



Subject:	Zoning By-law Amendment and Draft Plan of Subdivision Applications (Prudhommes Landing) by Prudhommes General Partner Inc. (FBH Group) CN: 3-5-02-03, Application: PLZBA20180149 CN: 3-5-02-05, Application: PLSUB20180148
To:	Planning & Economic Development Committee
From:	Planning and Development Department

Report Number:	PD-57-19
Wards Affected:	Ward 3
Date to Committee:	Monday, July 15, 2019
Date to Council:	Monday, July 22, 2019

Recommendations:

1. THAT Council approve Zoning By-law Amendment Application PLZBA20180149 in the name of Prudhommes General Partner Inc.;
2. AND THAT Council approve Draft Plan of Subdivision Application PLSUB20180148 in the name of Prudhommes General Partner Inc., in accordance with the plan outlined in Appendix A and in accordance with the provisions of the Planning Act and regulations thereunder, subject to the conditions outlined in Appendix E;
3. AND THAT all parties be advised of Council's decision on the Draft Plan of Subdivision application in accordance with Provincial Regulations. (Note: Appeal period is twenty days from notice of decision);
4. AND THAT Council authorize the Director of Planning and Development be authorized to endorse the Draft Plan as 'approved' twenty days after notice of Council's decision has been given, provided that no appeals against the decision have been lodged;
5. AND THAT the applicant be advised that draft approval of this plan will lapse three years from the date of draft approval unless Town Council grants an extension of

the approval period. If an extension is requested, an updated review and revisions to the conditions of draft approval may be necessary at that time;

6. AND THAT Council enact and pass Zoning By-law XX attached as Appendix D of Planning and Development Report PD-57-19 to amend the zoning for the Prudhommes Landing development;
7. AND THAT Council deem that Zoning By-law XX conforms to the Official Plan for the Town of Lincoln; and
8. AND FURTHER THAT Council direct Staff to create an internal Liaison Working Group comprised of representation from Council and Town Departments to provide guidance and oversight over the subsequent planning process up to final approval of the plan of subdivision PLSUB20180148.

Purpose:

The purpose of this report is to provide a recommendation to Committee and Council regarding Zoning By-law Amendment and Draft Plan of Subdivision applications to permit the lands to be developed for a variety of land uses. The development is known as Prudhommes Landing.

Background:

1. Location

The subject lands, referred to as Prudhommes Landing, are located on the north side of North Service Road, east of Victoria Avenue (Regional Road No. 24). The lands are composed of part of Lots 21, 22 and 23, Broken Front Concession, in the former Township of Louth, and are municipally known as 3245, 3293, 3305, 3319, 3325, 3335, and 3339 North Service Road.

The lands are part of the Prudhommes Secondary Plan, possessing a lot area of 31.64 hectares (78.18 acres), out of the total 50-hectare Secondary Plan area. The lands contain two commercial buildings (Tim Hortons and Subway), and a barn and two houses (Antique Market) that are included in the heritage registry. The balance of the land is vacant, with a drainage channel located adjacent to the Victoria Shores neighbourhood and valleylands at the east side of the property.

Land uses surrounding the subject lands consist of:

To the north: Lake Ontario;

To the south: Vacant MTO and Esso lands, North Service Road, and the QEW;

To the east: Commercial use (Lakehouse Restaurant) and Jordan Harbour; and

To the west: Residential and industrial uses.

A map outlining the location of the lands is provided on the next page.

2. Background

The applicant submitted a complete Zoning By-Law Amendment (ZBA) application and Draft Plan of Subdivision application on October 3, 2018. An information report for the application was received at the Apr. 8, 2019 Planning and Economic Development Committee and a Public Statutory Meeting was held. As a result of comments received at Committee and Town departments, agency, and public comments, the applicant revised their plan. The revised proposal incorporates additional high-rise residential apartments (south portion of Block 6) and a larger employment land block (Block 22). A copy of the revised Draft Plan of Subdivision and Concept Plan is included as Appendix A and B.



Initial Prudhommes Plan (April 8, 2019)

- 1,173 residential units (net density of 80 units per hectare)

Revised Prudhommes Plan (July 15, 2019)

- 1,559 residential units (net density of 108 units per hectare)

Initial Prudhommes Plan (April 8, 2019)

- 40 single and semi-detached units
- 242 townhouse units
- 116 stacked townhouse units
- 775 mid- to high-rise units
- 0.53 ha employment block
- 2.70 ha commercial block
- 0.14 ha public square
- 7.8 ha parks and open space system
- 4.69 ha of municipal right-of-way

Revised Prudhommes Plan (July 15, 2019)

- 40 single and semi-detached units
- 165 townhouse units
- 206 stacked townhouse units
- 1148 mid- to high-rise units
- 0.788 ha employment block
- 2.59 ha commercial block
- 0.14 ha public square
- 7.96 ha parks and open space system
- 4.69 ha of municipal right-of-way

The Draft Plan of Subdivision proposes to subdivide the property to create 30 blocks, including those required for streets, parks, open spaces, and municipal services. The proposed public street network consists of a waterfront promenade street, main street, and a collector road system with three public road connections from North Service Road.

The development and internal servicing is proposed to be phased. The phasing plan is included as Appendix C.

The subject lands are designated in the Prudhommes Secondary Plan as Low-Rise Residential, Mid-Rise Residential, High-Rise Residential, Employment, Commercial Mixed Use, Main Street Mixed-Use, Natural Environment, and Parks and Open Space. The secondary plan establishes minimum (where applicable) and maximum building heights.

The Zoning By-law for the lands were established in 2006 and comprises of Residential Development (RD), General Commercial (GC(H), GC-18(H), GC-22(H)), Open Space (OS) and Environmental Conservation (EC). The application to amend the Zoning By-law (ZBA) proposes to establish site specific zoning provisions that implement the recently approved Prudhommes Secondary Plan (OPA No. 3) and reflect the proposed development.

As a result of urban design comments received from Niagara Region Planning and Development Services and extensive consultation with Town Planning and Development Services, revisions were made to the applicant's proposed ZBA. The proposed Zoning By-law Amendment is included as Appendix D and comprises of site-specific provisions relating to matters such as: yard requirements, minimum and maximum building heights, building setbacks, parking standards, density requirements, lot frontage and area requirements, and minimum landscaped open space requirements.

Report:

1. Planning and Development Staff Comments

The main considerations concerning the applications relate to land use compatibility with surrounding uses, density, parking, urban design, parkland development, servicing and traffic.

Land Use Compatibility:

The site is located adjacent to Victoria Shores neighbourhood, an established low-density area comprised primarily of one to two storey dwellings, including single-detached, townhouse, and fourplex building forms, and a private club.

Staff is of the opinion that the proposed development is sympathetic to the existing development pattern of the Victoria Shores neighbourhood. The existing low-density area is proposed to be buffered by a drainage channel with a minimum width of 12.0 metres, increasing to 15.63 metres at its southern end, in addition to a 7.5-metre rear yard setback for the proposed new residential dwellings. In terms of vehicular impacts, there will be no through traffic permitted directly to Victoria Shores. Proposed Street F will be utilized for emergency vehicle access only.

The proposed Zoning By-law Amendment adjacent to the existing neighbourhood would permit Single Detached, Semi-Detached, Duplex, Street Townhouse, Block Townhouse, Stacked Townhouse, and Maisonette Dwellings. The maximum permitted building height adjacent to the drainage channel would be 2.5 storeys up to 11.0 metres. As for landscape treatment, dwellings within Blocks 17-19 would require a minimum landscaped area of 25% of the front yard area, and Block 21 would require a minimum landscaped open space area of 30% of the block.

The proposed maximum building heights increase towards the east end of the lands in accordance with the heights established in the secondary plan. The Zoning By-law Amendment proposes a maximum height of:

- 6 storeys for the employment lands (Block 22), commercial lands (Block 23), and mixed use apartments on main street (Blocks 11, 13 and 15);
- 12 storeys up to 42.0 metres for the high-rise apartments in Blocks 6 and 8;
- 15 storeys up to 52.5 metres for Blocks 9 and 10; and
- A minimum height of 12 storeys and maximum height of 18 storeys up to 63.0 metres for Block 1.

Adjacent Development Lands:

MTO owns approximately 0.74 hectares of land outside of the proposed draft plan, south of Blocks 21 and 22 and across from the QEW westbound ramp terminal. The applicant is pursuing the purchase of MTO lands for an additional 25 townhouse units and 0.26 hectares of employment lands (shown on Location Map on page 3 and Appendix B Proposed Concept Plan). Town Staff, with support from MTO Staff, are recommending

a condition of draft approval that requires the southern portions of Blocks 21 and 22 to be developed in conjunction with the lands currently owned by MTO. Once acquired, these lands would be subject to subsequent subdivision and site plan control.

Staff are recommending that the MTO lands be re-zoned to permit future townhouse (RM1-28) and employment land development (PI-7). The existing zoning is GC-18(H) and the proposed zoning corresponds with Block 21 (RM1-28) and Block 22 (PI-7).

Lands south of Block 6 are also located outside of the proposed draft plan. Lands adjacent to Block 6 are owned by MTO (0.61 hectares) and lands at 3221 North Service Road (0.64 hectares) are privately owned. A zoning amendment for these lands would be required prior to any future development.

Density:

The proposed development comprises of an estimated 1,559 residential units and achieves an overall net density of 108 units per net hectare. This corresponds with Official Plan policy for High Density Residential uses, which shall have a minimum net density of 50 units per hectare and a maximum net density of 120 units per hectare, unless a higher density is in an approved secondary plan. The proposed development is expected to accommodate 3,000 residents; this is within the secondary plan's expected range of 2,800 to 6,300 new residents for the entire secondary plan area.

Provincial, Regional, and Municipal planning policies require intensification within delineated built-up areas. Regional policy requires the Town to achieve a 40% intensification target within delineated built-up areas. The proposed residential densities in the development are consistent with the Growth Plan and Official Plan and will contribute to intensification targets.

Parking:

The provision of adequate parking, including visitor parking, was raised as a concern during public consultation. The Zoning By-law current parking standard does not include visitor parking requirements. Planning Staff conducted a review of parking standards and studies from municipalities across the Greater Golden Horseshoe Area and have made the following recommendations for the proposed development as a result:

- Include a zoning provision requiring visitor parking spaces for townhouse blocks at a rate of 0.3 spaces per unit and apartment dwelling units at a rate of 0.25 spaces per unit. These visitor-parking requirements would add an additional 287 parking spaces for the proposed number of apartment dwelling units compared to current Zoning By-law parking standards. It is important to distinguish this provision, as the current Town Zoning By-law does not include any visitor parking requirements.

- Include a zoning provision permitting public parking spaces on a private lot to be counted toward the required number of visitor parking spaces on a lot. This is intended to encourage the provision of public parking throughout the subdivision.
- Include a zoning provision requiring townhouses that have frontage on a public road to be accessed from a rear lane. This will maximize the frontage along public roads for the provision of on-street parking spaces.
- The following clause be implemented in the required Subdivision Agreement:
“The Owner acknowledges and hereby agrees to include in all offers of purchase and sale agreements the following clauses: Purchasers/tenants acknowledge that garages provided are intended for use as parking. It is the responsibility of the owner/tenant to ensure that their parking needs (including those of visitors) can be accommodated on site. Public on-street parking is provided on a “first come, first serve” basis and cannot be guaranteed in perpetuity.”
- Include a zoning provision requiring a minimum of 0.15 enclosed long-term bicycle parking spaces for each dwelling unit in high-rise and mixed-use apartment buildings.
- Include a zoning provision requiring a minimum of 1.0 short-term bicycle parking space for each 1,000 square metre of gross floor area in the commercial and employment blocks, up to a maximum of 20 bicycle parking spaces per lot.

The following table summarizes the Zoning By-law current parking standard and proposed parking standard for the development:

Dwelling Type	Current Minimum Parking Standard	Proposed Minimum Parking Standard
<ul style="list-style-type: none"> • Single Detached, • Semi-Detached, • Street Townhouse Dwellings 	2.0 spaces per unit = 166 spaces required	2.0 spaces per unit = 166 spaces required
<ul style="list-style-type: none"> • Block Townhouse • Stacked Townhouse • Maisonette Townhouse Dwellings 	2.0 spaces per unit = 656	1.25 spaces per unit plus 0.3 visitor spaces per unit = 509
<ul style="list-style-type: none"> • Apartment Dwelling 	1.25 spaces per unit = 892	1.25 parking spaces per unit plus 0.25 visitor parking spaces per unit = 1070

<ul style="list-style-type: none"> Apartment Dwelling in a Mixed Use Development 	1.0 spaces per unit (in addition to the requirements for other uses in the development) = 435	1.0 spaces per unit plus 0.25 visitor spaces per unit (in addition to the requirements for other uses in the development) = 544
<ul style="list-style-type: none"> Total Residential Parking Spaces Required for Proposed Development (excludes non-residential parking requirements and on-street parking) 	2149 parking spaces	2289 parking spaces

The proposed development is comprised of a mix of uses that will have different peak demand times. Specifically, while commercial establishments are open, the residents and their visitors in the subject building will likely be away at their place of employment, thus freeing up spaces for customer traffic. Likewise, in the evenings, some commercial uses may be closed when the residents return home. This will allow for the possibility of shared on-site parking by different users at different times of day. In addition, the proposed development includes a large proportion of stacked townhouse and apartment dwellings, which are typically smaller than other residential dwelling forms. Smaller dwelling units typically generate lower parking demands.

Staff consider the mixed-use nature of the proposed development and the parking standards required by the recommended Zoning By-law as sufficient to accommodate the parking demand generated by the development.

In addition, from a parking standpoint it is important to note that employment type uses may be closed during weekday evenings and on weekends and therefore can provide opportunities for visitor parking during these times. This will benefit potential visitors to the main street and waterfront park since the entire plan of subdivision supports active transportation and is therefore walkable.

Snow Storage and Removal:

The proposed development will be accessed via new public roads and private lanes. The Town will be responsible for snow clearance on public right of ways. Private snow removal services will address snow clearance on private lanes. Staff are of the opinion that snow can be stored as necessary along boulevards and within the recommended ZBA required areas for flankage yards, planting strips and landscaped open spaces. Staff consider the proposed configuration of the draft plan to be acceptable and that snow removal service levels can be achieved for this development. Through subsequent planning approvals, Staff will confirm that sufficient areas are available to accommodate snow removal.

Urban Design:

The applicant submitted a preliminary Urban Design Guidelines report which describes the design strategy for the proposed development. Staff are recommending that a condition of draft approval be included which will require submission of a final Urban Design Guidelines in accordance with the design direction provided in the Prudhommes Secondary Plan, the Official Plan and Regional Complete Streets guidelines, for review and approval by the Town. Staff will ensure that the guidelines provide design direction for an enhanced streetscape and will address built form requirements such as sun/shadow impacts, pedestrian scale, materials, gateway locations, etc.

Staff are recommending a provision in the Subdivision Agreement that requires the Owner's Control Architect to follow the Urban Design Guidelines for each dwelling unit. Staff will ensure conformity with approved Urban Design Guidelines through review and approval of subsequent subdivision and site plans, prior to the issuance of building permits.

Staff are also recommending site specific zone provisions that incorporate urban design policies such as: a requirement that the garage door not dominate the streetscape; a minimum 2.0 metre step-back above the third storey for tall buildings; maximum lengths for building walls; and building façade glazing requirements.

The proposed development includes mid-rise and tall buildings with high densities. Planning Staff conducted a best practices review of design guidelines for other successful urban areas that have achieved a similar desired built form. This review has informed Staff recommendations for site specific zone provisions that ensure appropriate building separation, sufficient landscaping, and the provision of adequate amenity areas so that the use of one property does not infringe on the rights of adjacent neighbours. Recommended zone provisions include: a minimum of 6.0 square metres of outdoor space per dwelling unit for block townhouse, maisonette, and stacked townhouse dwellings; a minimum amenity area of 4.0 square metres per dwelling unit for high-rise apartments; minimum 4.5 metre planting strips adjacent to North Service Road; minimum landscaped open space requirements; and yard setbacks of 50% of the height of tall buildings that are adjacent to zones with lower building heights.

Parkland Development:

Blocks 2, 4, 5, and 20 comprise 4.04 hectares of land and are proposed to be conveyed to the Town for environment conservation, open space, and stormwater management purposes. Block 20 is proposed to include a re-constructed drainage channel and public trail. Block 4 is comprised of valleylands. Blocks 2 and 5 is comprised of the Lake Ontario shoreline and bluff. Staff are recommending that a condition of draft plan approval be included requiring vegetation and wildlife restoration and enhancement for these blocks, subject to review and approval by the Town and NPCA.

The applicant is proposing to dedicate Block 14 (.14 hectares) to the Town as an urban square, with detailed design to occur as a component of subsequent planning approvals. Block 12 is 3.92 hectares and is proposed to be dedicated to the Town for a waterfront

park and open space. The proposed waterfront park is located at the heart of the community and is expected to provide a full array of opportunities for events, public art, recreation, and passive enjoyment for visitors and residents. Staff are recommending that the subdivision agreement include provisions for the developer to provide the waterfront park block as part of the initial phase of development, in ready condition for finished park development and seeded as required. Staff are also recommending a provision in the subdivision agreement that requires a public trail along the waterfront. The detailed design and construction of the park is anticipated to occur after plan of subdivision approval.

The Erosion Hazard Limit located within Blocks 3 and 12 delineate the development setback. It comprises of the Lake Ontario shoreline area where erosion is expected to occur over 100 years, factoring in the proposed armour stone shoreline protection works, plus a stable slope allowance. NPCA regulations do not permit new buildings within the Erosion Hazard Limit. Trails and other passive park uses may be permitted within the Erosion Hazard Limit, subject to NPCA approvals. Staff are recommending a condition of draft approval that requires detailed shoreline protection design plans to be finalized for review and approval by the Town, NPCA, and MNRF.

The current policies of the Planning Act require the dedication of 1 hectare for every 300 dwelling units and 2% of land developed for commercial and industrial purposes, pursuant to Sections 42(1) and 42(3). Bill 108 recently received Royal Assent on June 6, 2019, and repeals Sections 42(1) and 42(3) on a date to be determined. Bill 108 allows municipalities to pass a community benefits charge (CBC) by-law as of January 1, 2020 with respect to parkland dedication, cash-in-lieu of full dedication, soft services, and density bonusing. A CBC cap will be determined by the Province based on percentage of land value. Staff are recommending that the terms and conditions of parkland dedication be determined as a condition of draft plan approval.

Municipal Servicing:

The applicant has submitted a Functional Servicing Report that assesses the feasibility and functionality of municipal servicing requirements at a preliminary design level. This includes the stormwater drainage channel, Silva Cell stormwater quality control system, sanitary system, and water servicing. Subsequent to draft plan approval, the applicant will continue to work with the Town's Engineering Services for final acceptance of the Functional Servicing Report. Staff are recommending that the servicing configuration for the lands receive final approval, to the satisfaction of the Town and agencies, prior to final subdivision approval.

