BOUSFIELDS INC.

Planning & Urban Design Rationale



5205 King Street

Town of Lincoln

Prepared For

UrbanLink Developments (Beamsville) Ltd. and UrbanLink Developments (5205 King) Ltd.

April 2025

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This Planning Rationale Report has been prepared in support for applications for an Official Plan Amendment and Zoning By-law Amendment. The applications are being filed on behalf of UrbanLink Developments (Beamsville) Ltd. and UrbanLink Developments (5205 King) Ltd., to permit the development of two mixed-use residential apartment buildings on the lands municipally known as 5205 King Street in the Town of Lincoln.



1 Introduction

This Planning Rationale Report has been prepared in support for applications for an Official Plan Amendment and Zoning By-law Amendment (the "**applications**" or the "**proposal**"). The applications are being filed on behalf of UrbanLink Developments (Beamsville) Ltd. and UrbanLink Developments (5205 King) Ltd., (the "**Owner**") to permit the development of two mixed-use residential apartment buildings on the lands municipally known as 5205 King Street in the Town of Lincoln (the "**site"** or "**subject site**"). The subject site is located on the north-west corner of the intersection of King Street and Lincoln Avenue in the community of Beamsville within the Town of Lincoln (the "**Town**") (**Figure 1** - Aerial Location Map).

The applications seek to facilitate the development of the subject site for two mixed-use residential apartment buildings of 6- and 7-storeys in height, as well as a standalone 2-storey amenity building (the "**proposal**"). The proposal will introduce a total of 251 dwelling units with a range of unit sizes within 18,646 square metres of residential gross floor area ("**GFA**"), and 1,071 square metres of retail space, and 804.5 square metres of amenity space provided in a standalone amenity building, 690 square metres provided as private balconies, and 1,687 square metres of outdoor amenity space. A total of 310 vehicle parking spaces are provided both at grade and within one level of underground parking along with 68 bicycle parking spaces and 1 loading space.

From a land use planning perspective, the proposal is in keeping with the planning and urban design framework established by the applicable planning documents, specifically the Provincial Planning Statement (the "**PPS**") and Niagara Region Official Plan (the "**NROP**") and meets the intent of the Town of Lincoln Official Plan (the "**Official Plan**")**.** The proposal will contribute to accommodating the projected Regional and municipal population growth within the Delineated Built-Up Area of the Region and the Town as well as the greenfield area of the Town, within which the western portion of the subject site is located. It secures the replacement of non-residential gross floor area on the subject site and contributes to expanding and increasing housing options and employment opportunities for residents in the Town of Lincoln, particularly in an area of the Town that is currently dominated by low-density residential dwellings and underutilized retail plazas.

From a built form and urban design perspective, the proposal efficiently makes use of urban land through a compact and attractive built form. The proposed height and building form appropriately transition in scale from the lower-density neighbourhood to the north and east through the provision of ample setbacks. The proposal is appropriately scaled and enhances the existing and planned neighbourhood context and is in keeping with the applicable urban design guidelines.

Based on the foregoing, it is our opinion that the Proposal represents good planning and urban design. We recommend the approval of the requested Official Plan Amendment and Zoning By-law Amendment.



Figure 1 - Aerial Location Map

1.1 Niagara Peninsula Conservation Authority Permit

A Niagara Peninsula Conservation Authority ("**NPCA**") Work Permit application was made in July 2023 to allow for the realignment and diversion of Konkle Creek Tributary 2A as well as the stabilization of Konkle Creek Tributary 1B (**Figure 2 - Previous Condition of Tributaries on Subject Site**).

Among other documentation, and Environmental Impact Study ("**EIS**") was prepared by Myler Ecological Consulting (July 2023) in support of the NPCA Work Permit application. The EIS addressed multiple alternatives to the realignment of each tributary and ultimately concluded that the drainage pattern and configuration of the channels on site are no longer relevant within the urban setting that they exist, and in the case of Tributary 2A shown on Figure # above, is unstable.

Ultimately, it was determined that a minor realignment of Tributary 1B along the western property line should occur, and Tributary 2A should be relocated to be a separate and adjacent channel to Tributary 1B.

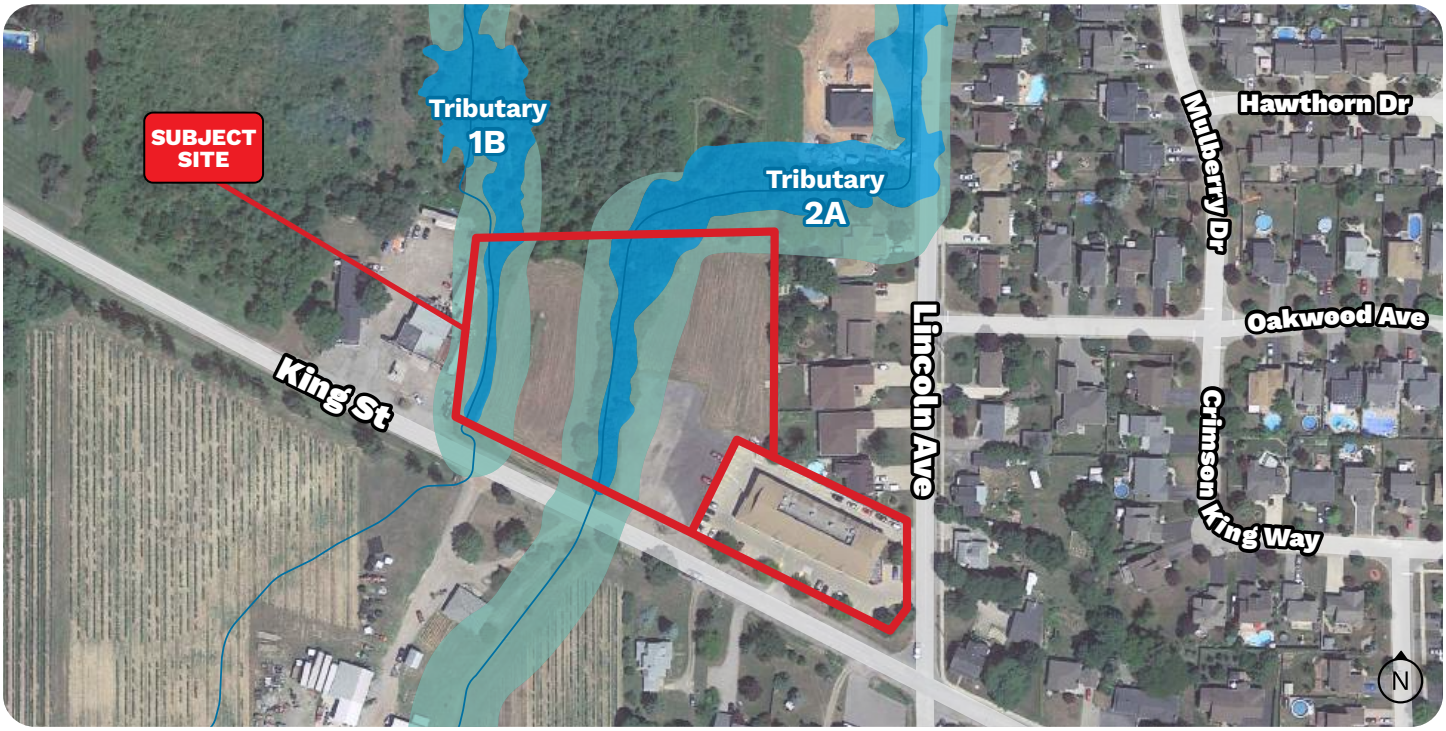


Figure 2 - Previous Condition of Tributaries on Subject Site

Following detailed review of the Work Permit application by the NPCA and their commenting agencies, Permit No. 202300865 was issued on January 12, 2024, and the realignment and stabilization work was commenced shortly thereafter (**Figure 3 - Current Condition of Tributaries on Subject Site**). The realignment and stabilization of the Konkle Creek Tributaries has been completed.



Figure 3 - Current Condition of Tributaries on Subject Site

2 Site and Surroundings

2.1 Site

The subject site is located on the north-west corner of the intersection of Lincoln Avenue and King Street. It is 'L' shaped and is approximately 16,047 square metres (1.60 hectares) in area, benefitting from 45.77m of frontage along Lincoln Avenue and 197.31m of frontage along King Street (**Figure 4 - Aerial of Subject Site**). The subject site is overall flat in terms of topography and has four existing access points; two along King Street and two along Lincoln Avenue.

The subject site is currently occupied by a one-storey commercial plaza with associated surface parking on its eastern portion, and vacant lands on its western portion.



Figure 4 - Aerial of Subject Site



Subject site from Lincoln Avenue, looking west - Commercial Plaza



Subject site from King Street, looking north-east – Commercial Plaza



Subject site from King Street, looking north-west – Vacant Portion



Subject site from King Street, looking north – Konkle Creek Realigned Tributary

The eastern portion of the subject site is relatively flat topographically and contains Lincoln Plaza, a single-storey muti-tenant retail building, containing seven (7) individual retail units. Approximately 1,000 square metres of leasable commercial space is presently available at 5205 King Street. A surface parking lot wraps the retail building; parking spaces are provided to the south and west, and tandem parking spaces and loading / delivery areas are located to the north.

The western portion of the subject site is presently vacant. Two realigned tributaries of Konkle Creek traverse along the north and western boundary of the site and are lined with trees and shrubs in a broader buffering vegetated riparian corridor. The remainder of the western portion consists of low-lying vegetation and a gravel pad that provides additional parking for the retail building.

2.2 Area Context

The subject site is situated on the western edge of the community of Beamsville within the Urban Area of the Town of Lincoln. The intersection of Lincoln Avenue and King Street, where the site is located, has restaurant uses on its north and south-west corners (Smoke & Moonshine Authentic Barbeque on the north-west, and August on the south-west) and residential uses on its north and south-east corners. The subject site is adjacent to residential uses to the north, south and east, and agricultural, rural residential and natural heritage lands to the west.

Beamsville is an urban area of the Town, which sits generally north of the Niagara Escarpment to the Queen Elizabeth Way between Lincoln Avenue to Bartlett Road. It is a mixed use area that is dominated by low rise residential uses and has separated land uses including an employment area north of the CN Rail line, a mainstreet commercial area along King Street, and interspersed low rise commercial uses along major streets.

The evolving planning policy framework, namely the Official Plan, seeks to intensify key areas of Beamsville with higher density mixed use development. This has resulted in the addition of several multi-storey residential and mixed use buildings along King Street and Ontario Street. In recent years, Beamsville has been experiencing urbanization in the form of mid-rise and low-rise development. Approvals for medium and high-density residential land uses have been secured in proximity to the Central Business District and Major Gateway areas of the City, centred around the intersection of Ontario Street and King Street, and approvals for low-rise and medium-density residential land uses have been secured south of the Central Business District and Major Gateway areas.

The urban limits of Beamsville are largely fixed; its northern half is bound by the Greenbelt Plan to the north, east and west, and its southern half is bound by the Niagara Escarpment Plan.

2.3 Surrounding Area

To the immediate north of the subject site is a woodlot identified as 'Other Woodlot' by the Niagara Region Official Plan, as well as a series of 1 to 2-storey single detached dwellings that front onto the west side of Lincoln Avenue, extending to the northern limit of the Urban Boundary. Beyond the Urban Boundary to the north and extending west are a mix of rural residential lots and agricultural lands, including Warner Orchards (4505 Lincoln Avenue), The Good Earth Food and Wine Co (4556 Lincoln Avenue) and other similarly scaled agricultural operations.



Single Detached Dwellings along Lincoln Avenue



Single Detached Dwellings along Lincoln Avenue



The Good Earth Food and Wine Co (4556 Lincoln Avenue)

Further north and east between the CN Rail Line and the Queen Elizabeth Way are employment and industrial uses interspersed with areas of service commercial, restaurant / grocery, and personal fitness uses, among others. Beyond the Queen Elizabeth Way are agricultural uses and Legends Estates Winery (4888 Ontario Street), followed by Lake Ontario.

Immediately east of the subject site is Lincoln Avenue, followed by a residential neighbourhood characterized by single detached dwellings and parks (Tamarac Park). Beyond the neighbourhood is Konkle Creek, followed by higher intensities of land use within the Central Business District and Major Gateway of the Town. A six (6)-storey Senior Living retirement home known as 'The Jacob' is located at 5082 Alyssa Drive, followed by multiple three-storey street and back-to-back townhouse blocks centred around DeSantis Drive and bound by Alyssa Drive. Beyond, single detached dwellings extend to Ontario Street.

South of The Jacob is Fleming Memorial Arena, Lincoln Pelham Public Library – Fleming Branch and a retail plaza, followed by three (3)-storey mixed use stacked townhouses with retail units located at grade located on the south side of Serena Drive.

Beyond is Ontario Street, the main north-south corridor within the Town of Beamsville. A mix of retail, service commercial, medical, and residential uses in a low and mid-rise built form are located along the east and west sides of Ontario Street.



Mixed-Use Stacked Townhouses (Serena Drive)



The Jacob (5082 Alyssa Drive)



Retail and Service Commercial uses along Ontario Street

King Street extends south-east from the subject site. In proximity to the subject site, it is lined on its north and south side by residential uses. Where it approaches and extends beyond Ontario Street in the main Central Business District of the Town, it is similarly lined on each side by a variety of retail, service commercial, medical, and residential uses in a low and mid-rise built forms.

South of the intersection of King Street with Ontario Street is the Condos on King (5008 King Street), a 5-storey mixed use residential building constructed in 2023 that includes retail space at grade.

To the immediate south of the subject site on the south side of King Street are three single detached dwellings and August Restaurant (5204 King Street), a two (2)-storey restaurant building with an associated front yard parking area, located at the intersection of King Street and Lincoln Avenue. Also on the south side of King Street is the downstream channel of the Konkle Creek tributaries, as well as the former Daniel Lenko Estate Winery (5246 King Street).

Further south are low-rise residential uses on the west side of Lincoln Avenue, agricultural uses, the extension of Konkle Creek and other areas of the Regional Natural Heritage System.



The Condos on King (5008 King Street)


August Restaurant (5204 King Street)


Former Daniel Lenko Estate Winery (5246 King Street)

Immediately west of the subject site are lands within the Greenbelt Plan (north side of King Street / Regional Road 81) and within the Niagara Escarpment Plan (south side of King Street / Regional Road 81). The property to the immediate west on the north side of King Street is Ericway Tire Inc. (5249 King Street), an auto repair shop in a single storey building with surface parking in its front yard and outdoor storage to the rear. Beyond is The Blue Heron Workroom (5253 Niagara Regional Road 81), a tattoo parlour within a live-work dwelling.

Beyond on the north side of Regional Road 81 is a woodlot, followed by agricultural lands and rural residential lots extending to Mountaivew Road, beyond which is The Chestnut Tree Preschool (5407 King Street). On the south side of King Street is New Era Engines (5296 King Street) an automotive sales business, followed by rural residential uses and agricultural lands.



Ericway Tire Inc. (5249 King Street) and The Blue Heron Workroom (5253 Niagara Regional Road 81)

2.4 Transportation Network

Road System

King Street abutting the subject site is identified as a Regional Road (Arterial) according to Schedule D1 – Major Roads Plan of the Town of Lincoln Official Plan. According to Schedule M – Road Allowance Widths of the Niagara Region Official Plan, King Street has a planned right-of-way width of 26.2 metres from the western boundary of the Town of Lincoln to Lincoln Avenue, after which the width decreases to 20.1m from Lincoln Avenue to Bartlett Road. King Street provides for two-way traffic with one lane in each direction, gravel shoulders with no sidewalks along its extent, and a posted speed limit of 60 kilometers / hour as it extends west beyond Lincoln Avenue.

Lincoln Avenue abutting the subject site is identified as a Local Road according to Schedule D1-Major Roads Plan of the Town of Lincoln Official Plan (**Figure 5**). The Official Plan defines that Local roads have a planned right-of-way width of 20 metres. As part of the Town of Lincoln's Shape Lincoln 2051: Official Plan Review, Lincoln Avenue is proposed to be classified as a Minor Collector Road according to the updated Schedule D1 – Major Roads Plan (**Figure 6**), which as a planned right-of-way width between 20-23 metres. Lincoln Avenue provides two-way traffic with one lane in each direction, a sidewalk on its eastern side and a posted speed limit of 50 kilometers/hour.

