



Subject:	Official Plan Amendment and Zoning By-law Amendment Application by 1254349 Ontario Ltd. CN: 3-5-02-02 PLOPA20190032, CN: 3-5-02-03 PLZBA20180151
To:	Planning & Economic Development Committee
From:	Planning and Development Department

Report Number:	PD-52-19
Wards Affected:	Ward 4
Date to Committee:	Monday, July 15, 2019
Date to Council:	Monday, July 22, 2019

Recommendation:

Council Approve Official Plan Amendment PLOPA20190032 and Zoning By-law Amendment Application PLZBA20180151 in the name of 1254349 Ontario Ltd. subject to the following conditions:

- (a) That the Official Plan Amendment retain the Medium Density designation and include site-specific provisions to allow a building height of 4 storeys and a maximum density of 82 units per hectare.
- (b) That a (H) Holding provision be placed on the zoning of the lands and that the (H) Holding provision not be removed until:
 - (i) The applicant has entered into a Site Plan Agreement and the Agreement has been registered on title; and
 - (ii) The applicant has submitted the letter of credit and cash payments required by the agreement.

Purpose:

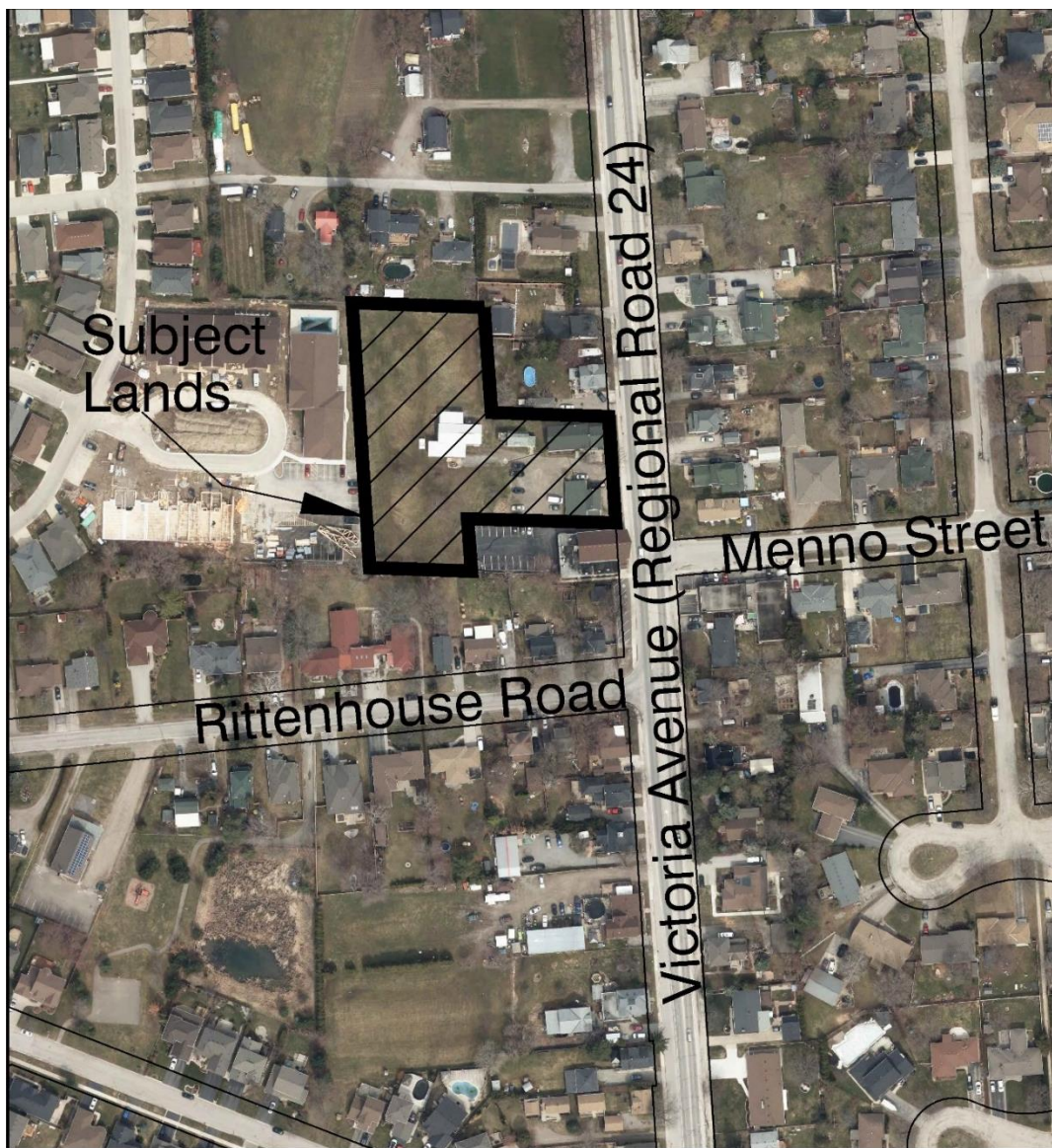
The purpose of this report is to provide a recommendation to Committee and Council regarding an Official Plan Amendment and Zoning By-law Amendment application. The applications intend to permit a four storey, 48-unit apartment building. Staff also note that the application for the Zoning By-law Amendment also recognizes the continued use of the existing four-unit apartment building by providing site specific provisions.