The proposed development will require upgrades to: the Town's watermain system from Fourth Avenue to the subject lands, the Town's municipal sanitary sewer, and the Region's Laurie Avenue Sanitary Pumping Station and forcemain. These upgrades are currently in detailed design stage and are identified in the Region's and Town's Development Charges By-laws. Construction of the servicing upgrades are anticipated

to begin in 2020/2021 and best efforts will be made to coordinate timing with the proposed phasing of development. Subdivision grading and internal site servicing works may commence prior to completion of the servicing upgrades, subject to Town approvals.

Staff are satisfied that the recommended conditions of draft plan approval will ensure that any outstanding technical servicing matters are addressed prior to registration of the plan of subdivision.

Traffic:

The proposed development is anticipated to be phased over 10 years. The applicant submitted a Traffic Impact Study (TIS) which analyzed future traffic movements due to background growth and the proposed development to 2040. As per the TIS, the proposed internal subdivision road network has acceptable traffic movements. The proposed development will have an impact on traffic throughout the nearby external road network. Niagara Region has jurisdiction over Victoria Avenue, North Service Road and South Service Road. The Ministry of Transportation (MTO) has jurisdiction over the QEW ramps and the MTO permit control area which extends 395 metres from the intersection of QEW and Victoria Avenue, as well as 46 metres from the QEW property line.

The TIS recommends mitigation measures to alleviate traffic impacts to the existing nearby road network as the proposed development proceeds in 2020, 2025, 2030, and 2035. The TIS provides a conservative analysis of future traffic operations, thereby leading to the possible over-design of recommended road improvements. The Region, MTO and the Town will provide further input to the applicant prior to finalizing the TIS; this will guide the final recommended future road improvements. The phasing of key recommended road improvements is summarized below.

<u>Year</u>	<u>Location</u>	<u>Recommended Improvement</u>
2020	• QEW Eastbound ramp	• Add southbound right turn lane
	• Victoria Ave & South Service Rd	• Add westbound left turn lane and optimize signal timing
2025	• QEW Westbound ramp	• Add northbound left turn lane
	• Victoria Ave & North Service Rd	• Signalize intersection
		• Add eastbound left turn lane
		• Add westbound through lane
	• Victoria Ave & South Service Rd	• Add northbound through lane
		• Add southbound left turn lane

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|------|---|---|
| | <ul style="list-style-type: none"> • North Service Rd & Block 23 (Commercial & Employment lands access) | <ul style="list-style-type: none"> • Signalize Intersection • Add eastbound left turn lane on North Service Road • Add westbound through lane on North Service Rd |
| 2030 | <ul style="list-style-type: none"> • QEW Westbound ramp & North Service Rd • QEW Eastbound ramp • North Service Rd & Proposed Street A | <ul style="list-style-type: none"> • Add another eastbound through lane • Add another westbound through lane • Signalize intersection • Add eastbound through and right turn lane • Signalize intersection |
| 2035 | <ul style="list-style-type: none"> • Victoria Ave & North Service Rd | <ul style="list-style-type: none"> • Add eastbound right turn lane • Add southbound left turn lane |

The Region has recommended a condition of draft approval that requires the Owner to undertake future traffic monitoring to ensure that the future improvements recommended in the final TIS are required once actual traffic patterns have been established.

To reduce dependence on the automobile and provide a transit-supportive and active transportation friendly environment, Town Staff are recommending a condition of draft plan approval be included requiring submission of a traffic and parking management plan that addresses traffic calming measures and potential local and/or regional transit bus stop locations.

Staff are satisfied that the recommended conditions of draft plan approval will ensure that any outstanding traffic matters are addressed prior to registration of the plan of subdivision.

2. Planning Policies Considered

The following section analyzes the proposed development in terms of applicable planning policies.

Municipal decisions affecting planning matters are required to be consistent with the Provincial Policy Statement (PPS 2014) and Growth Plan (2017). The subject lands are

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

The municipality is also required to ensure that proposed developments conform to the Regional Policy Plan. The responsibility for regulating land uses rests with the Town and the proposal is required to comply with the policies and land use designations of the Town of Lincoln Official Plan, including the recently approved Official Plan Amendment No. 3 (Prudhommes Secondary Plan) and the regulations of Zoning By-Law No. 93-14-Z1.

The following policies are particularly relevant to this application.

Provincial Policy Statement, 2014:

Of particular note is the opening of the PPS, Part V, Section 1 entitled “Building Strong Communities” identifies Ontario as a vast province with urban, rural and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario’s long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

The lands are located within a “settlement area” as defined by the PPS. Policy 1.1.3.1. identifies settlement areas as being the focus of growth and development, and their vitality and regeneration shall be promoted. Policy 1.1.3.4 promotes development standards which facilitate intensification, redevelopment and compact form. Policy 1.1.3.5 requires municipalities to establish and implement targets for intensification and redevelopment within built-up areas.

Policy 1.3.1 encourages municipalities to promote economic development and competitiveness through:

- Providing for a mix and range of employment and institutional uses;
- Providing opportunities for a diversified economic base including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses; and
- Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

Policy 1.4.3 requires municipalities to provide for a range of housing types and densities to meet projected requirements of current and future residents by:

- Establishing minimum targets for housing;

- Promoting densities for new housing which efficiently use land, resources, and infrastructure and public service facilities and supports the use of active transportation; and
- Establishing development standards for intensification, redevelopment and new development which minimize the cost of housing and facilitate compact urban form.

Policy 1.5.1(a) promotes healthy active communities by:

- Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- Providing for recreation facilities including parklands, public spaces, open space areas, trails and linkages; and
- Providing for public access to shorelines.

Policy 2.1 requires the protection of natural features. Policy 2.1.5 prohibits development and site alteration within significant valleylands unless it is demonstrated that there will be no negative impacts on the natural features. Policy 2.1.6 prohibits development and site alteration in fish habitat except in accordance with provincial and federal requirements. Policy 2.2.1(h) requires the protection, improvement or restoration of the quality and quantity of water by ensuring that stormwater management practices minimize volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces. Policy 2.6.2 does not permit development and site alteration on lands containing archaeological resources or potential unless the resources have been conserved. Policy 3.1 requires development to be located outside of hazardous lands adjacent to Lake Ontario and rivers and streams which are subject to flooding and erosion hazards.

Conclusion: The proposed development is directed towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It further promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use.

The plan provides a variety of housing types all within a more compact built form that also includes commercial, retail, and other employment land uses. This model forms a complete community that allows aging in place while creating an attractive destination to encourage vibrancy and enhance the Town's image. The plan promotes walkability, connectivity and integrated public space approaches and thus, encourages a more active and healthier lifestyle for its future residents.

Places to Grow: Growth Plan for the Greater Golden Horseshoe, 2019:

The lands are located within a “settlement area” and “delineated built-up area”, as defined by the Growth Plan for the Greater Golden Horseshoe (GGH).

The main goals of the GGH are to accommodate forecasted growth in complete communities. These are communities that are well designed to meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing options to accommodate a range of incomes and household sizes. Building compact and complete communities will help reduce greenhouse gas emissions and ensure communities are more resilient to the impacts of climate change.

Policy 2.2.2 of the Growth Plan directs municipalities to develop a strategy to achieve intensification throughout delineated built up areas which will:

- Achieve the desired urban structure;
- Identify the appropriate type and scale of development and transition of built form to adjacent areas;
- Identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- Ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and
- Prioritize planning and investment in infrastructure and public service facilities that will support intensification.

Policy 2.2.2 requires that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, a minimum of 50% of all residential development occurring annually within the Region will be within the delineated built-up area. Until the Regional Plan is updated and approved, the existing target of 40% intensification will apply. The subject lands are designated as Built Up Area and therefore will be required to contribute to the municipality’s intensification target.

Policy 2.2.6 states that municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.

Section 3.2 identifies key policies for infrastructure to support growth, including:

- Leveraging infrastructure investment to direct growth and development in accordance with the policies and schedules of the Growth Plan, including the achievement of the minimum intensification and density targets;
- Providing sufficient infrastructure capacity in strategic growth areas;

- Identifying the full life cycle costs of infrastructure and developing options to pay for these costs over the long-term;
- Considering the impacts of a changing climate; and
- Prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels.

Conclusion: The proposed development is consistent with policies that pertain to intensification of settlement areas to accommodate forecasted growth. It encourages a more compact built form than surrounding lands that will include a range of employment and housing opportunities while providing appropriate transition of built form as building heights are purposefully lower where they are adjacent to existing communities.

As such it is Staff's opinion that the development will implement direction from the Growth Plan by introducing varying forms of residential land uses supported by commercial/retail/employment land uses that minimizes reliance on the automobile through a more compact, walkable built form, while providing opportunities for further commercial/retail growth and tourism opportunity within the Town. The end result will be the development of a complete community where residents will be able to age in place.

Regional Official Plan, 2015:

Niagara Region is currently undertaking a comprehensive review of the Regional Official Plan, referred to as a Municipal Comprehensive Review (MCR). The MCR is expected to be completed December 2021.

The subject lands are located in the Region's Twenty Valley/Jordan Harbour Tourism Area and Prudhommes is identified as a key attraction here. As per Objective 2.C.1.1, attractions are intended to:

- Support sensitive and compatible development within the various communities that comprise the Twenty Valley/Jordan Harbour Tourism Area;
- Increase opportunities for shopping, eating and accommodation and to provide an enhanced experience of the valley and its environs for visitors;
- Build enhanced landscape amenities to support recreational and educational experiences; and
- Increase the diversity of visitation experiences for a wide range of agri-tourism and natural and cultural heritage choices, for all interests and in all seasons.

Policy 2.B.2.10 encourages opportunities to realign sections of the Waterfront Trail to bring it closer to Lake Ontario. Where development of lakefront land is proposed a strip of land along the shoreline above the stable top-of-bank should be dedicated by the landowner to a suitable public agency to form part of the Lake Ontario Waterfront Trail.

Policy 2.C.2.9 requires the Town of Lincoln, supported by the Niagara Peninsula Conservation Authority, to identify and protect the Waterfront Trail and the uncompleted portions of the Twenty Valley Trail in its Official Plan, Zoning By-law and in all its subsequent planning decisions. Policy 2.C.2.10 states that the Waterfront Trail, when implemented, should maximize public access to the Lake Ontario shoreline and consider the following:

- The broad public interest in the development of a trail that provides recreational opportunities for local residents and supports tourism development;
- The rights of private property owners;
- The protection and enhancement of sensitive natural heritage areas, agricultural areas and of local heritage resources; and
- Shoreline protection measures may be included in area development plans for maintaining long term stability along the Lake Ontario shoreline which will assist to facilitate “Smart Growth” initiatives in maximizing area land use and development opportunities.

Natural Environment Policy 7.4.5 includes the following objectives where major development is proposed along Niagara’s shorelines:

- a) Public access to the shoreline shall be provided;
- b) Efforts shall be made to maintain a view of the shoreline from beyond the development;
- c) Where feasible the shoreline should be maintained in, or restored to, a naturally vegetated state; and
- d) Suitable shoreline lands should be dedicated, where possible, to an appropriate public agency where such lands would provide public benefits or are identified as part of a planned public trail system. Normally these lands shall be located above the stable top of bank.

Policy 4.I. specifies that mixed use areas should be planned to:

- Accommodate a variety of housing types, with an emphasis on providing opportunities for medium and high density residential development;
- Allow for the mixing of land uses at several scales. Land use could be mixed within neighbourhoods, blocks, parcels and buildings;
- Accommodate a variety of transportation modes, including walking, cycling and transit; and
- Direct particular attention to providing an attractive streetscape environment and public realm. A higher quality of public realm design is expected for mixed-use

areas compared to other residential areas, as mixed-use areas often have a higher proportion of public space as compared to private space.

The Regional Official Plan designates the subject lands as 'Built Up Area' on Schedule A – Regional Structure. As per Regional Policy 4.C.4. the Town has been assigned an intensification target of 40%. Accordingly, a minimum of 40% of all residential development occurring in the Town will be directed to the Built-up Area until the completion of the MCR.

Conclusion: It is Staff's opinion that the proposed development is consistent with the policies and direction of the Regional Official Plan. It will provide a highly walkable space and continuous Waterfront Trail that will connect compact built form, park amenities and naturalized areas. The built form will consist of a range of land uses in support of intensification and a complete community, including a high quality public realm coupled with attractive urban and architectural design, a further focus during subsequent detail design.

Town of Lincoln Official Plan:

According to the Town Official Plan, the subject lands are designated as part of the Prudhommes Urban Area and Built-Up Area. The lands are located within the Prudhommes Secondary Plan area and are designated for residential, commercial, and employment development, along with natural environment and parks and open space uses in the Secondary Plan.

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

- Encouraging local employment so residents can work in close proximity to home;
- Encouraging the development of neighbourhoods which 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; and
- Providing for housing that is affordable to the community and diverse in an effort to accommodate the broadest range of income levels.

Section 1.4 references Regional growth studies and identifies numbers of new residents and employment opportunities that will need to be accommodated by the Town during the life of the Official Plan.

Section 1.6.4 states that intensification is an appropriate means of accommodating growth since it makes better use of existing serviced land and that the increase in housing

units and employment created by intensification is also considered a good approach to maintaining and improving vibrancy in a community.

Prudhommes Secondary Plan:

The process to update the Prudhommes Secondary Plan involved several public and stakeholder consultation sessions. Significant focus was spent throughout the secondary plan process to ensure input received was properly incorporated into the plan to guide future planning approvals, including the subject applications. The Prudhommes Secondary Plan (OPA 3) was adopted by Town Council on April 16, 2018, and approved with modifications on July 26, 2018, by Niagara Region Council. The Secondary Plan provides a vision and planning framework that will guide development of a complete community. It includes policies that set land use designations, permitted uses, and 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 Secondary Plan encourages and supports the creation of a complete, sustainable community that is a successful, diverse, walkable, and mixed-use waterfront neighbourhood. The vision for Prudhommes is to be an exciting and evolving destination within Niagara Region that will leverage the Twenty Valley Tourism Area, and demonstrate best practices in community building – socially, economically, and environmentally.

As per Section 3.1.15.2.2.1, the vision statement is further articulated through the following direction to create:

- A central Main Street that terminates at a waterfront park with buildings that front, face, and feature the main street, the waterfront; and views to Lake Ontario;
- A well-designed and connected community of residential neighbourhoods that provide for a range of housing types, mixed-use developments, retail and service commercial uses, office uses, and community facilities;
- A connected system of natural features, promoting leadership in sustainability and green building technology;
- A height strategy that includes low-rise buildings at the west ends of the site, adjacent to Victoria Shores residential uses, with a distinct transition in height, getting taller toward the middle of the Secondary Plan Area. The tallest buildings will become landmarks, framing the views to Lake Ontario and Jordan Harbour;
- A public open space network that includes a waterfront park that is connected to the existing natural features and the community. Continuous public access along the waterfront shall be provided and will incorporate key connecting links to the planned street network;

- A multi-modal, active transportation network that promotes walking and cycling. The street network will be a highly interconnected network that could include public and private roads that promotes ease of access, orientation, and safety for pedestrians, cyclists, and motor vehicles; and
- A transit-ready community where development incorporates opportunities for any future GO Transit, intra-municipal, or other transit system investments. Any transit introduced into the area will be supported by the high quality public realm and appropriate built form.

With respect to development phasing and required servicing infrastructure, it is the intent of the Secondary Plan that growth shall occur in a logical, efficient, and fiscally responsible manner. As per Policy 3.1.15.2.3.2, primary factors to consider through the review of subsequent planning approvals in this regard include:

- Integration of new development within the planned community structure of the Secondary Plan, resulting in a contiguous, connected, and compact urban form;
- Provision of adequate municipal services (water, sanitary, stormwater) to accommodate the proposed growth in a cost-efficient manner;
- Provision of appropriate transportation facilities, and the availability of adequate capacity on the existing street network, including the interchanges with the QEW;
- Securement of natural features and the dedication of the designated Parks and Open Space lands into public ownership; and
- Provision and adequacy of educational and recreational facilities and other community services.

As per Section 3.1.15.2.3.2., the entire Secondary Plan area is expected to accommodate approximately 2,800 to 6,300 new residents and 1,200 to 2,500 new employees upon full build out. This is a population density of approximately 55 to 124 residents per hectare. The proposal for the 31.64-hectare subject lands comprises of a total of 1,559 residential units which equates to approximately 3000 residents and a population density of 95 residents per hectare.

The subject lands are designated in the Secondary Plan as Low-Rise Residential, Mid-Rise Residential, High-Rise Residential, Employment, Commercial Mixed Use, Main Street Mixed-Use, Natural Environment, and Parks and Open Space.

The Low-Rise Residential Designation permits ground related residential dwellings and may include single detached, semi-detached, duplex, street, stacked and block townhouse units, low-rise apartments, and secondary residential units. The maximum permitted building heights range from 2.5 to 3.5 storeys. The ground related form is intended to contribute to an acceptable height transition between new development and the existing houses in the Victoria Shores neighbourhood.

The Mid-Rise Residential Designation permits multiple dwellings and may include low-rise and mid-rise apartments, live-work units, institutional uses, and neighbourhood commercial uses. Minimum building heights are 2 storeys with maximum building heights ranging from 4 to 8 storeys, with stepbacks required above the third storey. These areas are intended to accommodate residential buildings that provide a more compact urban form and take advantage of the waterfront context and access to North Service Road and arterial roads.

The High-Rise Residential Designation permits multiple dwellings and may include high-rise apartments, live-work units, institutional, neighbourhood commercial, and hotel uses. Minimum building heights are 3 storeys and maximum building heights range from 12 to 15 and 18 storeys. The most easterly block is identified as a Landmark location and has a minimum building height of 12 storeys. Due to its prominent location, it is required to incorporate a distinguished built form, urban design and landscaping through iconic and special design treatments.

The Employment Designation permits office, service sector industries, banquet facilities, commercial recreation facilities, hotels, and ancillary service commercial uses that support the permitted employment use. It is intended that the area will attract employment generating land uses that can take advantage of the exposure along the QEW and include clusters of business and economic activities including, but not limited to, small and modestly scaled office space users.

The Commercial Mixed Use Designation permits retail, service commercial and restaurant uses up to 4,645 square metres of gross leasable floor area per individual use, office, mid- to high-rise residential units in a mixed use building, institutional use, hotels and banquet halls, commercial recreation facilities, places of entertainment, and places of worship. Automotive uses and drive-thrus are only permitted adjacent to North Service Road with specific design provisions. Minimum building heights are 3 storeys and maximum building heights are 6 storeys and 12 to 15 storeys. A maximum of two 1 storey buildings are permitted adjacent to the North Service Road to allow for gas station and drive-thru restaurant type uses.

