 commercial spaces | - 129 commercial spaces |
| TOTAL PARKING: | - 641 structured parking spaces | - 637 structured parking spaces - 34 on-street parking spaces | - 610 structured parking spaces - 34 on-street parking spaces |
| Bicycle Parking Supply | 124 indoor bicycle parking spaces | 144 indoor bicycle parking spaces | 150 indoor bicycle parking spaces |
| Parking Stall Size | -2.6 metres x 5.6 metres | -2.6 metres x 5.6 metres | -2.75 metres x 5.8 metres; and -Up to 60% of residential spaces and 50% of non- |

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| | | | residential spaces with 2.75 metres x 5.6 metres stall size |
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Supporting Materials:

The applicant has submitted the following materials in support of the subject application(s):

- Planning Justification Report
- Draft Zoning By-law Amendment and Draft Official Plan Amendment
- Preliminary Site Plan, Floor Plans
- Elevations, Building Rendering
- Urban Design Study with Angular Plane Analysis
- Sun Shadow Study
- Pedestrian Level Wind Study
- Noise Impact Study
- Acoustic Review of Sky Bar
- Transportation Impact Study
- Parking Justification Study
- Landscape Plan
- Environmental Impact Study
- Arborist Report and Tree Protection Plan
- Functional Servicing Report
- Preliminary Grading, Servicing and Erosion Control Plan
- Geotechnical Investigation
- Slope Stability Assessment
- Shoreline Natural Hazard Assessment Report and Shoreline Protection System
- Stage 1 & 2 Archaeological Assessment
- Phase 1 & 2 Environmental Site Assessment

A summary of key findings, recommendations and conclusions of the technical reports and studies submitted by the applicant are provided in Staff Report PD-28-24. More recent updates made to the technical reports and supporting studies are summarized in the Report Body under the Planning and Development Staff Analysis section below.

Report:

Planning Policy Framework:

It is required that municipal decisions affecting planning matters shall be consistent with the Provincial Policy Statement (2020), Provincial Planning Statement (2024), Greenbelt Plan, and other provincial legislation. The following policies are particularly relevant to this project:

Provincial Policy Statement (2020):

It is required that municipal decisions are consistent with the policies of the Provincial Policy Statement (“PPS”). The PPS provides broad policy direction on matters of provincial interest related to land use planning and development.

The PPS identifies official plans as the vehicle to identify and protect provincial interests as well as set out appropriate land use designations and policies that direct development to suitable areas. The Town's Official Plan provides this policy framework.

In accordance with PPS Policy 1.1.1., the Town's Prudhommes Secondary Plan provides a comprehensive, long-term plan for a healthy, livable and safe Prudhommes community. The Secondary Plan integrates land use planning, growth management, cost-effective development patterns, and a range and mix of residential types across Prudhommes.

The lands are located within a settlement area as defined by the PPS. The PPS directs growth to settlement areas and promotes densities and a mix of land uses which: optimize use of land and resources; are appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change and promote energy efficiency; support active transportation; and are transit-supportive.

Policy 1.1.1 promotes healthy, livable, and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of municipalities over the long-term and protect the environment.

The PPS provides policies to ensure that a community's housing stock can meet the requirements of current and future residents by accommodating an appropriate affordable and market-based range and mix of residential types (1.1.1b; 1.1.3.3; 1.4.1).

Policy 1.7.1 supports long-term economic prosperity by: encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce; encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character; and promoting the redevelopment of brownfield sites.

The proposed development conforms to the general intent of the PPS' policies pertaining to the built form and design of settlement areas. As noted, the development is located within a Settlement Area and the delineated Built-Up Area of Prudhommes.

The proposed development represents a built form that accommodates different sizes of housing units and makes efficient use of urban lands as it includes a more compact built form. From a housing standpoint, the proposal represents a range of unit sizes, adding to the overall diversity of housing stock in Lincoln, which mainly consists of single detached dwellings. The proposal also includes the provision of commercial opportunities to provide residents with places to shop as well as potential employment opportunities (an important element considering that the previous use was Industrial in nature, also generating employment opportunity); a large, open, and publicly accessible waterfront area; and a connected and walkable community via the provision of sidewalks throughout and connectivity to adjacent areas.

In consideration of the above, staff are satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement.

Provincial Planning Statement (2024):

The new Provincial Planning Statement, 2024 (PPS, 2024) similar to the previous 2020 Provincial Policy Statement, provides policy direction on land use planning and development matters of provincial interest. All planning decisions must be consistent with the PPS, 2024.

The development policies examined in previous section of this report under the PPS 2020 have been carried forward into the new PPS, 2024 with a focus on complete communities by way of redevelopment and intensification of underutilized lands.

The proposed development is consistent with the new Provincial Policy Statement since the proposal promotes development within the Prudhommes Urban Area that efficiently utilizes available lands and contributes to a balance of land uses. The proposal contributes to diversifying the available housing stock in Lincoln which is currently dominated by lower density types. As such, it provides for various housing types where infrastructure is adequate and/or is planned to accommodate the development in the area.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020):

Under Bill 185, the new PPS 2024 has replaced the Growth Plan effective as of October 20, 2024. Going forward, all planning decisions must be consistent with the policies within the Provincial Planning Statement, 2024.

Greenbelt Plan (2017):

The subject lands are not located within the Greenbelt area and are therefore not subject to the policies of the Greenbelt Plan. The subject lands are located within the Prudhommes Urban Area which permits the lands to be redeveloped.

It is important to note that approximately 66% of the Town's land area is protected by Greenbelt policy, with additional lands in the Niagara Escarpment Plan Area, thus limiting the availability of land to support projected growth. This further emphasizes the importance of directing growth to settlement areas in a manner that maximizes the efficient use of the lands while at the same time achieving a balance in considering compatibility with existing land-uses to help achieve density and intensification targets.

Regional Official Plan (2022):

It is required that municipal decisions affecting planning matters conform to the Niagara Regional Official Plan (NOP). As per the NOP, the subject lands are located within the Urban Area and Built-Up Area.

The PPS and NOP direct growth to Settlement Areas and the Delineated Built-Up Area, and encourage the integration of land use planning and infrastructure planning to responsibly manage forecasted growth. An emphasis is placed on intensification and infill, where appropriate servicing and infrastructure exists, to foster the development of complete communities that have a mix of diverse land uses and a range of housing options for the current and future population. The complete community concept, as promoted through

Provincial and Regional policies, was paramount to the creation of the Prudhommes Secondary Plan, of which the proposed development is subject to.

To support the achievement of forecasted growth for Niagara Region as a whole required under the Growth Plan, the Section 2.2 of the NOP directs municipalities to develop strategy and policies for managing population and employment growth. Key policies for guiding future growth includes:

- The NOP assigns Lincoln an intensification target of 90%. Accordingly, a minimum of 90% of all residential development occurring annually in the Town will be directed to the Built-up Area. An intensification rate is a measure of how much growth is going to Built Up Areas rather than new Greenfield areas. This high intensification target is in recognition of the limited urban area that is suitable to accommodate incoming growth.
- A compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities (2.2.1.1b).

The provision of an adequate supply of housing is an important determinant of a household and community's health. To create a housing stock that meets the needs of the region's population the ROP provides the following policies:

- Communities will plan for developing a housing stock that has a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, to meet housing needs at all stages of life (2.2.1.1c; 2.3.1.1; 2.3.1.5),
- Provide a mix of residential built forms that are compatible with established residential areas (2.2.1.1i, 2.2.2.8, 2.2.2.10)

The proposed development, which will result in the creation of approximately 346 apartment units, will contribute to the Town of Lincoln's minimum residential intensification target, as well as serve to diversify the housing stock in Lincoln, which, as previously mentioned largely consists of single-detached dwellings. This is an important characteristic for communities that allow households of a wide socio-economic background to live and age in place. Planning staff are satisfied that the proposed development is consistent with the above Regional Official Plan policies.

Council Policy:

The subject lands are subject to several municipal planning policies, including policies in the Town's Official Plan and land use regulations in Zoning By-law No. 2022-50. The lands are also subject to a subsequent Site Plan Control process to address matters such as grading, and servicing, building design, landscaping and buffering, parking layout, and entrances. The following municipal planning policies are particularly relevant to this project:

Town of Lincoln's Official Plan (2016, as amended):

The Town's Official Plan outlines the goals and objectives for the community and identifies land use policies to help guide and direct growth and development over the next 20 years.

According to the Town Official Plan, the subject lands are designated as part of the Prudhommes Urban Area – Delineated Built-Up Area. The Town's Official Plan directs more detailed policies through the Prudhommes Secondary Plan, as detailed further in the section below.

Section 1.3 of the Official Plan contains several goals and objectives including:

- Accommodating new and innovative housing types
- Encouraging local employment so residents can work in close proximity to home
- Protect and enhancing the character of the existing communities and neighbourhoods while promoting the Town position as a Centre of Excellence for Agriculture
- Maintaining and enhancing Settlement areas as distinct, diverse, livable, safe, accessible and attractive communities
- Encouraging the development of neighbourhoods which support active transportation and provide a range and mix of housing types and densities
- Fostering a sense of civic identity through a high standard of urban design in public and private development
- Facilitating the provision of a full range of goods and services to meet the needs of residents and visitors
- Providing for housing that is affordable to the community and diverse in an effort to accommodate the broadest range of income levels; and
- Directing the majority of new development to the Urban Areas where full municipal water and sewer services are available.