Background:

Location and Background:

The subject lands are located on the west side of Victoria Avenue just north of Rittenhouse Road and Menno Street in Vineland. The lands are legally described as Lot 218, Plan M2.

Land uses surrounding the subject lands consist of residential uses in the form of low density single detached dwellings to the north and east, the Twenty-Valley Community Church to the immediate south, and residential uses, in the form of medium density townhouses and a community centre that serves the Parkbridge Cherry Hill development to the west. A map outlining the location of the lands is provided on page 2.



The applications propose a four storey 48-unit apartment building that will be approximately 13m tall and contain a mix of one-and two-bedroom units that will be approximately 56 sq.m. (602 sq. ft.) and 81 sq.m. (871 sq. ft.) respectively. The access for the site proposes a driveway off Victoria Avenue and a parking area with 60 parking spaces (including three accessible spaces).

The applicant has submitted the following documents in support of the applications: Planning Justification Report, Conceptual Plans/Surveys, Transportation Impact Brief and a Preliminary Servicing Assessment.

Purpose and Effect of the Official Plan Amendment Application

The purpose of the site-specific Official Plan Amendment application is to change the land use designation on the lands from a Medium Density Residential designation to a High Density Residential designation to permit a four storey building rather a three storey building which is permitted in the Medium Density Residential designation.

Purpose and Effect of the Zoning By-law Amendment Application

The subject lands are currently zoned RM1-1. The applicant is requesting that an RM2 zone be applied to the property to permit an apartment use, with site specific provisions for lot frontage, lot area per unit, density and minimum interior yard setback from a Residential 1 or 2 (R1 or R2) zoned lands. A conceptual site plan is provided on Appendix A.

The existing four-unit apartment building will remain as-is. However, since development is occurring elsewhere on the lands, the Zoning By-law Amendment application includes front and interior setbacks, as well as frontage and minimum dwelling unit area to bring the existing building into conformity with the Town Zoning By-law. Staff note that a future consent application will be submitted to sever the existing apartment building. In addition, please note that should the Official Plan Amendment and Zoning By-law Amendment be approved as a result of a subsequent recommendation report, the proposed development would be subject to site plan approval.

The proposed provisions to the Zoning By-law mentioned above will be further discussed later in this report.

Report:

It is required that municipal decisions affecting planning matters shall be consistent with the Provincial Policy Statement (PPS), Growth Plan (GGH) and Greenbelt Plan. The following policies are particularly relevant to this application.

Provincial Policy Statement:

The lands are located within a settlement area as defined by the PPS. Policy 1.1.1 promotes healthy, livable and safe communities by promoting efficient development and land use

patterns which sustain the financial well-being of municipalities over the long-term and by accommodating an appropriate range of residential uses to meet long-term needs. Such communities are sustained by:

- Avoiding development and land use patterns which may cause environmental or public health and safety concerns.
- Providing a range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional, recreation, parks and open space and other uses to meet long-term needs.
- Promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.
- Improving accessibility.
- Promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

Policy 1.1.3.1 states that settlement areas will be the focus of growth and development, and their vitality and regeneration shall be promoted. Policy 1.1.3.2(a) states that land use patterns within settlement areas shall be based on a compact built form (i.e. higher densities) that efficiently use infrastructure and public service facilities, support active transportation and are transit supportive where transit exists or is planned. Policy 1.1.3.2(b) states that land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification and redevelopment where this can be accommodated considering existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Policy 1.1.3.4 states that appropriate development standards should be promoted which facilitate intensification and development, and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and intensification that allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.4.1 requires an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area by:

- Maintaining the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development.

- Maintaining land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment.

Policy 1.4.3 identifies that planning authorities shall meet projected requirements of current and future residents by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households.
- Permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements.
- Permitting and facilitating all forms of residential intensification.
- Directing development towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.
- Further promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit.
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Policies 1.5.1 of the PPS further promotes healthy active communities by encouraging active transportation and community connectivity. The proponent is providing a concrete sidewalk that connects the development with Victoria Avenue, thereby providing active transportation opportunities for residents.