A Major Gateway and Commercial Destination is identified in the Commercial Mixed Use Designation area, where Blocks 10 and 23 front onto Street A. This location is intended to provide opportunities for larger scale retail facilities in combination with residential development. The gateway feature is expected to be established primarily through architectural design and built form to provide an identity at the Street A and North Service Road intersection.

The Main Street Mixed-Use Designation permits retail commercial, mixed-use buildings, offices, hotels, cultural, recreational and entertainment, and institutional uses. These high activity uses are intended to animate the streetscape and encourage foot traffic to facilitate the development of a main street style shopping destination. The minimum

building height is 3 storeys and the maximum building height ranges from 4 storeys, 6 storeys, and 8 storeys. Stepbacks are required above the third storey.

As per Policy 3.1.15.2.7.4, the Main Street Mixed-Use Designation will:

- Promote a vibrant, inviting, and appealing atmosphere on these lands that will attract residents and new businesses, and encourage walking and cycling;
- Facilitate the development of a main street style shopping destination; and,
- Ensure that development within the Main Street is comprehensively planned to ensure that the impacts of servicing, access, loading, and parking can be adequately addressed.

A Main Street Destination identifier is specified in Policy 3.1.15.2.7.4g) and is intended to promote the location as a significant destination and the focal point of the Prudhommes community. A Minor Gateway feature is identified at the north end of the Main Street and is intended to be established through built form to link the Main Street to the water's edge.

The Natural Environment Designation is subject to Policies 3.8 of the Official Plan. Throughout the Prudhommes area, the Natural Environment Designation is intended to protect the health and water quality of the watercourses, conserve biodiversity, protect all significant natural features and their ecological functions, and protect surface and underground water resources. The boundaries comprise of lands within the Lake Ontario Standard Wave Action Offset Limit, valleylands, and lands within the 100-year floodline or wave uprush, whichever is greater. Permitted uses may include small-scale passive recreational uses, municipal infrastructure, conservation and flood control projects, shoreline protection works, forest, fish and wildlife management uses, and existing lawful uses.

As per Policy 3.1.15.2.8.2i), land dedication within these areas shall not be considered a component of the required land dedication for park purposes pursuant to the Planning Act. Portions of those lands used for trails and walkways may be considered a component of the required parkland dedication, subject to the approval of the Town.

As per Policy 3.1.15.2.8.2r), the westerly drainage channel is proposed to remain in a self-sustaining state, to serve multiple functions: as a transition between existing development and future development, as animal habitat, and as a watercourse and water quality enhancement feature. A width ranging from 12.0 metres to 18.0 metres is to be considered, in addition to a trail or trail connection along its length.

The Lake Ontario shoreline policies include the provision of appropriate public access to and along the water's edge and the establishment of views to the Lake that are maximized. As per Policy 3.1.15.2.8.2t), shoreline protection is required and the design should include vegetative areas and plantings where possible, habitat enhancement, naturalization of selected areas of the shoreline, and preservation of significant shoreline features and bioengineering stabilization of the shoreline slope, where appropriate.

The Parks and Open Space Designation identifies major public park spaces, due to their location and significance, merit recognition. Permitted uses include active and passive recreation uses, including public and private parks, museums, recreation facilities, beaches, playfields, conservation uses, and accessory commercial uses where appropriate and supportive of the primary recreational use. The parks and open space objectives are to provide a full array of opportunities for outdoor festivals, special events, public art, recreation and play, as well as passive enjoyment.

A Central Park Plaza is identified as a Minor Gateway and fronts on the Main Street, the Waterfront Promenade, and retail destinations and may include a pedestrian-priority street or woonerf. The Central Park Plaza should act as an extension of residents' outdoor living spaces and welcome visitors to the waterfront area as a tourist destination.

A key vision and objective for Prudhommes is to create a complete, sustainable community and to promote leadership in sustainability and green building technology. Policy 3.1.15.2.4 provides sustainability guidelines for all development to implement: green buildings, sustainability certification, accessibility requirements, Crime Prevention Through Environmental Design (CPTED) principles, urban forest cover, and opportunities for local food production. Policy 3.1.15.2.10.2 promotes stormwater management to be planned with best practices, including stormwater attenuation and re-use, and low impact development.

Policy 3.1.15.2.5 contains detailed urban design guidelines and policies for development blocks and lots, built form, relationship of buildings to streets and open spaces, utilities, and garage and driveway access. This will be implemented through the subdivision agreement and site plan approval processes. A design review by a control architect or urban design consultant shall be required as a condition of draft plan of subdivision, condominium and/or site plan approval, to ensure that the intent of the urban design guidelines and policies are maintained.

As per Section 3.1.15.2.9, the Secondary Plan area will produce a high level of connectivity through the development of a street network under the principles of 'complete streets', with appropriate facilities provided for pedestrians, cyclists, transit, and vehicles. The provision of transportation services are to be implemented through policies including:

- Street network objectives and right-of-way widths that are specified for North Service Road, Collector Roads, the Waterfront Promenade, the Main Street, and private or public Lanes and Local Roads;
- Transit-supportive design features in anticipation of a regional transit service, when population levels justify such a system, that has links to, between, and through major destinations within the community, and to the broader region;
- Provide for a balanced transportation system that promotes active transportation facilities to encourage walking and cycling;

- Require all development to contribute to the creation of a walkable and connected community with multiple destinations within walking distance of all residents through the street network and block pattern, sidewalk network, multi-use trails, lighting, traffic calming, transportation demand management, and the design of parking areas.

As per Section 3.1.15.2.10, development of the Secondary Plan area will require upgrades to the Regional sanitary system and Town watermain. Prior to development proceeding, the required improvements and timing shall be formalized.

Conclusion: Staff are satisfied that the proposed development conforms to the Official Plan and Prudhommes Secondary Plan. Further, Staff is of the opinion that the policies of the Official Plan will be appropriately implemented through the recommended conditions of Draft Approval and the proposed implementing Zoning By-law amendment.

3. Conclusion

The Town's urban area boundaries are surrounded by the Greenbelt, thereby limiting the availability of land to support projected growth targets. Planning policies of the Provincial Policy Statement, the Provincial Growth Plan, the Regional Official Plan, Town Official Plan and the Prudhommes Secondary Plan all require the majority of growth to occur through intensification and redevelopment within existing urban areas. The subject lands have been underutilized for many years and redevelopment will make more efficient use of the land and contribute to achieving growth targets in the Town. This is important from a long-range planning perspective due to Town lands being largely constrained by the Greenbelt and Niagara Escarpment Plan policies, thereby limiting development potential. The development proposes land use patterns, high densities, a diverse mix of uses, and a pedestrian friendly urban environment which supports transit and active transportation.

Staff is of the opinion that the Draft Plan of Subdivision and implementing Zoning By-law amendments are consistent with Provincial planning policies and conform to the Regional Official Plan, the Town Official Plan, and the Prudhommes Secondary Plan and therefore recommend approval of the applications, subject to the conditions of draft approval outlined in Appendix E. The conditions of draft approval will be implemented through the Subdivision Agreement and Site Plan approval processes. In order to address the conditions of draft approval it will be necessary for the lands to be developed in phases.

As outlined in this report, if the applications are approved, the lands would be subject to subdivision and site plan control prior to building permit issuance. Through site plan control the Town can further address issues such as urban design, parking, landscaping, servicing details, fencing, site drainage, grading and access, as well as conformity to the final Urban Design Guidelines. The lands would also potentially be subject to the planning process for establishing a condominium plan.

Processing Timelines:

Date of Receipt of Complete Applications: October 3, 2018

Processing Time: 9 months (285 days)

Section 34(11) of the Planning Act permits an applicant to file an appeal to the Ontario Municipal Board if Council refuses or neglects to make a decision on a Zoning By-law Amendment Application within 150 days of the submission of a complete application. Section 51(34) of the Planning Act permits an applicant to file an appeal to the Ontario Municipal Board if Council refuses or neglects to make a decision on a Plan of Subdivision Application within 180 days of the submission of a complete application.

The delay in processing these applications was a result of the need for the applicant to update their initial Traffic Impact Study, Functional Servicing Report, and Shoreline Protection Study and Plans. This was requested by Staff in order to further assess external traffic impacts, ensure adequate site servicing, and ensure resiliency of proposed shoreline protection methods. Staff conducted a particularly diligent review of the proposed development as it is one of the most significant from the Town's perspective and also for the entire Region and beyond and will result in a large influx of new residents and potential businesses to the Town.

Financial, Legal, Staff Considerations:

Financial: Town, Regional and Catholic School Board Development Charges are required to be paid prior to the issuance of a Building Permit. Any cash in lieu of parkland dedication fees are required to be paid prior to the issuance of a building permit.

Staffing: There are no additional staffing requirements anticipated as a result of the consideration of this report. However, the cumulative effect of increased development in the Town will impact current staff resources.

Legal: In the event that Council's decision regarding the application is appealed to the Local Planning Appeal Tribunal (LPAT), legal costs could be incurred by the Town.

Public Engagement Matters:

Agency and Staff Development Coordinating Committee Comments

The Zoning By-law Amendment and Draft Plan of Subdivision applications were initially circulated in October 2018 to relevant government agencies and Town departments. As a result of agency and Town department comments, the applicant made revisions that were re-circulated for review and comment as summarized below:

- **Bell Canada** has advised that the municipality and developer must ensure that the development is serviced with communication/telecommunication infrastructure and easements may be required. Requested conditions of draft approval have been incorporated into Appendix E.
- **Canada Post** has advised that the development will be serviced by community mailboxes and specific locations will be determined upon approval of the plan.

Canada Post has advised the applicant of their service requirements. Requested conditions of draft approval have been incorporated into Appendix E.

- The **District School Board of Niagara** has no objection to the applications and has advised that future students in this area will be accommodated at Twenty Valley Public School (Gr. JK to 8) and Beamsville District Secondary School (Gr. 9 to 12). Requested conditions of draft approval relating to sidewalks being constructed within the development have been incorporated into Appendix E.
- The **Ministry of Transportation (MTO)** has advised that the proposed development is within the ministry's permit control area and ministry building/land-use permit(s) will be required prior to any construction. MTO has advised of a minimum setback of 14.0 metres from the North Service Road for the proposed development.

The Ministry has requested conditions of draft plan approval relating to: MTO review and approval of the final stormwater management report (impacts to QEW right-of-way), review and approval of the Traffic Impact Study, and the owner's written confirmation of the on-going purchase of MTO property located southwest of the subdivision and across from the MTO ramp terminal. Requested conditions of draft approval have been incorporated into Appendix E.

- The **Ministry of Natural Resources and Forestry (MNRF)** has recommended that the shoreline protection design limits encroachment into Lake Ontario. MNRF has advised that the proposed design increases the footprint of existing groyne structures and as such will require additional engineering investigation prior to approval of a work permit. These comments will be addressed during subsequent detailed design stage.
- The **Niagara Peninsula Conservation Authority (NPCA)** has regulatory authority over works within and development setbacks from the Lake Ontario shoreline, easterly valleylands and westerly drainage channel. The NPCA has no objection in principle to the plan, however requires the following technical matters to be addressed as conditions of draft plan approval:
 - Finalizing the shoreline protection design in order to confirm the location of the Lake Ontario erosion hazard limit;
 - Additional slope stability investigations by a geotechnical engineer to confirm the Long Term Stable Top of Bank for the Lake Ontario shoreline and east valleylands; and
 - Marking the physical top of bank for the shoreline and east valleylands on-site by NPCA staff.

The NPCA has advised to the Owner that should Blocks 4, 5 or 12 be insufficiently sized to accommodate the hazard plus required setback, the Draft Plan may need

to be revised. The NPCA has also advised that shoreline protection works are required to be installed prior to development of the remaining site. NPCA conditions will be addressed at the subsequent detailed design stage, prior to final plan approval.

- **Niagara Region Planning and Development Services (NR)** support the proposed development and are satisfied that the plan is consistent with Provincial and Regional policy, subject to their required conditions of draft plan approval and following the satisfaction of any local requirements.

NR has provided comments with respect to Provincial and Regional Policy, Archaeological Potential, Potential Site Contamination, Noise Impacts, Core Natural Heritage, Urban Design, Servicing, Stormwater Management, Traffic, and the North Service Road - Regional Road Allowance.

NR has advised of the following conditions of draft approval:

- additional Archaeological Assessments;
- revise Phase Two Environmental Site Assessment;
- file a Record of Site Condition;
- implement requirements of the Environmental Noise Feasibility Study
 - o 1.8 metre high sound barrier in backyards where required;
 - o warning clauses in the Subdivision Agreement and Offers of Purchase and Sale;
 - o mandatory air conditioning for specified locations; and
 - o exterior wall and window construction specifications
- submit Detailed Noise Study;
- revise Urban Design Guidelines for review and comment;
- revise Environmental Impact Study;
- revise Functional Service Report; and
- revise Traffic Impact Study

NR has noted that the Prudhommes Secondary Plan identified two Candidate Natural Environment Protection/Conservations Areas and as per the submitted Environmental Impact Study, these areas do not meet the criteria for designation as Environmental Conservation Area (ECA) Significant Woodland per the Regional Official Plan.

NR has advised that the design of the Laurie Avenue Sanitary Pumping Station (SPS) upgrade has been scheduled for 2019/2020 with construction to follow in 2020/2021. The existing Laurie Avenue SPS has free capacity to support an initial phase of the development. NR has advised that the Regional project team for the

Laurie Avenue SPS upgrade will provide further comment to assist the applicant's phasing of development and coordinate the SPS upgrade accordingly.

NR has advised that stormwater runoff shall be treated prior to discharge from the site. NR has advised that further technical information is required in a revised Functional Servicing Report to ensure that quality criteria can be obtained via the proposed Silva Cell method for stormwater quality control. NR has advised that it will require detailed grading, storm servicing, and construction sediment control drawings for review and approval. These items will be addressed during subsequent detailed design.

NR Transportation Staff has provided detailed technical comments that are required to be addressed in a revised Traffic Impact Study (TIS). NR has advised that once the TIS is updated, functional designs of the proposed road upgrades will need to be provided to ensure the design can be constructed. NR has advised that a condition of draft approval is required for future traffic monitoring by the Owner to ensure that the assumptions and recommendations from the TIS are required once actual traffic patterns have been established.

NR has advised of necessary widening along the frontage of the subject property for the North Service Rd. road allowance, in accordance with the approved Regional Official Plan.

NR has provided conditions of draft plan approval that have been incorporated into Appendix E; this will ensure that any outstanding matters are cleared to the satisfaction of the Region.

- **Town of Lincoln Fire Department** has advised that the following items require provisions in the subdivision agreement: fire flow and water pressure requirements for public fire protection; access for emergency vehicles; emergency access to waterfront; fire access routes; and firebreak lot requirements.

The provision of adequate fire flows for the proposed development will require an upgrade to the municipal watermain. The Town is currently undertaking the design of the watermain upgrade with construction to follow.

- **Town of Lincoln Heritage Committee, 2018 (HC)** has advised of three historic structures on the subject property which appear on the Heritage Registry: the brick home, the large wooden barn with stone foundation, and the wooden worker's home.

The HC has advised that they would like to request a heritage assessment including photographs to be completed on all three structures prior to any construction or relocation of the buildings. A condition of draft plan approval has been included in Appendix E that requires heritage documentation to be completed as determined by the Town, prior to any building demolition or site redevelopment on Blocks 1 and 3.

- **Town of Lincoln Engineering Services** has advised of additional information that is required to be addressed in a revised Traffic Impact Study (TIS). Staff has advised of detailed design information that is required prior to final approval of the proposed Silva Cell stormwater quality control method. Conditions of draft plan approval have been incorporated into Appendix E to ensure that any outstanding matters related to traffic and stormwater management are cleared to the satisfaction of the Town.

Staff has advised that watermain upgrades are required in order to provide adequate fire flows to the development. The Town is currently in the design stage of the watermain upgrade, with construction anticipated to follow in 2020.

Staff has advised that the existing municipal sanitary sewer must be upgraded prior to the development's first sanitary connection. The construction of the municipal sanitary sewer upgrade will be coordinated with first phase of the development. Subsequent phases of development are required to be coordinated with Regional upgrades of the pumping station and forcemain in order to provide sufficient sanitary capacity for the development.

Planning Staff is of the opinion that the recommended conditions of draft plan approval in Appendix E address all agency requirements for the proposed development.

Public Comments

The Town hosted a Victoria Shores community stakeholder session on Mar. 7, 2019, attended by approximately 65 residents. A summary of comments received at this session were provided in planning report PD-26-19.

The Town hosted afternoon and evening open house sessions on Mar. 26, 2019, attended by approximately 50-60 persons. A summary of comments received at the open house and by e-mail are provided below.

A statutory public meeting was held on April 8, 2019; no public delegations were made to provide comment on the applications.

As a result of the March 26, 2019 open houses, the following comments have been received regarding the proposed development:

- Inquiries relating to timing of development; when can residential units be purchased
- Inquiries relating to the development providing rental housing, seniors housing, detached homes to live in
- Inquiries relating to properties east of the subject lands to be redeveloped?
- Positive reactions to the large public park and open spaces; trails; and mix of land uses across the development
- Concern with parking and visitors parking for high density areas
- Concern with tall building heights

- Does school board realize residential densities are proportional to Mississauga, Grimsby north?
- Construction noise should be limited by hours, on Sundays. During construction, major intersections such as North Service Rd and Victoria Ave N should be regularly cleaned
- Condo roads look narrow, especially to accommodate more than one emergency vehicle
- Has MTO provided any comments on the QEW interchange? What improvements are necessary to the interchange?
- New plantings and vegetation should be required to be native
- Drainage concerns for adjacent Dustan Street properties; look at drainage channel width, setback from drainage channel to new houses
- Concern that the proposed swale width of 12 metres at the rear of the homeowner's Dustan Street property is less than the 18.8 metres width provided by the developer in 2017. The width of the buffer is fundamental to the impact that the development will have on the use and enjoyment of the resident's property. Comment that the concept drawing presented at the statutory public meeting shows a shallower channel than the existing channel. Concern that the narrowing of the existing swale area will compromise swale banks, result in erosion where the swale bends 90 degrees, risk the proposed multi-use path, and risk the rear yards of the new homes. Proposes the original 18.8 metre swale width be maintained plus a 7.5 metre rear setback for the new houses abutting the swale, as was understood to be required. This distance between the homeowner's property and the development should be maintained. Concern as the process continues, the planned new homes are moving closer and closer to adjacent Dustan Street backyards.