Section 1.6.4 states that intensification is an appropriate means of accommodating growth since it makes better use of existing serviced land and is considered a good approach to maintaining and improving vibrancy in a community. This since it encourages the establishment of new businesses offering a range of services to residents and visitors and provides a wider array of housing opportunities than what is currently available.

Town planning staff are of the opinion that the proposed development conforms to the Official Plan's policies for municipal infrastructure. This is based in part on the ability of the proposed development to utilize and connect to municipal infrastructure rather than requiring extensions into un-serviced areas of Lincoln that would lead to a more sprawled urban context which can be more difficult and costly to provide services.

The Official Plan designates the subject lands as General Commercial and the areas adjacent to Lake Ontario and the Prudhommes Creek are designated as Natural Environment Area. The areas within the Natural Environment Area is also considered Environmental Conservation in accordance with Official Plan Schedule 'E2', since woodlands occupy the eastern portion of the subject lands and valley lands occupy the northern portion at Lake Ontario.

Section 3.4 of the Official Plan provides objectives for the General Commercial designation as follows:

- To encourage the provision of a sufficient level and variety of retail activity within the Town to satisfy the consumer demands of residents;
- To promote planned development of business and commercial uses consistent with the needs of the Town residents;
- To support commercial uses that contributes to the goal to be a Centre of Excellence for Agriculture
- To ensure that commercial development does not have adverse impacts on adjacent land uses, particularly residential uses; and
- To foster a vibrant, connected, walkable and bikeable retail and commercial environment.

Section 3.6.4 of the Official Plan pertains to development along the Lake Ontario Shoreline and identifies that:

- Within the urban areas, the Town shall, when possible, acquire land and/or accept parkland dedication along the lakeshore as it becomes available, to improve public access to, and recreational opportunities of, the waterfront
- The Town in cooperation with the Region shall seek opportunities within the urban area to realign sections of the Waterfront Trail to bring it closer to Lake Ontario to provide better views of the lake and better public access to the shoreline, considering:
 - The broader public interest in the development of a Trail that provides recreational opportunities for local residents and supports tourism development; and
 - The protection and enhancement of sensitive natural heritage areas and local heritage character and features.

With respect to the Environmental Conservation area, Section 4.2.2 of the Official Plan states that the implementing Zoning By-law shall identify and restrict development on all lands within a minimum setback of 15 metres from the stable top of bank of any river or stream characterized as important or marginal fish habitat (i.e. Prudhommes Creek).

The proposed Environmental Conservation Zone is comprised of a 15 metre buffer from Prudhommes Creek, 6 metre setback from the stable top of slope of the Prudhommes Creek valley land, and a woodland area. The submitted Environmental Impact Study supports a 15 metre setback from the Prudhommes Creek stable top of bank to protect the existing functions of the watercourse. Approximately 100 m² of encroachment into the buffer is proposed, which is minor in nature and is located where previous development on the subject lands has occurred. A restoration and enhancement plan is proposed to ensure no negative impacts are expected to the creek's ecological features and associated functions.

The subject application proposes development in the delineated Built-up Area, which is intended to accommodate intensification and higher density uses in a more compact built form. As noted in the commentary above, Town staff are of the opinion that the proposed development represents good planning and is located in a suitable area for the proposed density and built form. Staff conclude that the proposed development has considered the framework set out in the Official Plan and will appropriately contribute residential density

and local amenity in a well-integrated manner, considering the surrounding neighbourhood context. The proposed design will contribute to the goal of creating a vibrant, walkable community.

Prudhommes Secondary Plan (2018):

The subject lands are located within the Prudhommes Secondary Plan area. The Secondary Plan provides a vision and planning framework to guide the development of a complete community. It includes policies that set out land use designations, permitted uses, and maximum building heights. It also identifies the general location of the transportation network and parks and open space system and provides detailed guidance regarding urban design, active transportation, and sustainability targets.

The subject lands are designated Mixed Use and Natural Environment in the Prudhommes Secondary Plan.

The Secondary Plan Mixed Use policies encourage a robust mix of uses in Section 3.1.15.2.7.1 as follows:

- A mixed-use community that is walkable, with connected public gathering places, where opportunities for social interaction are increased and where commercial and community services can be provided within easy walking and cycling distances is a requirement of this Secondary Plan;
- This Secondary Plan shall require a broad mixture of retail commercial uses, parks and open spaces and community facilities to support the needs of the community

The intent of the Mixed Use designation is to promote a range of business opportunities as well as residential apartments. The following uses are among those permitted in the Mixed Use designation in accordance with Section 3.1.15.2.7.5:

- Retail, service commercial and restaurant type uses (up to a maximum of 1,000 sm of gross leasable floor area per individual use);
- Hotels and banquet facilities;
- Mid-rise residential uses in a mixed use building

The proposed development satisfies these objectives.

The Secondary Plan permits the following building heights on the subject lands in accordance with Secondary Plan Schedule 'B2':

- Maximum heights of 4, 8, and 10 storeys (from south to north)
- Minimum height of 2 storeys

Specifically for the subject site, the Secondary Plan Section 3.1.15.2.7.5 f) notes that, at 4933 Victoria Avenue North, the applicant shall be required to demonstrate the following to achieve the maximum building height:

- That adverse impacts have been mitigated on adjacent low density residential lands as demonstrated through the submission of a sun/shadow study; and

- That an urban design brief is submitted that addresses the compatibility of the development within the surrounding context and any landscaping/aesthetic improvements required.

Notwithstanding the maximum building heights identified on Schedule 'B2', the number of storeys permitted shall be in addition to any storey that is primarily utilized to accommodate required parking facilities. Primarily utilized shall be defined as 80% of the Ground Floor Area (GFA) that is used for parking stalls, ramps, and/or aisles that are required to accommodate the parking function.

The applicant is proposing the following revisions to the Mixed Use Designation as summarized below:

- **Maximum Building Height:** The applicant is proposing to increase the building height to 6, 8, 11, 12, 13, 10, and 6 storeys (from south to north), whereas Schedule 'B2' of the Secondary Plan presently only permits 4, 8 and 10 storeys (from south to north) on the subject lands; and
- **Minimum Building Height:** The applicant is proposing to remove the minimum 2-storey building height requirement in order to permit portions of the building to be 1-storey.

Town staff are of the opinion that the proposed changes to the subject lands Mixed Use Designation polices are appropriate and represent good planning principles.

Town staff are further of the opinion the proposed design has considered the framework set out in the Prudhommes Secondary Plan and that the terraced massing has been appropriately designed to properly mitigate adverse impacts of the proposed 13-storey maximum building height, including shadows, overlook and wind impacts to neighbouring properties (for a detailed summary, refer to the Building Height and Form section of this Report under Planning and Development Staff Analysis). Variation in building features such as height, material, and setbacks will create a diverse but cohesive design. The design will contribute to a high-quality public realm and attractive streetscape through the transition of height and pedestrian-scaled features for visual interest at the sidewalk and in publicly accessible spaces, in support of vibrant streets and enhances the character of the community.

Furthermore, the proposed redevelopment will contribute to a complete community by providing a mix of uses and unit styles appropriate for varying lifestyles and abilities including seniors, persons with disabilities, and families. Staff conclude that the proposed building height and density is compatible and sympathetic to the surrounding community context.

Section 3.1.15.2.8.2 outlines the policies for the Natural Environment designation which is applicable on the eastern and northern sides of the property. The following are permitted uses in the Natural Environment designation:

- Forest, fish and wildlife management uses

- Small-scale passive recreational uses such as active transportation trails, docks, and interpretive areas that will have no impact on natural features or on their ecological functions
- Municipal infrastructure
- Shoreline protection works, viewing areas, docks and piers.

The Prudhommes Secondary Plan’s Natural Environment Designation policy 3.1.15.2.8.2 h) states that more definitive boundaries of the Natural Environment Designation are to be established through the preparation of an EIS during the consideration of development proposals. These boundaries are to be implemented through the site-specific Zoning By-law Amendment.

The applicant completed an EIS that has been reviewed by Town, Regional and NPCA staff and is proposing the following revisions to the Natural Environment Designation as summarized below:

- **Refining the Natural Environment Delineation:** The applicant is proposing to refine the delineation between the Mixed Use and Natural Environment Designations of the subject lands in accordance with the submitted Environmental Impact Study.

Town staff are supportive of the conclusions of the submitted EIS and agree with the delineation of the Natural Environment Designation as proposed. More information on this analysis is provided in the Environment section of this report below.

With respect to the Lake Ontario shoreline, Section 3.1.15.2.8.2 s) identifies that Secondary Plan Area is the Town’s only urban area with lake frontage. It is imperative that appropriate public access to and along the water’s edge be provided and the establishment of views to the Lake be maximized.

Town staff are satisfied that the development proposal will contribute to a high-quality public realm through a proposed publicly accessible waterfront plaza and courtyard fronting on Lake Ontario. Town staff are further satisfied that the proposal will improve public access to, and recreational opportunities, at the Lake Ontario waterfront.

Town of Lincoln’s Comprehensive Zoning By-law No. 2022-50:

The Zoning By-law Amendment (ZBA) application proposes to revise the existing Zoning By-law from Future Development (FD-1) Zone to a site specific General Commercial (GC) Zone to reflect the proposed development. The FD-1 zone was applied to the lands as a placeholder and only permits buildings and uses which currently exist on the property. A site-specific Zoning By-law Amendment is required to implement the Prudhommes Secondary Plan.