Policy 1.6.2 states that the use of existing infrastructure and public service facilities should be optimized, where feasible, before consideration is given to developing new infrastructure and public service facilities.

Policy 1.6.4 states that expected growth shall be accommodated in a manner that promotes the efficient use of existing municipal sewage services and municipal water services.

Policy 1.6.7.4 promotes land use patterns, density and a mix of uses which minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

The proposed building will provide a type of housing unit that is not well represented within the Town. As such, it will add to potential options for residents and will likely be priced at a more affordable level than typical single-detached and townhouse style developments. It will also include a compact built form that will make better use of the subject lands and available infrastructure within the urban area of Vineland. As such, staff are satisfied that the proposed development is consistent with the policy direction of the PPS.

Places to Grow - Growth Plan for the Greater Golden Horseshoe (GGH):

A Place to Grow 2019 (“Growth Plan”) is the Province of Ontario’s new growth strategy for the Greater Golden Horseshoe region and took effect on May 16, 2019. As with previous version of the Growth Plan, the main goal of this plan is to accommodate forecasted growth in complete communities, while responding to the key challenges that the Region continues to face over the coming decades with enhanced policy directions. This Plan builds on the progress that has been made towards the achievement of compact, transit-supportive, and make effective use of investments in infrastructure and public service facilities in complete communities. The subject lands are located within a “settlement area” and “delineated built-up area”, as defined by the Growth Plan.

Section 1.2.1 (Guiding Principles) contains the following principles, which provide the basis for guiding decisions on how land is developed, resources are managed, and public dollars are invested:

- Support the achievement of complete communities;
- Prioritize intensification and higher densities in strategic growth areas;
- Support a range and mix of housing options, including second units and affordable housing to serve all sizes, incomes and ages of households;
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs; and
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure and moving towards low-carbon communities, with the long-term goal of net-zero communities, by incorporating approaches to reduce greenhouse gas emissions.

Specific to these applications, Policy 2.2.1 of the Growth Plan directs municipalities to develop forecasted growth within an established settlement area that has a delineated built boundary, has existing or planned municipal water and wastewater systems and can support the achievement of a complete community.

Section 2.2.2 (Delineated Built-up Areas) of the of the Growth Plan directs municipalities to develop a strategy to achieve intensification throughout delineated built-up areas which will:

- Identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- Identify the appropriate type and scale of development and transition of built form to adjacent areas;
- Encourage intensification generally throughout the delineated built-up area;

- Ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- Prioritize planning and investment in infrastructure and public service facilities that will support intensification.

Section 2.2.3 (Urban Growth Centres) provides that all areas of urban growth centres will be planned and designed to:

- Cumulatively attract a significant portion of population and employment growth.
- Provide a diverse and compatible mix of land uses, including residential and employment uses to support vibrant neighbourhoods.
- Generally, achieve higher densities than surrounding areas.
- Achieve an appropriate transition of built form to adjacent areas.

Section 2.2.6 (Housing) of the Growth Plan supports the achievement of complete communities through:

- Planning to accommodate forecasted growth to the horizon of the Plan.
- Planning to achieve the minimum intensification and density targets in the Plan.
- Considering a range and mix of housing options and densities of the existing housing stock.
- Planning to diversify their overall housing stock across the municipality.

This policy further 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 3.2.1 (Integrated Planning) of the Growth Plan identifies key policies for infrastructure to support growth. This includes:

- 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.
- 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.

Section 4.2.10 (Climate Change) requires municipalities to develop policies to reduce greenhouse gas emissions and address climate change adaptation goals. These policies are developed to support the achievement of complete communities as well as the

minimum growth targets in the Growth Plan and reduce dependence on the automobile by supporting existing and planned transit and active transportation.

Section 5.2.5 (Targets) sets minimum growth targets as minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of this Plan, the PPS or any other provincial plan.

Planning Staff are of the opinion that the proposed development is consistent with the Growth Plan as it supports the achievement of a complete community, makes efficient use of land in an urban area, supports a range of housing options (including potential affordable housing opportunity) throughout the town, improves the integration of the existing infrastructure. The development is also conveniently located within walking distance to Twenty Valley Public School and the downtown area of Vineland.

Greenbelt Plan:

The subject lands are located within the Vineland Urban Area. All of the Town Urban Area boundaries are designated as Towns/Villages within the Greenbelt Plan. The main direction of the Greenbelt Plan is to preserve valuable agricultural land.