In regard to the public comments, Staff advise of the following:

- In regard to development timing, if the applications are approved, the applicant can proceed immediately to subsequent detailed design. It is anticipated that pre-servicing may begin as early as mid-2020. The first phase of building construction requires upgrades to the Town's watermain to be completed; the upgrade is anticipated to be constructed in 2020-2021.
- As outlined in this report, building heights are proposed to increase progressively towards the east end of the site, in accordance with the secondary plan. This provides an appropriate building height transition to the established residential neighbourhood to the west. The final Urban Design Guidelines will also provide design direction for tall buildings to address pedestrian comfort, privacy concerns, sky views, and sun shadow impacts. The recommended ZBA proposes a 7.5 metre rear yard setback to the drainage channel.

- As outlined in this report, Staff have made several recommendations to ensure that satisfactory parking is provided throughout the development. This includes on-street parking, exclusive visitor parking requirements, and the potential to share parking among mixed uses.
- The widths of private roads, including the condo roads will be assessed during subsequent subdivision, condo or site plan approvals.
- Staff have been engaged with MTO throughout the application process. MTO has provided guidance with respect to the location of access points into the subdivision; this has been incorporated in the recommended draft plan. Final determination of road and ramp improvements that may be required will occur during subsequent detailed design, prior to final subdivision approval.
- In response to concerns from the public regarding construction activity, Staff advise that there are By-laws in place to regulate when construction activity can occur as well as dust control measures. Clauses pertaining to dust, erosion and silt control measures will also be included in the Subdivision and Site Plan Agreements.
- In regard to storm drainage, the applicant will be required through the Subdivision Agreement process to ensure that adjacent properties are not impacted by the proposed development.

Conclusion:

As outlined in this report, staff are of the opinion that the applications are consistent with Provincial Policy, conforms to the Growth Plan for the Greater Golden Horseshoe and conforms to the Regional Official Plan.

Staff is further satisfied that the proposed development is consistent with the Town Official Plan and Prudhommes Secondary Plan. Finally, the applicant has refined the plan based on input received and further detailed design considerations will be addressed through the subsequent Subdivision Agreement process.

Respectfully submitted,

Melissa Shih, MCIP RPP
Manager of Special Projects

Appendices:

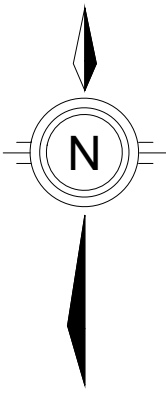
Appendix A (Proposed Draft Plan of Subdivision)
Appendix B (Proposed Concept Plan)
Appendix C (Proposed Phasing Plan)
Appendix D (Proposed Zoning By-law Amendment)
Appendix E (Proposed Conditions of Draft Plan Approval)

Notification:

Notification of the decision will be in accordance with the requirements of the Planning Act.

Report Approval:

Report has been reviewed by the Associate Director of Planning and Development Department, the Director of Public Works and, the Director of Community Services. The report has been approved by the Director of Planning and Development Department, and the Chief Administrative Officer.



DRAFT PLAN OF SUBDIVISION PRUDHOMMES LANDING

PART OF LOTS 21, 22 & 23, BROKEN
FRONT CONCESSION IN FRONT OF
CONCESSION 1, GEOGRAPHIC
TOWNSHIP OF LOUTH, IN THE TOWN OF
LINCOLN, REGIONAL MUNICIPALITY OF
NIAGARA



KEY MAP - N.T.S.

BENCHMARK
MANHOLE ELEV = 82.209

INFORMATION REQUIRED
UNDER SECTION 51 (17) OF THE PLANNING ACT, R.S.O. 1990, c.P.13 AS AMENDED

(a) - AS SHOWN
(b) - AS SHOWN
(c) - AS SHOWN
(d) - AS LISTED BELOW
(e) - AS SHOWN
(f) - AS SHOWN
(g) - AS SHOWN
(h) - MUNICIPAL WATER
(i) - FINE SANDY LOAM
(j) - AS SHOWN
(k) - MUNICIPAL SANITARY AND STORM SEWERS
(l) - NONE

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE
SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE
ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

SIGNED
DAN McLAREN, O.L.S.
A.T. McLAREN LIMITED

DATE JUNE 25, 2019

OWNER'S CERTIFICATE
I HEREBY CONSENT TO THE FILING OF THIS PLAN BY IBI GROUP, IN
DRAFT FORM.

SIGNED
JOHN FRACCHIOLI
IBI GROUP

DATE JUNE 25, 2019

DEVELOPMENT DETAILS			
BLOCKS	DESCRIPTION	AREA (ha)	# UNITS
17-19	LOW DENSITY RESIDENTIAL	0.73	23
6 & 16	LOW DENSITY RESIDENTIAL	5.85	358
7, 8 & 21	MEDIUM DENSITY RESIDENTIAL	3.86	336
1 & 9	HIGH DENSITY RESIDENTIAL	1.77	407
11, 13 & 15	MAIN STREET MIXED USE	2.25	435
14	COMMUNITY PARK/PARKETTE	0.14	
12	WATERFRONT OPEN SPACE	3.92	
2, 4, 5 & 20	ENVIRONMENTAL CONSERVATION	4.04	
22	EMPLOYMENT	0.788	
3	EXISTING COMMERCIAL	0.261	1
10 & 23	COMMERCIAL	3.19	
24-28	ROAD WIDENING	0.14	
29 & 30	0.3m RESERVE	0.002	
STREET A-F	R.O.W	4.69	
SITE TOTAL		31.64	1560

SCALE
1:1500 (m)

DESIGN BY: A.BUONAMICI
DRAWN BY: S.CHALMERS

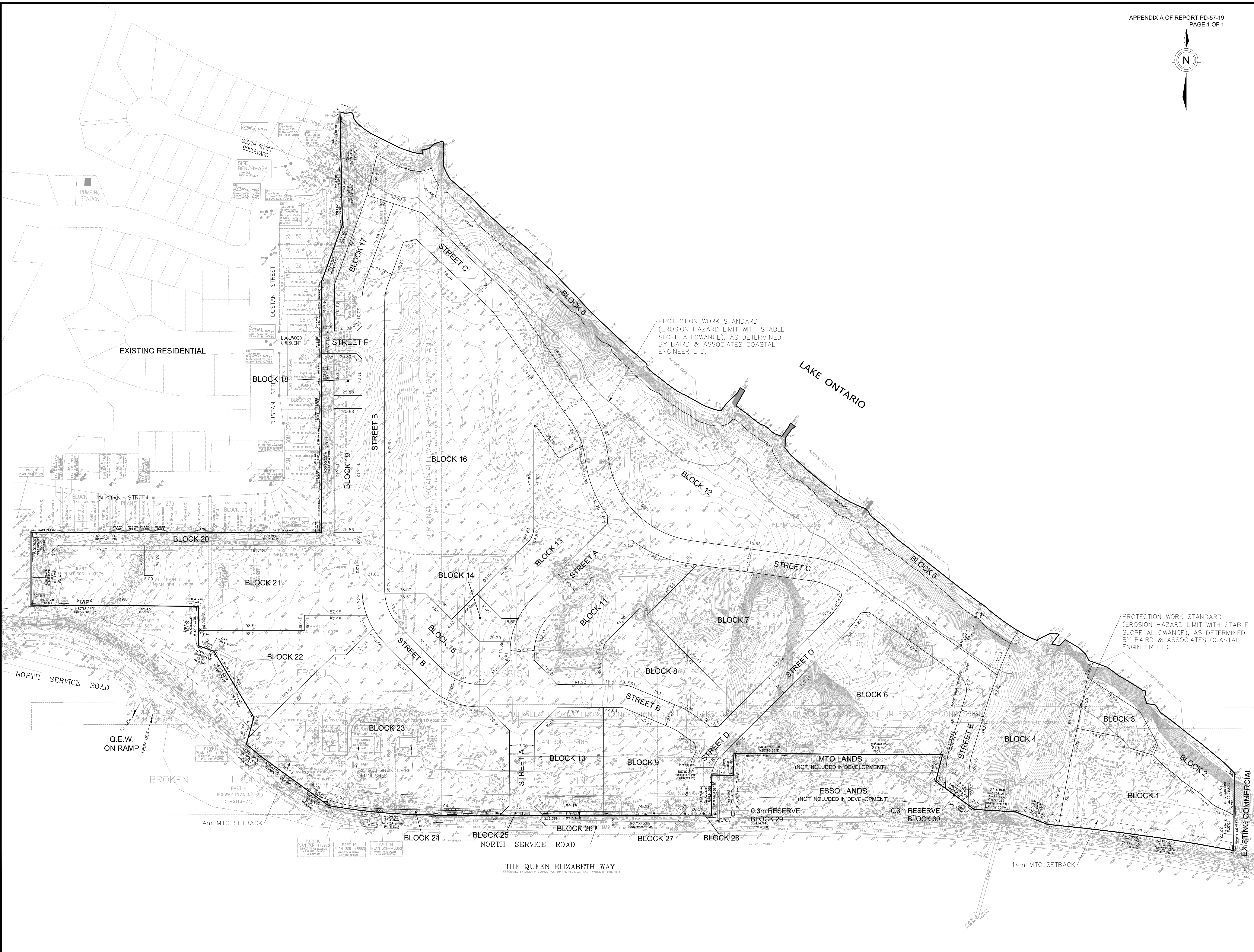
CHECKED BY: J. ARIENS
DATE: 2018-06-07

DRAWING ISSUE RECORD			
#	DATE	DESCRIPTION	BY
3	2019-06-24	SC DRAFT PLAN FOR RESUBMISSION	
2	2019-02-26	SC DRAFT PLAN FOR RESUBMISSION	
1	2018-08-10	SC FIRST DRAFT PLAN FOR SUBMISSION	

APPROVALS	

IBI GROUP
200 East Wing-360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

FILE NUMBER: 102980
SHEET NUMBER: DP1



TOTAL EMPLOYMENT AREA

PREVIOUS CONCEPT SQUARE FOOTAGE TOTAL:1.15HA

CURRENT CONCEPT SQUARE FOOTAGE TOTAL:1.22HA

TOTAL UNIT COUNT

APARTMENT UNITS -	1148 UNITS
STACKED UNITS -	206 UNITS
TOWNHOUSE UNITS -	143 UNITS
BACK TO BACK UNITS -	22 UNITS
SINGLE/SEMI-SETACHED -	40 UNITS

APPROX. 1559 UNITS TOTAL

ADDITIONAL UNITS ON MTO LANDS

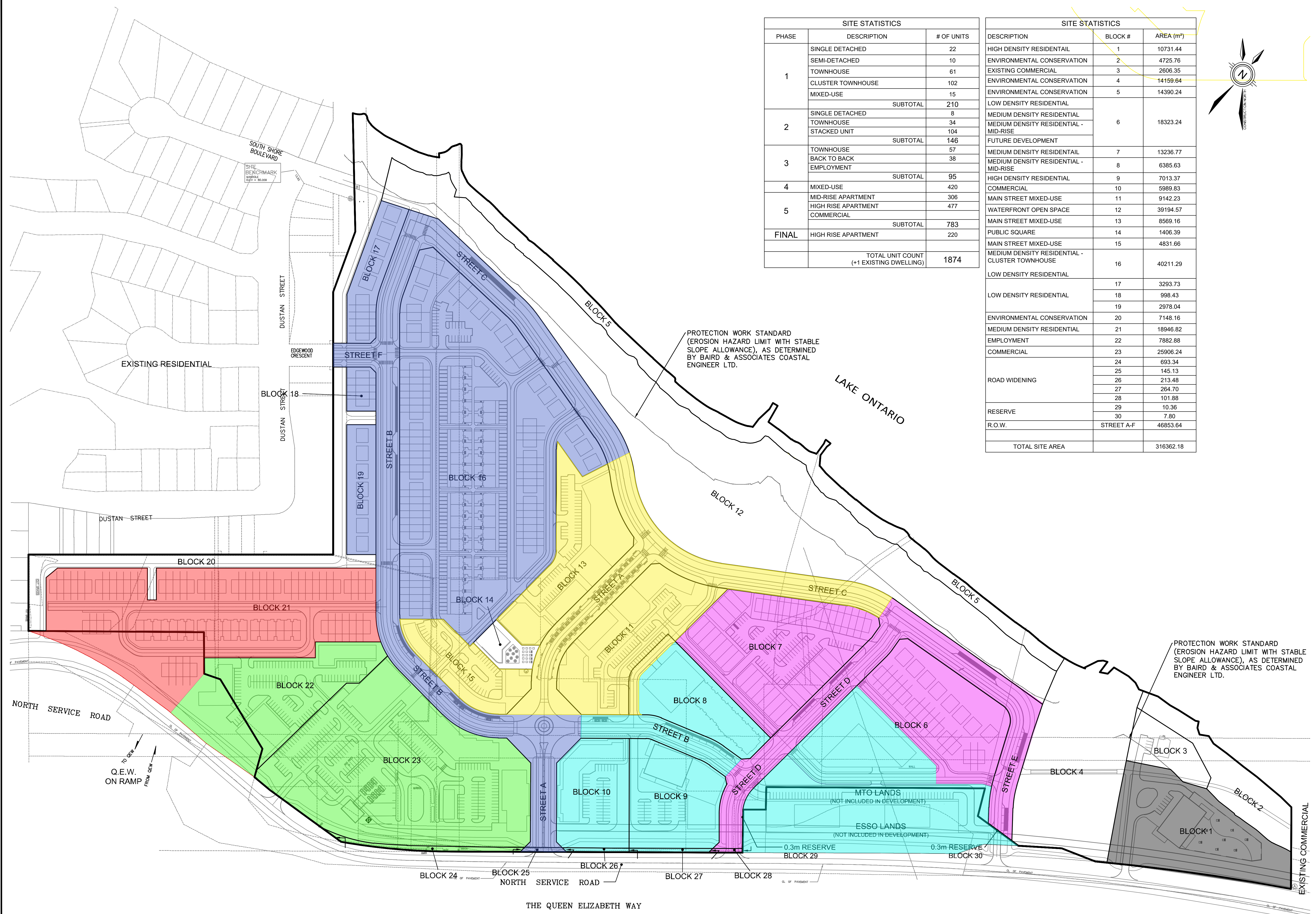
APARTMENT UNITS -	290 UNITS
TOWNHOUSE UNITS -	9 UNITS
BACK TO BACK TOWNHOUSE UNITS -	16 UNITS

APPROX. 315 UNITS TOTAL

TOTAL OF ALL POTENTIAL UNITS - APPROX 1874 UNITS

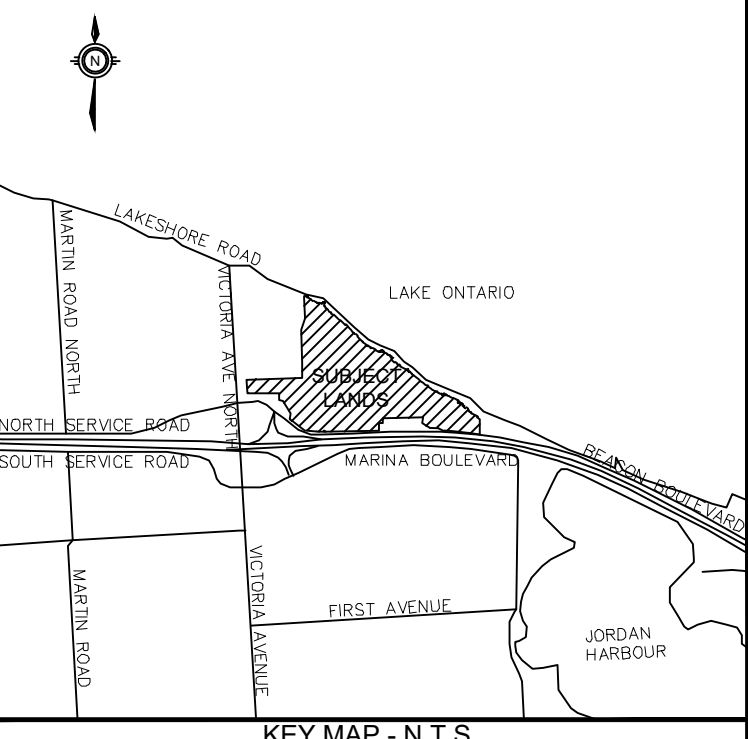
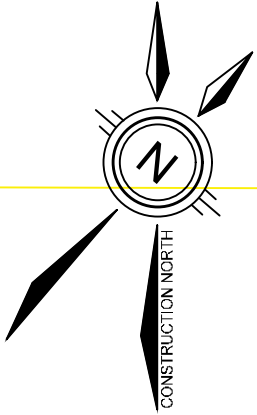


PRUDHOMMES LANDING



SITE STATISTICS		
PHASE	DESCRIPTION	# OF UNITS
1	SINGLE DETACHED	22
	SEMI-DETACHED	10
	TOWNHOUSE	61
	CLUSTER TOWNHOUSE	102
	MIXED-USE	15
SUBTOTAL		210
2	SINGLE DETACHED	8
	TOWNHOUSE	34
	STACKED UNIT	104
SUBTOTAL		146
3	TOWNHOUSE	57
	BACK TO BACK	38
	EMPLOYMENT	
SUBTOTAL		95
4	MIXED-USE	420
5	MID-RISE APARTMENT	306
	HIGH RISE APARTMENT	477
	COMMERCIAL	
SUBTOTAL		783
FINAL	HIGH RISE APARTMENT	220
TOTAL UNIT COUNT (+1 EXISTING DWELLING)		1874

SITE STATISTICS		
DESCRIPTION	BLOCK #	AREA (m²)
HIGH DENSITY RESIDENTIAL	1	10731.44
ENVIRONMENTAL CONSERVATION	2	4725.76
EXISTING COMMERCIAL	3	2606.35
ENVIRONMENTAL CONSERVATION	4	14159.64
ENVIRONMENTAL CONSERVATION	5	14390.24
LOW DENSITY RESIDENTIAL		
MEDIUM DENSITY RESIDENTIAL	6	18323.24
MEDIUM DENSITY RESIDENTIAL - MID-RISE		
FUTURE DEVELOPMENT		
MEDIUM DENSITY RESIDENTIAL	7	13236.77
MEDIUM DENSITY RESIDENTIAL - MID-RISE	8	6385.63
HIGH DENSITY RESIDENTIAL	9	7013.37
COMMERCIAL	10	5989.83
MAIN STREET MIXED-USE	11	9142.23
WATERFRONT OPEN SPACE	12	39194.57
MAIN STREET MIXED-USE	13	8569.16
PUBLIC SQUARE	14	1406.39
MAIN STREET MIXED-USE	15	4831.66
MEDIUM DENSITY RESIDENTIAL - CLUSTER TOWNHOUSE	16	40211.29
LOW DENSITY RESIDENTIAL	17	3293.73
LOW DENSITY RESIDENTIAL	18	998.43
	19	2978.04
ENVIRONMENTAL CONSERVATION	20	7148.16
MEDIUM DENSITY RESIDENTIAL	21	18946.82
EMPLOYMENT	22	7882.88
COMMERCIAL	23	25906.24
	24	693.34
	25	145.13
ROAD WIDENING	26	213.48
	27	264.70
	28	101.88
RESERVE	29	10.36
	30	7.80
R.O.W.	STREET A-F	46853.64
TOTAL SITE AREA		316362.18