The ZBA also seeks to refine the delineation of the Environmental Conservation Zone based on the submitted Environmental Impact Study.

The table below summarizes the site-specific regulations that have been proposed by the applicant, in comparison to the requirements set out in the GC Zone.

Table 2. Proposed Site-Specific GC Zoning By-law Amendments

| Zone Provision | Requirement | Proposal |
|----------------------------|--|---|
| GC Zone (Section 7) | | |
| Permitted Uses | <ul style="list-style-type: none"> - Ancillary Residential Uses; - Hotel and banquet use; - Commercial and Retail Uses; - Eating establishment | <p>-To be compliant</p> <p>-A restriction on outdoor patio use above the 3rd floor is proposed, requiring that it be located at least 100 metres away from any residential building in an R1 or R2 Zone</p> |
| Max. Building Height | Up to 4, 8 and 10 storeys permitted in the Secondary Plan | Up to 13 storeys (48 metres) |
| Max. Residential Density | N/A | 290 units per net hectare |
| Min. Front Yard | 3.0 metres | 0 metres and a minimum of 3.0 metres where residential dwellings are located on the ground floor |
| Min. Interior Side Yard | 0 metres; 4.5 metres where abutting a Residential Zone | <p>-6.0 m is proposed adjacent to an R1 or R2 Zone;</p> <p>-where any portion of the building is greater than 15.0 metres in height, an increased setback equal to the height of the building is required, adjacent to an R1 or R2 Zone</p> |
| Min. Rear Yard | 7.5 metres | 6.0 metres |
| Max. Lot Coverage | 40% | N/A - due to site complexity (proposed lot coverage is approximately 40%, however this calculation is dependent on underground parking grades, to be confirmed at subsequent site plan stage) |
| Min. Landscaped Open Space | 20% | To be compliant |
| Amenity Area | 10 sm per dwelling unit, up to 15% of the lot area | To be compliant |
| Landscape Strip | 3.0 metres abutting a Residential Zone | To be compliant |

| | | |
|--|--|---|
| <p>Glazing Requirement</p> | <p>Min. 40% of the building façade on the ground floor, and 25% of building façade for floors above the ground floor, to be windows, doors, and/or greenwall facing any street line</p> | <p>To be compliant</p> |
| <p>Location of Dwelling Units</p> | <p>Dwelling Units may be permitted on the ground floor provided they do not occupy more than 50% of the ground floor of the building and provided no portion of the dwelling unit abuts the front wall of the building.</p> | <p>A maximum of 50% of the ground floor may be occupied by Dwelling Units</p> |
| <p>Parking Provisions (Section 4.1)</p> | | |
| <p>Residential Parking in a Mixed Use Building</p> | <ul style="list-style-type: none"> - 1.0 space per dwelling unit; and - 0.10 visitor spaces per dwelling unit <p>= 346 parking spaces plus 35 visitor spaces</p> | <p>To be compliant</p> <p>= 346 parking spaces plus 35 visitor spaces</p> |
| <p>Other Parking</p> | <ul style="list-style-type: none"> - 1.0 space per Hotel guest room (100 spaces) - 1 space per 4.5 sm public floor area (Eating Establishment) (225 spaces) - 1 space per 10 sm of gross floor area (Banquet Use) (80 spaces) - 1 space per 30 sm of gfa (Personal Service and Retail Uses) – 33 spaces <p>= 438 parking spaces</p> | <ul style="list-style-type: none"> - To be compliant (100 spaces) - 1 space per 8 sm public floor area (Eating Establishment) (127 spaces) - To be compliant (80 spaces) - To be compliant (33 spaces) <p>= 340 parking spaces</p> |
| <p>Shared Parking Reductions for Mixed Use Developments (Section 4.1.5 of Zoning By-law)</p> | <p>Reduction to account for shared parking in Mixed Use Developments (reduces above total required parking spaces by 71 spaces)</p> | <p>Proposal to add shared parking permissions for Place of Entertainment (i.e. banquet) use (reduces above total required parking spaces by 111 spaces)</p> |
| <p>Total Parking Spaces Required</p> | <p>748 spaces</p> | <p>610 spaces</p> |

| | | |
|---|---|--|
| Design of Parking | N/A | Permit up to 50% of the Hotel Use parking to be designed as tandem or stacked parking spaces, where an on-site parking attendant or valet is provided |
| Accessible Parking Spaces | 2 spaces plus 2% of total number of parking spaces | To be compliant |
| Bicycle Spaces | -0.25 spaces per dwelling unit -1 space per 200 sm Hotel and Retail Use -1 space per 100 sm Restaurant Use (144 bicycle spaces required) | To be compliant (150 bicycle spaces proposed) |
| General Parking Provisions: • Parking Stall Size • Min. Aisle Width | - 2.75 m x 5.8 m stall size - 6.7 m parking aisle width | - 2.75 m x 5.6 m stall size for up to 60% of residential parking spaces and up to 50% of residential visitor/non-residential parking spaces - 6.0 m parking aisle width |
| Location of Parking | N/A | All parking spaces, parking areas and ramps shall be located to the side and/or rear of all buildings. |

Staff are also recommending that the Amending Zoning By-law for the property be subject to the following Holding “H” provisions which would only be removed once all requirements are met to the satisfaction of the Director of Planning, and the “H” is subsequently lifted upon passing of a by-law:

- (a) Sufficient water and wastewater services are or will be available to accommodate the proposed development to the satisfaction of the Town of Lincoln;
- (b) That suitable financial arrangements have been prepared to the satisfaction of the Town of Lincoln, and if required the Regional Municipality of Niagara, with respect to any cost sharing arrangements, if applicable, pertaining to any servicing infrastructure requirements including any potential exceedances of sanitary sewer allocation; and
- (c) The Owner has entered into a Site Plan Agreement and the Agreement has been registered on title.

Planning and Development Staff Analysis:

The proposed Zoning By-law Amendment and Official Plan Amendment would permit a taller built form than is currently permitted in the Secondary Plan and as such, staff must consider a number of factors such as urban design, building height, sun/shadow analysis, wind analysis and noise impacts to determine compatibility with surrounding uses. Other planning considerations concerning the application relate to the proposed density as it relates to servicing, traffic, and parking. Staff analysis of these considerations is provided below.

Urban Design:

The Town is committed to a high standard of design and architecture which is of particular importance given the site's location in proximity to the existing Victoria Shores neighbourhood as well as its prominent location along the Lake Ontario water's edge and the Victoria Avenue Market Greenway, an important tourist route as identified in the Town's Official Plan.

The applicant submitted an Urban Design Study prepared by Landwise in collaboration with gh3* Inc. (March 2024). According to the Urban Design Study, the proposed development is based on the following design and land use principles:

- Compact, well-connected, mixed-use communities;
- Linked public open space and active transportation system;
- Transition of building heights and land uses for neighbourhood compatibility;
- High quality design of buildings and public spaces to encourage a strong sense of place and vibrant public realm; and
- Protection of the natural environment while benefitting from the views of Lake Ontario.

The proposed building has multiple transitions in height to promote compatibility within the existing neighbourhood context and Victoria Ave N. streetscape. The residential portion of the development is proposed to be located on the east side of the property, adjacent to Prudhommes Creek. Non-residential uses are proposed on the west side of the subject lands along Victoria Avenue North, such that they are sited furthest from neighbouring low density residential uses, thereby alleviating potential concerns of conflicting uses.

The introduction of residential intensification and commercial uses at this location is in keeping with the mixed use vision for the area as established in the Secondary Plan. The proposal will introduce a variety uses, residential unit types and sizes, supporting diverse individual and family structure needs. The proposed development responds to the growing needs for both residential and non-residential uses in the Town of Lincoln and contributes to a vision for sustainable community development to accommodate everyone.

Staff are of the opinion that the unique location of the subject lands will be appropriately leveraged to enhance the vibrancy of the community by securing public waterfront access and providing excellent views to Lake Ontario. The proposed publicly accessible

waterfront experience in the form of a promenade, waterfront plaza and courtyard, considers the broader public interest and provides recreational opportunities for local residents and supports tourism development. Convenient access to the Victoria Avenue (as part of the Victoria Avenue Market Greenway tourism route), North Service Road (an arterial road) and the QEW creates an opportunity for the proposed development to become a tourist destination and aligns with the Secondary Plan permitted uses for the subject lands, which include hotel, spa, restaurant, retail and residential uses.

Staff are of the opinion that the proposed design will contribute to the goal of creating a vibrant, walkable community and thoughtfully addresses parking needs for the development, while promoting active transportation strategies and positively contributing to the surrounding landscape. Staff are further of the opinion that the proposed built form is well integrated with the current and future surrounding planned Prudhommes community.

Staff are recommending a Zoning By-law Amendment and Official Plan Amendment with site specific provisions to ensure that key urban design features as described above are implemented (see draft Zoning By-law Amendment and Official Plan Amendment in Appendices D and E to this report).

Building Height and Form:

The Secondary Plan permits a maximum building height which transitions from 4 to 8 to 10-storeys on the subject lands, proceeding south to north, subject to the demonstration that adverse impacts have been mitigated on adjacent low density residential lands through a sun/shadow study and an urban design brief. A potential additional 3 storeys is permitted by the Secondary Plan if any storey is primarily utilized to accommodate required parking facilities, bringing the total to 13 storeys as a possible as of right.