As it relates to the subject site, the Greenbelt requires the development to be in conformity with the Growth Plan and Regional and Town Official Plans, all of which identify growth targets for the Town over a Planning Horizon to 2041. Presently, approximately 66% of the Town's land area is protected by Greenbelt policy, thus limiting the availability of land to support projected growth targets. Therefore, the referenced policy documents all require the majority of growth to occur through a more compact built form within the settlement areas, including Vineland.

Regional Official Plan:

It is required that the municipality ensures that proposed developments conform to the Regional Official Plan. The lands are within the Vineland Urban Boundary Area and therefore the responsibility for regulating land uses within those areas rests with the Town Official Plan and Zoning By-law. Staff note that 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 Regional policies encourage and promote:

- Developing a framework for developing complete communities all across Niagara, including a diverse mix of land uses, a range of local employment opportunities and housing types, high quality public open spaces, and easy access to local stores and services via automobile, transit and active transportation.
- Sustainable, vibrant, complete communities by encouraging mixed and integrated land uses and promoting development that is compact, transit supportive and provides for active transportation.

- A range of housing types to serve a variety of people as they age.
- Urban design standards, municipal beautification, streetscape improvements, public art and public gardens to ensure communities remain attractive places, enhance the quality of life and encourage tourism.
- Complementary private realm site design that addresses public safety, active transportation and landscaping.

Staff conclude based on the above that the proposed development is consistent with the policies of the Regional Official Plan.

Council Policy:

The lands are subject to several municipal planning policies, including policies in the Official Plan. The lands are also subject to Site Plan Control to address matters such as building location, landscaping, buffering, parking, grading, drainage, etc.

Official Plan:

According to the Town Official Plan, the lands are designated Medium Density Residential and lie within the Built-Up Area of Vineland, which is important for measuring and monitoring intensification rates as all growth which occurs within the Built-up Area is considered to be intensification. Section 1.6.4 defines intensification as developing urban lands at a higher density than currently exists through redevelopment, infilling, using vacant or underutilized land or expansion of existing buildings. Section 1.6.4 states that intensification is an appropriate means of accommodating growth since it makes better use of existing serviced land and the increase in housing units created by intensification is also considered a good approach to maintaining and improving vibrancy in a community.

Section 3.1.4 of the Residential general policies identify a range of considerations when new residential development is proposed to ensure compatibility, including building design, density, height, shadowing, open space, landscaping, buffering, parking and access. Water, sanitary and storm services shall also be adequate to accommodate increased residential densities.

The Medium-Density Residential policies of Section 3.1.5.2 state that:

- (a) Medium Density Residential uses shall include block townhouses, street townhouses, low-rise apartments and other forms of multi-unit residential uses.
- (b) Medium Density Residential uses shall have a minimum net density of 25 units per hectare and a maximum net density of 60 units per hectare. Staff note that the applicant is proposing 82 units per hectare.
- (c) Medium Density Residential uses shall not exceed a height of 3 stories, unless a higher height is permitted in an approved Secondary Plan. Staff note that the applicant is proposing a four storey apartment building.

- (d) Development proposals for new Medium Density Residential development shall conform to the urban design policies in Section 8.6.
- (e) All new Medium Density Residential development shall be subject to site plan control in accordance with the policies in Section 9.10.

The Official Plan Section 3.1.13 provides policies for Residential Intensification as follows:

- (a) In accordance with Provincial and Regional policies, the Town will accommodate at least 40% of projected housing growth annually, within the existing Built-up Area as illustrated on the Land Use Schedules to this Plan.
- (b) For the purpose of this Plan, residential intensification is defined as the development or redevelopment of existing vacant land or underutilized land within existing urban areas into building types that more efficiently use existing urban space and services.
- (c) In reviewing intensification proposals, the Town will assess the density of such proposals relative to the character of the surrounding neighborhood and shall consider how the site and building design of the proposal and issues such as landscaping, traffic, servicing and parking have been addressed to integrate the development with the character of the existing neighbourhood and reduce impacts on adjacent properties.
- (d) Intensification opportunities will be encouraged if proponents demonstrate to the satisfaction of the Town, through the provision of detailed site plans and elevation plans, that such proposals will be respectful of, compatible with and designed to be integrated with the existing character of the community or neighbourhood where they are proposed.
- (e) In considering proposals for residential intensification, the following criteria are applicable within the Residential designation:
 - (i) This Plan identifies a number of areas that may be good candidates for residential intensification in Beamsville and Vineland. Those areas are designated as Medium Density Residential or High Density Residential. This does not preclude consideration of other sites in the Residential designation provided the intensification and redevelopment proposals achieve a unit density and housing type that is in keeping with the character, density and building heights of the neighbourhood where it is proposed;
 - (ii) The development will be characterized by quality design and landscaping, will implement suitable building setbacks to preserve the existing character of the neighbourhood, shall meet current parking standards and meet or improve traffic movements so as not to negatively impact the surrounding neighbourhood from the perspectives of safety or neighbourhood character;