LEGEND	
	PHASE 1
	PHASE 2
	PHASE 3
	PHASE 4
	PHASE 5
	AS REQUIRED
	FINAL PHASE

NOT FOR CONSTRUCTION

SOURCE:
XXX

BENCHMARK
XXX

SCALE

DESIGN BY: A.BUCANICI
DRAWN BY: S.CHALMERS

CHECKED BY: J.ARIENS
DATE: 2019 05 29

#	DATE	BY	DESCRIPTION
1	2019-02-26	SC	PHASING PLAN FOR RESUBMISSION

DRAWING ISSUE RECORD	

APPROVALS

IBI GROUP
200 East Wing-360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

TOWN OF
LINCOLN

PRUDHOMMES LANDING

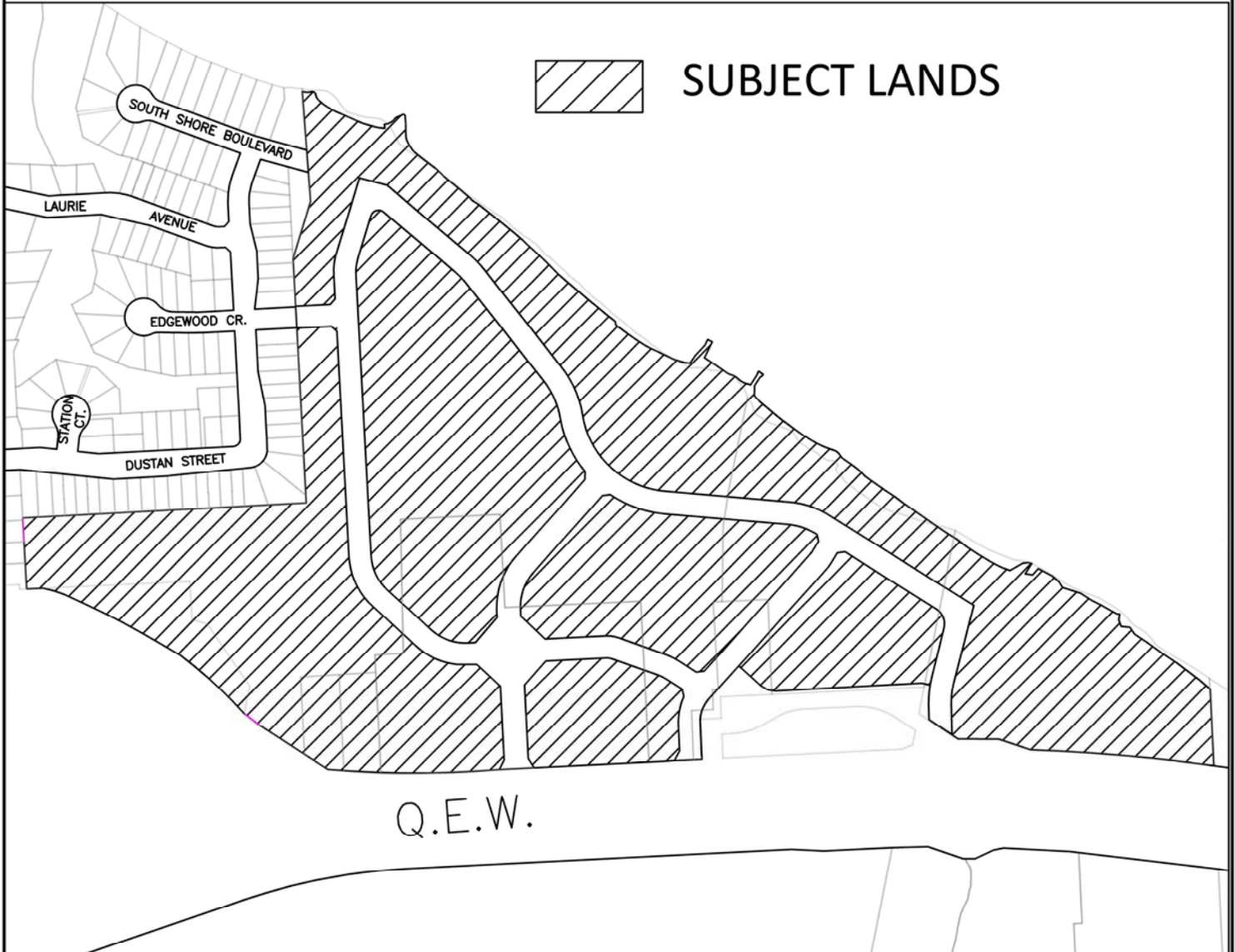
PHASING PLAN

FILE NUMBER: 102980 SHEET NUMBER: P1

SCHEDULE 'A' - KEY MAP TOWN OF LINCOLN



Metric Scale:
N.T.S.



This is Schedule 'A' to By-law No. _____ passed the ____ day of
_____, 2019.

MAYOR: SANDRA EASTON

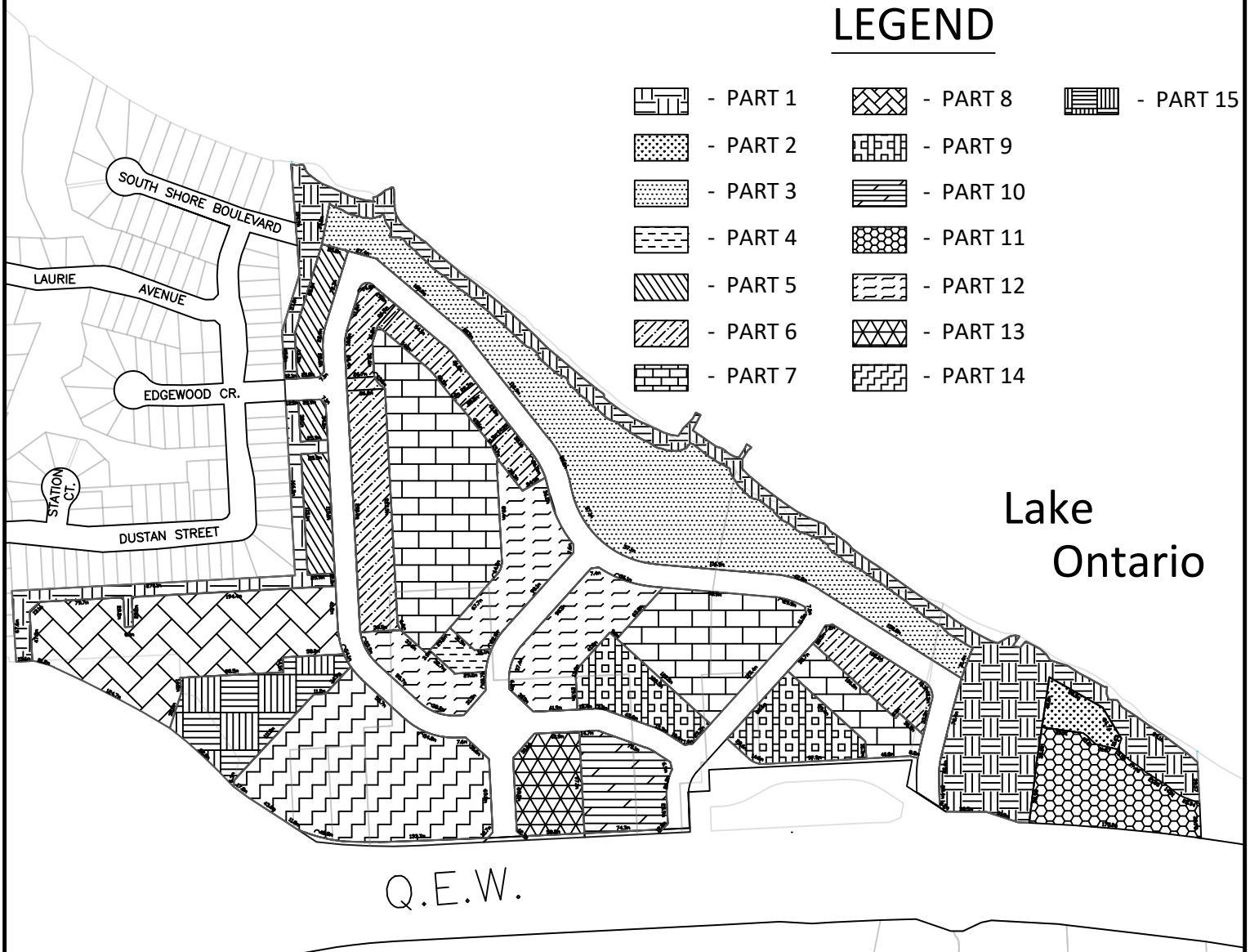
CLERK: JULIE KIRKELOS

SCHEDULE 'B' - DETAIL MAP TOWN OF LINCOLN



Metric Scale:
N.T.S.

LEGEND



This is Schedule 'B' to By-law No. _____ passed the ____ day of _____, 2019.

MAYOR: SANDRA EASTON

CLERK: JULIE KIRKELOS

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2019-XX-ZXXX

**A BY-LAW TO AMEND ZONING BY-LAW NO. 93-14-Z1, AS
AMENDED, OF THE TOWN OF LINCOLN
(PRUDHOMMES LANDING)**

WHEREAS:

1. THE TOWN OF LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTIONS 34 AND 36 OF THE PLANNING ACT, 1990.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN HEREBY ENACTS AS FOLLOWS:

- (a) THAT Schedule 'A4' to Zoning By-law No. 93-14-Z1, as amended, is hereby amended by changing the zoning on the lands shown as the subject lands on Schedules 'A' and 'B', attached hereto and forming part of this By-law, from a Residential Development (RD) Zone, a General Commercial (GC) Zone, a General Commercial (GC-18 and GC-22) Zone, an Open Space (OS) Zone, and an Environmental Conservation (EC) Zone to as follows:
 - (a) Part 1 is hereby rezoned to an Environmental Conservation (EC) Zone;
 - (b) Part 2 is hereby rezoned to an Environmental Conservation (EC-10) Zone;
 - (c) Part 3 is hereby rezoned to an Open Space (OS-4) Zone;
 - (d) Part 4 is hereby rezoned to an Open Space (OS) Zone;
 - (e) Part 5 is hereby rezoned to a Residential 2 (R2-33) Zone;
 - (f) Part 6 is hereby rezoned to a Residential 2 (R2-34) Zone;
 - (g) Part 7 is hereby rezoned to a Residential Multiple 1 (RM1-27) Zone;
 - (h) Part 8 is hereby rezoned to a Residential Multiple 1 (RM1-28) Zone;
 - (i) Part 9 is hereby rezoned to a Residential Multiple 2 (RM2-14) Zone;
 - (j) Part 10 is hereby rezoned to a Residential Multiple 2 (RM2-15) Zone;
 - (k) Part 11 is hereby rezoned to a Residential Multiple 2 (RM2-16) Zone;
 - (l) Part 12 is hereby rezoned to a General Commercial (GC-27) Zone;
 - (m) Part 13 is hereby rezoned to a General Commercial (GC-28) Zone;

- ### “26.3.9 EC-10 (PRUDHOMMES LANDING)”

- (a) Bed and breakfast establishment
- (b) Clinic
- (c) Community centre or community hall
- (d) Institutional use
- (e) Office use
- (f) Personal service use
- (g) Eating establishment (excluding drive-thru facility)

- #### “25.3.4 OS-4 (PRUDHOMMES LANDING)

(e) THAT Subsection 12.3, Special Provisions is hereby amended by adding the following subsection:

“12.3.33 R2-33 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the Residential 2 Zone, the lands indicated as R2-33 on Schedule 'A4' shall only be used for street townhouse dwellings, single detached dwellings, and semi-detached dwellings, and shall be subject to the following provisions:

12.3.33.1 ALL DWELLING TYPES

- (a) Maximum Building Height - 2.5 storeys up to a maximum of

11.0 metres

(b) Minimum Yard Requirements

- (i) Front Yard
 - 3.0 metres, except that the minimum setback for the garage shall be 6.0 metres
- (ii) Exterior Side Yard
 - 3.0 metres, except that where an entrance to a garage faces an exterior side yard, the minimum exterior side yard for the garage shall be 6.0 metres
- (iii) Interior Side Yard
 - 1.2 metres on each side except that where no attached garage is provided, the minimum side yard shall be 3.0 metres. No interior side yard is required between the common vertical wall dividing one unit from another
- (iv) Rear Yard
 - 7.5 metres
- (c) The garage shall not protrude in front of the dwelling unless there is a habitable room over the garage or there is a porch or verandah constructed in line with the dwelling. Where the garage does protrude in front of the dwelling, it shall not protrude more than 2 metres.
- (d) A minimum of 25% of the front yard area, excluding any front yard area containing a porch, verandah or steps, shall be landscaped area.
- (e) Parking
 - In accordance with the provisions of Section 7

12.3.33.2 SINGLE DETACHED DWELLING

- (a) Minimum Lot Frontage
 - 10.5 metres for an interior lot and 13.5 metres for a corner lot

12.3.33.3 SEMI-DETACHED DWELLING

- (a) Minimum Lot Frontage Per Dwelling Unit
 - 8.0 metres for an interior lot and 10.0 metres for a corner lot
- (b) The garage shall not exceed 60% of the width of the dwelling unit.

12.3.33.4 STREET TOWNHOUSE DWELLING

- (a) Minimum Lot Frontage Per Dwelling Unit - 6.0 metres for an interior lot and 7.5 metres for a corner lot
- (b) Maximum Lot Coverage - 60%
- (c) The garage shall not exceed 60% of the width of the dwelling unit.
- (f) THAT Subsection 12.3, Special Provisions is hereby amended by adding the following subsection:

“12.3.34 R2-34 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the Residential 2 Zone and Section 6.8(a), the lands indicated as R2-34 on Schedule ‘A4’ may also be used for block townhouse dwellings and the following shall apply to the lands indicated as R2-34 on Schedule ‘A4’:

12.3.34.2 ALL DWELLING TYPES

- (a) Minimum Yard Requirements
 - (i) Setback from a Public or Private Street - 3.0 metres, except that the minimum setback for the garage shall be 6.0 metres
 - (ii) Interior Side Yard for a Single Detached or Semi-detached Dwelling - 1.2 metres on each side except that where no attached garage is provided, the minimum side yard shall be 3.0 metres
 - (iii) Interior Side Yard for a Block Townhouse Dwelling - 2.25 metres. No interior side yard is required between the common vertical wall dividing one unit from another
 - (iv) Exterior Side Yard for a Block Townhouse Dwelling - 3.0 metres
 - (v) Rear Yard - 6.0 metres
 - (vi) Minimum Front Yard Setback for a Porch and/or Steps - 2.5 metres
 - (vii) Minimum Exterior Side Yard for a Porch and/or Steps - 0.5 metres
- (b) Maximum Yard Requirements
 - (i) Setback from a Public Street - 9.0 metres
- (c) Maximum Building Height - 3.5 storeys to a maximum of 14.0 metres

- (d) The garage shall not protrude in front of the dwelling unless there is a habitable room over the garage or there is a porch or verandah constructed in line with the dwelling. Where the garage does protrude in front of the dwelling, it shall not protrude more than 2 metres.

12.3.34.3 SINGLE DETACHED DWELLING

- (a) Minimum Lot Frontage - 10.5 metres for an interior lot and 13.5 metres for a corner lot
- (b) A minimum of 25% of the front yard area, excluding any front yard area containing a porch, verandah or steps, shall be landscaped area.
- (c) Parking - In accordance with the provisions of Section 7

12.3.34.4 SEMI-DETACHED DWELLING

- (a) Minimum Lot Frontage Per Unit - 8.0 metres for an interior lot and 10.0 metres for a corner lot.
- (b) A minimum of 25% of the front yard area, excluding any front yard area containing a porch, verandah or steps, shall be landscaped area.
- (c) Parking - In accordance with the provisions of Section 7
- (d) The garage shall not exceed 60% of the width of the dwelling unit.

12.3.34.5 BLOCK TOWNHOUSE DWELLING

- (a) Minimum Lot Frontage Per Unit - 6.0 metres for an interior lot and 9.0 metres for a corner lot
- (b) Minimum Lot Area Per Unit - 180 square metres
- (c) Maximum Lot Coverage - 60%
- (d) Minimum Landscaped Open Space - 25%
- (e) Parking - In accordance with the provisions of Section 7
- (f) All private garages, parking areas, and driveways shall only be accessed from the lot line abutting a private street.
- (g) The garage shall not exceed 60% of the width of the dwelling unit.

- (g) THAT Subsection 13.3, Special Provisions is hereby amended by adding the following subsection:

“13.3.27 RM1-27 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the Residential Multiple 1 Zone, the following shall apply to the lands indicated as RM1-27 on Schedule ‘A4’:

13.3.27.1 DEFINITIONS

- (a) DWELLING, STACKED TOWNHOUSE means a building divided vertically and horizontally into not less than four but not more than twenty four dwelling units by solid common walls with a maximum horizontal distance of fifty five metres. Each dwelling unit shall have its own entrance with direct access to grade.
- (b) DWELLING, MAISONETTE means a building divided vertically into not less than four but not more than sixteen dwelling units by common walls, including a common rear wall without a rear yard, of which each dwelling unit has its own entrance with direct access to grade.
- (c) VISITOR PARKING means parking spaces for the exclusive use of visitors to the lot and or building. Visitors parking shall be located on the same lot on which the building is located or within the common elements to the building.

13.3.27.2 PERMITTED USES

- (a) Block Townhouse dwelling
- (b) Maisonette dwelling
- (c) Stacked Townhouse dwelling

13.3.27.3 ALL DWELLINGS

- (a) Minimum Density - 35 units per hectare
- (b) Maximum Density - 75 units per hectare
- (c) Maximum Building Height - 4 storeys up to a maximum of 14.0 metres for a flat roof building and 18.0 metres for a peaked roof building
- (d) Minimum Landscaped Open Space - 30%
- (e) Minimum Parking Requirements - 1.25 spaces per dwelling unit plus 0.3 visitor parking spaces per dwelling unit

- (f) Minimum outdoor amenity space - 6.0 square metres per dwelling unit
- (g) The garage shall not protrude in front of the dwelling unless there is a habitable room over the garage or there is a porch or verandah constructed in line with the dwelling. Where the garage does protrude in front of the dwelling, it shall not protrude more than 2 metres.