The proposed building comprises of a 4 to 6-storey podium and three building sections with heights up to 13 storeys (Building A), 13 storeys (Building B) and 12 storeys (Building C).

The Applicant submitted an Urban Design Study with Angular Plan Analysis, a Sun Shadow Study, and a Pedestrian Level Wind Study ("PLWS") to demonstrate that potential adverse impacts of the proposed building heights have been appropriately mitigated and that compatibility of the proposed development has been addressed within the surrounding context. At the Town's request, the Applicant also provided supplementary drone photos to illustrate views from the subject development towards the existing residential area to the east (see Appendix C), as well as renderings of the proposed building from South Shore Boulevard (see Appendix B).

When assessing compatibility with respect to building height, it is critical to examine the perceptual and visual impact of the building rather than building height alone. The proposed development incorporates a building podium, step backs and terraced massing which creates a variable building form, thereby reducing the perception of height and

mass. The three tall building sections are separated by a 23 to 27 metre gap, creating a visual break. The Urban Design Study notes that the tallest sections of the building are also the smallest floor plates. The percentage of the total building floor area which is over 10 storeys is approximately 7%. By limiting the size of the floor plate for taller sections, this also inherently reduces potential shadow effects and overall massing of the buildings.

The Urban Design Study further notes that the proposed building has multiple transitions in height to promote compatibility within the existing neighbourhood context. Along the southern property boundary, the building is proposed to setback approximately 18 to 25 metres from the property line, with the massing to be terraced incrementally in height, away from the residential homes to the south. To the east, Prudhommes Creek serves as a naturalized buffer to the Victoria Shores neighbourhood.

The submitted Angular Plan Analysis confirms that the proposed building is approximately 75 metres to the nearest residential property line to the east and the proposed height is significantly lower than angular plane requirements. In other words, a 45-degree line drawn from the top of the proposed building would reach the ground within the Prudhommes Creek Open Space area, 29 metres away from the nearest Victoria Shores residential property line. Refer to Figure 4 in Report PD-28-24 for angular plane illustration. This angular plane metric is often used to inform the design of buildings where a transition from greater to lower building mass and height is proposed. This is undertaken to ensure there is: sufficient daylight access to neighbouring lands, an appropriate height transition, and to mitigate overlook onto low-rise homes.

With respect to privacy and overlook onto existing homes along South Shore Boulevard, drone photos from the property demonstrate that there is minimal overlook easterly due to existing vegetation within the Prudhommes Creek corridor. The majority of residential units are located at or below the 9th storey, which has limited views overlooking Victoria Shores homes, as shown in Appendix C. A minimal number of residential units are located within the 11th to 13th storeys, facing the easterly direction (i.e. 14 units or 4% of all residential units).

The Applicant is proposing to plant additional trees, including coniferous trees, within the Prudhommes Creek corridor to provide an enhanced buffer to Victoria Shores homes, particularly during the winter months.

The Applicant has submitted a Sun Shadow Study, with updates shown in Appendix B. The Sun Shadow Study demonstrates that the above-mentioned design features reduce shadow impacts of the proposed development on surrounding areas. All Town standards for access to daylight are met by the proposed built form. Private outdoor areas of Victoria Shores residents to the east and south will achieve a minimum of 6 hours of daylight between 10:00 AM and 6:00 PM all year round. It is further confirmed that there are no adverse shadow impacts on Millenium Forest Park to the west. With respect to the waterfront lookout and plaza, the hotel building has been set back further from the north to maximize afternoon daylight.

The Applicant has submitted a Wind Study which concludes that the predicted wind conditions for the proposed development meets all safety criterion and will be acceptable for all proposed uses on a seasonal basis. The study determined that wind conditions surrounding the subject lands, i.e. Victoria Shores Park, Millennium Forest Park, and the agricultural field west of Millennium Forest Park, will improve as a result of the proposed development.

Some mitigation measures, such as a 2.0 metre high terrace perimeter guards, overhead pergolas, and coniferous planters are recommended for the outdoor terraces on floors 3, 4, and 5 in order to reduce wind levels within amenity areas to more comfortable levels. Staff note that wind mitigation options will be explored in further detail as part of the site plan review process with respect to on-site amenity areas.

Staff are satisfied with the conclusions of the Angular Plane Analysis, Sun Shadow Study and Wind Study and note that the proposed development meets all Town standards. Staff are of the opinion that the proposed building has been designed to appropriately mitigate the perception of height and is compatible and sympathetic to the surrounding community context. The design has incorporated strategies to appropriately mitigate wind and shadow impacts, including articulated building facades, recessed entrances with vestibules, separation between towers, smaller floorplates at the tallest building storeys, and enhanced landscaped buffers through additional tree plantings. Furthermore, the proposed building interacts with the public realm at street level, in support of vibrant streets and enhances the character of the community.

Staff conclude that the proposed building height and form is compatible and sympathetic to the neighbourhood context.

Public Open Space and Amenities:

The Lake Ontario shoreline and Prudhommes Creek areas are located within the subject lands and contain natural heritage features that are proposed to be protected and enhanced through restorative native plantings. These areas are proposed to be zoned as Environmental Conservation which only permits Conservation Uses, such as trails and erosion protection structures, thereby restricting the footprint of the proposed development.

The proposed Environmental Conservation (EC) Zone comprises approximately 29% of the subject lands (1.41 acres). A portion of the EC Zone area is proposed to be conveyed to the Town for long-term conservation (0.75 acres). The portion of the EC Zone area that is proposed to remain under private ownership comprises of enhanced shoreline protection, a publicly accessible Lake Ontario waterfront promenade, and a recreational trail. No direct access will be provided to the east of Prudhommes Creek due to the topography of the site and sensitive nature of the natural heritage features.

The design will contribute to a high-quality public realm through a proposed waterfront plaza and courtyard that faces onto Lake Ontario. The plaza is proposed to contain a variety of publicly accessible amenities including a reflecting pool that may be programmed as an outdoor skating rink in the winter, outdoor seating, and a covered pavilion. A number of indoor and outdoor amenity areas are proposed to accommodate the recreational needs of the proposed residents. The detailed design, landscape design, and programming of these spaces will be examined in further detail at the subsequent Site Plan Control stage. Careful and strategic consideration of shoreline design, including the integration of native plantings and trees, for both environmental and biodiversity value, will be also included at the detailed design stage.

Staff are of the opinion that there will be adequate open space and on-site amenities provided to accommodate the recreational needs of the proposed residents. In addition, the proposed development will improve public access to, and recreational opportunities, at the Lake Ontario waterfront. Staff further note that privately-owned, publicly accessible (POPS) amenity areas, as well as lands dedicated for environmental conservation purposes are not considered parkland dedication. As such, cash-in-lieu of parkland dedication would be required for the proposed development and would be payable prior to issuance of a Building Permit.

Traffic:

The Applicant submitted an updated Transportation Impact Study (TIS) by C.F. Crozier & Associates Inc., dated November 2024. This was revised to reflect the new development proposal as well as technical comments provided by Agencies and Town staff.

The study predicts that the proposed development is anticipated to generate 164 two-way trips during the weekday a.m. peak hour, 242 two-way trips during the weekday p.m. hour, and 272 two-way trips during the Saturday peak hour. This is significantly less than the number of trips (300-400 range) expected to be generated by the July 2024 development proposal. This is due to an overall reduction in the intensity of development through proposed reductions in residential units, hotel suites, and commercial square footage.

The TIS analysis found that in 2026 and based on the traffic generated by the proposed development, traffic delays during peak hours at the Victoria Avenue North and North Service Road intersection are predicted to increase slightly from baseline wait times of 7.5-18.9 seconds without the development to predicted wait times of 9.0-25.1 seconds with the development (i.e. a 1.5 to 8.3 second delay), depending on the time of day.

In terms of the Victoria Avenue N and North Service Road intersection, the development itself does not trigger any improvements since acceptable levels of service will be maintained. However, future traffic signalization of the intersection is expected to be required due to future overall development growth in the area. As discussed further below, the appropriate timeframe to upgrade this intersection will be determined through the Region's upcoming EA Study.

With respect to existing traffic volumes and operations in the overall area, the study identified intersections with movements that currently have lower levels of service, in particular, the Victoria Avenue and South Service Road intersection and QEW ramps. The TIS recommends the following improvements which would reduce traffic congestion at these intersections:

- optimizing signal timing at the QEW Toronto bound ramp and Victoria Avenue and South Service Road intersection; and
- signalization of the QEW Niagara bound ramp.

While these improvements are not triggered by the proposed development, once implemented as part of the Region's EA project (see below), they will result in reduced congestion (even with the addition of the proposed development compared to baseline levels).

Town staff have been in ongoing discussions with Regional and MTO staff regarding overall traffic volumes in the area and the continued growth expected as the Prudhommes area is built out. The traffic impacts of planned growth in the area needs to be comprehensively considered to inform recommended road improvements and the appropriate phasing of these improvements. To address these needs, Niagara Region is planning to undertake an Environmental Assessment (EA) in coordination with the Town of Lincoln and MTO. The EA study is expected to commence in 2025 and will comprehensively consider the traffic impacts of planned growth in the area, including the proposed subject development. It will include a detailed transportation assessment for intersection improvements at Regional intersections comprising of Victoria Avenue North & North Service Road, Victoria Avenue North & South Service Road, as well as the QEW ramps. Recommendations made in the TIS as noted above will be considered through this process. The EA study will be followed by the detailed design process and construction.