Transit System

The Town, including Beamsville, is served by Niagara Region Transit ("**NRT**") and GO Transit. A GO Bus Transit stop is located approximately 2.5 kilometres north-east of the subject site (Ontario Street @ QEW (Beamsville)). NRT does not currently operate any bus transit service in Beamsville; however, they have introduced a pilot ride-sharing program for communities in West Niagara wherein residents can utilize a smartphone application and/or the NRT website to book private transportation to the nearest NRT Transit Station. Although there are no fixed routes, riders are able to connect to specified pick-up points in West Niagara, Niagara-On-The-Lake, and to designated transit hubs in St. Catharines, Welland and Port Colborne.

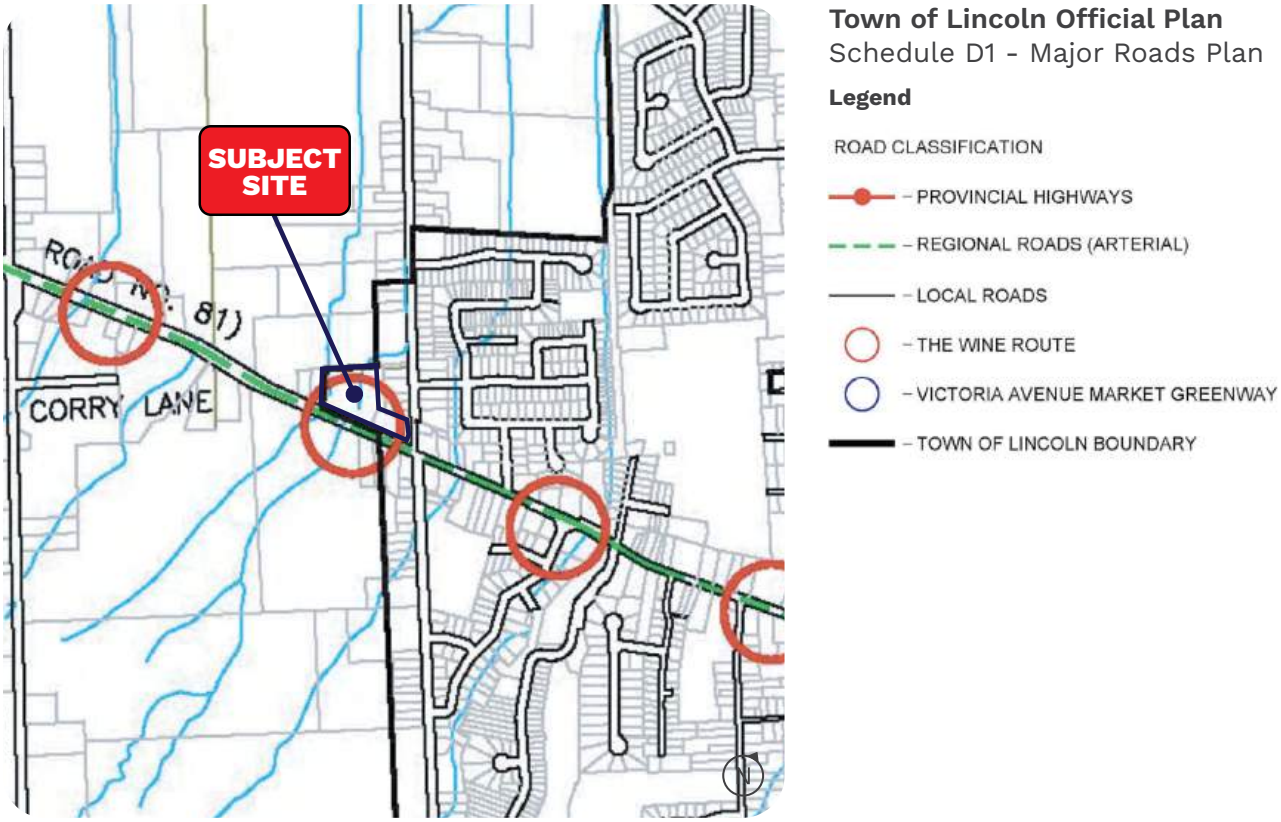


Figure 5 - Schedule D-1 – Major Roads Plan, Town of Lincoln Official Plan

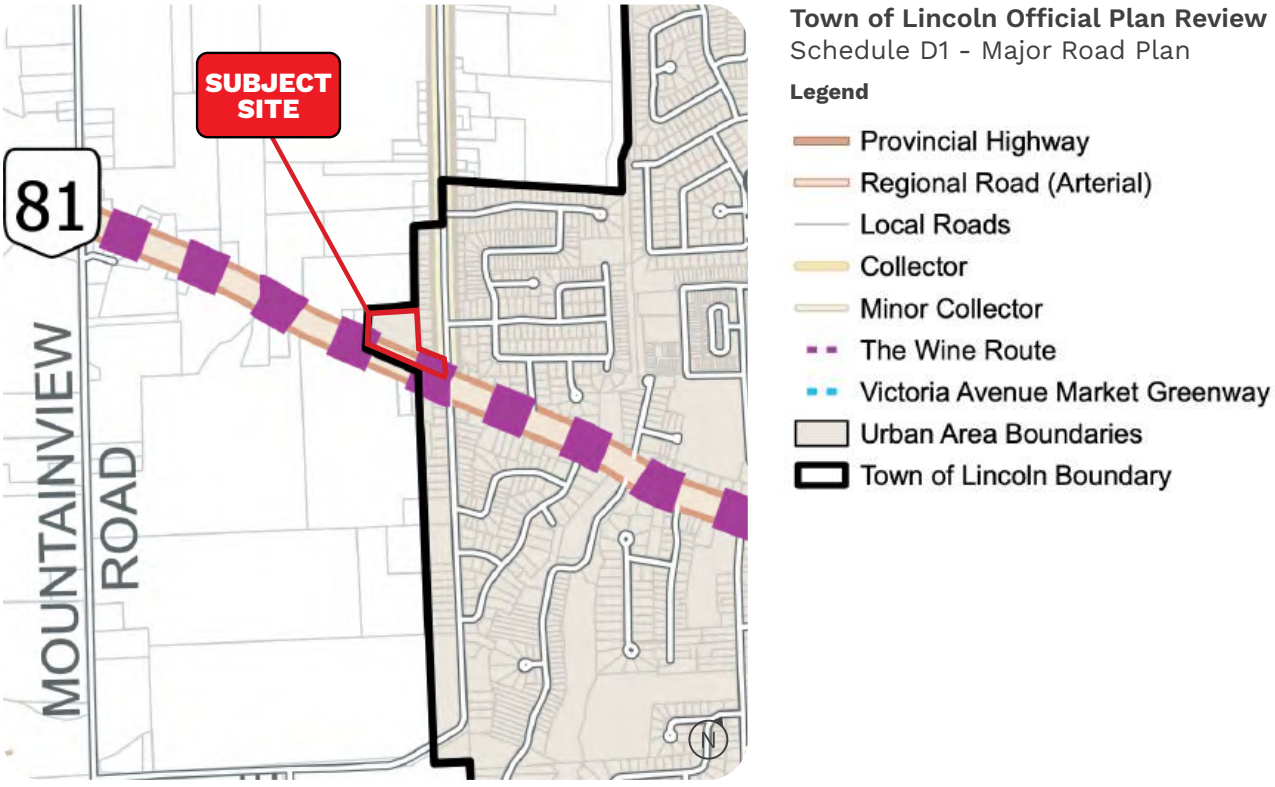
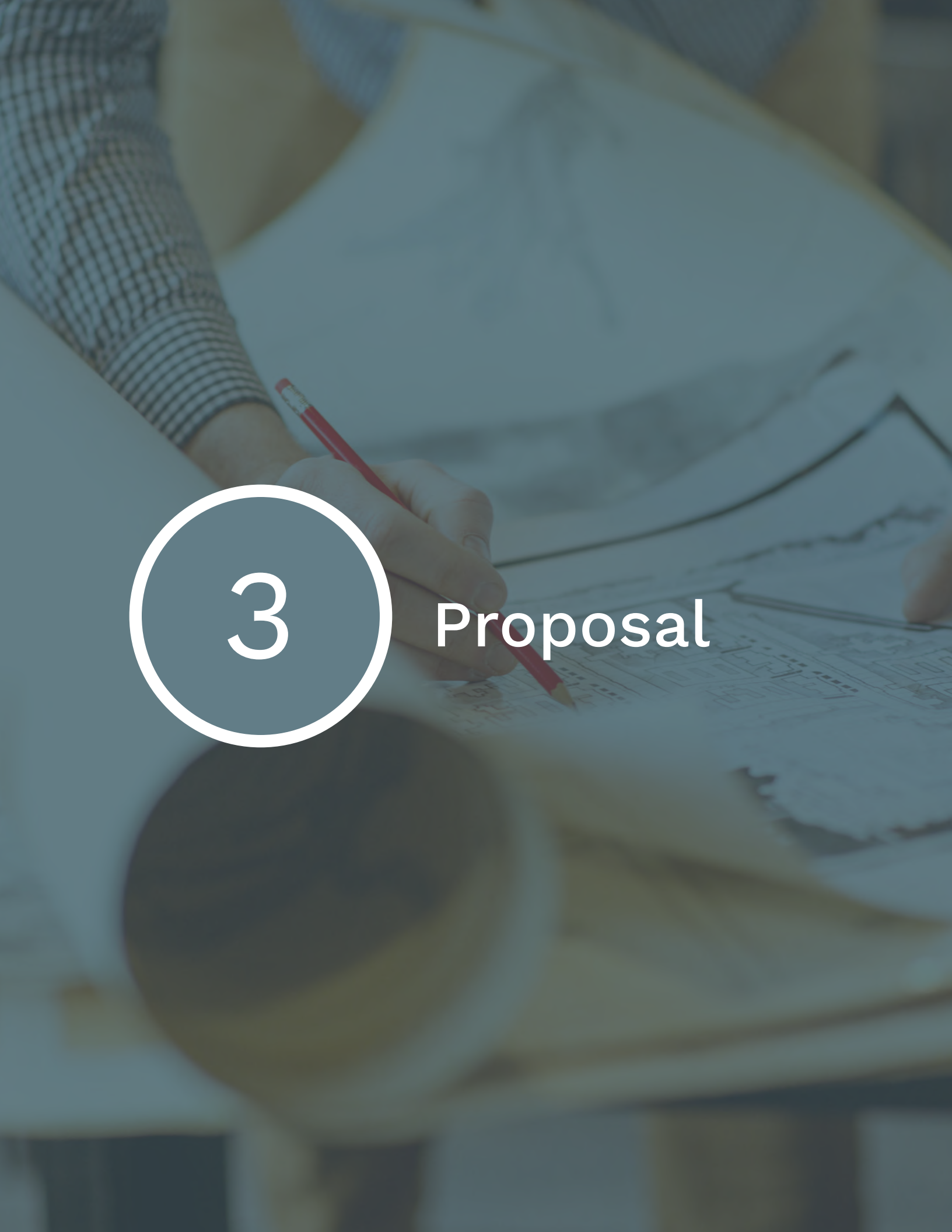


Figure 6 - Proposed Schedule D-1 – Major Roads Plan, Shape Lincoln 2051: Official Plan Review



3 Proposal

3.1 Description of Proposal

The proposal intends to introduce two 6 and 7-storey mixed-use apartment buildings to the subject site, as well as a standalone two-storey amenity building. The buildings will introduce 246 dwelling units and 1,071 square metres of retail space, within an overall gross floor area of 22,071.5 square metres. This results in a density of 1.59 times the net area of the lot, and an overall net density of 176 units per hectare.

Site Plan and Built Form

The two proposed mixed-use buildings are oriented along the subject site's frontage onto King Street. The two buildings consist of a westerly, L-shaped 7-storey building ("**Building 1**"), and an easterly 6-storey building ("**Building 2**"). The third building is a 2-storey amenity building ("**Building 3**"), which is located internal to the site along the northeast lot line. Both Building 1 and 2 front onto King Street, with an access driveway separating the two buildings, while Building 3 includes pedestrian connections to the other two buildings and has associated outdoor amenity areas immediately adjacent.

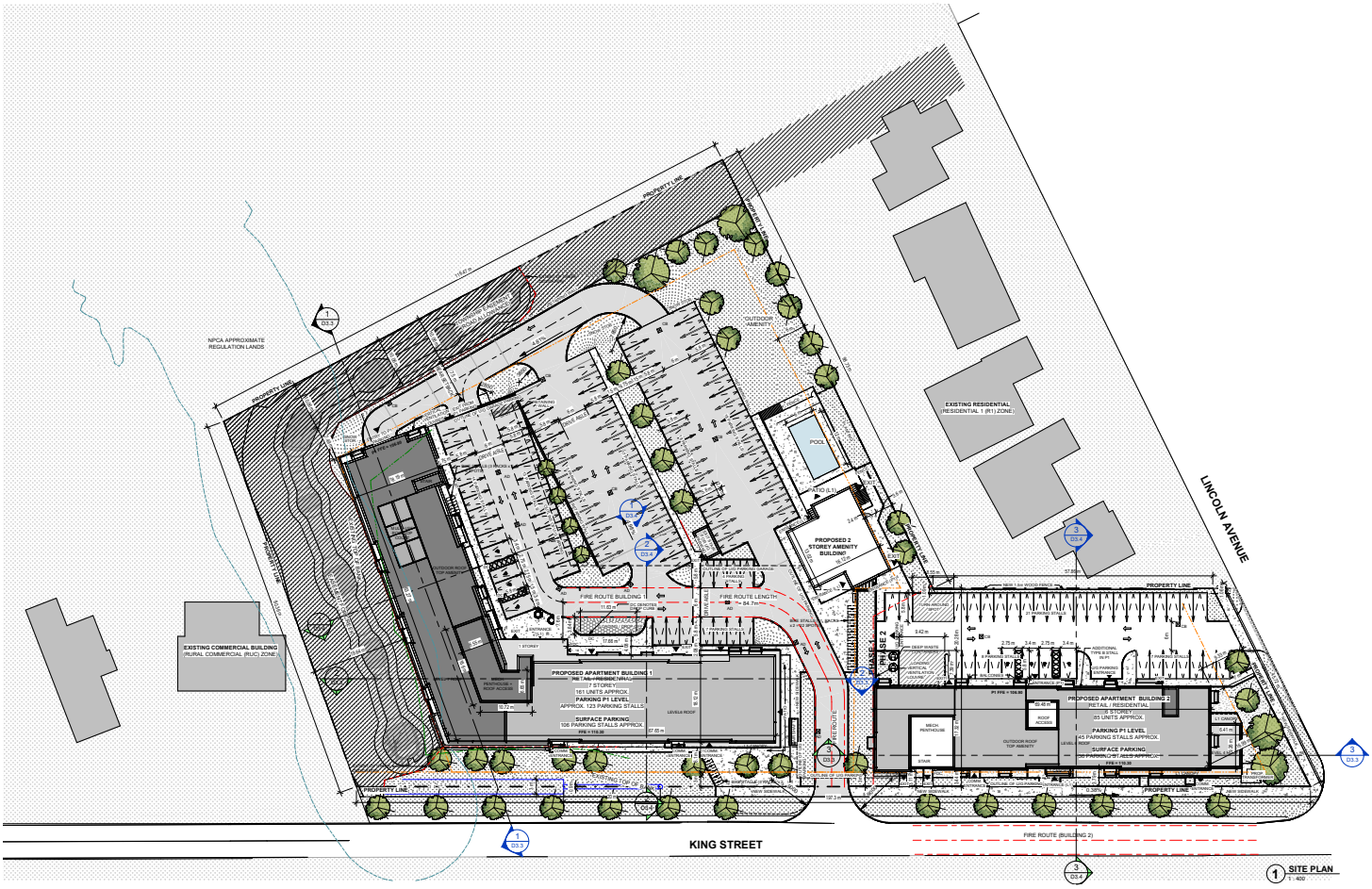


Figure 7 - Site Plan (Prepared by: SRM Architects)

Building 1 features a 6-storey height along King Street, where it is setback 9.1 metres from and aligned with the street line, it also includes a north wing that is stepped away from the King Street line, projects to 7-storeys, and is aligned with the creek. The ground floor includes commercial uses and an indoor amenity space along King Street and residential units within the north wing. Building 2 is rectangular in shape and aligned with the King Street line. It is located closer to King Street, at a minimum of 3.1 metres, due to the location of the channelized pipe associated with the realigned creek in front of Building 1. Building 2 is 6-storeys in height and features commercial uses at grade along King Street and grade-related residential units on the north side of the ground floor. Levels 2 to 6 are utilized for residential apartments. Building 2 features a stepped element at the corner of King Street and Lincoln Avenue, where the building steps down to 4-storeys. At ground level, this section of the building is an open outdoor patio for the commercial restaurant use, while the remaining 3-storeys projects over the outdoor patio and sits on pillars. The building is set back a minimum of 7 metres from Lincoln Avenue, creating the opportunity for enhanced soft landscaping at the corner. Building 2 is set back a minimum of 20.3 metres from the adjacent detached dwellings to the north, separated by a surface parking area described below.