13.3.27.4 BLOCK TOWNHOUSES

- (a) Minimum Lot Area Per Unit - 180 square metres
- (b) Minimum Lot Frontage Per Unit - 6.0 metres for an interior lot and 9.0 metres for a corner lot
- (c) Minimum Yard Requirements
 - (i) Front Yard - 4.5 metres, except that the minimum setback for the garage shall be 6 metres
 - (ii) Interior Side Yard - 2.25 metres
 - (iii) Exterior Side Yard - 3.0 metres
 - (iv) Rear Yard - 7.0 metres
- (d) The garage shall not exceed 60% of the width of the dwelling unit.

13.3.27.5 STACKED TOWNHOUSES

- (a) Minimum Lot Frontage on a Public or Private Street - 35 metres
- (b) Minimum Yard Requirements
 - (i) Setback to a Public or Private Street - 4.5 metres, except that the minimum setback for the garage shall be 6 metres
 - (ii) Interior Side Yard - 3.0 metres
 - (iii) Rear Yard - 7.0 metres
- (c) Minimum Width of Planting Strip - 3 metres, adjacent to the rear lot line, where the rear yards of separate stacked townhouse buildings share a rear lot line
- (d) Maximum Building Length - 50 metres

- (e) Minimum Separation Distance - 12 metres
between the front or rear wall of a
building to the front or rear wall of
another building
- (f) Minimum separation distance - 9.0 metres
between the side wall of a building
to the front or rear wall of another
building
- (g) Minimum separation distance - 3.0 metres
between the side wall of a building
to another

13.3.27.6 MAISONETTE DWELLINGS

- (a) Minimum Lot Area Per Unit - 75 square metres
 - (b) Minimum Lot Frontage Per Unit - 6.7 metres for an interior lot and
9.7 metres for a corner lot
 - (c) Minimum Yard Requirements
 - (i) Setback from a Private Street - 4.5 metres for a dwelling and 6
metres for a garage
 - (ii) Interior Side Yard - 2.25 metres. No interior side yard
is required between the common
vertical wall dividing one unit from
another
 - (iii) Exterior Side Yard - 3.0 metres
 - (iv) Rear Yard - 0 metres
 - (d) The garage shall not exceed 60% of the width of the dwelling unit.
- (h) THAT Subsection 13.3, Special Provisions is hereby amended by adding the following subsection:

“13.3.28 RM1-28 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the Residential Multiple 1 Zone and Subsection 13.3 Special Provisions, the regulations of Subsection 13.3.27 shall apply to the lands indicated as RM1-28 on Schedule ‘A4’, with the exception of the following:

- (a) Maximum Building Height - 3 storeys up to a maximum of 14.0
metres, except that the maximum
height adjacent to an

Environmental Conservation Zone
shall be 2.5 storeys up to a
maximum of 11.0 metres

- (b) Minimum Yard Setback adjacent to an Environmental Conservation Zone - 7.5 metres
- (c) Minimum Width of Planting Strip Adjacent to North Service Road - 4.5 metres
- (i) THAT Subsection 12.3, Special Provisions is hereby amended by adding the following subsection:

“14.3.14 RM2-14 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the Residential Multiple 2 Zone, the following shall apply to the lands indicated as RM2-14 on Schedule ‘A4’:

14.3.14.1 DEFINITIONS

- (a) MAIN WALL means a primary exterior front, rear or side wall of a building, not including permitted projections.
- (b) VISITOR PARKING means parking spaces for the exclusive use of visitors to the lot and or building. Visitors parking shall be located on the same lot on which the building is located or within the common elements to the building.
- (e) PUBLIC PARKING means off-street parking spaces available for public use with or without a fee, and excludes the minimum parking required for uses as per Subsection 7.1.

14.3.14.2 PERMITTED USES

- (a) Apartment dwelling
- (b) Hotel
- (c) Community facilities

14.3.14.3 PROVISIONS

- (a) Minimum Density - 75 units per hectare
- (b) Maximum Density - 250 units per hectare
- (c) Minimum Lot Area - 5,000 square metres
- (d) Minimum Lot Frontage - 30 metres

- | | | |
|-----|--|---|
| (e) | Minimum Building Height | - 3 storeys and a minimum building height of 10.5 metres |
| (f) | Maximum Building Height | <ul style="list-style-type: none"> - 12 storeys up to a maximum of 42.0 metres. Notwithstanding the maximum building height, the façade of the building facing a public street shall include step-backs of a minimum of 2.0 metres above the third storey - The number of building storeys permitted shall be in addition to any storey that has a minimum 80% gross floor area used for parking facilities including stairs, elevators, mechanical facilities, bicycle parking, and locker storage areas |
| (g) | Maximum Floor Area Per Floor | - Above 7 storeys, the maximum floor area shall be 2,000 square metres per floor of the building tower |
| (h) | Maximum Lot Coverage | - 55%, excluding any parking garage area |
| (i) | Minimum Landscaped Open Space | - 30% |
| (j) | Minimum Width of Planting Strip | - 3.0 metres adjacent to RM1 Zone |
| (k) | Maximum Main Wall Building Length | - 65 metres before a break in the main wall of no less than 5 metres in width by 2 metres in depth |
| (l) | Minimum Yard Requirements | |
| | (i) Yard abutting a Public Street | - 3 metres |
| | (ii) Yard abutting an RM1 Zone and GC Zone | - 50% of the building height facing the abutting zone |
| (m) | Maximum Yard abutting a Public Street | - 12 metres |
| (n) | Minimum Amenity Area Required | - 4 square metres per dwelling unit |
| (o) | Minimum Parking Requirements | - 1.25 spaces per dwelling unit plus 0.25 visitor spaces per dwelling |

unit.

- Where public parking spaces are provided on the same lot on which the use is located, the number of public parking spaces provided may be used towards the required number of visitor parking spaces
- All other uses in accordance with the provisions of Section 7.

- (p) Minimum Bicycle Parking Requirements - .15 long-term bicycle parking spaces per dwelling unit. Long-term bicycle parking spaces shall be for the use of occupants of a building and shall be located in a secure enclosed bicycle parking area.

- (q) Any surface parking area, not including a driveway, shall be prohibited in the first 15 m of the lot line facing any public street.

- (r) A minimum of 35% of the building façade on the ground floor that is oriented toward a public street shall be occupied by glazing, doors, and or green wall.

- (j) THAT Subsection 12.3, Special Provisions is hereby amended by adding the following subsection:

“14.3.15 RM2-15 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the Residential Multiple 2 Zone, the following shall apply to the lands indicated as RM2-15 on Schedule ‘A4’:

14.3.15.1 DEFINITION

- (a) VISITOR PARKING means parking spaces for the exclusive use of visitors to the lot and or building. Visitors parking shall be located on the same lot on which the building is located or within the common elements to the building.

14.3.15.2 PERMITTED USES

- (a) Apartment dwelling
- (b) Hotel
- (c) Community facilities

14.3.15.3 PROVISIONS

- (a) Minimum Density - 100 units per hectare

- (b) Maximum Density - 350 units per hectare
- (c) Minimum Building Height - 3 storeys and 10.5 metres
- (d) Maximum Building Height - 15 storeys to a maximum of 52.5 metres. Notwithstanding the maximum building height, the façade of the building facing a collector road shall include step-backs of a minimum of 2.0 metres above the third storey.
 - The number of building storeys permitted shall be in addition to any storey that has a minimum 80% gross floor area used for parking facilities including stairs, elevators, mechanical facilities, bicycle parking, and locker storage areas.
- (e) Minimum Yard Setback Abutting a Public Street - 3 metres
- (f) Minimum Interior Side Yard - 10 metres
- (g) Maximum Yard Setback Abutting a Public Street - 12 metres, except where the yard abuts North Service Road, the maximum yard setback shall be 20.0 metres
- (h) Minimum Landscaped Open Space - 25%
- (i) Maximum Lot Coverage - 50%, excluding any parking garage area
- (j) Minimum Width of a Planting Strip Adjacent to a RM2 Zone - 3 metres
- (k) Minimum Width of a Planting Strip Adjacent to North Service Road - 4.5 metres
- (l) Minimum Amenity Area Required - 4 square metres per dwelling unit
- (m) A minimum of 40% of the lot frontage adjacent to a collector road shall be occupied by a main wall.
- (n) A minimum of 40% of the building façade on the ground floor, and 25% of the building façade for floors above the ground floor, that is oriented toward a public street shall be occupied by glazing, doors, and or green wall.

- (o) All parking spaces, parking areas, ramps or driveways shall be located to the rear of all buildings. Surface parking areas shall be fully screened from view from North Service Road by means of landscaping features.
- (p) Minimum Parking Requirements
- 1.25 spaces per dwelling unit plus 0.25 visitor spaces per dwelling unit.
 - Where public parking spaces are provided on the same lot on which the use is located, the number of public parking spaces provided may be used towards the required number of visitor parking spaces
 - All other uses in accordance with the provisions of Section 7.
- (q) Minimum Bicycle Parking Requirements
- .15 long-term bicycle parking spaces per dwelling unit. Long-term bicycle parking spaces shall be for the use of occupants of a building and shall be located in a secure enclosed bicycle parking area.
- (k) THAT Subsection 12.3, Special Provisions is hereby amended by adding the following subsection:
- “14.3.16 RM2-16 (PRUDHOMMES LANDING)
- Notwithstanding the provisions of the Residential Multiple 2 Zone, the following shall apply to the lands indicated as RM2-14 on Schedule ‘A4’:
- 14.3.16.1 PERMITTED USES
- (a) Apartment dwelling
- (b) Hotel
- (c) Community facilities
- 14.3.16.2 PROVISIONS
- (a) Minimum Density
- 100 units per hectare
- (b) Maximum Density
- 350 units per hectare
- (c) Minimum Building Height
- 12 storeys

- (d) Maximum Building Height
 - 18 storeys to a maximum of 63.0 metres
 - The number of building storeys permitted shall be in addition to any storey that has a minimum 80% gross floor area used for parking facilities including stairs, elevators, mechanical facilities, bicycle parking, and locker storage areas
- (e) Minimum Amenity Area Required
 - 4 square metres per dwelling unit
- (f) Minimum Landscaped Open Space
 - 30%
- (g) Minimum Width of Planting Strip
 - 4.5 metres adjacent to North Service Road
- (h) Minimum Parking Requirements
 - 1.25 spaces per dwelling unit plus 0.25 visitor spaces per dwelling unit
 - Where public parking spaces are provided on the same lot on which the use is located, the number of public parking spaces provided may be used towards the required number of visitor parking spaces
 - All other uses in accordance with the provisions of Section 7
- (i) Minimum Bicycle Parking Requirements
 - .15 long-term bicycle parking spaces per dwelling unit. Long-term bicycle parking spaces shall be for the use of occupants of a building and shall be located in a secure enclosed bicycle parking area

- (l) THAT Subsection 18.4, Special Provisions is amended by adding the following subsections:

“18.4.27 GC-27 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the General Commercial Zone or any other provision contained herein to the contrary, the following shall apply to the lands zoned GC-27 on Schedule ‘A4’:

18.4.28 DEFINITIONS

- (a) ANCILLARY RESIDENTIAL USE means the common indoor areas located within a building which are intended primarily for access or recreational purposes for the occupants of a building and may include stairs, lobbies, elevators, mechanical facilities, storage, and indoor amenity areas.
- (b) MAIN WALL means a primary exterior front, rear or side wall of a building, not including permitted projections.
- (c) VISITOR PARKING means parking spaces for the exclusive use of visitors to the lot and or building. Visitors parking shall be located on the same lot on which the building is located or within the common elements to the building.

18.4.29 PERMITTED USES

- (a) Apartment residential units including ancillary residential units, dwelling units only permitted above the ground floor
- (b) Retirement home including accessory dwelling units, only permitted above the ground floor
- (c) Bed and breakfast establishment
- (d) Clinic
- (e) Commercial or private club
- (f) Community centre or community hall
- (g) Daycare Centre
- (h) Eating establishment (excluding drive-thru facility, but including seasonal outdoor patio)
- (i) Financial use
- (j) Government Services
- (k) Hotel Use
- (l) Institutional Use
- (m) Office use
- (n) Personal service use
- (o) Place of entertainment
- (p) Post office
- (q) Recreation use
- (r) Retail use, only permitted on the ground floor
- (s) Tourist centre and/or welcome centre

18.4.30 PROVISIONS

- (a) Ancillary Residential Uses
 - Permitted on the ground floor, occupying up to a maximum of 15% of the length of the main wall oriented toward a public road within the first 9.0 metres depth of building
- (b) Outdoor Patio Use
 - Shall be located adjacent to a public street or Open Space Zone, at a minimum separation distance of 20 metres from a Residential Zone
- (c) Maximum Gross Leaseable Floor Area per Premise on the Ground Floor
 - 400 square metres per premise
- (d) Minimum Density
 - 75 units per hectare
- (e) Maximum Density
 - 275 units per hectare
- (f) Minimum Building Height
 - 3 storeys and a minimum height of 12.0 metres
 - The ground floor building height shall be a minimum of 4.5 metres measured from the average grade of the ground floor to the floor of the second storey
- (g) Maximum Building Height
 - 6 storeys up to a maximum of 22.5 metres. Notwithstanding the maximum building height, the façade of the building facing a public street shall include a stepback of a minimum of 2.0 metres
 - The number of building storeys permitted shall be in addition to any storey that has a minimum 80% gross floor area used for parking facilities including stairs, elevators, mechanical facilities, bicycle parking, and locker storage areas

- (h) Minimum Yard Requirements
- (i) Minimum Yard Setback Abutting a Public Road
 - 0 metres, except where the front yard abuts the public road adjacent to the waterfront open space, the minimum yard setback shall be 3.0 metres
 - Outdoor patio and outside display and sales area uses shall be permitted in the yard abutting a public road.
 - (ii) Minimum Yard Setback Abutting a Residential Zone
 - 50% of the building height facing the Residential Zone
- (i) Minimum Separation Distance between one side of a building to the side of another building
 - 3.0 metres
- (j) Minimum Separation Distance between one side of a building to the rear of another building
 - 9.0 metres
- (k) Minimum Separation Distance between the rear of a building to the rear of another building
 - 14.0 metres
- (l) Maximum Yard Setback Abutting A Public Road
 - 3.0 metres, except where the front yard abuts the public road adjacent to the waterfront open space, the maximum yard setback shall be 5.0 metres
 - Where an outdoor patio or outside display and sales area is provided in the yard abutting a public road, the maximum yard setback shall be 5.0 metres, up to a maximum of 25% of the length of the building façade

Maximum yard requirements do not apply when an urban square measuring no less than 250 square metres in area and having a minimum length of 10.0 metres is provided along the length of the main wall oriented toward the front or exterior side lot line

- (m) A minimum of 75% of the length of the front and exterior side lot line shall be occupied by a main wall at the ground floor. A minimum of 75% of the building frontage at the ground floor shall be built to the front and exterior side setback line
- (n) A minimum of 40% of the building façade on the ground floor that is oriented toward a public street shall be occupied by glazing, doors, and or green wall.
- (o) The main front entrance into each premise on the ground floor shall be oriented towards a public street.
- (p) Surface parking, excluding public parking, shall not exceed 65% of the lot area.
- (q) All parking spaces, parking areas, ramps or driveways shall be located to the rear of all buildings.
- (r) Minimum Landscaped Open Space - 10%
- (s) Minimum Parking Requirements
 - Mixed Use Development - 1.0 spaces per dwelling unit plus 0.25 visitor spaces per dwelling unit, in addition to the requirements for other uses in the development in accordance with the provisions of Section 7.
 - All Other Uses - In accordance with the provisions of Section 7.
- (t) Minimum Bicycle Parking Requirement
 - .15 long-term bicycle parking spaces per dwelling unit. Long-term bicycle parking spaces shall be for the use of occupants of a building and shall be located in a secure enclosed bicycle parking area.

- (m) THAT Subsection 18.4, Special Provisions is amended by adding the following subsections:

“18.4.28 GC-28 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the General Commercial Zone or any other provision contained herein to the contrary, the following shall apply to the lands zoned GC-28 on Schedule ‘A4’:

18.4.28.1 PERMITTED USES

- (a) Apartment residential units including ancillary residential uses, dwelling units only permitted above the ground floor
- (b) Banquet and/or convention centre
- (c) Clinic
- (d) Commercial school
- (e) Community centre
- (f) Commercial or private club
- (g) Culinary school
- (h) Daycare centre
- (i) Eating establishment (excluding drive-thru facility)
- (j) Institutional use
- (k) Financial use
- (l) Hotel
- (m) Office use
- (n) Personal service use
- (o) Retirement home including accessory dwelling units, only permitted above the ground floor

18.4.28.2 PROVISIONS

- | | | |
|---|---|---|
| (a) Ancillary Residential Uses | - | Permitted on the ground floor, occupying up to a maximum of 15% of the length of the main wall oriented toward a collector road within the first 9.0 metres depth of building |
| (b) Maximum Gross Leasable Floor Area per Premise on the Ground Floor | - | 4,645 square metres per premise |
| (c) Minimum Density | - | 100 units per hectare |
| (d) Maximum Density | - | 350 units per hectare |
| (e) Minimum Building Height | - | 3 storeys and 10.5 metres |
| (f) Maximum Building Height | - | 15 storeys to a maximum of 52.5 |

- metres. Notwithstanding the maximum building height, the façade of the building facing a collector road shall include step-backs of a minimum of 2.0 metres above the third storey
- The number of building storeys permitted shall be in addition to any storey that has a minimum 80% gross floor area used for parking facilities including stairs, elevators, mechanical facilities, bicycle parking, and locker storage areas
- (g) Minimum Yard Setback Abutting a Public Street - 1.0 metres
- (h) Minimum Interior Side Yard - 10 metres
- (i) Maximum Yard Setback Abutting a Public Street - 12 metres, except where the yard abuts North Service Road, the maximum yard setback shall be 20.0 metres
- (j) Minimum Landscaped Open Space - 25%
- (k) Minimum Width of a Planting Strip Adjacent to a RM2 Zone - 3 metres
- (l) Minimum Width of a Planting Strip Adjacent to North Service Road - 4.5 metres
- (m) Minimum Amenity Area Required - 4 square metres per dwelling unit
- (n) A minimum of 40% of the building façade on the ground floor, and 25% of the building façade for floors above the ground floor, that is oriented toward a public street shall be occupied by glazing, doors, and or green wall.
- (o) A minimum of 40% of the lot frontage adjacent to a collector road shall be occupied by a main wall.
- (p) All parking spaces, parking areas, ramps or driveways shall be located to the rear of all buildings. Surface parking areas shall be fully screened from view from North Service Road by means of landscaping features.
- (q) Minimum Parking Requirements
- Mixed Use Development - 1.0 spaces per dwelling unit plus

- All Other Uses
- 0.25 visitor spaces per dwelling unit, in addition to the requirements for other uses in the development in accordance with the provisions of Section 7.
- In accordance with the provisions of Section 7.
- (r) Minimum Bicycle Parking Requirement - .15 long-term bicycle parking spaces per dwelling unit. Long-term bicycle parking spaces shall be for the use of occupants of a building and shall be located in a secure enclosed bicycle parking area.