- (iii) The creation of new freehold infill lots or vacant condominium developments through the consent process or condominium process, for ground-oriented units, may be permitted provided the proposed lot and unit type and building height is similar to and compatible with the established character of the street or neighbourhood where it is proposed; and
- (iv) The creation of Secondary Residential Units within residential neighbourhoods is considered an appropriate form of residential intensification. The establishment of Secondary Residential Units shall occur in accordance with Section 3.1.6.
- (f) All residential intensification within the Residential designation shall conform to the urban design policies in Section 8.6.
- (g) All residential intensification shall be subject to site plan control in accordance with the policies in Section 9.10.

With respect to the above intensification policies, staff recognize that the proposed apartment building are consistent with the Town Official Plan policies that focus on intensification. Specifically, the apartment building consists of a compact built form at higher density that more efficiently utilizes the urban land. However, two provisions including the maximum height of three stories and density of 60 units per hectare require an amendment to the Town Official Plan.

Therefore, the site specific amendment to the Town Official Plan would address this by recognizing and permitting a four storey apartment building with a density of 82 units per hectare. Other than these considerations, the proposed development is consistent with the Official Plan policies for lands designated as medium density since it consists of an apartment dwelling that makes more efficient use of available urban lands. It meets parking requirements and the traffic study submitted by the applicant demonstrates that the forecasted traffic movements will not negatively impact the surrounding neighbourhood from the perspectives of safety or neighbourhood character.

Urban Design:

As mentioned previously the Official Plan establishes Urban Design policies. The intent and purpose of the Urban Design policies are to appropriately design and ensure compatibility for intensification and redevelopment within the Town's fixed Urban Area Boundaries. These policies aim at arranging and designing buildings with good urban design to make communities functional and attractive. Below are the applicable policies:

Development in the Town will be based on the following design principles:

- (a) To encourage a compact, walkable and well-connected community;
- (b) To encourage mixed use and a range of housing;
- (c) To provide a linked public open space system;

- (d) To encourage quality architecture and to ensure that buildings provide an appropriate edge to the street;
- (e) To encourage increased density in appropriate locations;
- (f) To provide a range of transportation options, including walking and cycling;
- (g) To encourage complete streets for all users;
- (h) Appropriate design of streets and public spaces in order to enhance and encourage pedestrian and public activity;
- (i) To encourage a strong sense of place;
- (j) To encourage improvements to the public realm;
- (k) New development is to be compatible with established development;
- (l) Protection of the heritage buildings and structures;
- (m) Protection of the natural environment; and
- (n) The preservation of cultural heritage landscapes and features.

Also, applicable, are the policies included in Section 8.6.3.4 (Housing) the general intent of these policies is to provide direction that relate more specifically to the specific design including windows, doors, garages and entrances to new forms of housing. The following policies are applicable:

- It is the Town objective to enhance the physical appearance new residential development in the Town. All new development or redevelopment shall conform to the Town Urban Design Policies.
- To minimize the visibility of vehicles parked in the front yard.
- New development adjacent to public open space or streets shall have principal facades facing the public open space or street.
- Rear yards shall not be located adjacent to public roads and open space. The use of window roads, alleys and innovative housing types shall be encouraged to create high quality safe public streets and open spaces;
- New development in existing developed areas shall respect, enhance and complement the character of the existing neighbourhood by:
 - Scaling new buildings to reflect the height and width of existing adjacent structures.
 - Establishing new setbacks based on those of existing adjacent *development*.
 - Incorporating the proportions and architectural elements of existing adjacent buildings such as floor heights and eave heights in the design of new *development*.

- Incorporating architectural features such as porches, window size and arrangements, and roof profiles that are predominant in the area.
- Selecting materials and colours for new construction from the variety of materials used on existing buildings in the area and are reflective of the small-town agricultural *character* of Beamsville.

The applicants have indicated that architectural details such as brick, stucco, composite cladding, glass balconies, cornices, and larger window design are all being considered at this stage. Conceptual elevation drawings are included in Appendix C. The urban design policies and guidelines of the Official Plan will be further considered during the subsequent site plan (detail design) stage, which is typical in terms of the progression of a development through the planning process.

Zoning By-law:

The existing zoning on the property is Residential Multiple 1 (RM1-1). The Residential (RM1-1) Zone permits existing single detached dwellings and additions thereto, fourplex dwellings, townhouse dwellings, triplex dwellings along with ancillary uses.