Staff are satisfied with the general conclusions of the Transportation Impact Study which confirms that the proposed development can be supported from a transportation operations perspective. Staff recognize potential future traffic congestion concerns in the area due to the number of planned developments proposed to be phased over the long-term. Staff are of the opinion that the planned Regional EA study will comprehensively consider the traffic impacts of these planned developments and will appropriately address the phasing requirements of road improvements in the short to longer-term.

Parking:

An updated Parking Justification Study ("PJS"), was prepared by C.F. Crozier & Associates Inc., dated November 2024, which proposes to increase the overall proposed parking rates for the development to address concerns regarding inadequate parking supply. The PJS evaluates the adequacy of the proposed parking supply and parking stall sizes for the proposed development.

The Town's Zoning By-Law No. 2022-50 permits shared parking calculations for mixed-use developments. When considering this shared parking allowance and the Town's standard parking rates for residential and non-residential uses, the proposed development would require a total of 748 parking spaces according to the Town's zoning provisions. The development proposes a total supply of 610 parking spaces; resulting in a deficit of 138 parking spaces from the Town's Zoning By-law parking requirements.

The development proposes to meet the Town's Zoning By-law parking provisions for: Residential, Hotel, Banquet, Personal Service and Retail Uses. A reduction in parking rate is proposed for Eating Establishment Use, from 1 space per 4.5 square metres of public floor area to 1 space per 8 square metres of public floor area. This has been proposed due to the unique mixed-use nature of the proposed development, where it is expected that hotel guests will also be primary users of supporting facilities such as the café and lobby bar.

As noted above, the Town's Zoning By-law allows for a reduction in parking requirements through the sharing of parking spaces in mixed-use developments. This takes advantage of differing parking demand patterns by use and time of day/week to reduce the amount of parking that would have been required if facilities were not shared. For example, residential and hotel uses have a peak parking demand in the overnight hours, where retail uses do not. The use of shared parking calculations is a common practice among municipalities and encourages a more efficient use of parking supply.

The Town's Zoning By-law does not include Banquet Uses as a component of mixed use developments for the purposes of shared parking calculations. The Applicant is proposing to share Banquet Use parking at a rate of 50% during evening and overnight hours only, since patrons attending evening or overnight events are also likely to be renting a hotel room. This shared parking provision is not proposed to be applicable to morning or afternoon banquet events. Staff are supportive of this method and rationale.

The PJS further assessed the proposed parking supply using the Institute of Transportation Engineers (ITE) Parking Generation Manual peak parking rates for each of the proposed uses in the development. Using the industry standard ITE peak parking rates, the development is forecasted to have a peak parking demand of 522 parking spaces. This results in a surplus of 88 parking spaces from the proposed supply of 610 parking spaces. The PJS further notes that no internal synergy reductions have been applied to the ITE peak parking demand calculation. Internal synergies are expected to occur, since hotel guests are anticipated to also be users of supporting uses, such as the restaurant and banquet space. As such, the peak parking demand calculated above is particularly conservative and is expected to be lower if internal trip/parking synergies are accounted for.

The parking spaces are proposed to be accommodated primarily in an underground structure (P1) and five above-ground levels. This is strongly encouraged by the Secondary Plan as it eliminates the need for surface parking and maximizes the site for building and landscaped areas, thereby creating visual interest. For the Hotel Use, it is

proposed that up to 50% of the required parking (i.e. 50 spaces) be permitted to be designed as tandem or stacked parking spaces, where an on-site parking attendant or valet is provided.

The applicant has revised their development proposal to increase parking space dimensions from a width of 2.6 metres to 2.75 metres to be consistent with the Town's Zoning By-law provisions. A cap is now being proposed for the number of spaces with a reduced 20 cm parking stall length of up to 60% of residential parking spaces and up to 50% of residential visitor/non-residential parking spaces. The smaller length parking spaces are proposed to be marked and designated specifically for small vehicles. All other parking space sizes are proposed to conform to the Town Zoning By-law. This is in response to concerns raised by the public regarding the parking spaces being too small.

The small vehicle parking spaces have been proposed by the Applicant since the development concept is expected to draw parking demand that is more urban in nature, i.e. passenger car sizes. The PJS notes that the 5.60 metre length is in line with Transportation Association of Canada (TAC) Geometric Design Guide's vehicle dimensions for passenger cars. Staff also note that the proposed parking length falls within parking stall dimensions required in more urban settings such as St. Catharines and Mississauga (5.2 metre length required in these municipalities).

No zoning relief has been proposed for the number or size of accessible parking spaces required.

The development proposes a 6.0 metre parking aisle width, whereas the Town's Zoning By-law requires a width of 6.7 metres. Staff are of the opinion that the proposed reduction in parking aisle width within the parking structure is satisfactory, considering that a 6.0 metre aisle width meets all emergency access requirements and is common among municipalities across Ontario.

The development proposes 150 long-term bicycle parking spaces, which slightly exceeds the required 144 total bicycle parking spaces required by the Town's Zoning By-Law. Staff note that the provision of bicycle parking encourages active transportation.

Staff agree with the conclusions of the PJS and are of the opinion that the overall parking provision proposed is adequate to accommodate anticipated demand generated by the proposed mixed-use development from residents, visitors and non-residential users. Staff note also that the development is proposing to urbanize Victoria Avenue North at the frontage of the subject lands, which will allow approximately 34 dedicated on-street parking spaces to be provided.

From a parking standpoint, staff note that an oversupply of off-street parking can encourage car ownership and single-occupant auto travel which is to the detriment of the Town's planning and transportation objectives (Transportation Master Plan 2019, Town of Lincoln). An oversupply of parking also increases the costs of development which can impact the affordability of units.

Municipal Servicing:

The Applicant submitted a Functional Servicing and Stormwater Management Report by Lithos Group Inc. to assess municipal servicing requirements at a preliminary feasibility level, as summarized below:

Storm Drainage: Stormwater discharge will be controlled to 5-year pre-development peak flow rates. Some on-site storage will be required to attain target quantity control flows. Mitigation measures for low-impact design, such as permeable pavers and bioretention area, will be explored through the Site Plan Control process.

A storm filter treatment device will treat all stormwater and run-off for quality control at the most stringent quality control level (MECP Enhanced Protection Level 1 - 80% total suspended solids removal) out of the three different levels of possible water quality protection set by Provincial regulation, prior to discharging stormwater to an existing 600mm diameter storm sewer on Victoria Ave North.

Water Supply: A hydrant flow test indicates that the existing municipal water infrastructure is expected to sufficiently meet the demands of the proposed development.

Sanitary Sewers: The proposed development will be connected to the existing 200mm diameter sanitary sewer along Victoria Ave N. The Laurie Avenue Sanitary Pumping Station is currently being upgraded by Niagara Region to provide additional sanitary capacity which would serve the proposed development. The upgrade project is expected to be completed by early 2026, prior to any sanitary discharge being generated by the proposed development.

Site Grading: The proposed grades will match current drainage pattern to meet the Town's requirements.

As described above, the servicing needs for the proposed development is dependent on future infrastructure being constructed (i.e. Laurie Avenue SPS upgrades). Although infrastructure needs are expected to meet the timing of the proposed development, out of an abundance of caution, Town staff are recommending a Holding provisions be applied to ensure that adequate provisions for water and wastewater services are available, to the satisfaction of the Town, prior to the development proceeding.

In addition, staff are recommending a Holding provision be applied requiring the Applicant to be responsible for potential cost-sharing of future additional sanitary infrastructure, should it be needed to facilitate the full build-out of the Prudhommes area. Staff note that any additional sanitary infrastructure would be fully funded by development charges and/or developer cost-sharing; these are paid for by developers and not existing taxpayers.

Once the Holding provision is lifted and all other approvals are in place, the Town may issue a building permit and pre-servicing approval to the Applicant prior to the infrastructure upgrades being 100% completed. These approvals would be conditional on the site services not connecting to any municipal infrastructure until any required upgrades are completed.

Staff are satisfied with the conclusions of the FSR and that the recommended Holding provisions adequately address all servicing matters.

Financial, Legal, Staff Considerations:

Financial:

If approved, the proposed development will be subject to cash-in-lieu of parkland dedication and the payment of development charges in accordance with the School Board, Region and Town Development Charge By-laws at the building permit stage.

Staffing:

N/A

Legal:

In the event that Committee's decision regarding the application is appealed to the Ontario Land Tribunal, legal costs could be incurred by the Town.

Public Engagement Matters:

Public Circulation:

Notice of the Community Information Meeting (November 21, 2023), Public Information Centre (June 27, 2024), Statutory Public Meeting (July 8, 2024) and Committee of the Whole Meeting (Dec. 2, 2024) were circulated to all property owners within 120 metres of the subject lands as well as to all property owners within the Victoria Shores neighbourhood.

Public notice signs were also posted on the property. Supporting materials were posted on the Town's Speak Up Lincoln website.

Community Information Meeting:

The developer hosted an in-person Community Information Meeting to gather public feedback prior to submitting a formal planning application. The meeting was held on November 21, 2023, at Town Hall and was attended by approximately 90 participants. A summary of comments received at the Community Information Meeting was provided in Report PD-28-24. Written public comments that were provided directly to the Applicant before and after the Community Information Meeting are included in Appendix G of Report PD-28-24 (July 8, 2024).