14. THAT Subsection 18.4, Special Provisions is amended by adding the following subsections:

“18.4.28 GC-29 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the General Commercial Zone or any other provision contained herein to the contrary, the following shall apply to the lands zoned GC-29 on Schedule ‘A4’:

18.4.28.1 DEFINITION

URBAN SQUARE means a publicly accessible, mainly hardscaped open space area located at grade.

18.4.28.2 PERMITTED USES

- (a) Animal hospital excluding outside pens
- (b) Automotive Rental Establishment
- (c) Banquet and/or Convention Centre
- (d) Clinic
- (e) Commercial or private club
- (f) Commercial school
- (g) Community centre
- (h) Convenience store
- (i) Car wash and gas bar (adjacent to North Service Road only)
- (j) Culinary school
- (k) Daycare centre

- (l) Drive-thru facility (adjacent to North Service Road only)
- (m) Eating establishment including seasonal outdoor patio use
- (n) Financial use
- (o) Firehall
- (p) Hotels
- (q) Institutional uses
- (r) Office use
- (s) Parking Garage
- (t) Personal service use
- (u) Place of entertainment
- (v) Post office
- (w) Recreation use
- (x) Retail use
- (y) Supermarket
- (z) Tourism centre and/or welcome centre

18.4.28.3 PROVISIONS

- (a) Maximum Gross Leasable Floor Area per Premise for Commercial Uses - 4,645 square metres per premise
- (b) Car Wash and Gas Bar Use and Drive-Thru Facility Use - Shall be located adjacent to the North Service Road frontage with a minimum building separation distance of 55 metres from any collector road and any Residential Zone
- (c) Place of Entertainment and Outdoor Patio Use - Shall be located with a minimum separation distance of 35 metres from a Residential Zone
- (d) Outside Storage - Outside storage is prohibited, unless:
 - (i) Screened from view from any street or abutting Prestige Industrial Zone;
 - (ii) Not located in required front yard and/or exterior side yard; and

- (iii) Accessory to a permitted use
- (e) Minimum Lot Area - 1,000 square metres, where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations.
- (f) Minimum Lot Frontage - 20 metres
- (g) Minimum Building Height - 3 storeys and 10.5 metres, with a minimum ground floor height of 3.65 metres
Notwithstanding the minimum building height:
- (i) Two buildings that are one storey shall be permitted in the GC-29 Zone and shall be located adjacent to the North Service Road frontage with a minimum separation distance of 55 metres from any collector road; and
- (ii) One additional building that is one storey shall be permitted in the GC-29 Zone for the purposes of a free-standing supermarket only
- (h) Maximum Building Height - 6 storeys up to 22.5 metres
- (i) Minimum Yard Requirements
- (i) Yard Setback Abutting A Public Street - 3.0 metres
- (ii) Interior Side Yard - 3.0 metres
- (j) Minimum Landscaped Open Space - 20%
- (k) Minimum width of a Planting Strip Adjacent to North Service Road - 4.5 metres

- (l) Minimum of 40% of the length of the front and exterior side lot line shall be occupied by a main wall within the first 9.0 metres depth of the lot line abutting a collector road. This requirement excludes any lot line occupied by an urban square.
- (m) Minimum Parking Requirements - In accordance with the provisions of Section 7
- (n) Minimum Bicycle Parking Requirement - 1 short-term bicycle parking space for each 1,000 square metres of gross floor area used for Commercial Use, up to a maximum of 20 bicycle parking spaces per lot. Short-term bicycle parking spaces shall be located within a bicycle parking area at grade
- (o) Location of Surface Parking
 - Must be screened from view from any public street
 - Minimum setback of 10.0 metres adjacent to a collector road. Notwithstanding the minimum setback, surface parking is permitted to occupy a maximum of 20% of the cumulative length of the lot line facing any collector road
- (p) A minimum of 40% of the building façade on the ground floor, and 25% of the building façade for floors above the ground floor, that is oriented toward a public street shall be occupied by glazing, doors, and or green wall.

15. THAT Subsection 21.3, Special Provisions is amended by adding the following subsections:

“21.3.7 PI-7 (PRUDHOMMES LANDING)

Notwithstanding the provisions of the Prestige Industrial Zone or any other provision contained herein to the contrary, the following shall apply to the lands zoned PI-27 on Schedule ‘A4’:

21.3.7.1 PERMITTED USES

- (a) Banquet and/or convention centre
- (b) Clinic

- (c) Commercial school
- (d) Community Facilities/Centre
- (e) Culinary school
- (f) Daycare Centre
- (g) Financial Use
- (h) Firehall
- (i) Government services
- (j) Hotels
- (k) Office use
- (l) Personal service use, accessory to a permitted use
- (m) Post office
- (n) School
- (o) Recreation use, accessory to a permitted use
- (p) Research and development centre
- (q) Retail use, accessory to a permitted use
- (r) Tourist centre and/or welcome centre

21.3.7.2 PROHIBITED USES

Notwithstanding Subsection 21.1 Permitted Uses of the Prestige Industrial (PI) Zone, those lands as indicated as PI- on Schedule 'A4' the following uses shall be specifically prohibited:

- (a) The outside display or storage of goods in yard
- (b) Nightclubs
- (c) Places of entertainment
- (d) Adult entertainment parlour; and
- (e) Body rub parlour

2.3.7.3 PROVISIONS

Notwithstanding Subsection 21.1 Permitted Uses of the Prestige Industrial (PI) Zone, those lands as indicated as PI- on Schedule 'A4' shall also be subject to the following provisions:

- (a) Accessory Uses - Shall occupy a maximum of 20% of the total floor area of each building within which any accessory use is located
- (b) Minimum Lot Frontage - 20 metres
- (c) Minimum Lot Area - 1000 square metres
- (d) Minimum Building Height - 2 storeys and 7.0 metres
- (e) Maximum Building Height - 6 storeys up to 25 metres.
- (f) Minimum Landscaped Open Space - 20%
- (g) Minimum Yard Setback Requirements
 - (i) Yard Abutting A Public Street - 3.0 metres
 - (ii) Interior Side and Rear Yard - 3.0 metres, except where abutting a RM1 Zone the minimum yard shall be 50% of the building height facing the RM1 zone.
- (h) Maximum Yard Setback Abutting A Public Street - 6.0 metres, except where abutting North Service Road the maximum front yard shall be 24.0 metres
- (i) Minimum Width of a Planting Strip Adjacent to a RM1 Zone - 3.0 metres
- (j) Minimum width of a Planting Strip Adjacent to North Service Road - 4.5 metres
- (k) Parking - In accordance with the provisions of Section 7
- (l) Minimum Bicycle Parking - 1 short-term bicycle parking

Requirement

space for each 1,000 square metres of building gross floor area, up to a maximum of 20 bicycle parking spaces per lot. Short-term bicycle parking spaces shall be located within a bicycle parking area at grade

(m) Location of Surface Parking

- Must be screened from view from any public street and Residential Zone
- Minimum setback of 10.0 metres adjacent to a collector road

17. AND THAT this By-law shall become effective from and after the date of passing thereof.

READ A FIRST TIME THIS 22ND DAY OF JULY, 2019

READ A SECOND TIME THIS 22ND DAY OF JULY, 2019

READ A THIRD TIME AND FINALLY PASSED THIS 22ND DAY OF JULY, 2019

MAYOR: SANDRA EASTON

CLERK: JULIE KIRKELOS

**TOWN OF LINCOLN
CONDITIONS OF DRAFT APPROVAL
Prudhommes Landing**

The Conditions for draft approval and registration of the Prudhommes Landing plan of subdivision, Town of Lincoln are:

General Approval

1. This approval applies to the Prudhommes Landing draft plan of subdivision prepared by D. McLaren, O.L.S. dated June 25, 2019, showing 23 single detached, semi-detached, and street townhouse units (Blocks 17 to 19), 6 blocks of land for 694 single detached, semi-detached, block townhouse, stacked townhouse, maisonette and apartment units (Blocks 6 to 8, 16 and 21), 407 apartment units (Blocks 1 and 9), blocks for commercial/mixed use purposes (Blocks 10, 11, 13, 15, and 23), a block for employment purposes (Block 22), a block for stormwater management purposes (Block 20), a park and open space block (Block 12), a public square block (Block 14), blocks for environmental conservation purposes (Blocks 2 to 5), blocks for road widening (Blocks 24 to 28), and blocks for 0.3 metre reserves (Blocks 29 and 30).
2. The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the Town, to implement or integrate any recommendations from studies required as a condition of draft approval, including, but not limited to Traffic Impact Study, Functional Servicing Report, Noise Impact Study, confirmation of alignment of roads with the locations shown in the draft approved plans, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.

Zoning Approval

3. Prior to final approval, the lands within the subdivision shall receive final approval from the Town for the required Zoning By-law Amendment to permit the development, pursuant to the provisions of the Planning Act.
4. The Owner provides a letter to the Town advising that all lots and blocks conform to the requirements of the Zoning By-law.

Phasing

5. Any phasing of the development will be to the satisfaction of the Town.
6. Prior to building demolition or any site redevelopment on Blocks 1 and 3, the Owner shall complete heritage documentation for the wooden barn, wooden worker's home, and brick house with gable roof, as may be determined to be required.
7. The required Town municipal watermain upgrade shall be constructed prior to building permit issuance, unless the Fire Chief has otherwise confirmed that an adequate water supply for firefighting operations and satisfactory access for firefighting equipment is available to service the subdivision lands.

8. The owner acknowledges in writing to the Town that until such time as a letter from the Town's Director of Public Works has been received by the Owner confirming that the delivery of the municipal water services to the subject property is anticipated to occur within a year, that no agreements of purchase and sale for dwelling units can be entered into.
9. The Owner shall covenant and agree in the subdivision agreement that no building permits will be issued at the south end of Blocks 21 and 22 until said blocks have been combined with abutting lands to create building lots in conformity with the zoning by-law.

Roads

10. The road allowances shown on the draft plan shall be dedicated to the Town as public highways and the proposed streets be named to the satisfaction of the Town.
11. The final alignment and radii of the roads shall be designed in accordance with the final Traffic Impact Study and established municipal standards, to the satisfaction of the Town.
12. The Owner shall covenant and agree in the subdivision agreement that the public highways shall be designed and constructed in accordance with municipal standards to the satisfaction of the Town's Director of Public Works.
13. Fire Access Routes and Fire Department Connections shall be constructed in compliance with Town of Lincoln Municipal Design Standards, Ontario Fire Code and the Ontario Building Code.
14. That the subdivision agreement between the Town and the Owner contain provisions to provide two separate and distinct means of vehicular access to the development in accordance with municipal standards; and one or more means of emergency access to the waterfront to enable police, fire, and ambulance services to effect rescue and other emergency operations in and adjacent to the waters of Lake Ontario, to the satisfaction of the Town.
15. The Owner shall agree in the subdivision agreement that construction access will be restricted to North Service Road.

Land Dedications and Easements

16. Any required daylighting triangles be dedicated to the Town.
17. That Block 20 be dedicated to the Town for stormwater management and for walkway purposes.
18. That Block 12 be dedicated to the Town for parks and open space purposes. The terms and conditions of the dedication of Block 12 shall be in accordance with an agreement between the Town and the Owner, which may require the Owner to pay

cash-in-lieu of parkland fees pursuant to the provisions of the Planning Act, prior to the issuance of a building permit. That the subdivision agreement include provisions whereby the Owner shall provide Block 12 to the Town in a condition ready for finished park development and seeded or sodded as required, as part of the initial phase of the development.

19. That Block 14 be dedicated to the Town as a public square. The terms and conditions of the dedication and construction obligations within Block 14 shall be in accordance with an agreement between the Town and the Owner.
20. That Blocks 2, 4 and 5 be dedicated to the Town for environmental conservation purposes.
21. That Blocks 29 and 30 be dedicated to the Town for a 0.3 metre reserve.
22. The Owner shall grant all easements required for water, sanitary sewer, utilities and drainage purposes to the appropriate authority. Further, any off-site easements necessary to connect watermains, storm and sanitary sewers to outfall trunks and stormwater management facilities shall be dedicated to the Town.
23. Prior to final approval and registration of plans, the Owner acknowledges that should it be determined by the Town or relevant agency that the draft plan does not provide sufficient area for the proper design, construction, and future maintenance of all the underground and aboveground infrastructure to service the subdivision to the satisfaction of the Town, the Owner covenants and agrees to give to the Town, at no cost to the Town, any additional land required.
24. The Owner shall agree in the subdivision agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
25. The Owner shall grant property owner(s) to the south of Block 6 easement(s) as required to ensure adequate vehicular access to the property owner's lands, to the satisfaction of the Town.
26. The Owner shall ensure that all streets and development blocks can provide a through-access. The Owner shall grant all easements required for adequate vehicular access in this regard, to the satisfaction of the Town.

Urban Design, Streetscaping and Trails

27. That the subdivision agreement contain a provision that the Owner's Control Architect will follow the Urban Design Guidelines which incorporate relevant Official Plan and Prudhommes Secondary Plan policies and are approved by the Town, by means of Architectural Control Review, to the satisfaction of the Town. The Owner shall implement and incorporate all requirements of the approved Urban Design Guidelines into all streetscape and landscape plans, engineering plans and any other required

design documents. The Owner agrees that compliance with this condition is required prior to the Owner marketing or selling any such units. NOTE: For any development within the plan that is subject to site plan approval, this condition will be addressed at the site plan approval stage.

28. That the subdivision agreement contain a provision that the Owner submit geotechnical investigation prepared by a Soils Consultant for Block 12, if determined to be required for suitable park development. That the Owner shall be responsible to ensure there is no existing non-structural fill or contamination on Blocks 12 and 14. In the event existing non-structural fill or contamination are encountered on Blocks 12 and 14, the Owner shall remediate, at no cost to the Town.
29. The Owner's Control Architect shall be acceptable by the Town, and the Owner shall ensure that the design architect for any buildings within the plan of subdivision shall not also assume the role of Control Architect for the plan of subdivision.
30. That a streetscape and landscape plan, including a multi-use path network, and composite utility plan be prepared by a qualified professional and be required to implement the recommendations contained in the updated Traffic Impact Study, updated Functional Servicing Report, and updated Urban Design Guidelines to the satisfaction of the Town.
31. That a traffic and parking management plan, including traffic calming measures and potential local and/or regional transit bus stops, be prepared by a qualified professional to the satisfaction of the Town.
32. That sidewalks be provided along both sides of Streets A, B, C, D, E, and F.
33. That the subdivision agreement includes provisions for the construction of trail/walkway within Blocks 2-5, 14, and 20, along the north side of North Service Road within Blocks 1, 4, 9, 10, and 23, and any connections to the Town trail/walkway system. Any required works directly benefitting the development will be at the developer's cost. The terms of cost sharing for works will be confirmed in the Subdivision Agreement.

Natural Environment

34. That prior to approval of the final plan or any site alteration and/or grading, a Tree Management Plan shall be prepared by a qualified arbourist and shall incorporate the required tree replacement ratios to be determined by the Town, for review and approval by the Town. The Owner agrees to implement the approved Tree Strategy recommendations, to be authorized and monitored by a member of the Ontario Professional Forestry Association.
35. That prior to any work occurring on Blocks 4, 5, 12, and 20, a plan shall be prepared by a qualified professional detailing the vegetation and wildlife restoration and enhancement of the westerly drainage channel, easterly valleylands, and waterfront open space in accordance with the recommendations of the updated Environmental Impact Study for review and approval by the Town and Niagara Peninsula

CONDITIONS OF DRAFT APPROVAL– PRUDHOMMES LANDING

Conservation Authority. The plan shall include details of native trees and shrubs to be planted, planting rates, maintenance requirements, monitoring and replanting thresholds.

36. That the subdivision agreement include provisions for the re-alignment/reconstruction of the western watercourse within and adjacent to Blocks 5 and 20 with a naturalized channel and culvert design and provision of adequate maintenance access and public trail.
37. The re-alignment/reconstruction of the western watercourse will require approval by relevant agencies and the Town.
38. The Owner shall only post approved copies of any open space plans, conceptual park plans, and conceptual facility fit plans for the park and open space blocks in all sales offices for dwelling units within the draft plan of subdivision.

Servicing and Subdivision Agreement

39. All required water and sanitary sewer servicing, lot grading, stormwater management, drainage and roadway plans and supporting design calculations shall be submitted by the Owner to the Town, the Regional Public Works Department, the Ministry of the Environment, Conservation and Parks, and any other relevant agency for review and approval.
40. The Owner shall obtain any permissions required from adjacent landowners for the purposes of constructing stormwater management, sanitary sewer, or shoreline infrastructure external to the draft plan which is located on private property, to the satisfaction of the Town.
41. That the Subdivision Agreement require municipal sanitary sewer upgrades to the Laurie Avenue Sewage Pumping Station to be completed prior to any occupancy to the satisfaction of the Town.
42. The Subdivision Agreement shall require that the Owner shall ensure that the stormwater management infrastructure is constructed, certified, stabilized, and operational in accordance with Town-approved engineering drawings and MOECP Environmental Compliance Approval (ECA) to the satisfaction of the Town and Niagara Region.
43. That the Subdivision Agreement between the Town and the Owner contain provisions requiring the Owner, at its costs, to prepare a stormwater management operations, maintenance and monitoring program for the final stormwater management design, including all low impact development measures, to the satisfaction of the Town and Region. The Owner shall implement the monitoring program for all subdivision phases. Should the monitoring program determine that the stormwater quality treatment is not acceptable, then the Owner shall install additional stormwater management infrastructure to the satisfaction of the Town, Region and MOECP and revise the draft plan accordingly, as may ultimately be required. Should the monitoring

CONDITIONS OF DRAFT APPROVAL– PRUDHOMMES LANDING

program determine that stormwater quality is adequate to the satisfaction of the Town and Region, then any corresponding securities shall be released.