The proposed zoning by-law amendment will establish two site-specific Residential Multiple (RM2) zones on the property.

Apartment Building (Part 2)

For the new apartment building (shown as Part 2 on Appendix B), the lands need to be zoned from RM1-1 to RM2 to permit the use of an apartment building. Moreover, a few site-specific provisions such as lot frontage, lot area per unit, and minimum interior yard setback from adjacent Residential 2 (R2) zoned lands need to be incorporated. Aside from these site-specific provisions being requested the proposed building would meet all other standards of the RM2 zone in terms of massing, setbacks and parking. The table below provides the typical standard RM2 in comparison with the proposed relief.

RM2 (Apartment Dwelling)	Required	Proposed
Minimum Lot Frontage	30 metres	21 metres
Minimum Lot Area per unit	125 sq. metres	120 sq. metres
Max Density	80 units per hectare	82 units per hectare
Minimum Interior Side Yard	9 metres from an R1 or R2 Zone	8 metres from R2 zone to the south

Existing Apartment Dwelling (Part 1)

The existing apartment dwelling (shown as Part 1 on Appendix B) is going through an amendment process to bring it into conformity in terms of setbacks, and dwelling unit

area. The amendment would also recognize a reduced lot frontage which would result from a future land severance application.

The following page provides a table of the regular RM1 Zone for Street Townhouse Dwellings in comparison to the RM1 Zone that the applicant is requesting with site specific provisions:

Staff note that the interface to existing areas is all via proposed rear yards. The purpose of the provision of reduced front yards is to make sure the full rear yard setback is maintained. The current minimum standard for front-yards is largely based on parking and amenity area, in this case curb-front parking is provided thus eliminating the need for such standard.

RM2 (Existing four-unit Apartment)	Required	Proposed
Minimum Lot Frontage	30 metres	19 metres
Minimum Front Yard Setback	6 metres	0.2 metres
Max Density	80 units per hectare	82 units per hectare
Minimum Interior Side Yard	9 metres from an R1 or R2 Zone	3.46 metres from R1 zone to the north

Planning and Development Staff:

When considering most recent Provincial and local policies that are outlined earlier in this report, 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 the Town lands being largely constrained by the Greenbelt and Niagara Escarpment Plan policies, thereby limiting development potential.

The subject lands are designated as Medium Density which permits low-rise apartments such as the proposed and other forms of multi-unit residential uses. The site specific amendments to the Official Plan that are required to address height in terms of stories and density do not represent any departure from the intent of the applicable policies. In consideration of height, although four stories is provided when three is permitted as of right in the Official Plan, staff highlight that the actual measured height is 13m, whereas 12.5m is currently permitted by the Town Zoning By-law. As such, the proposed development does not represent a built form that is much higher than could be implemented as of right. The applicant further considered impacts to adjacent landowners by undertaking a shadow study to identify the optimum location for the building. In addition, although the Official Plan caps medium density uses at 60, most recent provincial policy encourages intensification to make better use of available urban land and to provide a range of housing options.

With respect to the Town Zoning By-law, it has not been updated to conform to the latest Provincial policy surrounding intensification and provision of more housing choices. The proposed development will add a maximum of 48 units that would be located within a five to 10-minute walk of the Vineland Central Business Area, local amenities and public services, including the Vineland Public School. It is also important to note that the proposed development makes efficient use of existing infrastructure. It has been confirmed that there is sufficient sanitary and water service capacity in the respective systems to accommodate the development and stormwater management will be managed on site via underground storage so that flows off of the site are controlled to pre-development levels.

The proposed built form also promotes the development of a complete community. Complete communities are an integrated approach to transportation planning, land use planning, and community design to provide a good quality of life and meet the needs of people of all ages, abilities, ethnicities, and income levels. The goal is to increase flexibility for people to choose where they can live, leading to a greater economic and social inclusion of social housing tenants within the Town. The Official Plan outlines that a sustainable community is achieved by:

- Providing choices and opportunities for housing, employment, transportation, social, recreational and cultural amenities.
- Making efficient use of its infrastructure by focusing on a compact, mixed-use, walkable, bikeable and connected community.

The application, if approved will assist in meeting the long-term objectives of Provincial policy that support efficient and compact land use. It aligns with directing growth towards existing settlement areas, while maintaining outside agricultural land. Furthermore, the proposed development would meet the intent and policies of the Town's Official Plan and Zoning By-law.

If the application is approved, the lands would be subject to site plan control for redevelopment. Through site plan control, the Town can further address issues such as potential refinement of the building elevations (as a result of commentary received from Committee during the public meeting), parking, landscaping, fencing, site drainage, as well as grading and access. These are important factors to consider, especially the effective use of landscaping to facilitate an appropriate interface with the existing residential properties adjacent to the site.