Changes were made to the development proposal following feedback received at the Community Information Meeting. These are summarized in Table 1 of this Report and include a reduction in proposed building heights to address height concerns.

Public Information Centre:

The Town hosted a Public Information Centre (PIC) with display boards on June 27, 2024, at Fleming Centre. The PIC was attended by Town planning staff as well as the Applicant team and was organized to provide an additional opportunity for residents to learn about the latest development proposal, ask questions, and share feedback in an informal setting. This was an additional measure over and above Planning Act requirements for Planning applications.

Statutory Public Meeting:

A statutory public meeting was held on July 8, 2024. The Applicant provided a presentation of the proposed development, and 8 verbal public delegations were made and 2 written submissions were considered by the Committee. Written public comments that were provided to the Town and received by June 24, 2024, were included in Appendix H of Report PD-28-24 (July 8, 2024).

Neighbourhood Meeting:

The Victoria Shores Homeowner's Association hosted a neighbourhood meeting on July 31, 2024, to allow residents to discuss the proposed development in a more informal environment compared to the Statutory Public Meeting. At the Association's request, the local Ward Councillors and Town staff attended the meeting to answer resident questions and hear concerns.

All written submissions received after June 24, 2024, and up to the publication date of this Report are included as Appendix F. The main themes of the issues raised, and comments received at the PIC, Statutory Public Meeting, Neighbourhood Meeting, and written correspondence provided is summarized below, including staff's response and considerations:

Building Height Concerns:

- Proposed building is too high
 - Reduction in height to 15 storeys is not enough
 - Building appears out of place with immediate surroundings – i.e. research facility and Millenium Forest to the west; Victoria Shores to the east
 - Proposal should remain within current 10-8-4 storey height permissions of the Secondary Plan
 - Even if shadows are not an issue with the 15-storey building, the building will still impose on the skyline – i.e. views of the sky, sunsets, and Lake Ontario
- Overlook and privacy concerns
 - Requests for the Applicant to provide visual photos of the building's view towards Victoria Shores rear yards

- Privacy concerns regarding balconies on the east side of the development facing Victoria Shores

Staff Response: As set out earlier in this report, the Provincial and local planning policy framework encourages high-density uses on the subject site where there is compatibility with surrounding land uses and a sense of pedestrian scale is provided. The Secondary Plan acknowledges the need for flexibility to respond to, and encourage, positive changes in the marketplace that would diversify housing options over time such that development is cost-effective, optimizes the use of service and community infrastructure investments, and is appropriate for market conditions.

Staff note that while the Secondary Plan's maximum permitted height for the property is 10-8-4 storeys, the Secondary Plan also permits additional storeys beyond the maximum permitted height, where at least 80% of the floor area is utilized for parking facilities. As a result, a building height of 13 storeys would have been possible as of right on the subject lands, however, this would have required the lower building storeys to be comprised primarily of parking use. This would be potentially detrimental to the development concept since it would remove active uses facing Victoria Avenue North and the interior courtyard, such as the banquet space, spa, and amenity spaces, which promote animation and a more attractive streetscape.

Staff further note that the applicant has revised their initial development proposal to: reduce the maximum building height to 13-storeys, reduce the floorplate of the tallest floors, and reduce the number of proposed residential units and hotel suites to address public concerns regarding building height. The proposed building has been designed with upper-storey step-backs to help maximize sky views and minimize overlook and shadow impacts. The Applicant has provided supplementary photos to illustrate views towards Victoria Shores (see Appendix C). Staff note that the Prudhommes Creek corridor provides a heavily vegetated buffer to residents situated along South Shore Blvd, and only a small number of residential units are proposed to be located at the upper storeys (11 to 13th floors) of the development, facing the easterly direction (i.e. 14 units or 4% of all residential units).

Staff are of the opinion that the proposed terraced building heights up to 13 storeys achieves compatibility with surrounding land uses and is appropriate.

Compatibility Concerns:

- Concerns regarding compatibility of the proposed hotel and commercial uses with the existing character of Victoria Shores neighbourhood
 - What is the Town's economic development and tourism strategy?
 - Is there a need for another hotel
 - Commercial aspect can be seniors medical center to accommodate aging population
 - Low-rise townhouses preferred

- Property should be developed as a forested area/open space instead of the proposed development
- Noise concerns regarding the proposed outdoor sky bar on the top floor of the Hotel

Staff Response re: Proposed Hotel and Commercial Uses: It is important to note that the subject property was long utilized for an industrial land use and is within an identified Urban Area in Lincoln. The Town went through an extensive Secondary Plan planning process which resulted in this site being identified for future mixed-use redevelopment. The commercial components (hotel, restaurant and retail) provide a range of potential employment opportunities which is important to maintain on the site considering that its previous use was industrial, an employment driver as well. Accommodating these uses along with residential, allows the site to accommodate a range of housing stock while maintaining the value of the lands from an employment perspective. This is especially important considering the limited lands the Town has available on which to provide employment offerings.

Staff further note that the Town is not the source of the proposal in terms of the proposed commercial uses. Rather, the Town includes provisions for a range of potential land uses through the Official Plan and Zoning By-law, but is not in a position to require a specific use in one location but not another. A private property owner has proposed a development concept for consideration, something any private property owner is able to do. The Town Planning Department is required to assess the concept, a process which is guided and overall regulated by Provincial policy frameworks.

With respect to the Town's tourism strategy and more specifically, the need for hotels, the Town of Lincoln adopted an Economic Development Strategy in 2019. This focused on the tourism sector as a main economic driver in the Town of Lincoln. As such, a Tourism Strategy was created and one of the largest gaps identified in the Town is an absence of available accommodations to attract overnight visitation in Lincoln. There are currently very few offerings in Lincoln, and the need for additional accommodations will not be satisfied strictly by one additional hotel within the Town of Lincoln but will need to be fulfilled by multiple hotel developments across the municipality that support overnight stays and increased economic activity in our community.

Specific to the Lake Ontario waterfront, the Tourism Strategy notes that the waterfront is currently not very accessible in Lincoln, with the main access areas provided by Charles Daley Park, the Beacon Hotel and Marina. The big hurdle to overcome in better capitalizing on the shoreline is the fact that most of the land along the shoreline is in private hands, as well as the narrow depth of land available in some parts on the north side of the North Service Road and embankments down to the lake. The Tourism Strategy notes that any opportunities to provide access to the Lake and/or to the harbours would present potential tourism opportunity.

Staff are of the opinion that the offering of a multi-service waterfront destination as proposed would significantly strengthen the offerings of the Town's tourism sector and is aligned with the Secondary Plan's vision for both the subject site and greater area.

Staff Response re: Noise Concerns: To address public concerns raised regarding the noise generated by the proposed outdoor sky bar, the Applicant submitted a supplementary Acoustic Review dated September 2024, in addition to the Noise Impact Study, by Acoustic Engineers J.E. Coulter Associates Limited.

The Acoustic Review notes that MECP Noise Guidelines do not consider noise from people gathering in outdoor amenity areas or restaurants as stationary noise sources. These noise sources are typically addressed in a qualitative manner by municipal noise by-laws. Although noise levels from an outdoor patio use are not regulated by Provincial MECP Noise Guidelines, the additional noise assessment was undertaken by the Applicant as an extra precaution to determine the extent of any noise impacts from the proposed outdoor patio use on the nearby existing residential area.

The Acoustic Review assessed sound levels generated by humans (i.e. talking simultaneously at normal volumes, with raised voices, loudly, and shouting), live music, and amplified music. The Applicant has noted that there are no plans for loud and/or live music to be played at the outdoor patio of the skybar, however, these noise sources have been investigated as a worst-case condition, as requested by Town staff.

Predicted sound levels at the nearest Victoria Shores residential properties were found to be at a maximum sound level of 41 dBA. This considers the installation of 1.1 metre-high solid safety guards that are planned for the outdoor skybar and amenity areas. In accordance with NPC-300 guidelines, average noise levels of stationary noise sources should not exceed 50 dB during the daytime and 45 dB during evening and overnight hours. The Acoustic Review concludes that the sound levels at the nearest existing residences would be below these noise guideline limits.

Town staff agree with the conclusions of the Acoustic Review, and are of the opinion that the proposed outdoor patio use and location is appropriate. To ensure maximal distance is provided between any upper storey outdoor restaurant patio use and existing residential buildings, a site-specific Zoning provision is proposed which would require that any such patio uses above the 3rd floor shall be located on the western side of the lands, at least 100 metres from any residential building in an R1 or R2 Zone. Staff further note that additional design review will occur during the subsequent Site Plan Control process to ensure that noise concerns are appropriately mitigated. Staff will explore the potential to implement additional noise attenuation features, such as physical sound barriers, which would provide noise mitigation above and beyond noise guidelines.

Town staff also note that the proposed development, its residents and users will also be subject to the Town of Lincoln Noise By-Law No. 2019-44. This by-law does not permit noises to be created by shouting, yelling, whistling or singing and which are clearly audible at a point of reception in any Residential Zone between the hour of 10:00pm and 7:00 am on weekdays, to 8:00 am on Saturdays, and 9:00 am on Sundays or Statutory Holidays.