A total of 1,071 square metres of commercial space is proposed within the ground floors of Buildings 1 and 2, divided into 675 square metres in Building 1 and 396 square metres in Building 2. Six retail units are envisioned within these spaces, including retail tenants such as restaurants, butcher shops, and hair salons, though the exact configuration and end user of these spaces will be determined as part of the marketing for tenants, once approved.



Figure 8 - Building 1 South Elevation (Prepared by: SRM Architects)



Figure 9 - Building 2 South Elevation (Prepared by: SRM Architects)

A third building, Building 3, is located north of the proposed access driveway from King Street, with direct visibility from the street between Buildings 1 and 2 to Building 3's front entrance. The 2-storey building will include indoor amenity uses for all the residential units on site. The building will be set back a minimum of 6 metres from the northeast lot line, ensuring adequate separation from the rear yards of the adjacent single-family dwellings.

The site has been laid out so that Buildings 1 and 2 hug the front and west (realigned creek) lot lines. The main vehicular and pedestrian access to the site is located between Buildings 1 and 2 and will include a 6-metre-wide driveway with wide landscaped pedestrian walkways flanking both sides of the driveway. Generous building setbacks are provided along the driveway. A second vehicular access is provided from Lincoln Road, behind Building 2. Surface parking is provided behind Buildings 1 and 2, and a layby pick-up and drop off area is provided in the rear of Building 1. The surface parking areas are grade separated and each provide access to the underground parking garage, the entrances of which is located at the north end of Building 1 and north of the western extent of Building 2. A total of 310 parking spaces are proposed, which includes 142 surface parking spaces and 168 below grade parking within one level of underground parking beneath Buildings 1 and 2.

Building 3 is located beyond the surface parking area behind Building 2 and at the terminus view of the main driveway before it travels northwest. Building 3 is nestled along the north-east property line and includes a large outdoor amenity area at grade that features an outdoor pool and large open landscaped area.

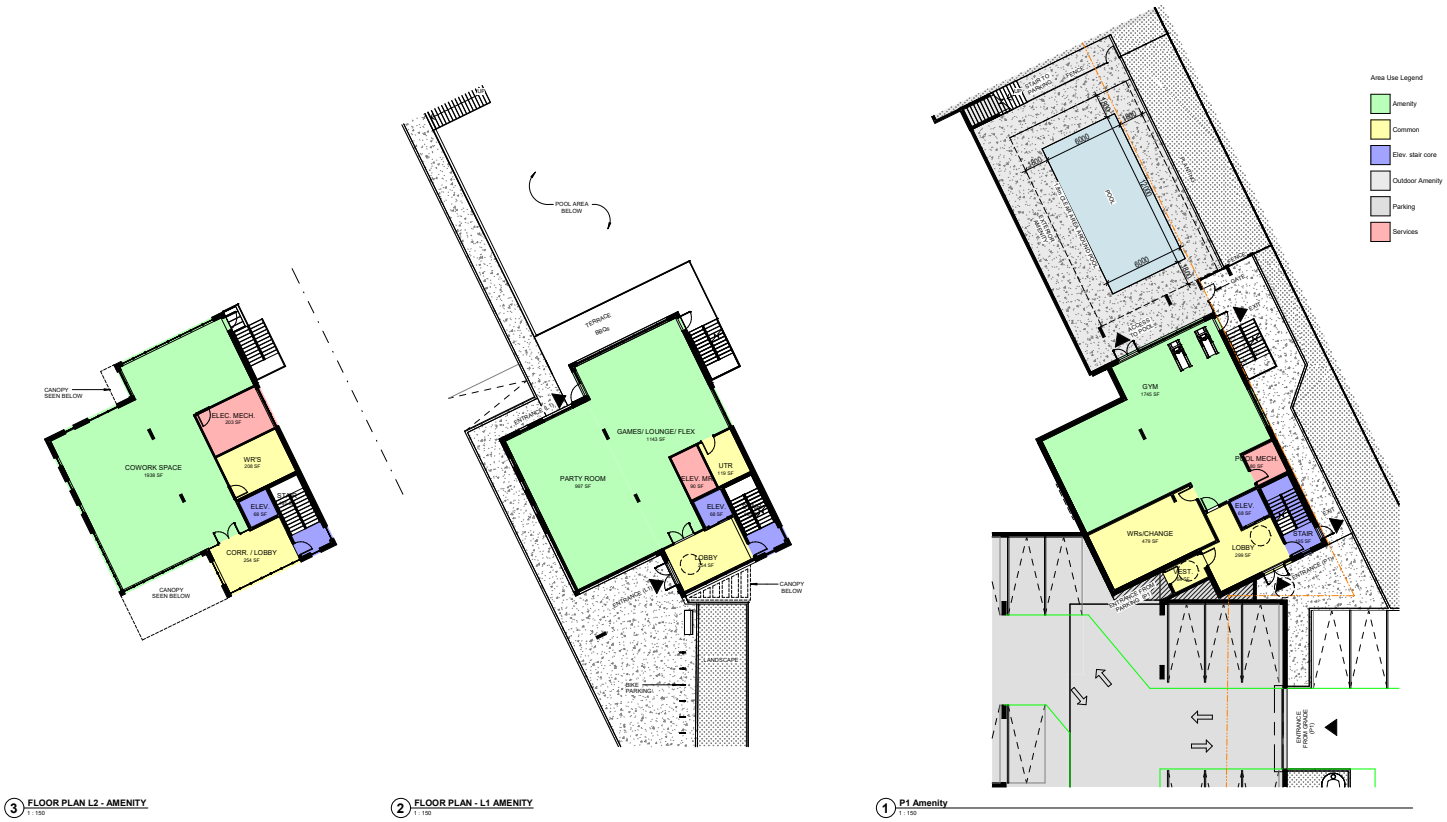


Figure 10 - Building 3 Floor Plans (Prepared by: SRM Architects)

Dwelling Units and Amenity Space

A total of 246 residential units are proposed between Buildings 1 and 2, including 91 one-bedroom units (37%), 123 two-bedroom units (50%), 7 two-bedroom plus den units (3%), and 25 three-bedroom units (10%). Building 1 would contain 161 of these units, with the remaining 85 units in Building 2.

A total of 541 square metres of indoor amenity space is proposed for both buildings in the proposed amenity building. In addition to the dedicated amenity building, an additional amenity area is proposed on the ground floor of Building 1 (177 square metres), fronting onto the realigned Konkle Creek as well as a small area facing the parking lot. A ground floor amenity area is also proposed at the southwest corner of Building 2 (86 square metres). Outdoor amenity areas are also proposed adjacent to the amenity building and on the rooftops of Buildings 1 and 2.

While the final programming of the proposed amenity spaces is to be determined as the design of the proposed development advances, potential uses have been identified as guest suites, party rooms, games rooms, coworking space, and a gym.

Parking, Loading and Access

A total of 310 parking spaces are proposed for the development, located in both the surface parking areas and a single-level below grade parking structure. Of the 310 parking spaces, 246 spaces are to be provided for building residents (1.0 parking space / unit), as well as 25 visitor parking spaces (0.1 visitors parking spaces / unit). 39 of the spaces are proposed for the commercial uses on site, at a rate of 1 space per 30 square metres of floor space.

With regards to bicycle parking, 68 bicycle parking spaces are proposed as a part of the development. This includes 62 residential bicycle parking spaces, consisting of 30 indoor vertical racks and 32 surface spaces. An additional 6 surface spaces are allocated to the proposed commercial retail units.

With regards to loading, the building is proposed to have garbage collection completed via a loading space on the basement level below Building 2. The loading area would be accessed via the surface parking area to the north, similar to the vehicular access to the underground parking structure. Building 1 would be serviced by a garbage room accessible adjacent to the building lobby, with loading vehicles utilizing the short-term loading and drop-off area accessed from the rear surface parking area. Building 2 would be serviced by a garbage room on the north side of the building on the P1 level, where loading vehicles would utilize the adjacent loading space from the surface parking area.

3.2 Key Statistics

Development Standard	Proposed
Site Area	Gross Site Area (Incl. Tributaries): 16,047.5 m^2 Net Site Area (Excl. Tributaries): 13,908 m^2
Gross Floor Area	Residential: 18,646 m^2 Retail: 1,071 m^2
Density	Net: 176 units per hectare Gross: 153 units per hectare
Height:	Building 1: 25.54m Building 2: 22.34m Building 3: 8.6m
Residential Units	246 total units 91 1-bedroom units 123 2-bedroom units 7 2-bedroom + den units 25 3-bedroom units
Amenity Area:	Indoor: 1,494.5 m^2 Outdoor: 1,687m^2
Vehicular Parking	310 total parking spaces 246 resident parking spaces 25 visitor parking spaces 39 commercial parking spaces
Bicycle Parking	30 indoor residential bicycle parking spaces 32 surface residential bicycle parking spaces 6 surface commercial bicycle parking spaces
Loading	1 loading space

3.3 Required Approvals

The proposal is consistent with the PPS and conforms to the NROP. It requires an amendment to the Official Plan to redesignate the limits of the Natural Area and General Commercial designations, and to establish site specific policies to permit the proposed height and density of development.

An amendment to the Town of Lincoln Zoning By-law is also required to rezone the limits of the Environmental Conservation and General Commercial zones, and to establish a site-specific zone to amend certain performance standards as necessary to accommodate the proposal.

4 Policy & Regulatory Context

As set out below, the proposal is supportive of the policy directions established for the subject site by the PPS, the NROP, and the Official Plan, all of which promote and encourage intensification within urban areas.

4.1 Provincial Planning Statement (2024)

On August 20, 2024, the Ministry of Municipal Affairs and Housing released the Provincial Planning Statement ("PPS") 2024, which came into effect on October 20, 2024. The PPS replaced the previously in-effect Provincial Policy Statement (2020) and Growth Plan for the Greater Golden Horseshoe (2019).

The 2024 PPS provides policy direction on matters of Provincial interest related to land use planning and development and will apply to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024. In accordance with Section 3(5) of the Planning Act, all decisions that affect a planning matter are required to be consistent with the PPS. In this regard, Policy 6.1 provides that the PPS "shall be read in its entirety and all relevant policies are to be applied to each situation".

As compared with the 2020 PPS and 2019 Growth Plan, the 2024 PPS is intended to reduce and streamline planning rules, simplify approvals to build homes and eliminate duplication between planning documents. It emphasizes flexibility, with the intent of helping get more homes built across the province, while continuing to protect agricultural lands, cultural heritage and natural areas.

Chapter 1 of the 2024 PPS sets out the Province's current vision for Ontario, emphasizing the importance of building housing to serve a fast-growing province:

> *"More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031. Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come."*

Chapter 1 goes on to describe Ontario's land use planning framework, stating that this framework and the decisions that are made within it:

> *"...shape how our communities grow and prosper. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians."*

One of the key policy directions that continues to be expressed in the 2024 PPS is to build complete communities with a mix of housing options and promoting efficient development and land use patterns.

Policy 2.1.4 directs that an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a. maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and
b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.

Policy 2.1.5 states that where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.4 shall be based on and reflect the allocation of population and units by the upper-tier municipality.

Policy 2.1.6 provides that planning authorities should support the achievement of complete communities by, among other things, accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs.

With respect to housing, Policy 2.2.1(a) provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households.

Policy 2.2.1(b) provides that this should also be done by permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, and all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with Policy 2.3.1.3 (see below).

Further, Policy 2.2.1(c) and (d) direct that an appropriate range and mix of housing options and densities is provided by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation, and by requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

Section 2.3 of the 2024 PPS contains policies related to settlement areas, which continued to be defined as urban areas and rural settlement areas within municipalities (such as cities, towns, villages, and hamlets) that vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available. Furthermore, settlement areas built-up areas where development is concentrated and which have a mix of land uses and are lands which have been designated in an official plan for development over the long term. The subject site is within a settlement area.

Policy 2.3.1.1 directs that settlement areas shall be the focus of growth and development, and that within settlement areas, growth should be focused in, where applicable, strategic growth areas. Policy 2.3.1.2 goes on to state that land use patterns within settlement areas should be based on densities and a mix of land uses which: efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive, as appropriate; and are freight-supportive.

Policy 2.3.1.3 directs planning authorities to support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities. Policy 2.3.1.4 provides that planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

Policy 2.3.1.5 encourages planning authorities to establish density targets for designated growth areas based on local conditions. The 2024 PPS defines designated growth areas as "lands within settlement areas designated for growth or lands added to settlement areas that have not yet been fully developed. Designated growth areas include lands which are designated and available for residential growth in accordance with policy 2.1.4.a), as well as lands required for employment and other uses."

Section 2.4.1 includes policies related to strategic growth areas, which is relevant to the subject site. Strategic growth areas are defined as "nodes, corridors, and other areas within settlement areas that have been identified by municipalities to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form.

Strategic growth areas include major transit station areas, existing and emerging downtowns, lands in close proximity to publicly-assisted post-secondary institutions and other areas where growth or development will be focused, that may include infill, redevelopment (e.g., underutilized shopping malls and plazas), brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas". The subject site is representative of a strategic growth area as it

Policy 2.4.1.1 encourages planning authorities to identify and focus growth and development in strategic growth areas. Policy 2.4.1.2 directs that, to support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, strategic growth areas should be planned: to accommodate significant population and employment growth; as focal areas for education, commercial, recreational, and cultural uses; to accommodate and support the transit network and provide connection points for inter-and intra-regional transit; and to support affordable, accessible, and equitable housing.

Policy 2.4.1.3 provides that planning authorities should, among other things, identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas, permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form, and support redevelopment of commercially-designated retail lands (e.g. underutilized shopping malls and plazas) to support mixed-use residential.

Section 2.8.1 speaks to supporting a modern economy. Policy 2.8.1.1 encourages planning authorities to promote economic development and competitiveness by, among others:

- providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs (a); and
- encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities (d).

Section 2.9 of the PPS addresses energy conservation, air quality and climate change. Policy 2.9.1 directs planning authorities to plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that: support the achievement of compact, transit-supportive, and complete communities; incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities; support energy conservation and efficiency; promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.

Chapter 3 of the PPS includes policies related to infrastructure and facilities. Generally, the infrastructure policies set out in Chapter 3 place an emphasis on the need to integrate land use planning and investment in both infrastructure and transportation.

Policy 3.1.1 provides that infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs, and that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle, leverage the capacity of development proponents, where appropriate, and are available to meet current and projected needs.

The need to make good use of existing infrastructure is emphasized by Policy 3.1.2, which provides that, before consideration is given to developing new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized, and opportunities for adaptive re-use should be considered, wherever feasible.

With respect to transportation systems, Policy 3.2.1 provides that transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and support the use of zero- and low- emission vehicles.

Policy 3.2.2 states that efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible. Policy 3.2.3 provides that as part of a multimodal transportation system, connectivity within and among transportation systems and modes should be planned for, maintained and, where possible, improved, including connections which cross jurisdictional boundaries.

With respect to sewage and water services, Policy 3.6.1, as summarized, includes that planning for sewage and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services; and promote water and energy conservation and efficiency.

Policy 3.6.2 provides that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.