A holding provision will be placed on the lands until a site plan agreement is entered into by the proponents for the proposed development. The holding provision will also ensure that the agreement is registered on title and the Town receives all required securities relating to the site plan agreement. Consent approval to reconfigure the property boundaries will also be required.

Processing Timelines:

Date of Receipt of Complete Application: March 15, 2019

Processing Time: 4 months and 10 days (122 days)

Section 34(11) of the Planning Act permits an applicant to file an appeal to the Local Planning Appeal Tribunal 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.

Financial, Legal, Staff Considerations:

Financial: If approved, Town, Regional and Catholic School Board Development Charges, and Cash in Lieu of Parkland Dedication fees are required to be paid prior to the issuance of a building permit.

Staffing: N/A

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:

The Zoning By-law Amendment application was circulated to relevant government agencies and Town Departments as well as property owners within 120 metres of the subject lands. An open house was held on April 30, 2019 and a public meeting was held on May 13, 2019. The following comments and concerns have been provided generally regarding the following:

Traffic/Parking/Pedestrian Connectivity – Public input included concern with respect to a potential increase in traffic resulting from the development. Other concerns brought forward had regard for Rittenhouse Road being an underdeveloped road that already sees poor driver behavior combined with frequent pedestrian travel and that this development could exacerbate such conditions.

As a component of the application, a traffic report was reviewed by Town staff so that potential impacts to the local street network could be quantified. This report concluded that the proposed development would generate between 17 and 21 trips within the weekday morning and afternoon peak hours (i.e., 7 am to 9 am and 4 pm to 6 pm). These are the points where the most trips to and from the development are expected. It is important to note that residents will not always be coming and going at the same time so there will be smaller amounts at other hours too. As such, the identified trip forecast is considered low. With respect to traffic control, this will be confirmed during the subsequent site plan stage when detailed design occurs, and a key component will be providing safe crossing for pedestrians travelling along the sidewalk on Victoria Avenue. A sidewalk is proposed to connect the development to the sidewalks along Victoria Road. Furthermore, improvements on Rittenhouse Road that will urbanize the corridor and

improve safety for pedestrians has been moved up in the capital projects list and is tentatively identified to start in 2020.

Building Height and Shadow Impacts– Residents expressed concern with respect to potential shade/shadow impacts resulting from the proposed building height.

The height of the proposed building is approximately 12.75m (just under 42 feet) which is only .25 m (less than one foot) higher than the maximum height permitted in the zone that currently applies to the property. Further, the west side of the building (on the side of the clubhouse) is considered the rear yard and the required 7.5m (25 feet) setback is being maintained. The applicant has also completed a shadow analysis for the building. This analysis models the shadow of the building at various times within sample dates including Mar. 21, June 21 (at summer solstice) and Dec 21. The results show that the only time a shadow is cast on the adjacent clubhouse property is in the morning (around 9:00 a.m.) on these dates. The shadow on all sample dates is no longer present by noon.

Privacy Impacts – Residents expressed concern that some of the units within the proposed apartment building will have views directly into adjacent properties which could potentially impact quality of life of these residents.

If the proposed zoning amendment is approved, the design of the proposed apartment building will have to proceed through a subsequent site plan stage when details including the placement of windows and balconies are reviewed by staff. This review will consider potential impacts to adjacent properties and staff will work with the applicant to minimize these impacts to the greatest extent possible. In addition, the inclusion of landscaping components including tree/shrub plantings and fence installation are also undertaken during the site plan stage to further mitigate potential privacy impacts.

Lighting and Noise Issues – Residents commented that there is a potential for site lighting to impact adjacent properties. They also indicated that events in the adjacent clubhouse could result in noise impacts to future occupants of the proposed apartment building.

With respect to site lighting, the site plan process requires applicants to submit a photometrics plan. This plan numerically shows the extent that the ground is lit throughout the site and when staff review, they look for a value of “0” outside the property line to make sure light is not escaping from the site. Standard practice when considering developments like this is also to make sure the lights themselves are downward firing to further minimize general light pollution both to adjacent properties and into the sky.

In considering the potential for noise impacts due to events at the clubhouse, staff note that the proposed use of the apartment building is residential which is consistent with the Town Official Plan and Zoning designations of the surrounding properties. In addition, the required rear yard setback which separates the proposed apartment building from the clubhouse property is maintained. Potential impacts will also likely be mitigated as a result of fencing and landscaping details that will be considered during the subsequent site plan stage.

Density – Residents inquired as to whether or not studies have been undertaken that have indicated an increased density is required in the area.