In addition, the by-law does not permit any person at any time to cause unreasonable noise or a noise that is likely to disturb the inhabitants of the Town. This includes: the indoor and outdoor operation of any radio, television, stereo or other electronic device including any amplification device, public address system, loudspeaker system or any musical or other sound producing instrument that is clearly audible at the point of reception.

Density Concerns:

- Concerns related to the proposal being too dense
 - Dense structures should be kept east of Victoria Shores, where space allows for appropriate transition to taller buildings
 - This is a larger scale development with the potential to spoil the Victoria Shores residential area
 - Desire to maintain small community/rural feel, quiet and peaceful Victoria Shores community
 - Concerns regarding quality of life for current residents, does not enhance the character of the surrounding community
- Concern about the ability of the Town's infrastructure to handle the additional sanitary sewer and water flows from the new development

Staff Response: Recent provincial policy direction has been updated since the adoption of the Prudhommes Secondary Plan to encourage higher densities, more efficient use of land, and to further emphasize providing more housing stock. Due to this direction and the growth forecasts that are anticipated over the next few decades, Lincoln has been planning for growth which includes higher densities in certain areas. These include currently vacant or underutilized lands such as those within the Prudhommes Secondary Plan area. Through the Secondary Plan planning process and currently, staff have been cognizant of the potential for additional density to be proposed on the subject site, while also considering the need for an appropriate transition to adequately address compatibility concerns. Hence site-specific policy provisions were implemented through the Secondary Plan to evaluate compatibility on these subject lands with respect to building height, including the requirement for a sun/shadow study and urban design brief.

Staff are of the opinion that the proposed development is consistent with the goals and objectives of the Town's Prudhommes Secondary Plan which recognizes the site as an area for redevelopment. Specific to the subject lands, there was recognition that these lands are ideal for a mixed-use type development due to the desirable location and spatial separation via greenspace from other lower density uses. The site was previously industrial and therefore a significant driver of employment type land uses. There are limited lands to provide significant employment in the Town, highlighting the importance of providing a mix of uses (retail and commercial lands and residential) in a compact built form, where feasible.

Staff are further of the opinion that the proposed density and built form massing have been suitably accommodated on the subject site and is physically compatible with the surrounding neighbourhood context. The development has proposed appropriate

setbacks and sufficient parking. Staff are satisfied that municipal servicing and traffic can be accommodated, and wind impacts and sun/shadow impacts have been appropriately mitigated. With respect to infrastructure requirements, staff note that growth-related infrastructure improvements are funded by development charges; these are paid for by developers and not existing taxpayers.

Planning staff conclude that the proposal represents an appropriate scale and intensity of development that considers the transition to the existing neighbourhood context in a compatible and sympathetic manner. Further, staff are of the opinion that the development contributes to a complete community by providing a mix of uses and unit styles appropriate for varying lifestyles and abilities including seniors, persons with disabilities, and families.

Traffic and Parking Concerns:

- Concern related to traffic congestion
 - Congestion already exists and will also be exasperated by other developments in the Prudhommes area
 - Concerns related to higher volume of traffic on service roads and QEW, especially at peak times, holidays, and when accidents occur
 - Concern that traffic signalization at Victoria Ave N. and North Service Road will not alleviate traffic congestion
 - Concern regarding access for emergency vehicles, within the local neighbourhood and also the greater area (i.e. QEW and service roads). What if Victoria Avenue is impassable?
- Concern regarding entrance being only on the south side of the development, adjacent to 3 existing homes
 - Noise, light, privacy impacts for these property owners
 - It will be difficult to enter/exit from nearby residential driveways along Victoria Ave N.
- Concern that parking is insufficient
 - There is no transit and residents of the proposed development will be auto-dependent
 - 1 vehicle per residence is unrealistic
 - Concern regarding reduced parking stall sizes
 - Consideration should be made to restrict hours for on-street parking in front of the proposed development
 - Concern regarding overflow parking potentially occurring on streets in Victoria Shores; should consider on-street parking permits for Victoria Shores residents only

Staff Response re: Traffic: The Applicant was required to submit a Transportation Impact Study to determine whether traffic generated by the proposed development can be satisfactorily accommodated by the surrounding road network. The TIS concludes that traffic movements at the proposed site access and surrounding road network can be supported from a transportation operations perspective. The study found that certain

improvements such as: signalization of the Victoria Ave N. & North Service Rd. and the QEW Niagara bound ramp, as well as signal timing optimization of existing intersections in the area, can improve existing and future traffic movements.

As noted in the Traffic analysis section of this report, Niagara Region is planning an Environmental Assessment (EA) for 2025 which will comprehensively consider the traffic impacts of planned growth in the area, including the proposed subject development. The EA will recommend improvements to address traffic needs in the area in the short- and longer-term.

Regarding emergency vehicle access, Fire Department staff have ensured that appropriate turnarounds and fire truck ingress/egress have been appropriately planned for the proposed development. Furthermore, an emergency-only vehicle access via the Prudhommes Landing Subdivision will be constructed east of Edgewood Crescent and Dustan Street to provide an alternate exit route from the subject lands and surrounding area to North Service Road.

With respect to concerns regarding the impact of the proposed driveway on nearby residential driveways along Victoria Avenue N., the Applicant has proposed an additional driveway access to the structure parking garage. The Applicant has also proposed a reduction in overall density of the development. As a result of these changes, the amount of traffic entering the site at the southerly driveway will be reduced. The Applicant is also exploring landscape, fencing, and potential noise wall options in the vicinity of the southerly property boundary to further mitigate impacts of vehicle traffic to existing residential dwellings. This detailed design matter would be reviewed further at the Site Plan Control stage if the current planning applications are approved.

Staff Response re: Parking: As noted earlier in this report, the Applicant has revised their proposal to increase the overall parking ratio provided.

With respect to concerns regarding the Town's residential apartment parking requirements of 1 space plus 0.1 visitor space per apartment unit in a mixed use development, staff note that this parking rate was established as part of the Town's Comprehensive Zoning By-law Review project in 2022. A parking review was conducted by WSP for the zoning review which found that Lincoln has a 0.98 vehicle ownership rate per apartment household in Lincoln, as per the latest data available from the Transportation Tomorrow Survey at the time (2016). Based on this data as well as a review of apartment parking requirements in other municipalities, a parking ratio of 1.0 spaces per dwelling unit for residents has been determined to be adequate to address resident parking demand.

Staff are of the opinion that the proposed parking is adequate to address resident, visitor and commercial parking demand generated by the proposed development on-site. While overflow parking on local roads is not expected, the Applicant has proposed the installation of dedicated on-street parking along Victoria Avenue North. Staff note that

through the Site Plan Control process, evaluation of on-street parking restrictions and/or on-street parking permits in the neighbourhood will be considered further.

Environmental Concerns:

- Concern regarding destruction of wildlife habitat
 - Concern for migratory birds and bird safety
 - Concern that users of the multi-use trail will not maintain appropriate distance to the creek and neighbours on the east side of the creek
 - Overall tree loss on property; impacts of construction on trees to be retained next to the creek;
- Concerns regarding stormwater quality controls and impacts to Lake Ontario
- Comments on proposed landscaping plan
 - More plantings should be proposed
 - Tree planting plan includes invasive species and species which are not drought tolerant
 - The waterfront edge is designed with hard armour stone and walkway, without any plantings and native species for migrating species like butterflies and songbirds
 - Provision of lots of outdoor spaces and natural looking exterior aesthetics and materials is positively noted
 - Reflecting pond/skating rink has little value when winters are not cold enough for long, potential maintenance problems; fountain with seating is a better idea

Staff Response: The Applicant was required to submit a Scoped Environmental Impact Study (“EIS”) to establish the extent of natural heritage features on the subject lands for protection. The EIS also assesses the potential impacts of the proposed development on the environment and significant features and functions, proposes opportunities for enhancement and restoration of significant features, and evaluated mitigation measures to prevent or minimize impacts.

Through the EIS study and in consultation with Niagara Region, Niagara Peninsula Conservation Authority, and Town technical staff, the proposed Environmental Conservation Zone limit has been determined to protect the Prudhommes Creek watercourse, its associated valley land, the Lake Ontario shoreline, and woodland features on the site.

Furthermore, the EIS has recommended several mitigation and restoration measures which will protect and enhance the existing natural heritage features on the site. These will be required to be implemented through Site Plan Control and includes the following:

- Restoration plan for Prudhommes Creek watercourse and buffer with native plantings to stabilize riparian areas to provide flood and erosion control, provide shading opportunities to reduce thermal loading, and build a more resilient Natural Heritage System
- Installation of thorny plant material along the eastern limit of the passive recreational use pathway to discourage humans from interacting with the NHS
- Installing and monitoring tree protection fencing and Erosion and Sediment Control

- (ESC) measures along the proposed development limit prior to ground disturbance
- Following Best Management Practices (BMPs) for undertaking construction activities within the vicinity of natural areas (e.g., regularly clean construction equipment to limit spread of invasive species, prepare a spill action and response plan, fell trees away from retained features);
- Complete construction activities outside of sensitive wildlife windows (e.g., cool to warmwater fisheries windows), when working within or immediately adjacent to sensitive habitats
- Invasive species management to increase the health of the existing system (e.g., vegetate buffers with native plant materials);
- Incorporate wildlife enhancement structures within the NHS to provide additional habitat availability or enhance existing habitats
- Direct new lighting away from the NHS to avoid impacts to wildlife activities. Lighting should follow the City of Toronto's Best Practices for Effective Lighting strategy (2017) to incorporate bird friendly solutions
- Consider usage of educational signage or brochures to educate residents about the importance of maintaining a strong and resilient NHS
- Where encroachments are proposed, determine whether compensation for the loss of area is appropriate
- Conduct construction and post-construction monitoring to ensure mitigation and restoration measures are functioning as designed
- To slow the spread of invasive species (such as Emerald Ash Borer), all trees required to be removed (not just Ash) should be disposed of locally to reduce transportation to other local municipalities
- Plant replacement trees for trees proposed to be removed in accordance with the Town's Tree Preservation and Replacement Policy
- Install a Tree Protection Zone (TPZ) for tree preservation
- Monitoring of the TPZ should be conducted or supervised by a Certified Arborist prior to and during construction to ensure compliance with tree protection guidelines; and
- Preparation of a Monitoring Plan to complement the restoration plan and incorporate invasive species management.