With respect to stormwater management, Policy 3.6.8 provides that planning for stormwater management shall:

- be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
- minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;
- minimize erosion and changes in water balance including through the use of green infrastructure;
- mitigate risks to human health, safety, property and the environment;
- maximize the extent and function of vegetative and pervious surfaces;
- promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and
- align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.

Chapter 4 of the PPS provides policies for the wise use and management of resources. Regarding natural heritage, Policy 4.1.1 states that natural features and areas shall be protected for the long term. Policy 4.2.2 states that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems should be maintained, restores or, where possible, improved.

According to Policy 4.2.8, development and site alteration shall not be permitted on adjacent lands to the natural features and areas including significant wetlands, woodlands, valleylands, wildlife habitats and areas of natural and scientific interest, fish habitats, and habitats of endangered species and threatened species, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

In this regard, and Environmental Impact Study (the "**EIS**") has been prepared to assess the tributary alignment and proposed development in light of any potential natural heritage features within the tributaries of Konkle Creek.

With respect to implementation, Policy 6.1.1 provides that the 2024 PPS shall be read in its entirety and all relevant policies are to be applied to each situation. Policy 6.1.6 requires that planning authorities keep their zoning by-laws up-to-date with their official plans and the PPS by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development. Policy 6.1.7 requires that where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the PPS, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial PPS.

For the reasons set out in this Report, it is our opinion that the proposal is consistent with the 2024 PPS, specifically the policies relating to residential and mixed-use intensification within settlement areas and the efficient use of land and infrastructure as well as the natural heritage system policies as demonstrated by the EIS.

4.2 Greenbelt Plan (2017)

The Greenbelt Plan came into force and effect on December 16, 2004, and was most recently consolidated on July 1, 2017. The Greenbelt Plan works in conjunction with other Provincial planning policy to direct growth in a manner that protects Ontario's agricultural land base and natural heritage features.

The subject site is located within a settlement area of the Greenbelt Plan, under which they are designated "Town/Villages", according to Schedule 1 – The Greenbelt Area (**Figure 11 - Schedule 1 – The Greenbelt Area**).



Figure 11 - Schedule 1 – The Greenbelt Area

According to Section 3.4.1 of the Greenbelt Plan, settlement areas support and provide significant economic, social and commercial functions to prime agricultural areas and rural lands. It further identifies that land use patterns within settlement areas shall support the achievement of complete communities by facilitating the development of community hubs that involve the co-location of public services to address local community needs in convenient locations that are accessible by active transportation and where available, transit.

Section 3.4.1 further states that settlement areas are placed in two categories; Towns/Villages and Hamlets, and the precise boundaries of each are identified in local official plans. It describes that Towns/Villages have the largest concentrations of population, employment and development within the Protected Countryside and tend to be the central settlement areas of the respective municipalities. Towns/Villages are to be the focus of development and related economic and social activity.

Policy 3.4.3.1 of the Greenbelt Plan states that Towns/Villages are subject to the policies of the Growth Plan and continue to be governed by official plans and related programs or initiatives and are not subject to the policies of the Greenbelt Plan, save for the policies of Sections 3.1.5, 3.2.3, 3.2.6, 3.3 and 3.4.2. The relevant policies are discussed below.

We note that the enactment of the PPS has replaced the Growth Plan. The manner in which the proposal conforms to the PPS is outlined in Section 5 below.

Section 3.1.5 of the Greenbelt Plan relates to the Agri-Food Network. Policy 3.1.5.1 states that integrated planning for growth management, including goods movement and transportation planning, shall consider opportunities to support and enhance the Agricultural System.

Policy 3.1.5.2 states that Municipalities are encouraged to implement regional agri-food strategies and other approaches to sustain and enhance the Agricultural System and the long-term economic prosperity and viability of the agri-food sector, including the maintenance and improvement of the agri-food network by:

> *"a) Providing opportunities to support access to healthy, local and affordable food, urban and near-urban agriculture, food system planning and promoting the sustainability of agricultural, agri-food and agri-product businesses while protecting agricultural resources and minimizing land use conflicts;*
>
> *b) Protecting, enhancing or supporting opportunities for infrastructure, services and assets. Where negative impacts on the agri-food network are unavoidable, they shall be assessed, minimized and mitigated to the extent feasible; and*
>
> *c) Establishing or consulting with agricultural advisory committees or liaison officers."*

Section 3.2.3 relates to the Water Resource System and provides policies that apply throughout the Protected Countryside.

Policy 3.2.3.1 states that all planning authorities shall provide for a comprehensive, integrated and long-term approach for the protection, improvement or restoration of the quality and quantity of water. This approach shall consider all hydrologic features, areas and functions,

and include a systems approach to the inter-relationships between and/or among key hydrologic features and key hydrologic functions. According to Policy 3.2.3.2, Water Resource Systems shall be identified, informed by watershed planning and other available information, and the appropriate designations and policies shall be applied in official plans to provide for the long-term protection of key hydrologic features, key hydrologic areas and their functions.

In this regard, the subject site is located within the Lake Ontario Tertiary Watershed, under which it is identified as being within the West Lake Ontario Shoreline Quaternary watershed of Niagara Region, as identified on Schedule D – Tertiary and Quaternary Watersheds of the NROP. An EIS has been prepared in support of the realigned and stabilities tributaries of Konkle Creek, which was permitted via the NPCA Work Permit issued in January 2024. This process and the conclusions of the EIS are addressed in Sections 1.1 and 5.6.

Section 3.4.2 of the Greenbelt Plan describes General Settlement Area Policies. Policy 3.4.2 provides that municipalities shall incorporate policies in their official plans to facilitate the development of community hubs that enable the co-location of public services to promote cost-effectiveness and service integration, facilitate access to locations served by a range of transportation options, give priority to existing public service facilities within settlement areas, and enable the adaptive reuse of existing facilities and spaces in settlement areas, where appropriate.

In our opinion, the proposal conforms to the Greenbelt Plan, particularly the policies that relate to support for the agri-food network, ensuring long-term protection of key hydrologic features and areas and their functions, and developing Towns/ Villages as community hubs in a manner that promotes cost-effective integration of services.

4.3 Niagara Region Official Plan (2022)

The NROP is the Region of Niagara's long-term, strategic policy planning framework for managing growth, and the policies of the NROP will guide land use and development in Niagara until 2051 and beyond. The NROP was adopted by Regional Council in June 2022 and was approved by the Minister of Municipal Affairs and Housing (the "**Minister**") with modifications in November 2022. The 2022 NROP replaced the former 1994 Regional Official Plan and applies to new development unless transition provisions provide otherwise.

On November 16, 2023, the Minister introduced the Planning Statute Law Amendment, 2023 ("**Bill 150**"). Bill 150 sought to enact the Official Plan Adjustments Act, 2023, which would reverse previous Provincial decisions on the official plans of 12 municipalities and regions, including for Niagara Region. Bill 150 received royal assent on December 6, 2023. As a result, the 2022 NROP approved with modifications by the Minister in November 2022 is no longer in effect. The currently in-force NROP is the version adopted by Regional Council in June 2022.

Through *Bill 23, the More Homes Built Faster Act*, 2022, changes were made to the *Planning Act* that would mean certain upper-tier municipalities would no longer approve, among other matters, official plans and official plan amendments of their lower-tier municipalities.

Through subsequent changes to the *Planning Act* made by *Bill 185, the Cutting Red Tape to Build More Homes Act,* 2024, flexibility was provided to remove planning responsibilities from upper-tier municipalities separately through proclamations, the timing for which would be subject to government decision-making.

On November 5, 2024, the Minister of Municipal Affairs and Housing proposed amendments to Ontario Regulation 525/97 under the *Planning Act*, a regulation which would exempt lower-tier municipalities in many regions, including Niagara Region, from the requirement to obtain the Minister's approval of most official plan amendments, and proposed that Niagara Region, among others, would become *upper-tier municipalities without planning responsibility* on March 31, 2025. The comment period for the proposed amendments closed on December 5, 2024, and to date no decision has been rendered. Upon becoming an *upper-tier municipality without planning responsibility*, the NROP will be deemed to be a local Official Plan and will be implemented by its lower tier municipalities, including the Town of Lincoln.

The subject site is identified within the Urban Area – Delineated Built-Up Area of the NROP on Schedule B – Regional Structure (**Figure 12 - Schedule B – Regional Structure**).

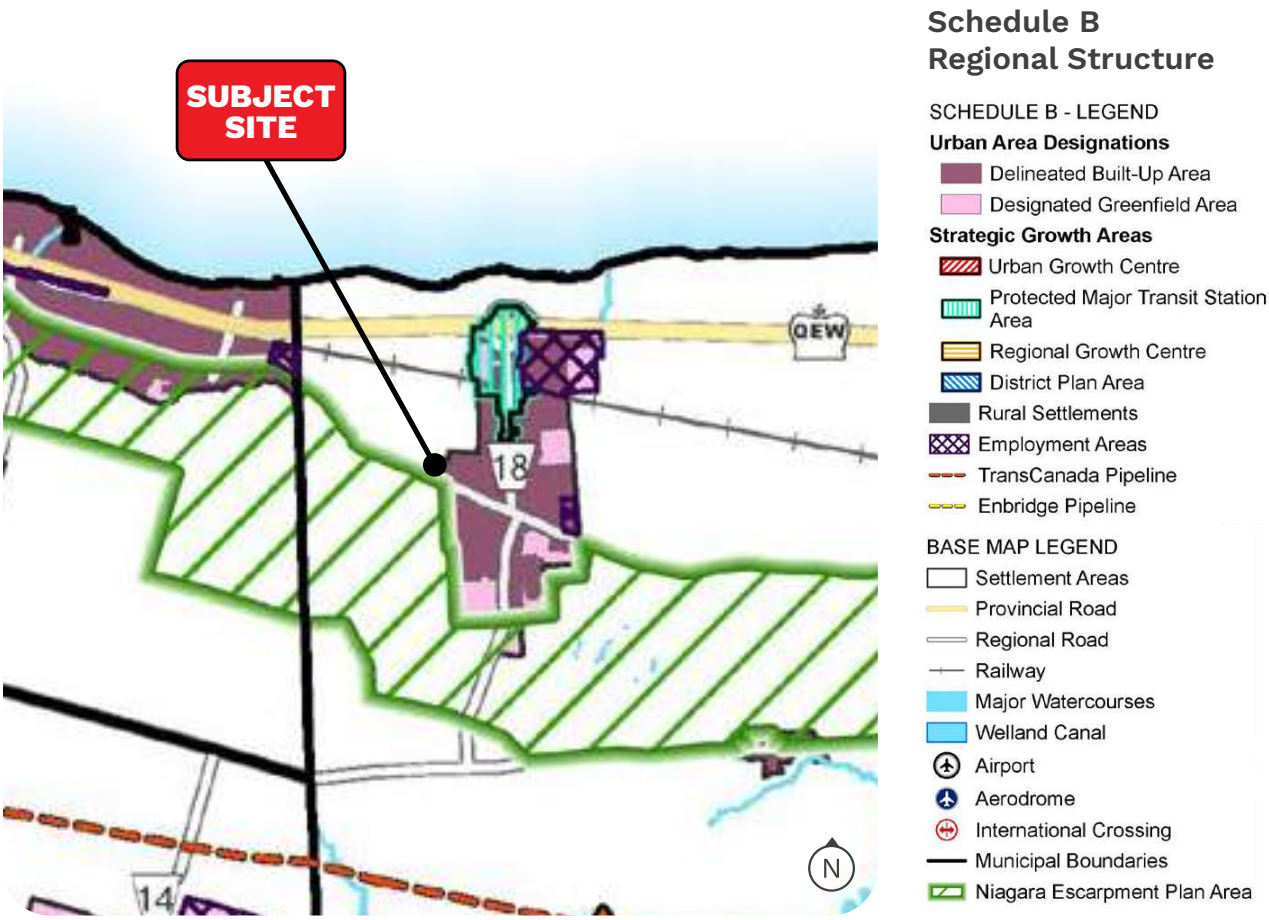


Figure 12 - Schedule B – Regional Structure

Growth Forecast

Section 2.1.1 sets out policies for Regional Growth Forecasts. Specifically, Policy 2.1.1.1 identifies population and employment forecasts for all lower tier municipalities that are the basis for all land use decisions to 2051. Table 2-1 of the NROP identifies that by 2051 the Town of Lincoln is forecasts to have a population of 45,660 people and 15,220 jobs. Policy 2.1.1.2 states that forecasts in Table 2-1 are used to determine the location and capacity of infrastructure, public service facilities, and the delivery of related programs and services to 2051.

Section 2.2 of the NROP provides that most development will occur in urban areas, where municipal water and wastewater systems/services exist or are planned, and a range of transportation options can be provided.

Policy 2.2.1.1 provides that development in urban areas (which includes delineated built-up areas and designated greenfield areas) will integrate land use planning and infrastructure to manage forecasted growth and to support (among others):

- The identified intensification and density targets set in the NROP;
- A compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses and public service uses, to support the creation of complete communities;
- A diverse range and mix of housing types, unit sizes and densities to accommodate current and future market-based and affordable housing needs;
- Social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:
    - A range of transportation options including public transit and active transportation;
    - Affordable, locally grown food and other sources of urban agriculture;
    - Co-located public service facilities; and
    - The public realm, including open spaces, parks, trails and other recreational facilities;
- Built forms, land use patterns and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure;
- Opportunities for transit supportive development;
- Opportunities for intensification;
- Opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of the established residential neighbourhoods;
- Orderly development in accordance with the availability of the provision of infrastructure and public service facilities; and
- Mitigation and adaptation of the impacts of climate change by, among other items, promoting built forms and land use patterns that improve community resilience and sustainability, reduce greenhouse gas emissions and conserve biodiversity.

According to Policy 2.2.2.1, forecasted population growth within urban areas will be accommodated primarily through intensification in built-up areas, with particular focus on strategic growth areas, areas with existing or planned public service facilities, other locations with existing or planned transit service, or local growth centres and corridors identified by Local Area Municipalities. As noted, the subject site is located within the Delineated Built-Up Area.

According to Policy 2.2.2.5, a Regional minimum of 60 percent of all residential units occurring annually will be within built-up areas. Further, Policy 2.2.2.6, through Table 2-2, requires a minimum residential intensification target of 8,895 units (or 90% rate) for the Town of Lincoln.

Policy 2.2.2.7 requires that Local Area Municipalities prepare intensification strategies to set out where and how the minimum intensification targets of Table 2-2 will be accommodated. Further, Policy 2.2.2.8 states that Local intensification strategies will identify strategic growth areas and local growth centres as a focus for intensification, as well as other areas appropriate for intensification.

Policy 2.2.2.10 further provides the Local intensification strategies shall be implemented through Local official plans, secondary plans, zoning by-laws and other supporting documents that identify:

- Development standards to support the achievement of complete communities, permit and facilitate a compact built form and all forms of intensification throughout the built-up area, and avoid or mitigate risks to public health and safety;
- The location and boundaries of local growth centres and corridors;
- Other major opportunities for intensification such as infill, redevelopment, brownfields, and the expansion or existing conversion of existing buildings and greyfield sites; and,
- The timing and efficient provision of Regional and Local municipal water and wastewater systems/ services and their fiscal impacts on the Region and Local Area Municipality.

Housing

Section 2.3.1 of the NROP sets out policies to provide a mix of housing options. Specifically, Policy 2.3.1.1 states that the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.

Policy 2.3.1.3 provides that the forecasts in Table 2-1 will be used to maintain, at all times:

a. The ability to accommodate residential growth for a minimum of 15 years through residential intensification, and lands designated and available for residential development; and
b. Where new development is to occur, land with servicing capacity to provide at least a three-year supply of residential units through lands suitably zoned to facilitate residential intensification, and lands in draft approved or registered plans.

Policy 2.3.1.4 states that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by facilitating compact built form and incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development. Policy 2.3.1.5 provides that new residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life.