The Town identified the requirement for medium and high-density growth in the study leading to the development of the “Mixed Use and Residential Intensification CIP”. This study was implemented to align with the Town Official Plan, Regional Official Plan and the Province’s mandate to encourage and promote intensification and offer incentives to those that might seek to align with the direction of the said planning documents. Since this study, further policy wording in the Provincial Growth Plan has been released that speaks to growth targets and the need to focus growth in a more compact built form within urban areas. This is exasperated by the Town being located largely within the Greenbelt, where growth is extremely limited. Furthermore, the Regional Municipal Comprehensive Review is underway which sets out growth targets for municipalities based on Provincial policy.

Planning Staff note that a follow up letter was circulated to all residents that signed the open house sheets, public meeting sheets, those within 120 metres circulation and those who signed a petition on June 28, 2019.

Conclusion:

As outlined in this report, staff are of the opinion that this application is 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 as it supports policies related to intensification in the Official Plan. Staff are also recommending that the Medium Density designation be maintained on the lands with site-specific provisions to allow the increase in building height and density on the lands rather than redesignating the lands to a High Density Designation.

Respectfully submitted,

Matt Bruder, MCIP, RPP
Associate Director of Planning and Development

Appendices:

Appendix A Site Plan
Appendix B Survey
Appendix C Elevation Drawings

Notification:

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

Report Approval:

Report has been reviewed and approved by the Chief Administrative Officer.



LEGAL DESCRIPTION
LOT 218, REGISTERED PLAN M-2
TOWN OF LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

LEGEND	
WV	EX WATER VALVE
WVC	PROP WATER VALVE
WMC	EX WATER VALVE CHAMBER
WMC	PROP WATER METER CHAMBER
HYD	EX HYDRANT
HYD	PROP HYDRANT
CB	EX CATCHBASIN
CB	PROP CATCHBASIN
LS	EX LIGHT STANDARD
LS	PROP LIGHT POLE
DOOR	DOOR
PROP CURB	PROP CURB
PROP DEPRESSED CURB	PROP DEPRESSED CURB
PROP CHAIN-LINK FENCE	PROP CHAIN-LINK FENCE
PROP WOOD FENCE	PROP WOOD FENCE
BARRIER-FREE PARKING SIGN	BARRIER-FREE PARKING SIGN
FIRE ROUTE SIGN	FIRE ROUTE SIGN
6.0m WIDE FIRE ROUTE	6.0m WIDE FIRE ROUTE

LAND USE SCHEDULE

LAND USE	# OF UNITS	AREA (sq.m.)	AREA(ha)	AREA(%)
TOTAL - PART 1	4	726.92	0.07	100
APARTMENT BUILDING		198.69	0.019	27.33
ROADWAY/PARKING		93.41	0.009	12.85
LANDSCAPING		434.82	0.043	59.82
PART 1 - DEVELOPABLE AREA = 0.07ha DEVELOPABLE DENSITY = 55.03 units/ha				
TOTAL - PART 2	48	5937.18	0.59	100
APARTMENT BUILDING		1219.00	0.12	20.53
ROADWAY/PARKING		2360.32	0.236	39.76
LANDSCAPING		2357.86	0.236	39.71
PART 2 - DEVELOPABLE AREA = 0.59ha DEVELOPABLE DENSITY = 81.36 units/ha				
PARKING: PART 1 Required - 1.25 spaces/unit including 4% accessible Provided - 5 spaces (including 1 accessible) PART 2 Required - 1.25 spaces/unit including 4% accessible Provided - 60 spaces (including 3 accessible)				



#	REVISION	DATE	INIT

NOTES:
1. THE POSITION OF POLE LINES, CONDUITS, WATERMAINS, SEWER, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED, BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
2. PROPERTY LINES WERE PLOTTED USING REGISTERED PLANS AND BARS LOCATED IN THE FIELD. TO VERIFY THE ACCURACY OF THESE PROPERTY LINES, A LEGAL SURVEY SHOULD BE PERFORMED PRIOR TO CONSTRUCTION.
3. ALL CONSTRUCTION MUST COMPLY WITH THE NIAGARA PENINSULA STANDARD CONTRACT DOCUMENT.

DRAFTING	M.K.
DESIGN	C.R.
CHECKED BY	---
APPROVED BY	---

TOWN OF
Lincoln

3998 VICTORIA AVENUE
TOWN OF LINCOLN
PRELIMINARY SITE PLAN

CONSULTANT FILE No.	18110
DATE	2019-01-18
PRINTED	2019-02-26
SCALE	1:250 m
REF No.	
DWG No.	18110-SP
REV	0