44. That the Owner provide to the Town of Lincoln such additional security as the Town requires, to secure the payment of additional stormwater management infrastructure that may be required, to the satisfaction of the Town.
45. That the Subdivision Agreement between the Owner and the Town contain provisions requiring the Owner to prepare detailed shoreline protection design plans by a qualified Coastal Engineer, including the integration of the proposed walkway into the Town's trail system and confirmation of the Lake Ontario Erosion hazard limit, to be submitted to the Town, Niagara Peninsula Conservation Authority, and Ministry of Natural Resources and Forestry for review and approval.
46. All municipal services required by the Town shall be provided by the Owner to the Town, in a manner satisfactory to the Town. Any required works directly benefiting the development will be at the developer's cost. The terms of cost sharing for works will be confirmed in the Subdivision Agreement.
47. The Owner enter into a subdivision agreement with the Town to satisfy all the requirements, financial or otherwise, of the Town concerning the provision of the installation of services, drainage, fencing, financial issues, security to ensure completion of the works and services, and any other matters related to the development of the lands.
48. The subdivision agreement between the Owner and the Town be registered by the Municipality against the lands to which it applies, pursuant to the provisions of the Planning Act.
49. The Owner agrees in the subdivision agreement to pay all applicable development charges prior to the issuance of a building permit.
50. That the subdivision agreement includes provisions for fire breaks and identify the lots and/or blocks that will be subject to the fire break provisions.
51. The Owner shall install at its expense, install fencing along the rear lot lines of Blocks 17, 18, 19, and 21 and if deemed necessary by the Town, to the satisfaction of the Town and Niagara Peninsula Conservation Authority.

Warning Clauses

52. That the following warning clauses be included in the subdivision agreement between the Owner and the Town as well as all agreements to purchase and sale or lease for each dwelling unit:
 - (a) The Owner acknowledges and hereby agrees to include in all offers of purchase and sale agreements the following clauses:

- The lands are subject to the payment of development charges in accordance with the Region, Niagara Catholic District School Board and Town Development Charge By-laws in effect at the time of payment. Development charges are payable prior to the issuance of a building permit.
 - If any change is made to the grading of the Lot, which in the opinion of the Town is contrary to the approved Grading Plan for the Lot (a copy of which may be obtained from the Town), the Town may, at its sole discretion, enter upon the Lot and correct the grading deficiency and add the cost of effecting the correction to the assessment roll for the Lot. Such cost shall constitute a special lien upon the Lot and may be collected in the same manner, and with the same remedies, as municipal taxes.
 - Due to the proximity of the Subdivision to nearby agricultural uses, noise, dust and odours may at times be generated from nearby agricultural uses and may occasionally interfere with some activities of the owners who may occupy these lands.
 - Purchasers/tenants acknowledge that garages provided are intended for use as parking. It is the responsibility of the owner/tenant to ensure that their parking needs (including those of visitors) can be accommodated on site. Public on-street parking is provided on a “first come, first serve” basis and cannot be guaranteed in perpetuity.
 - Purchasers are advised that the dwelling units have been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Ministry of the Environment’s noise criteria. (Note: the location and installation of the outdoor air conditioning device should be done so as to comply with the noise criteria of MOE Publication NPC-216, Residential Air Conditioning Devices and thus minimize the noise impacts both on and in the immediate vicinity of the subject property.) (If required by the Noise Assessment).
 - In respect of Canada Post centralized mail boxes, Purchasers/Tenants are advised that mail delivery will be from a designated Centralized Mail Facility and prior to the closing of any home sales, the Vendor will provide notification of the location of the Centralized Mail Facility for their home/business mail delivery.
- (b) The Owner agrees to include all applicable noise warning clauses recommended in the approved Detailed Noise Report.
- (c) The Owner agrees to provide the Town with evidence that satisfactory arrangements have been made with Canada Post Corporation for the installation of Community Mail Boxes as required by Canada Post Corporation as shown on the approved plans, at the time of the installation of the sidewalks and or curbs. The Owner further agrees to provide notice to prospective purchasers and/or

tenants of the location of the Community Mail Boxes and that mail delivery will be provided via Community Mail Boxes provided the Owner has paid for the activation of the equipment and installation of the Community Mail Boxes.

Regional Approvals

53. That the applicant submit a Stage 1-2 archaeological assessment (and any required subsequent archaeological assessments) for the lands to the west of the completed Stage 2 Archaeological Assessment (prepared by Mayer Archaeological Consultants, dated July 24, 2014) to the Ministry of Tourism, Culture and Sport (MTCS) and receive an acknowledgement letter from MTCS (copied to the Region) confirming that all archaeological resource concerns have met licensing and resource conservation requirements prior to any development on the site.
54. That the applicant submit a Stage 3 archaeological assessment (and any required subsequent archaeological assessments) for Location 1, as identified in the Stage 2 Archaeological Assessment (prepared by Mayer Archaeological Consultants, dated July 24, 2014) to the Ministry of Tourism, Culture and Sport (MTCS) and receive an acknowledgement letter from MTCS (copied to the Region) confirming that all archaeological resource concerns have met licensing and resource conservation requirements prior to any development on the site.
55. That the subdivision agreement between the owner and the Town contain the following clause:

“Should deeply buried archaeological remains/resources be found on the property during construction activities, the Heritage Operations Units of the Ontario Ministry of Tourism, Culture and Sport in London (519-675-7742) and [owner’s licensed archaeological consultant] shall be notified immediately. In the event that human remains are encountered during construction, the owner shall immediately notify the police or coroner, the Registrar of Cemeteries of the Ministry of Small Businesses and Consumer Services in Toronto (416-326-8392), the Ministry of Tourism, Culture and Sport, and [owner’s licensed archaeological consultant].”
56. That prior to approval of the final plan, the owners shall submit a copy of a Phase II Environmental Site Assessment (ESA) which includes the entire draft plan lands, utilizes MOECP Tables 8 and 9, and utilizes residential standards prepared by a qualified person in accordance with Ontario Regulation 153/04, as amended, to the satisfaction of Niagara Region Planning and Development Services Department and the Town.
57. That the Owner shall file a Record of Site Condition (RSC) on the Ministry of Environment, Conservation and Parks’ [Brownfields] Environmental Site Registry in accordance with Ontario Regulation 153/04, as amended, and that the owner provide the Niagara Region Planning and Development Services Department and the Town with copies of the Environmental Site Assessment(s) and site remediation reports as well as a copy of the Ministry of Environment, Conservation and Parks’ written acknowledgement of the filing of the RSC.

CONDITIONS OF DRAFT APPROVAL– PRUDHOMMES LANDING

58. That the applicant submit a Detailed Noise Study to the Regional Planning and Development Services Department and the Town for review and approval.
59. That the subdivision agreement between the owner and the Town contain provisions whereby the owner agrees to implement the recommendations of the approved Environmental Noise Feasibility Study (prepared by Valcoustics Canada Ltd., dated August 30, 2018) and the approved Detailed Noise Study as required in Condition 58 to the satisfaction of the Town and Niagara Region. The Owner further agrees to make any revisions to the draft plan that may be required to achieve the recommendations of the approved Detailed Noise Study.
60. That the applicant update the Environmental Impact Study (prepared by Dougan & Associates, dated October 2018) with the recommendations included in Appendix II and with further consultation with the Town, and submit the updated EIS to the Town and Niagara Region Planning and Development Services Department for review and approval.
61. That the subdivision agreement contain provisions whereby the owner/applicant agrees to implement the recommendations of the updated Environmental Impact Study, as required in Condition 60, to the satisfaction of the Town, Niagara Region Planning and Development Services Department and the Ministry of Natural Resources and Forestry.
62. That the applicant provide a comprehensive and detailed streetscape and landscape plans of the entire frontage along the North Service Road (Regional Road 39) to the Niagara Region Planning and Development Services Department and the Town for review and comment. The detailed plan shall show building setbacks as per the relevant zoning, the multi-use path, planting, landscape buffering of parking, lighting, seating, signage, driveways, gateways, and other placemaking features. The urban design of the multi-use path shall be informed by the findings of the requested Transportation Impact Study (TIS). The detailed plan shall also demonstrate the phased delivery of the proposed works, and the Region's Transportation Master Plan should be referenced for complete streets.
63. That the applicant provide cross-sections for the North Service Road (Regional Road 39) for review and comment. The cross-sections shall show the interface of road to building forms. Several cross-sections may be required capturing the varying conditions and profiles of the North Service Road frontage alongside this development. The cross-sections shall show the travel lanes, the multi-use path, trees and buffering landscaping, lighting, seating, Low Impact Development (LID), and placemaking features shall be included in the cross-section design. Subsurface infrastructure should also be shown. As an industry practice, the dimension of vehicular lanes should not include the dimension of the road gutter.
64. That Low Impact Development features be integrated into the proposed streetscape design, as these features are encouraged in the Secondary Plan, to the satisfaction of the Town and Region.

CONDITIONS OF DRAFT APPROVAL– PRUDHOMMES LANDING

65. That the applicant provide drawings for planned buildings designs along the North Service Road to the satisfaction of the Town and Region.
66. That the applicant revises the Urban Design Guidelines (prepared by IBI Group, dated August 2018) to reflect the recommendations provided in Appendix III. The revised Guidelines shall be submitted to the Town for review and approval and to the Region for review and approval in the context of Regional interests (i.e. North Service Road).
67. That the owner provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
68. That the owner provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the condominium will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town.
69. The prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment, Conservation and Parks Compliance Approval under the Transfer of Review Program.
70. That the subdivision agreement between the Town and the Owner contain provisions for post flow monitoring to ensure the wet weather allowance is being achieved.
71. That the owner submits a Revised Functional Servicing Sanitary Design Report, to the satisfaction of the Niagara Region Public Works Department (Development Services Division), that includes the required calculations and timing for each phase of the development.
72. That the Owner submit a written undertaking to Niagara Region Planning and Development Services Department that acknowledges the sewershed of the Laurie Avenue Sewage Pumping Station has an envelope of servicing capacity that can currently accommodate an additional 10 L/s before upgrades need to be constructed.
73. That prior to the approval of the final plan of subdivision or the undertaking any on-site grading or storm servicing, the owner shall submit a detailed stormwater management plan and all associated engineering drawings (stamped and signed by a qualified professional engineer in accordance with the Ministry of the Environment, Conservation and Parks' 'Stormwater Management Planning and Design Manual' (2003) and the Niagara Peninsula Conservation Authority's 'Stormwater Management Guidelines' (2010)) to the Town and Niagara Region Planning and Development Services Department for review and approval. The required stormwater management engineering submission shall include (but not be limited to):

- a. Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b. Detailed erosion and sedimentation control plans;
 - c. Detailed phasing of construction of the stormwater management facility to coincide with phasing of development of residential lands (internal and external to the subdivision) planned to be serviced by the stormwater management facility.
74. That the subdivision agreement between the owner and the Town contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with Condition 73.
 75. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the stormwater management system required to service this development (to obtain Ministry of the Environment, Conservation and Parks Compliance Approval).
 76. That the owner submits a revised Transportation Impact Study (TIS) to the satisfaction of the Niagara Region Planning and Development Services and the Town.
 77. That the subdivision agreement between the owner and the Town contain provisions whereby the owner agrees to implement the recommendations of the Transportation Impact Study (TIS) required in accordance with Condition 76 to the satisfaction of the Town and Region.
 78. That the owner dedicates the necessary road widening and daylight triangles to the Regional Municipality of Niagara along Regional Road 39 (North Service Road) to accommodate the final approved cross section as described in the Transportation Impact Study (TIS) in accordance with Condition 76.
 79. Prior to any construction taking place within the Regional road allowance the owner shall obtain a Regional Construction Encroachment and/or Entrance Permit. Applications must be made through the Permits Section of the Niagara Region Public Works Department (Transportation Services Division).
 80. That the owner enters into a legal agreement with the Regional Municipality of Niagara to implement and pay for all required road works identified in the final Traffic Impact Study (TIS) for this development including upgrades to Regional Road 39 (North Service Road) and various intersections.
 81. That the owner completes the required traffic monitoring, to determine any future improvements required as recommended in the final TIS in accordance with the attached Traffic Monitoring Protocol.
 82. That the owner ensure that all streets and development blocks can provide an access in accordance with the Regional Municipality of Niagara Corporate Policy and By-laws relating to the curbside collection of waste and recycling throughout all phases of

development. Where a through street is not maintained, the owner shall provide a revised draft plan to reflect a proposed temporary turnaround/cul-de-sac with a minimum curb radius of 12.8 metres.

83. That the subdivision agreement between the owner and the Town contain a provision whereby the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.

Niagara Peninsula Conservation Authority Approval

84. That the Developer submit a geotechnical report to the Niagara Peninsula Conservation Authority for review and approval that identifies the stable top of slope along the top of slope (both east and west) for the valleylands in Block 4 and along the Lake Ontario shoreline west of Block 4. It is understood by the Developer that should Blocks 4 or 5 be insufficiently sized to accommodate the hazard plus required setback, the Draft Plan may need to be revised.
85. That the Developer obtain Work Permits from the Niagara Peninsula Conservation Authority for the following prior to beginning any work on the subject lands:
- a. Installation of shoreline protection;
 - b. Any stormwater outlets into Lake Ontario, Block 20 or Block 4;
 - c. Any restoration/enhancement work to the watercourse in Block 20; and
 - d. Any other work within a Regulated Area under Ontario Regulation 155/06.
86. That the Developer agree to construct the shoreline protection before the construction of any buildings on the subject lands, to the satisfaction of the Niagara Peninsula Conservation Authority, Town, and Ministry of Natural Resources and Forestry.
87. That Blocks 4, 5 and 20 be zoned to Environmental Protection or similar zone category to prohibit buildings and structures, to the satisfaction of the Niagara Peninsula Conservation Authority.
88. That Blocks 4, 5 and 20 be dedicated to the Town of Lincoln or other public agency, to the satisfaction of the Niagara Peninsula Conservation Authority.
89. That the Developer submit detailed grading and construction sediment and erosion control plans to the Niagara Peninsula Conservation Authority and Town for review and approval.
90. That conditions 84 to 89 above be implemented in the Subdivision Agreement between the Owner and the Town of Lincoln, to the satisfaction of the Niagara Peninsula Conservation Authority. The Town of Lincoln shall circulate the draft Subdivision Agreement to the Niagara Peninsula Conservation Authority for its review and approval.

Ministry of Transportation Ontario

CONDITIONS OF DRAFT APPROVAL– PRUDHOMMES LANDING

91. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a storm-water management report indicating the intended treatment of the calculated runoff and the impacts of site drainage on the QEW Highway right-of-way.
92. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a traffic impact study indicating the anticipated volumes generated by the subdivision and their impacts on QEW / Victoria Avenue / North Service Road Interchange / Ramp Terminals.
93. That prior to final approval, the owner shall submit to the Ministry of Transportation written confirmation of the purchase or the on-going purchase of a parcel of land from the MTO, located on the north side of North Service Road and adjacent to the southwest property limit of the Prudhomme's Landing subdivision.

Niagara Peninsula Energy

94. That the Owner enters into a servicing agreement with Niagara Peninsula Energy with regard to the development of this subdivision. **NOTE:** The Owner will responsible for relocating any existing distribution facilities within the subdivision.

District School Board of Niagara

95. That sidewalks be constructed within the Development to facilitate student travel to the school/bus stop locations.

Canada Post

96. The Owner shall address Canada Post's requirements for the installation of community mailboxes to the satisfaction of Canada Post and the Town. **NOTE:** For any development within the plan that is subject to site plan approval, this condition will be addressed at the site plan approval stage.

Lapsing

97. Draft approval shall lapse if final approval is not given to this plan within three years of the draft approval date and no extensions have been granted. If the Owner wishes to request an extension to the draft approval period, a written explanation shall be submitted to the Town with reasons why the extension is required. A resolution from the Town Council must also be obtained prior to the lapsing date.

CLEARANCE OF CONDITIONS

Prior to granting approval to the final plan, the Planning and Development Department will require **written** notification from the following agencies that their respective conditions have been met satisfactorily:

- The Planning and Development Department for Conditions 1 to 97.

- The Regional Planning and Development Services Department for Conditions 53 to 83.
- The Niagara Peninsula Conservation Authority for Conditions 84 to 90.
- Ministry of Transportation for Conditions 91 to 93.
- Niagara Peninsula Energy for Condition 94.
- District School Board of Niagara for Condition 95.
- Canada Post for Condition 96.

NOTES:**1. Conveying**

- As the land mentioned above to be conveyed to the Municipal Corporation may be more easily described in the conveyance by reference to a registered plan than by “metes and bounds”, we suggest that the description be so worded, and,
- We further suggest that the Owner give to the Municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

2. Land Required to be Registered Under the Land Titles Act

- Section 160(1) of The Land Titles Act, which requires all new plans be registered in land titles systems;
- Section 160(2) – allows certain exceptions.

3. Water and Sewerage Systems

Inauguration or extensions of a piped water supply, a sewerage system, a storm drainage system or a stormwater management system is subject to approval of the Ministry of the Environment (Approvals Branch) pursuant to Section 52 and Section 53 of The Ontario Water Resources Act, R.S.O. 1990.

4. Agencies to be Contacted

Kathleen Dale, MCIP, RRP
 Director of Planning and Development
 Town of Lincoln
 4800 South Service Road
 Beamsville ON L0R 1B1
 PHONE: 905-563-8205 FAX: 905-563-6566
kdale@lincoln.ca

David E. Kyle
 Officer Delivery Planning
 Canada Post
 955 Highbury Avenue
 London ON N5Y 1A3
 PHONE: 519-520-0795 FAX: 519-457-5412
david.kyle@canadapost.postescanada.ca

Pat Busnello, MCIP, RRP
 Manager Development Planning
 Planning and Development Services Div.
 Region of Niagara
 1815 Sir Isaac Brock Way
 Thorold ON L2V 4T7
 PHONE: 905-685-4225 FAX: 905-687-8056
pat.busnello@niagararegion.ca

David Deluce MCIP RPP
 Manager, Regulations and Compliance
 Niagara Peninsula Conservation
 Authority
 3rd Floor, 250 Thorold Road West
 Welland ON L3C 3W3
 PHONE: 905-788-3135 FAX: 905-788-1121
ddeluce@npca.ca

Jim Sorley, CET
 Niagara Peninsula Energy
 7447 Pin Oak Drive, Box 120
 Niagara Falls ON L2E 6S9
 PHONE: 905-356-2681 FAX: 905-356-2681
info@npei.ca

Hugh Fyffe
 Project Manager
 Corridor Management Section
 Ministry of Transportation
 159 Sire William Hearst Ave.
 7th Floor, Bldg. D
 Downsview ON M3M0B7
 PHONE: 416-235-4572 FAX: 416-235-4267
hugh.fyffe@ontario.ca

5. **Review of Conditions**

Applicants are advised that should any of the conditions appear unjustified or their resolution appear too onerous, they are invited to bring their concerns to the Planning Committee's attention. The Committee will consider requests to revise or delete conditions.

6. **Clearance of Conditions**

In order to assist the agencies listed above in clearing the conditions for final approval and registration of the plan, the Town will circulate the draft subdivision and the final registered copy of the subdivision agreement between the Owner and the Town to the following agencies:

- Regional Planning and Development Services Department
- Ministry of Transportation
- The Niagara Peninsula Conservation Authority
- Niagara Peninsula Energy
- District School Board of Niagara for Condition 95.
- Canada Post