Policy 2.3.2.3 provides that to encourage the development of affordable housing, the following minimum targets will be implemented to the horizon of the NROP, unless local targets are higher in which case those apply:

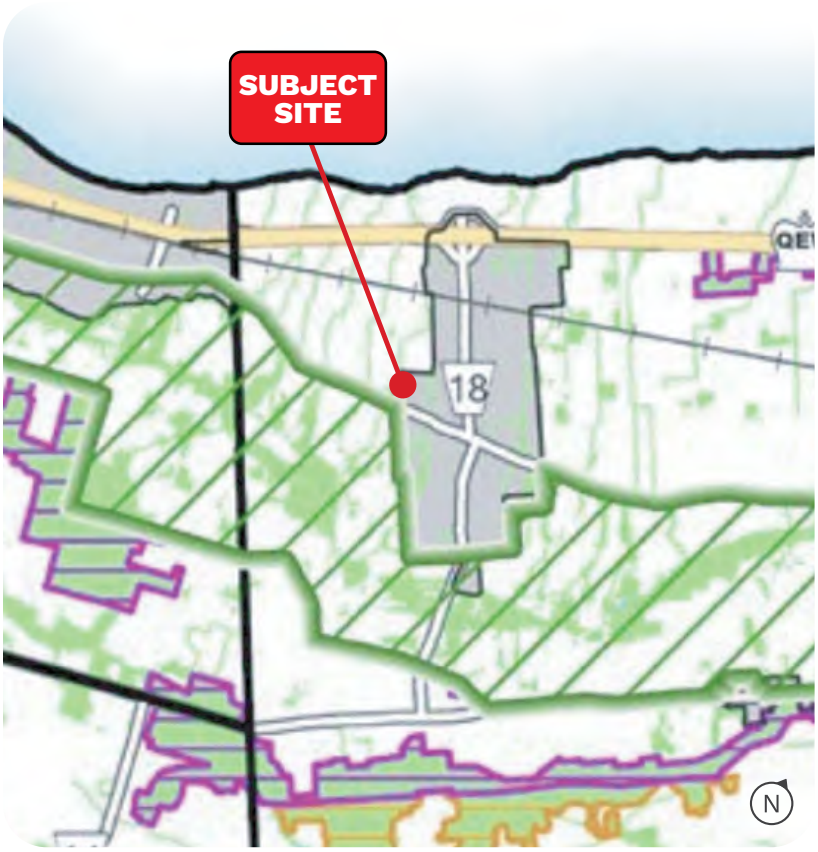
a. 20 per cent of all new rental housing is to be affordable; and,
b. 10 per cent of all new ownership housing is to be affordable.

Policy 2.3.2.5 notes that affordable housing, specialized housing needs, and community housing should be located: in areas with existing or planned municipal water and wastewater services/systems and urban amenities; near existing or planned transit and; near public services facilities.

Policy 2.3.3.1 outlines a series of tools that will be considered to support the development of affordable and attainable housing, including the inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes.

Natural Heritage System

According to Schedule C1 – Natural Environment System Overlay and Provincial Natural Heritage Systems of the NROP (**Figure 13**), the western portion of the subject site contains areas of the Natural Environment System Overlay. Further, Schedule C2 – Natural Environment System – Individual Components and Features identifies that the Natural Environment System Overlay is associated with 'Other Woodlands' and 'Permanent and Intermittent Streams', associated with the realigned Tributaries of Konkle Creek (**Figure 14**).



Niagara Region Official Plan
Schedule C1 - Natural Environment System Overlay and Provincial Natural Heritage Systems

Legend

- Settlement Areas
- Provincial Road
- Regional Road
- Railway
- Major Watercourses
- Welland Canal
- Airport
- Aerodrome
- International Crossing
- Municipal Boundaries
- Niagara Escarpment Plan Area

SCHEDULE C1 - LEGEND

- Natural Environment System Overlay
- Growth Plan Natural Heritage System
- Greenbelt Plan Natural Heritage System
- Urban Areas
- Rural Settlements

Figure 13 - Schedule C1 – Natural Environment System Overlay and Provincial Natural Heritage Systems

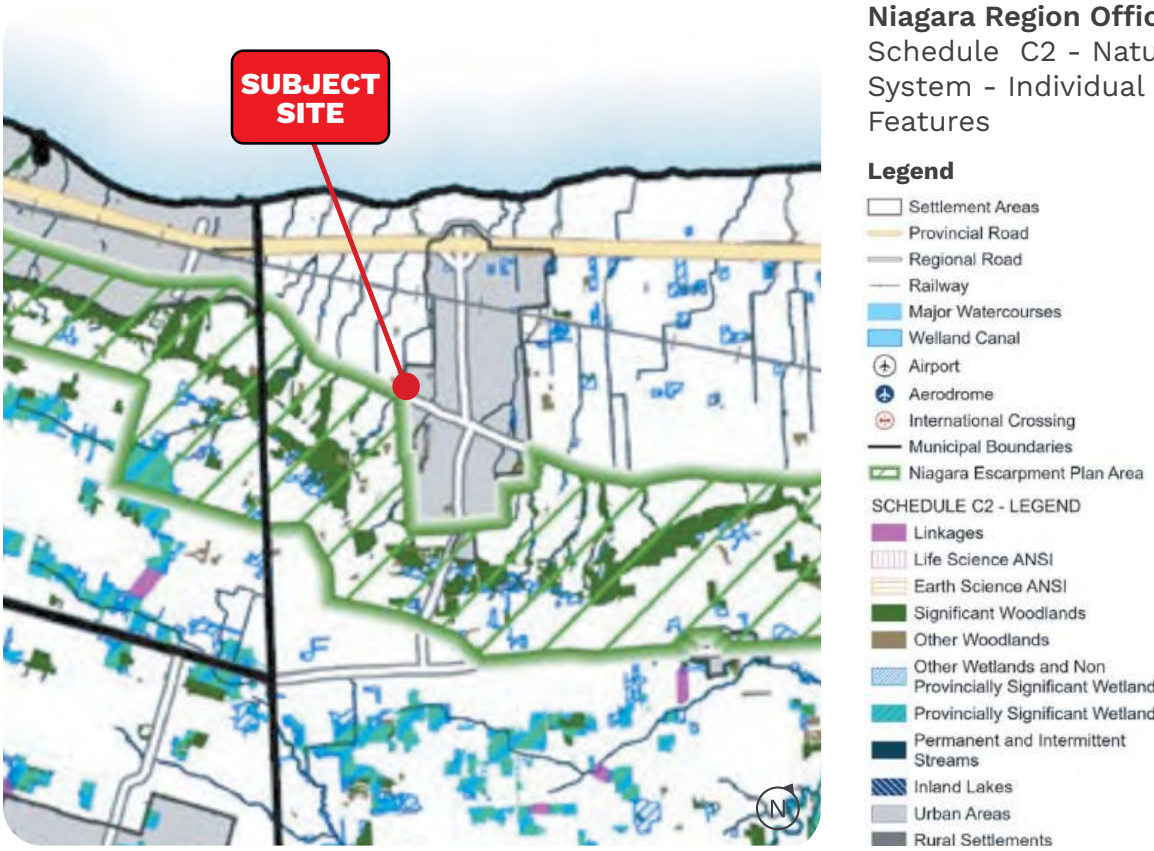


Figure 14 - Schedule C2 – Natural Environment System – Individual Components and Features

As described in Section 1.1 above, Tributary 2A of Konkle Creek (and therefore, the Permanent and Intermittent Stream on site) has been realigned along the north and western boundary of the subject site.

Policy 3.1.1.1 states that the features and components of the natural environment system are listed in Schedule L. Schedule L defines 'Other Woodlands' as:

> *"...woodlands determined to be ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Other woodlands include all terrestrial treed vegetation communities where the percent tree cover is >25 per cent. Other Woodlands would not include woodlands meeting the criteria as significant woodlands."*

Schedule L also provides criteria to be identified as an Other Woodland, as follows:

- Greater than or equal to 25 per cent tree cover and meet one or more of the following criteria:
  - An average minimum width of 40m and is greater than or equal to 0.3 ha, measured to crown edges; or
  - Any size abutting a significant woodland, wetland or permanent stream.
- Treed areas that abut a significant woodland, wetland or permanent stream are considered to be adjacent when located within 20m of each other.

Schedule L defines 'Permanent Streams' as ...*"watercourses that contain water during all times of the year*, and defines 'Intermittent Streams' as *"...stream-related watercourses that contain water*

or are dry at times of the year that are more or less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year".

According to Schedule L, criteria for the identification of a permanent or intermittent stream should follow protocols established by the Province.

According to Policy 3.1.4.1, changes to the limit or classification of individual features or components of the natural environment system identified through Regional criteria may be considered through the submission of an environmental impact study and/or hydrological evaluation based on a terms of reference approved by the Region, in accordance with the policies of the NROP, and in consultation with the Conservation Authority as appropriate.

Policy 3.1.4.2 states that if the change to the limit or classification of an individual feature or component of the natural environment system identified through Regional criteria can be justified to the satisfaction of the Region, an amendment to the NROP shall not be required. Policy 3.1.4.6 builds on this and states that where the limits of a feature or component of the natural environment system have been refined through an approved environmental impact study, the lands that are no longer included as part of the natural environment system overlay shall continue to be designated based on the underlying land use, unless otherwise determined through a *Planning Act* application.

Policy 3.1.11.4 establishes that within settlement areas, other woodlands are subject to an ecologically appropriate buffer to be determined at the time of an application made for development or site alteration. In this regard, an EIS and supplementary Memorandum has been prepared by Myler Ecological Consulting, dated November 28, 2024, that addresses the required buffer and is described in Section 5.6 below.

Urban Design

The objectives of the NROP urban design policies are to commit to excellence in urban design, enhance the public realm and promote active transportation, and identify and establish tools for urban design implementation. Policy 6.2.1.1 speaks to excellence and innovation being promoted in architecture, landscape architecture and site planning among others.

Implementation

According to Policy 7.4.1.2 of the NROP, Local Area Municipalities shall update their official plans to being them into conformity with the NROP, the Planning Act, and provincial policy and plans. We note that the Town of Lincoln is presently undertaking a review of their Official Plan to bring it into conformity as required by Provincial and Regional policy.

For the reasons set out in Section 5.0 of this report, it is our opinion that the proposal conforms with the NROP.

4.4 Town of Lincoln Official Plan (2018)

The Official Plan came into force on November 18, 2016 and was most recently consolidated in December 2018. The Official Plan provides the long-term planning vision for the Town of Lincoln, setting out policies, goals and objectives for future land use and development.

The Community Vision for the Town of Lincoln is defined in Section 1.1 of the Official Plan as an inclusive community that values diversity, partnerships, entrepreneurial spirit that works collectively to evolve as a vibrant and successful greenbelt community where rural and urban land uses are managed to foster agriculturally related economic activity, protect resources for future generations and ensure a high quality of life for its residents.

Settlement Area Strategy

The Official Plan plans through the 2031 planning horizon and has not been updated to conform to the NROP and PPS. However, the Official Plan is being updated by the Town to reflect growth through the 2051 planning horizon and as such, its current growth forecasting is out of date.

Section 1.4 of the Official Plan defines that, in accordance with Regional growth projections, it is anticipated that the population of the Town will increase by approximately 4,783 people by 2031, and that the majority of this growth be directed to the larger urban settlement areas of Beamsville, Vineland and Prudhommes. According to the Official Plan, this level of growth will precipitate the need for approximately 2,110 new dwelling units. Policy 1.4.2 further states that according to Regional growth allocations, approximately 53% of this housing growth will be lower density dwelling types, whereas approximately 47% of this growth will be comprised of medium and higher density dwelling types.

Policy 1.4.3 identifies that 980 new jobs will be secured by 2031 according to Regional growth allocations, and that over half of the new employment positions will be in population related jobs such as commercial and retail services, 25% will be jobs that require employment land such as manufacturing and production, and 18% will be in agricultural related jobs. The Regional projections anticipate limited growth in the primary and industrial sectors.

Policy 1.4.4 states that the Town urban boundaries are set in accordance with the Greenbelt Plan, and that the supply of residential lands shall comprise a mix of infilling and intensification within the Built-Up Area and development within Greenfield lands. No new Urban or Rural Settlement Areas are permitted.

Town Structure

Policy 1.5 (b) of the Official Plan states that the Urban Area is comprised of land use designations that apply to the settlements of Beamsville, Vineland, Vineland East, Jordan, Jordan Station and Campden.

According to Schedule A – Land Use Plan, the subject site is within the Urban Area of the Town of Lincoln (**Figure 15 - Schedule A – Land Use Plan**).

Schedule C1 – Built Up Area & Greenfield Area Beamsville identifies that the eastern portion of the subject site, where the existing commercial plaza is located, is within the Built Up Area, whereas the western portion of the subject site is within the Greenfield Area (**Figure 16 - Schedule C1 – Built-Up Area and Greenfield Area – Beamsville**).

Policy 1.6.2 states that the Built Up Area includes all lands within the Urban Boundaries of the urban settlements within the Town, including but not limited to Beamsville, as delineated by the Province in accordance with the Growth Plan. It goes on to state that the Built-Up Area is important for measuring and monitoring intensification rates, as all growth which occurs within the Built Up Area is considered to be intensification.

Further, Policy 1.6.3 relates to Greenfield Areas and states that Greenfield Areas are undeveloped areas designated for development which are located within the Urban Boundaries of Beamsville and Vineland but outside of the Built-Up Area. According to Provincial and Regional policy, all future development occurring within the Greenfield Area shall achieve a minimum gross density of 50 people and jobs per hectare.

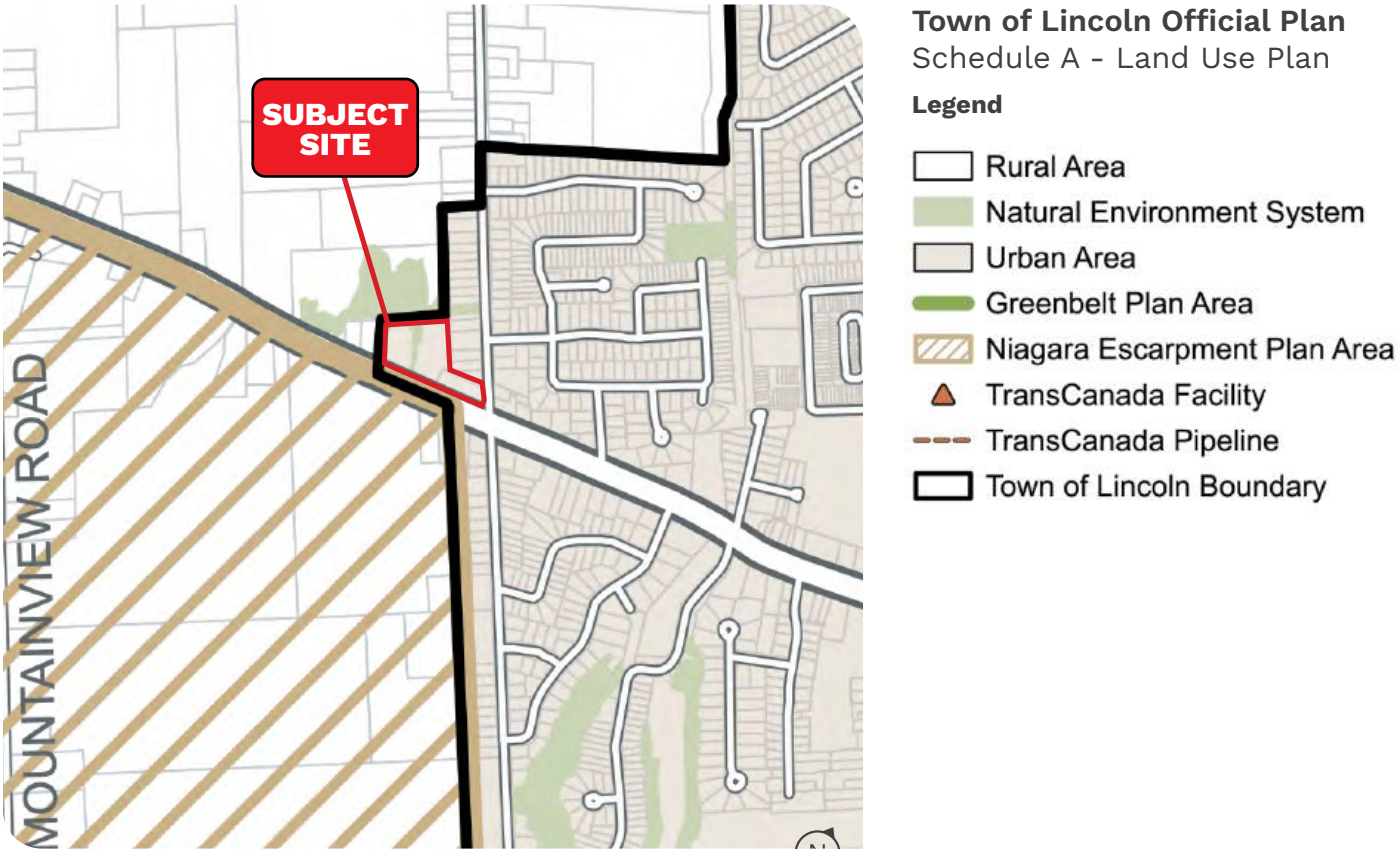


Figure 15 - Schedule A – Land Use Plan



Figure 16 - Schedule C1 – Built-Up Area and Greenfield Area – Beamsville

In order to meet this target, Policy 1.6.3 states that the Town proposes to, among other matters:

- Develop denser, more compact, mixed use, transit-supportive neighbourhoods in its Greenfield Areas that allow for the efficient use of land, infrastructure and public service facilities;
- Establish minimum residential density targets within the low, medium and high density residential designations in Greenfield Areas;
- Designate specific areas for low, medium and high density housing in Greenfield Areas as shown on Schedules C1 and C2;
- Monitor Greenfield Area densities in accordance with Section 9.18.