The EIS concludes that a no negative impact threshold can be met with the various mitigation and restoration commitments that have been recommended. Staff agree with the conclusions of the EIS and note that mitigation measures will be required to be met through the subsequent Site Plan Control process. This includes enhanced tree plantings throughout the Prudhommes Creek Open Space corridor, as well as considerations for enhanced plantings along the shoreline.

As summarized in the Municipal Servicing section of this Report, all stormwater discharge from the site will be treated for quality at the most stringent level of protection prior to discharging into Lake Ontario (MECP Enhanced Protection Level 1). Town staff have confirmed that particulates and dissolved contaminants, such as suspended solids, hydrocarbons, nutrients, metals and other common pollutants will be filtered, trapped and

absorbed through a stormwater treatment device and will not be discharged into Lake Ontario.

Staff note that comments regarding the proposed landscape plan and detailed design will be addressed further, through careful and strategic consideration from an environmental and biodiversity perspective, at the subsequent Site Plan Control stage.

Other Concerns:

- Concern regarding housing affordability
- Concern unit sizes are too small and undesirable
 - more families are squeezing into small spaces due to unaffordability
 - units should be larger to attract similar like-minded residents to the Victoria Shores community

Staff Response: The development proposal comprises of 346 residential units, with a mix of units as summarized below. Apartment dwelling units represented only 7.3% of all housing unit types in Lincoln in 2023 (Town of Lincoln DC Background Study, 2024). From a housing standpoint, the proposal represents a range of unit sizes, adding to the overall diversity of housing stock in Lincoln, as encouraged by Provincial and Town planning policies. Staff note that unit sizes are not regulated in the Town’s Zoning By-law; this is a standard practice among municipalities. Instead, unit sizes are primarily determined by market conditions and are demand driven (i.e., units of sizes that are not marketable simply will not be produced). Staff are of the opinion that the proposed unit mix and sizes appropriately balances market demand and the desire to accommodate a diverse range of household sizes, types and affordability levels that are not currently offered much in the Town.

Staff are of the opinion that the proposed development responds to the growing needs for residential uses in the Town of Lincoln and contributes to a vision for sustainable community development to accommodate everyone.

TOTAL RESIDENTIAL - UNIT MIX

| 4.3 TOTAL RESIDENTIAL UNIT MIX SUMMARY | | | | | |
|--|-----------|----------|-------------------|---------------|----------------------|
| Name | No. Units | Unit Mix | Avg Area | Avg Area (SF) | Total Area |
| 1B | 202 | 58% | 50 m ² | 533 SF | 10009 m ² |
| 2B | 88 | 25% | 64 m ² | 689 SF | 5637 m ² |
| 3B | 29 | 8% | 81 m ² | 875 SF | 2358 m ² |
| TOWN | 27 | 8% | 54 m ² | 581 SF | 3026 m ² |
| | 346 | 100% | | | 21030 m ² |

Agency and Staff Development Coordinating Committee Comments

The Zoning By-law Amendment and Official Plan Amendment applications were circulated to relevant government agencies and Town departments. The proposal was revised by the Applicant and subsequently circulated to Town departments and agencies for review and comment in October 2024. The following comments have been received with respect to the latest submission as of the preparation of this report:

- **Niagara Peninsula Conservation Authority (NPCA)** has advised that it is supportive of the proposed Official Plan and Zoning By-law Amendments. The proposed “Environmental Conservation” Zone is an appropriate overlay which will protect the hazard limits as identified in the Geotechnical and Coastal Reports, as well as the EIS.

The proponent is reminded that prior to the commencement of works on site, review and approval shall be granted from the NPCA. Future designs shall be in accordance with NPCA Policies and shall remain outside of the hazard limits. Only specific aspects could be permitted within hazard limits (i.e.: passive recreation, shoreline protection).

- **Niagara Region Planning and Development Services (NR)** staff have no objections to the proposed Official Plan and Zoning By-law Amendments, as it is consistent with the PPS and conforms to Provincial and Regional policies.

Regional staff provided comments with respect to the Natural Environment System, Site Condition, Traffic, and Servicing as briefly summarized below:

- The Scoped EIS characterized the Natural Environment System features and assessed potential impacts associated the proposed development to demonstrate that there will be no significant negative impacts to the features and associated ecological and hydrological functions.

Regional staff visited the property on December 13th, 2022, and confirmed that the cultural woodland limit as identified in a circulated Ecological Land Classification (ELC) figure adequately identified the feature boundaries.

Regional staff are satisfied that the proposed Official Plan Amendment and Zoning By-law Amendment schedules sufficiently illustrate the extent of NES features and recommended buffers within an appropriately restrictive environmental designation and zone.

Regional staff note that implementation of the recommendations and mitigation measures outlined in the EIS, including but not limited to the preparation of a woodland enhancement plan, will be required to be addressed as part of any future Site Plan applications.

- Regional staff note that the subject lands were previously used for industrial purposes. Under the Environmental Protection Act, and more specifically Ontario Regulation 153/04, the proposed change in use from an industrial use to a more sensitive mixed/residential use requires the filing of a Record

of Site Condition (RSC) on the MECP Brownfields Environmental Site Registry, prior to the proposed change in use occurring.

Town staff note that the filing of an RSC will be required through the subsequent site plan approval process and/or building permit process.

- Regional staff have reviewed the updated Transportation Impact Study (TIS), prepared by C.F. Crozier & Associates (dated October 2024), and have no concerns with respect to the findings. Regional and Town staff have been in discussions related to the overall improvements required in this area. The Region and Town will continue discussions regarding the road infrastructure in the area and will work with Ministry of Transportation (MTO) to complete the EA and implementation of any upgrades, when required.
- Regional staff note that the Laurie Avenue Sewage Pumping Station will service the proposed development and the upgrade project has been tendered.
- **Enbridge Gas Inc.** does not object to the proposed applications.
- **Niagara Catholic District School Board** has provided the following comments:
 - At this time, sufficient space exists within the local elementary schools to accommodate additional students from the development as proposed. Although the impact of this development will be minimal, the local secondary school is operating near capacity and may not accommodate all students from new development.
 - Interim accommodation measures such as additional portables may be required to accommodate students resulting from the new development.
 - Please note, Educational Development Charges are to be collected on this new development prior to the issuance of building permit(s).
- The **Town of Lincoln Fire Department** has no outstanding comments relating to the proposed application.
- The **Town of Lincoln Development Engineering** have advised that detailed design regarding water, sanitary, stormwater management servicing, and the Victoria Avenue North urbanization will be addressed prior to development proceeding through the subsequent Site Plan Control process.

The proposed holding provision requiring sufficient water and wastewater services to be available to accommodate the proposed development to the satisfaction of the Town of Lincoln, is supported.

Conclusion:

As outlined in this report, Planning staff are of the opinion that the application is consistent with Provincial policy and conforms to the Regional Official Plan, Town Official Plan and Prudhommes Secondary Plan. The Applicant has refined the plan based on input received and further detailed design considerations will be addressed through the subsequent Site Plan process. Staff are of the opinion that compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, parking and amenity area so that a transition between existing and proposed buildings is provided.

Staff are further of the opinion that the proposed development will contribute towards a complete community, which is designed to meet the needs of existing and future residents. This includes providing a range of housing stock to accommodate a larger demographic; the provision of smaller and larger scale retail and commercial opportunities to provide residents with places to shop as well as potential employment opportunities; a large, open, and publicly accessible waterfront area; and a connected and walkable community via the provision of sidewalks throughout and connectivity to adjacent areas. Further, this area has long been envisioned as a destination area, providing a range of amenities that not only provide services to residents within, but also those coming from other communities to showcase Lincoln’s diverse offerings.

Based on the above, Planning Staff recommend approval of the Official Plan and Zoning By-law Amendment applications.

Respectfully submitted,

Melissa Shih
 Associate Director, Planning & Development
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 905-563-2799 Ext. xxx

Appendices:

- Appendix A Proposed Development Concept Plan, Floor Plans, Elevations and Landscape Plan
- Appendix B Comparison of July vs. December 2024 Concept Plans – Elevations, Sun Shadow Diagrams, and Building Renderings
- Appendix C Drone Photos from Subject Lands
- Appendix D Proposed Draft Official Plan Amendment
- Appendix E Proposed Draft Zoning By-law Amendment
- Appendix F Written Public Feedback (Received June 28, 2024, to Nov. 19, 2024)

Report Approval:

Report has been reviewed and approved by Director of Planning and Development. Final approval is by the Chief Administrative Officer.