In respect of the above, the Official Plan provides the following density targets within the low, medium and high-density residential designations:

Designation	Net Density Target (units per hectare)	
	Minimum	Maximum
Low Density Residential (Policy 3.1.5.1 (b))	10	25
Medium Density Residential (Policy 3.1.5.2 (b))	25	60
High Density Residential (Policy 3.1.5.3 (b))	50	120

With respect to Intensification, Policy 1.6.4 provides that Intensification is an appropriate means of accommodating growth as it makes better use of existing serviced land and can provide an increase in housing units and employment that maintains and improves vibrancy of a community. Further, Policy 1.6.4 states that Intensification of residential and employment areas will be encouraged as it offers opportunities for economic development and takes advantage of already services but underutilized land and helps improve the vibrancy of existing areas. While Intensification is encouraged in the Built-Up area, Policy 1.6.4 states that strategic locations for Intensification should be focused within the Central Business District and Intensification Corridors of the Town.

According to Policy 1.6.4, Regional planning policy has allocated a future intensification target for the Town of 40% within the Built-Up Area which equates to approximately 900 new units, to be accommodated by 2031. As previously noted, these targets are outdated and the targets established by Niagara Region discussed in Section 4.3 above should be considered.

Land Use

Schedule A2 – Beamsville identifies that the subject site is partly designated 'General Commercial', and partly designated 'Natural Environment', where the Natural Environment designation generally follows the previous alignment of Tributaries 1B and 2A of Konkle Creek (**Figure 17 - Schedule A2 - Beamsville**).

Section 2.4 of the Official Plan provides policies for the Natural Environment area. According to Policy 2.4.1, the purpose of the Natural Environment designation is to improve, protect and enhance the ecological integrity of the Core Natural Heritage System as identified by the Region of Niagara Official Plan. It further states that the Natural Environment is comprised of the following designations:

- Environmental Protection Areas
- Environment Conservation Areas
- Greenbelt Protected Areas
- Potential Natural Heritage Corridors.

Schedule E2 – Environmental Conservation Area identifies a 'Fish Habitat Line' that appears to be located within the Natural Environment designation of Schedule A2 (**Figure 17**), as well as the previous alignment of Tributary 2A of Konkle Creek. Policy 2.4.3 states that the purpose of the Environmental Conservation Area designation is to recognize and maintain other environmental features not included in the Environmental Protection Area.

Policy 2.4.6.1 (c) permits new development and site alteration within the Environmental Conservation Area provided it has been demonstrated through an Environmental Impact Study that there will be no negative impact to the natural heritage feature or its ecological function. In this regard, an Environmental Impact Study was prepared in support of the aforementioned NPCA Work Permit application to realign Tributary 2A of Konkle Creek, and is discussed in more detail in Section 5.6 below.

Policy 2.4.6.1 (f) states that where development or site alteration is proposed in proximity to lands in an Environmental Conservation Area, efforts should be made to identify and create, maintain and where possible, enhance linkages amongst lands in an Environmental Conservation Area.

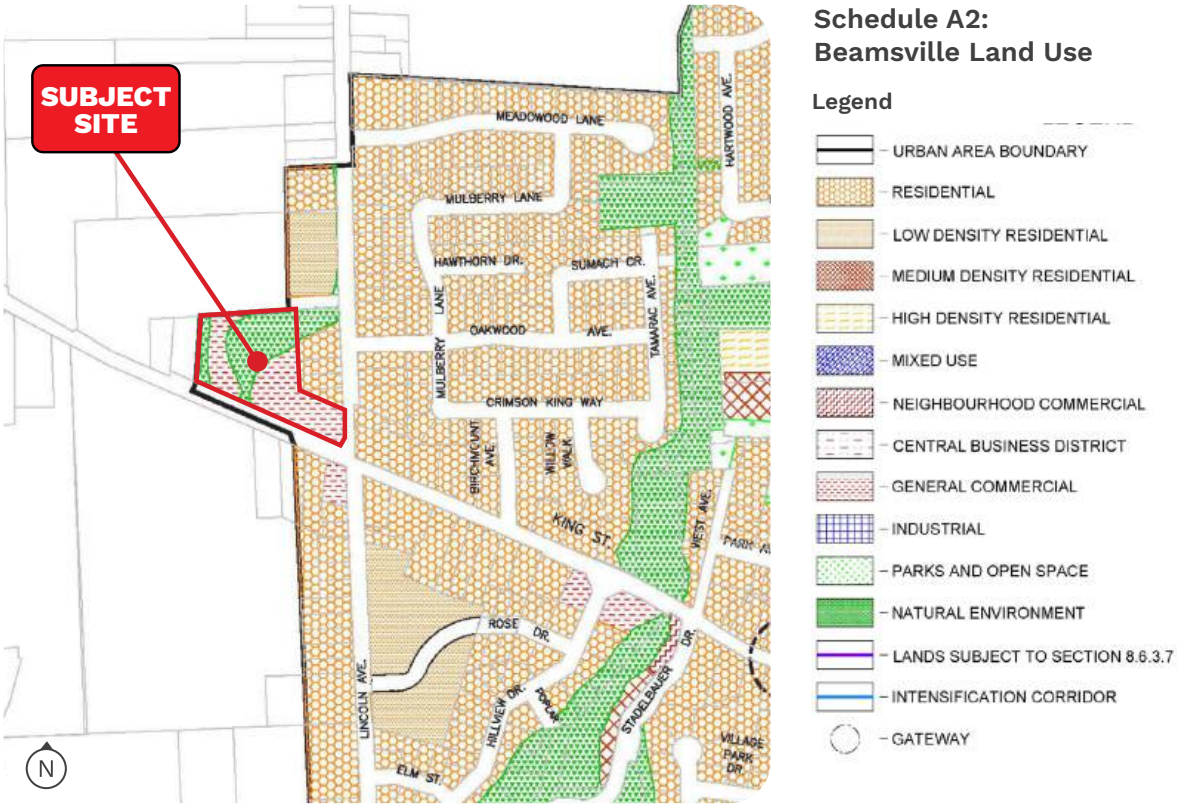


Figure 17 - Schedule A2 – Beamsville

Further, Policy 2.4.6.3 states that the compatibility of the impact of any development on adjacent lands, being lands within 30 metres from Critical or Class 1 Fish Habitat as defined by the Ministry of Natural Resources (among others), be considered and addressed. Policy 2.4.6.3 states that no development or site alteration shall be permitted on adjacent lands unless an Environmental Impact Study demonstrate that there will be no negative impact on the feature or its ecological functions. As stated, an EIS has been prepared in support of this application, as well as in support of the NPCA Work Permit, and has been enclosed with this submission.

Policy 2.5.4 of the Official Plan identifies that the boundaries of the Natural Environment Area designates were derived from mapping provided by Niagara Region and the NPCA, and that such lands should be zoned accordingly. It states that the Zoning By-law should also incorporate general setbacks for lot lines, buildings, structure, parking areas and other similar facilities from lands within the Natural Environment designations in relation to the extent and sensitivity of the natural heritage features and ecological function of the area. In this regard, a draft Zoning By-law Amendment has been filed that defines the appropriate zones for the developable area and Environmental Area designations across the subject site, including development standards.

Policy 3.4.1 states that the General Commercial designation is considered a mixed use node and corridor. Business and commerce are promoted within areas designated as General Commercial, and the designation can apply to lands outside of the Town's Central Business District.

According to Policy 3.4.2, the objectives of the General Commercial designation are numerous and include, among others:

- Encourage the provision of a sufficient level and variety of retail activity within the Town to satisfy the consumer demands of residents;
- Promote planned development of business and commercial uses consistent with the needs of the Town residents;
- Ensure commercial development does not have an adverse impact on adjacent land uses, particularly residential uses;
- Foster a vibrant, connected, walkable and bikeable retail and commercial environment;
- Promote opportunities for mixed use development in strategically located nodes and corridors.

Permitted uses in lands designated General Commercial are outlined in Policy 3.4.3 and include, among other things, mixed use commercial and residential uses, retail uses, personal services, restaurants, and others. New commercial development will be encouraged to include residential units as an integral part of any development.

Policy 3.4.4 (a) states that commercial uses shall be regulated by separate categories in the zoning By-law, and that every effort shall be made to minimize the impact of commercial uses on adjacent uses, particularly residential uses.

Policy 3.4.4 (d) states that, when considering an application to establish a commercial use or uses, the Town shall have regard for the following, among others:

- Compatibility of the proposed use and the surrounding area;
- The physical suitability of the site for the proposed use;
- The convenience and accessibility of the site for both pedestrian and vehicular traffic; and,
- The adequacy of utilities and municipal services.

Policy 3.4.4 (e) states that the design of all proposed commercial developments shall be in keeping with the character of the surrounding area, and applies the following design principles to development and redevelopment of commercial properties:

- The provision of landscaped area to improve the streetscape, to function as screening and buffering between commercial and other adjacent uses, and for aesthetic and resting purposes;
- Open storage of goods and materials shall only be permitted according to the Zoning By-law;
- Loading and unloading areas located off-street and in the rear or side yard;
- Provision of adequate street parking according to the provisions of the Zoning By-law, with ingress and egress designed to minimize conflict between pedestrian and vehicular traffic.

In addition to the above, Policy 3.4.4 provides the following additional policies:

- Buildings shall be located close to the public street to create a pedestrian-friendly and active street (Policy 3.4.4 (g));
- The majority of public street frontages shall be occupied by building facades including windows and doors to create pedestrian friendly streets (Policy 3.4.4 (g));
- New residential development in the form of apartments above commercial use is encouraged to assist in revitalization of the General Commercial areas (Policy 3.4.4(i));
- Residential units shall not be located at grade directly adjacent to a public street (Policy 3.4.4 (j));
- All new development shall be designed to conform to the Urban Design policies of Section 8.6 of the Official Plan (Policy 3.4.4 (k));
- All development shall be subject to Site Plan Control (Policy 3.4.4 (l)).

Energy Conservation and Climate Change

According to Policy 4.13.1, it is the intent of the Official Plan to support energy efficiency and improve air quality by encouraging the reduction of energy consumption, endorsing development of compact and mixed-use neighbourhoods and by promoting innovative forms of alternative and renewable energy in land use and development patterns.

In this regarding, Policy 4.13.3 (a) states that, in order to reduce energy consumption, reasonably compact forms of development shall be maintained in conjunction with efficient pedestrian, bicycle and vehicular transportation networks.

Further, Policy 4.13.(b) states that in consideration of built forms, development which results in extensive loss of sunlight to adjacent land use shall be discouraged.

Transportation

Policy 6.1.2 provides the objectives for the Town's transportation network that include, among others:

- To develop complete streets that provide the infrastructure support for complete communities where neighbourhoods are well connected to each other, commercial areas, and community facilities with a safe and efficient transportation network that accommodates all users on all roads (a);
- To reduce car dependence, support active transportation and an efficient sustainable transportation system (b); and,
- To integrate land use and transportation considerations at all stages of the planning process (h).

As noted, the subject site is located along King Street, identified as a Regional Road. According to Policy 6.1.4 (b) ii), the Town will work with the Region to ensure that the following key principles are considered in the future improvement of these roads, among others:

- Encourage high quality redevelopment of properties along the Regional roads. Buildings should be oriented to front , face and feature the road. Large parking areas should be located behind or at the side of buildings and, where visible from the road, must include substantial landscape treatment.

Servicing and Infrastructure

Policy 7.1.2 states that it is the objective of the Town's Servicing and Infrastructure system to, among other things:

- direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of municipal water and sanitary and storm sewers (b);
- to ensure that municipal water and sanitary and storm sewer services are financially viable and comply with all regulatory requirements and protect human health and the natural environment (e);
- to integrate servicing and land use considerations at all stages of the planning process (g); and,
- to support optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities.

Urban Design

Section 8.6 of the Official Plan provides Urban Design Policies to ensure good urban design across the Town.

Policy 8.6.1 states that, due to the Town's fixed Urban Area Boundaries, future growth in the Town will occur primarily through intensification and redevelopment, which requires design to be sensitive to ensure compatibility and to create a sense of place.

Policy 8.6.2 provides Urban Design Principles for development across the Town, as follows:

- To encourage a compact, walkable, and well connected community;
- To encourage mixed use and a range of housing;
- To provide a linked public open space system;
- To encourage quality architecture and to ensure that buildings provide an appropriate edge to the street
- To encourage increased density in appropriate locations;
- To provide a range of transportation options, including walking and cycling;
- To encourage complete streets for all users;
- Appropriate design of streets and public spaces to enhance and encourage pedestrian and public activity;
- (To encourage a strong sense of place;
- To encourage improvements to the public realm;
- New development is to be compatible with established development;
- Protection of the heritage buildings and structures;
- Protection of the natural environment; and
- The preservation of cultural heritage landscapes and features.

The Official Plan provides detailed policies that apply to roads and streetscape elements (Policy 8.6.3.1), housing (Policy 8.6.3.4), and Institutional Uses, Commercial Uses, Mixed Use and Public Buildings (Policy 8.6.3.5)). An Urban Design Brief, including the manner in which these policies have been assessed, has been submitted in support of this development and is described in Section 5.5 below.

For the reasons set out in Section 5.0 below, it is our opinion that the proposed development conforms to the intent of the policies of the Official Plan, particularly those that relate to the provision of mixed use buildings within the General Commercial designation to revitalize underutilized areas, making efficient use of underutilized lands, and protection of the Natural Environment Area.

4.5 Town of Lincoln Official Plan Review

In November 2023, the Town of Lincoln initiated a review of their Official Plan to update the planning horizon to 2051, to align the Official Plan with Provincial Planning Policy and the 2022 Niagara Regional Official Plan, and to respond to Town Council and community priorities.

Phase 1 (of 4) of the Official Plan review process, Priorities and Policy Direction, occurred in winter 2023, which consisted of confirming the priorities and policy direction for the updated Official Plan, drafting the policy amendments, and receiving community feedback. An open house was held on December 5, 2023 to inform the public of the process and solicit feedback. Phase 2, Refining the Plan, occurred in spring 2024 and consisted of the incorporation of feedback received through the phase 1 consultations and an assessment of the draft policies.

Phase 3, Finalizing the Plan, occurred in summer 2024. An updated draft of the Official Plan (the "**Draft OP**") was released for review and comment on July 16, 2024. Policies being reviewed include Community Vision, Goals and Objectives, the Settlement Area Strategy, Rural Area Policies, Urban Area Policies, Environmental and Water Management Resources Policies, the Economic Strategy, Transportation, Municipal Servicing, Community Design Guidelines, and Administration.

Although we note that the Draft OP is not in full force and effect, it has been prepared based on a long period of study and represents the Town's intention for its future development through the 2051 planning horizon, and represents a plan that is updated to conform with the overarching NROP. As such, we have given consideration to the updated policies when assessing the proposed development.

The Community Vision as defined in Section 1.1 of the Draft OP is updated to reflect that the vision for Lincoln is to foster agricultural excellence, innovation and diversification, a thriving tourism industry, and as an inclusive community that values diversity, and partnerships to evolve as a vibrant and successful greenbelt community where rural and urban land uses are managed to foster agricultural and tourism related economic activity, protect resources for future generations and ensure a high quality of life for its residents. The vision is further refined to state that new residents will be accommodated primarily within firm urban boundaries in existing planned neighbourhoods and through infill and intensification, as well as the development of vacant lands where they exist.

Section 1.3, Goals and Objectives, is updated to add a goal of adapting and responding to a changing climate by building a more resilient, healthy, and equitable community. Policy 1.3.3.2. states that it is an objective to commit to establishing targets and strategies to reduce greenhouse gas emissions and monitor progress towards the achievement of targets. Section 1.3.5 provides the goals for Growth and Settlement, with Policy 1.3.5.2(h) stating an objective to support principles of complete communities by strategically directing growth through a balanced mix of built forms, a mix of land uses and housing options, and a vibrant public realm in our communities.

Settlement Area Strategy

The Draft OP is updated to reflect a 2051 planning horizon, with Section 1.4 stating that the Town is projected to accommodate approximately 18,800 new residents and 4,570 new jobs during the life of the Draft OP, which will precipitate the need for approximately 9,800 new dwelling units. According to Regional growth allocations, 84% of new housing growth over the 30-year forecast period to 2051 will be comprised of medium and higher density unit types.

Policy 1.4.4(b) provides that the Town will plan to maintain an adequate land and housing supply, at all times, in accordance with Regional planning policies, and based on the Town's population, housing and employment growth forecasts, and that in order to do so, the Town shall maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units through lands suitably zoned to facilitate residential intensification, redevelopment, and lands in draft approved or registered plans.

The subject site is designated as 'Delineated Built-Up Area' and 'Designated Greenfield Area' on Schedule C, Municipal Structure (see **Figure 18**). Policy 1.6.2 continues to state that the Built-Up Area includes all lands within the Urban Boundaries of the urban settlements within the Town, including but not limited to Beamsville, as delineated by the Province in accordance with the Growth Plan. It goes on to state that the Built-Up Area is important for measuring and monitoring intensification rates, as all growth which occurs within the Built-Up Area **is considered to be** intensification.

Policy 1.6.3 continues to provide that Greenfield Areas are undeveloped areas designated for development which are located within the Urban Boundaries of Beamsville and Vineland but outside of the Built-up Area, and that they shall achieve a minimum density of 50 residents and jobs per hectare, with the Draft OP now clarifying that this density calculation excludes areas constrained by environmental features, utility corridors, and employment areas.

Policy 1.6.5, Intensification Target, is updated to state that Regional planning policy has allocated a future intensification target for the Town of 90% within the Built-Up Area which equates to approximately 8,895 new units to be accommodated between 2021 and 2051.

The Draft OP designates the subject site as 'General Commercial,' 'Natural Environment System,' and 'Hazard Lands' on Schedule A2, Beamsville (see **Figure 19**).

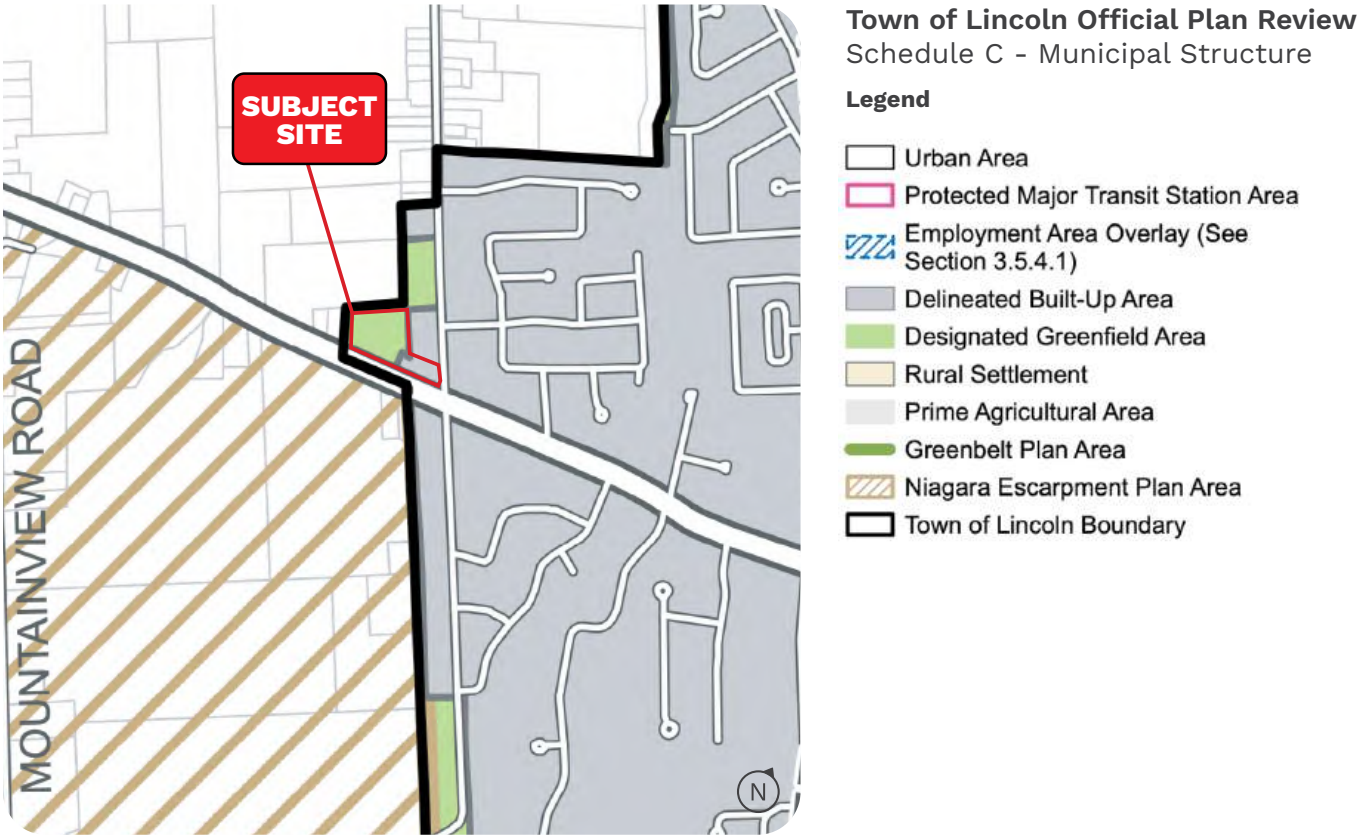


Figure 18 - Town of Lincoln Draft Official Plan Schedule C, Municipal Structure

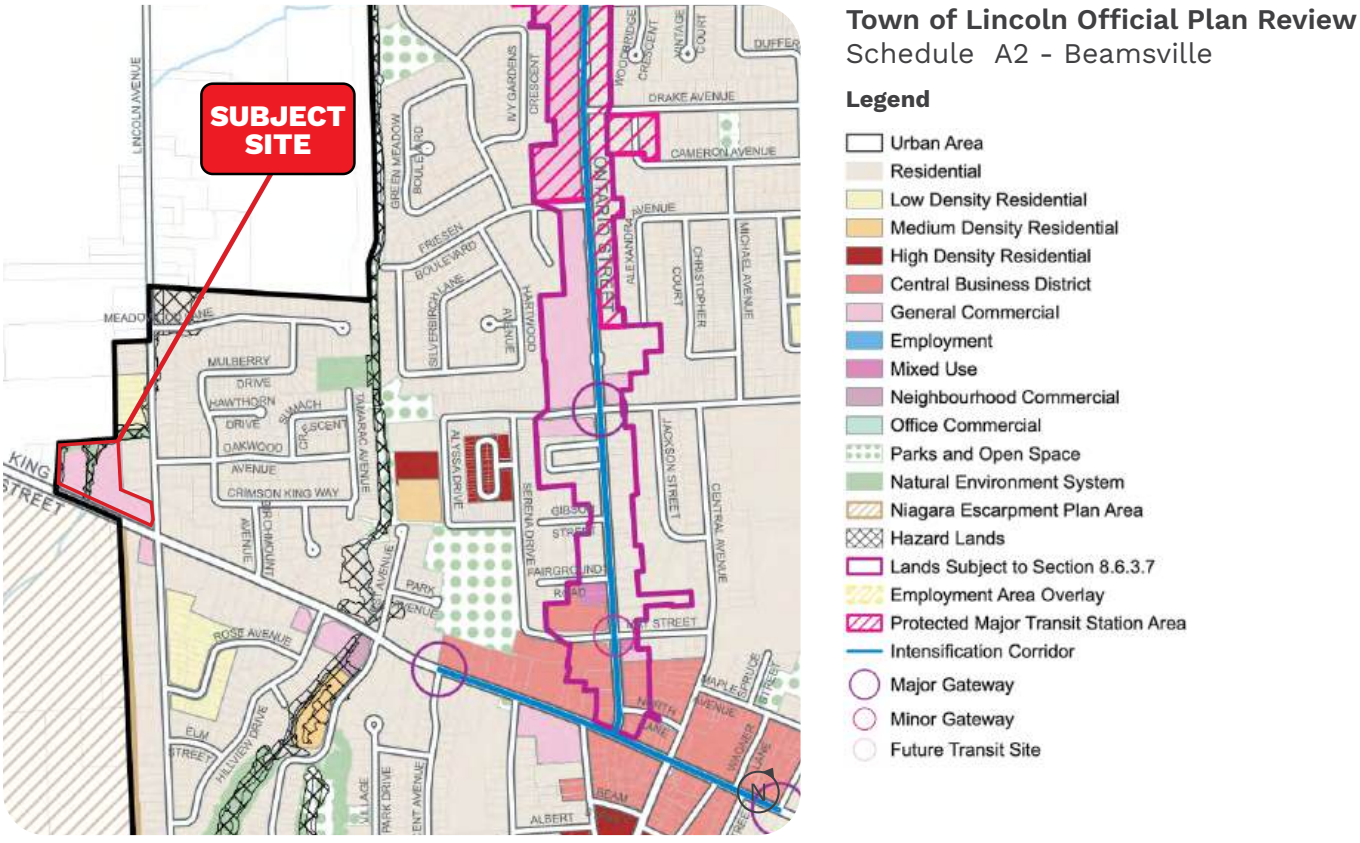


Figure 19 - Town of Lincoln Draft Official Plan Schedule A2, Beamsville

Policy 3.4 provides the land use permissions related to the General Commercial designation. Provisions for the General Commercial land use designation are carried forward from the in force Official Plan in their entirety; stating that the designation is considered a mixed use node and corridor. Business and commerce are promoted within areas designated as General Commercial, and the designation can apply to lands outside of the Town's Central Business District. The only update to the General Commercial designation in the Draft OP is to clarify that an objective of the designation as described in Policy 3.4.2(c) is to support commercial uses that contributes to the goal to facilitate a strong, diverse and resilient economy.

Policy 4.2 of the Draft OP provides policies for the Natural Environment System. Policy 4.2.1 states that the purpose of the Natural Environment System designation is to improve, protect and enhance the ecological integrity of "The Natural Environment System" as identified by the Region of Niagara which includes the Greenbelt Plan Natural Heritage System. Policy 4.2.3 outlines that the land use policies which comprise the Natural Environment System are designated and identified on Schedule 'E1'. The Natural Environment System is comprised of the following individual components and features:

- significant woodlands;
- other woodlands;
- provincially significant wetlands;
- other wetlands and non-provincially significant wetlands;
- life science areas of natural and scientific interest;
- earth science areas of natural and scientific interest;
- permanent and intermittent streams;
- inland lakes; and
- linkages

Policy 4.2.3 further states that not all of the features and components that make up the Natural Environment System can, or have been mapped as part of the schedules of the Draft OP. Where features or components of the Natural Environment System listed in Schedule E1 are not mapped, detailed area-specific or site-specific studies such as an EIS, hydrological evaluation, or subwatershed study are required for their identification.

The subject site is partially designated as 'Permanent and Intermittent Streams,' 'Shoreline Areas,' and 'Other Woodlands' on Schedule E1, Natural Environment System – Individual Components and Features (see **Figure 20**).

Policy 4.4.1 provides that Development and site alteration shall not be permitted in other woodlands unless it has been demonstrated through the preparation of an environmental impact study that there will be no negative impacts on the natural features or their ecological functions. Policy 4.4.1 further states that, notwithstanding any other policies of the Draft OP, development and site alteration in, and adjacent to watercourses, provincially significant wetlands, and other wetlands that are regulated by the Conservation Authority, may also be subject to the regulations and land use planning policies of the Conservation Authority, and that when development or site alteration is proposed in or adjacent to any watercourse, provincially significant wetland, significant valleyland, or other wetland the applicant shall contact the Conservation Authority, at which time Conservation Authority staff will advise the applicant and the Region of the land use or regulatory policies that will apply. As stated above, an Environmental Impact Study was prepared in support of the aforementioned NPCA Work Permit application to realign Tributary 2A of Konkle Creek, and is discussed in more detail in Section 5.2 below.

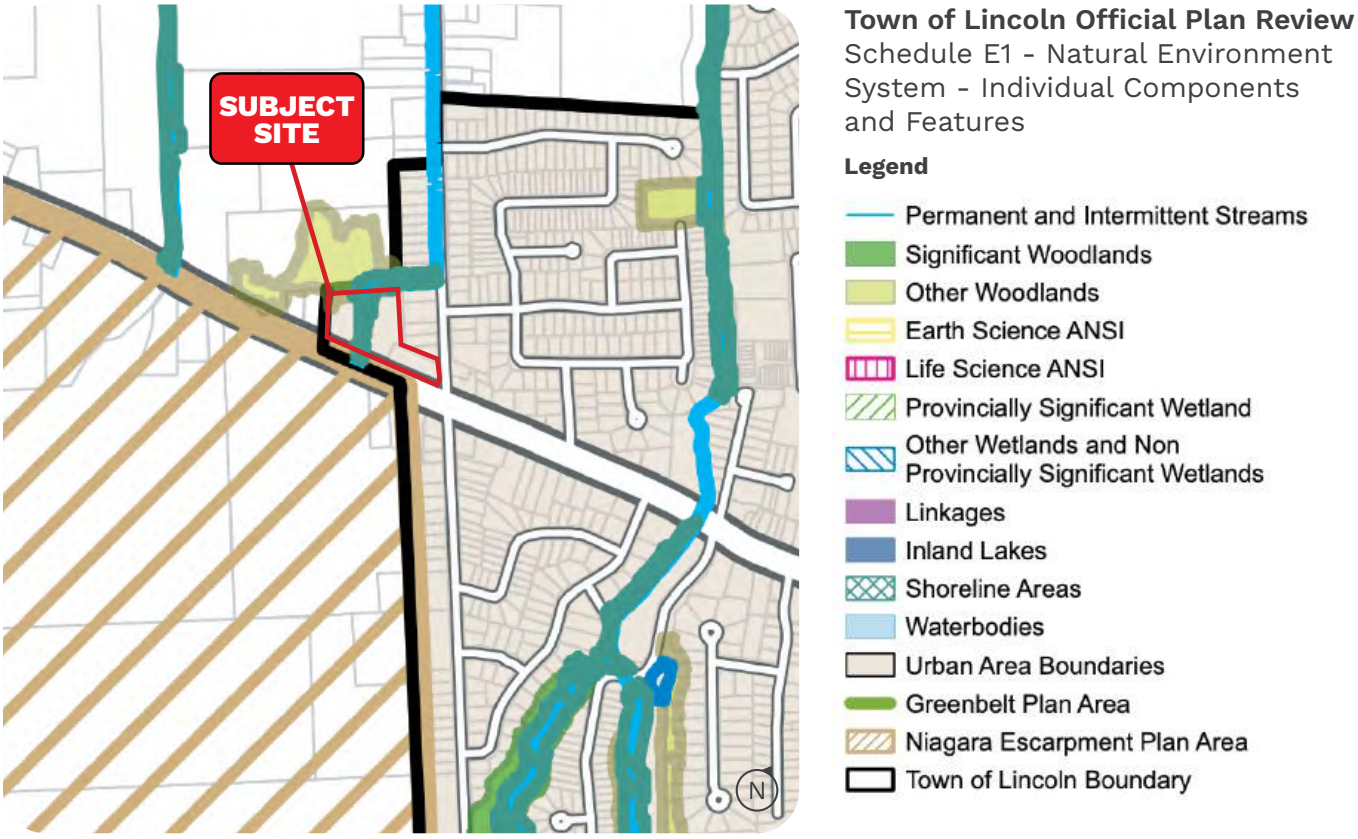


Figure 20 - Town of Lincoln Draft Official Plan Schedule E1, Natural Environment System – Individual Components and Features

Policy 4.4.2 outlines that development and site alteration on lands adjacent to a natural heritage feature or area outside of a provincial natural heritage system shall require an environmental impact study and/or hydrological evaluation to determine that there will be no negative impacts on the feature, ecological function, or hydrologic function in accordance with the adjacent lands distances outlined in the Regional Official Plan.

Policy 4.4.4 states that, within settlement areas are required, and that the width of an ecologically appropriate buffer would be determined through an environmental impact study and/or hydrological evaluation at the time an application for development or site alteration is made.

Policy 4.5.3 identifies that, regarding key hydrologic areas, key hydrologic features, and other important water resources, development or site alteration shall not be permitted unless it can be demonstrated that it will not have negative impacts on:

(a) the quantity and quality of water in key hydrologic areas, key hydrologic features, sensitive surface water features, and sensitive ground water features;

(b) the hydrologic functions of key hydrologic areas, key hydrologic features, sensitive surface water features, and sensitive groundwater features;

(c) the interaction and linkage between key hydrologic areas, key hydrologic features, sensitive surface water features, and sensitive groundwater features and other components of the natural environment system;

(d) the natural hydrologic characteristics of watercourses such as base flow, form and function, and headwater drainage areas;

(e) natural drainage systems and shorelines areas; and

(f) flooding or erosion.

Energy Conservation and Climate Change

Policies outlined in section 4.16.1 related to energy conservation and climate change are carried forward from the in effect Official Plan, with minor updates to clarify that policies that support energy efficiency, reduce air pollution and greenhouse gas emissions are intended to also combat climate change.

Transportation

Policy 6.1.2 provides the objectives for the transportation network that include, among others:

- To implement complete streets ideologies and policies within the Regional Complete Streets Design Manual which provide the infrastructure support for complete communities where neighbourhoods are well connected to each other, commercial areas, and community facilities with a safe and efficient transportation network that accommodates all users on all roads (a);
- To reduce car dependence, support active transportation and an efficient sustainable transportation system (c);
- To promote municipal and interregional transit service within and to the Town including continued provision and enhancement of demand-responsive transit service (f); and
- To integrate land use and transportation considerations at all stages of the planning process (i).

The subject site is located along King Street which is identified as a Regional Road (Arterial) in the Draft OP. According to Policy 6.1.4 (b) ii), the Town will work with the Region to ensure that the following key principles are considered in the future improvement of these roads, among others:

- Encourage high quality redevelopment of properties along the Regional roads. Buildings should be oriented to front , face and feature the road. Large parking areas should be located behind or at the side of buildings and, where visible from the road, must include substantial landscape treatment.

Servicing and Infrastructure

Policy 7.1.2 states that it is the objective of the Town's Servicing and Infrastructure system to, among other things:

- direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of municipal water and sanitary and storm sewers (b);
- to ensure that municipal water and sanitary and storm sewer services are financially viable and comply with all regulatory requirements and protect human health and the natural environment (e);
- to integrate servicing and land use considerations at all stages of the planning process (g);
- to support optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities (h); and
- promote the use of green infrastructure and low impact development by considering green infrastructure in projects and encouraging its use through review of development applications (i).

Policy 7.1.3 of the Draft OP provides that infrastructure planning, development, and asset management shall be undertaken in support of the growth management policies of this Plan to promote sustainability and the achievement of complete communities. The Policy further states that before consideration is given to developing new infrastructure, the Region and local area municipalities shall optimize the use of existing infrastructure, and plan and direct growth, in a manner that promotes efficient use of existing services while aligning with protection of the surrounding natural environment, including corporation of watershed planning.

Urban Design

Urban design policies are outlined in Section 8.6 of the Draft OP. They are largely carried forward from the in effect Official Plan as they relate to the subject site, however updated language related specifically to redevelopment being provided. Policy 8.6.2(l) of the Draft OP states that an urban design principle, among others, is to provide appropriate transitions from existing development to future development and redevelopment sites.

The Draft OP further provides detailed policies that apply to roads and streetscape elements (Policy 8.6.3.1), housing (Policy 8.6.3.4), institutional Uses, commercial uses, mixed use and public buildings (Policy 8.6.3.5), and gateways (Policy 8.6.3.10). As stated above, an Urban Design Brief, which addresses the quality of urban design of the project and responses to the urban design policy framework in the in effect Official Plan has been submitted in support of this development and is described in Section 5.5 below.

While the Draft OP is not yet in force and effect, for the reasons set out in Section 5 below, it is our opinion that the proposed development conforms to the intent of the policies of the Draft OP, particularly those that relate to the provision of mixed use buildings within the General Commercial designation to revitalize underutilized areas, making efficient use of underutilized lands, and protection of the Natural Environment System.

4.6 Town of Lincoln Zoning By-law 2022-50

The subject site is subject to multiple zones as shown in **Figure 21** below. Its eastern portion is zoned GC – General Commercial. The lands adjacent to the tributaries are zoned GC(H) – General Commercial Hold Zone, and the lands containing the tributaries are zoned EC – Environmental Conservation Zone. The GC Zone permits a full range of commercial and institutional uses as well as residential apartments within a mixed use building. The EC Zone only permits conservation and existing uses.

The subject applications seek to change the boundaries of EC Zone in accordance with the approved NPCA Work Permit, remove the holding provision and change several performance standards within the GC Zone to implement the proposed development.

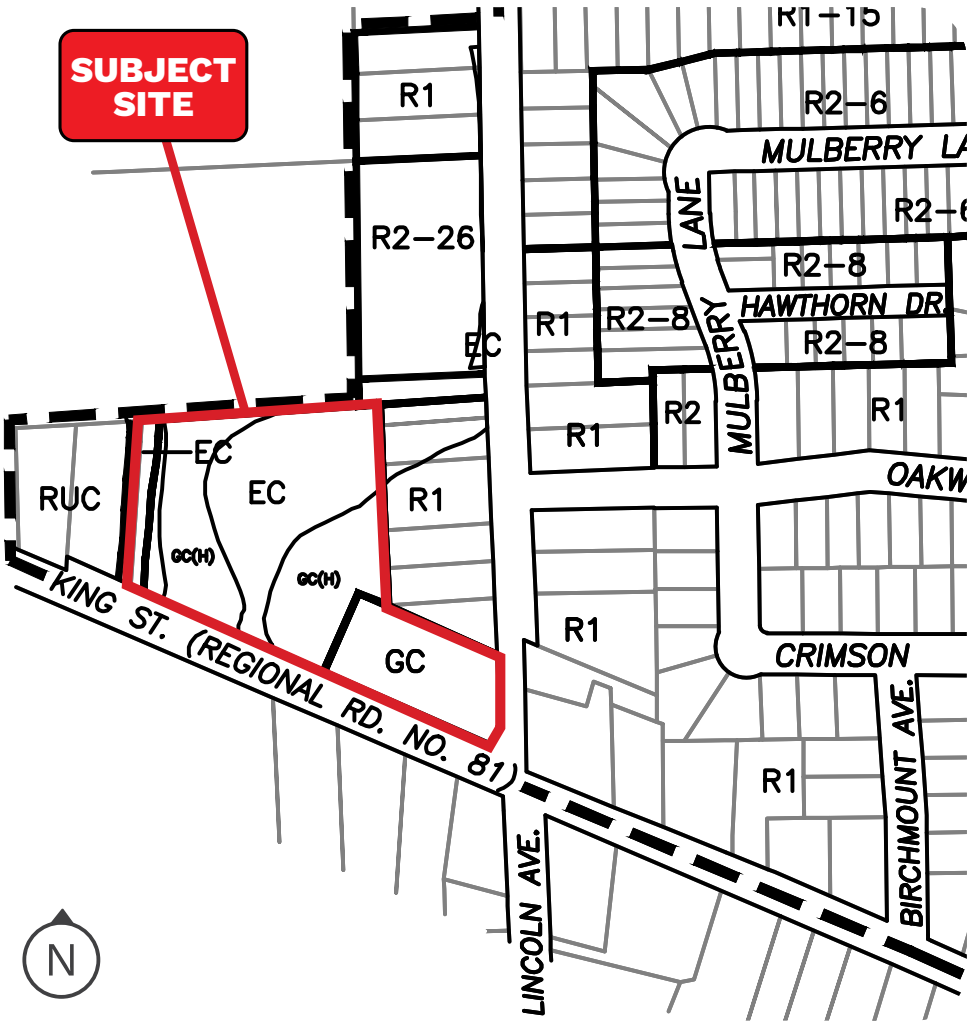


Figure 21 - Town of Lincoln Zoning By-law



5 Planning & Urban Design Analysis

5.1 Intensification

The overarching Provincial, Regional and municipal policy framework directs growth and intensification to Delineated Built Up Areas within Settlement Areas and further directs the optimization of existing land supply and infrastructure. Provincial policy encourages building strong communities through the provision of efficient development and land use patterns and a diversity of land uses that take into account protection, maintenance and recognition of natural features and linkages between them, all in an effort to create complete communities.

The proposed development of the subject site is consistent with the PPS which supports residential intensification within settlement areas and the efficient use of land and infrastructure. In accordance with the PPS which directs growth to various strategic locations including redevelopment of underutilized shopping malls or plazas, and which supports the redevelopment of commercially designated lands such as underutilised shopping malls or plazas to support mixed-used residential development, the proposal seeks to secure efficient development and land use patterns by optimizing underutilized land and available infrastructure in a settlement area.

The NROP directs that designated greenfield areas be developed with a minimum density of 50 residents and jobs per hectare over the entire designated greenfield area. The directive for intensification on site is further reinforced in the Official Plan where the target density of development in the designated greenfield area is similarly 50 residents and jobs per hectare.

For the portion of the subject site within the Built-Up Area, the NROP establishes a minimum intensification target for the Town of Lincoln of 90%. While the in-force Official Plan provides that the Town will accommodate at least 40% of projected housing growth annually within the existing Built-Up Area, this has been updated in the Town's Draft OP update to reflect the NROP's 90% target for projected housing growth annually within the Built-Up Area.

Development of the subject site would meet and exceed the minimum density target for the designated greenfield area and further contributes a range and mix of housing types and densities that will help accommodate the Regional and City targets of 8,995 (90%) of residential units within the built-up area to the year 2051.

The NROP directs growth to lands within the Urban Area and Delineated Built Up Area where infrastructure presently exists. Its policies speak to minimizing the consumption of land and ensuring its local municipalities responsibly manage forecasted growth where land and infrastructure is available to achieve population and employment forecasts through the 2051 planning horizon.

Both the NROP and the Official Plan provide phasing policies that require that lands within Urban Areas be developed prior to any expansion of land or infrastructure. The Official Plan identifies that opportunities for expansion of their Urban Area may be limited and making efficient use of their existing developable lands, such as the subject site, is of paramount importance to fully realize their growth potential. The Official Plan policies identify that residential intensification be directed to the Urban Area, particularly on lands along higher order roads such as King Street, being a Regional Road.

The proposed level of mixed-use intensification can be accommodated in the area, including the existing municipal servicing connections, and it does not result in unacceptable impacts on the surrounding lands. Overall, it is our opinion that the subject site is an appropriate location for mixed-use residential and commercial uses, in a compact, mid-rise form that makes efficient and cost-effective use of existing and planner services and infrastructure, as well as encourages transit-supportive densities.

5.2 Land Use

The proposal seeks to revise the boundaries of the Natural Environment designation to align with the realignment of Tributary 2A of the Konkle Creek and apply a consistent General Commercial designation to the remainder of the site. In accordance with Policy 2.4.6.1 (c) of the Official Plan, an Environmental Impact Memo was prepared by Myler Ecological Consulting and dated November 28, 2024 (the "**EIM**"). The EIM describes how the tributary realignment design, secured via NPCA Work Permit No. 202300865, established compensation for the removal and temporary disturbance of the NROP mapped Other Woodlands on site, and further restored through the realignment work to ensure its maintenance and ultimately, enhancement. In this regard, the EIM demonstrates that there will be no negative impact to the natural heritage feature or its ecological function and, as such, rationalizes the proposed amendment.

In accordance with Provincial, Regional and municipal direction, the proposal accommodates a range of uses that contribute to a complete community, including a mix and range of new housing opportunities and commercial uses at a location where such uses are directed and permitted.

The proposed mixed-use development is permitted by the applicable Regional and local Official Plan policies, including the General Commercial designation of the Lincoln Official Plan. Further, the submitted Official Plan Amendment and Zoning By-law Amendment adjust the delineation of the Natural Area designation and Environmental Conservation zones on the subject site to reflect the realigned and stabilized tributaries of Konkle Creek, providing for sufficient developable area on site to accommodate a compact, mid-rise mixed use development.

To achieve the objectives of the General Commercial designation articulated in Section 3.4.2 of the Official Plan, Policy 3.4.3 f) permits a wide range of commercial uses and encourages new commercial developments to include residential units in mixed-use buildings. Policy 3.4.2 a) and b) provide that it is an objective of the General Commercial designation to encourage the provision of a sufficient level and variety of retail activity within the Town to satisfy the consumer demands of residents, and to promote planned development of business and commercial uses consistent with the needs of the Town residents, respectively.

As such, a minimum density of commercial uses within the General Commercial designation is not required. Rather, the objectives of the designation clarify that commercial uses are encouraged to be provided at a level that responds to the needs and consumer demands of residents. In this regard, the proposed development replaces the approximately 1,000m2 of gross leasable retail space currently existing on site with 1,071 square metres (commercial gross floor area) for new commercial amenities including retail, restaurants, and personal services, which conforms to the land use policies of the General Commercial designation.

The commercial space is proposed on the ground floor along the King Street frontage. As further described in Section 5.5, this location ensures the viability of the commercial space by locating it along an active street frontage. Through the modernization of the commercial space, greater flexibility is provided for potential future commercial uses to be located on the subject site, ensuring the continued viability of the subject site for commercial uses. As such, a variety of commercial amenities can be located within the proposal to satisfy the needs of current and future residents.

Further, Policy 3.4.4 f) states that new residential development in the form of apartments above commercial use is encouraged to assist in revitalization of the General Commercial areas. The proposed mixed-use residential and commercial buildings will contribute to accommodating a new form of housing units within the Town and mix to the housing options, which are dominated by ground related units. In terms of dwelling mix, the proposal will introduce a total of 246 residential apartment units to the subject site, including 91 one-bedroom units (37%), 123 two-bedroom units (50%), 7 two-bedroom plus den units (3%), and 25 three-bedroom units (10%). This represents a housing form that is not present in the surrounding area of the subject site. The provision of affordable housing in accordance with the thresholds as provided for in the Niagara Region Official Plan is being explored through funding streams offered by the Canada Mortgage and Housing Corporation ("CMHC"), Further detail regarding the provision of affordable housing will be confirmed as the potential CMHC funding process progresses and as the buildings near occupancy to confirm the exact thresholds.

An Environmental Noise Assessment was prepared and concludes that adjacent sources of noise, such as King Street as a Regional road and other adjacent commercial uses will not require any mitigation measures beyond warning clauses within all Lease, Purchase and Sale Agreements.

A Phase One and Phase Two Environmental Site Assessment has been completed to determine any potential contaminants of concern within the soil associated with historic and existing land uses. The Phase Two Environmental Site Assessment ultimately concludes that all soil data met the appropriate Ontario Regulations and therefore, no further environmental assessment work is considered necessary.

In this regard, it is our opinion that the proposal conforms to the intent of the General Commercial policies in the Town of Lincoln Official Plan, while achieving city building objectives that seek to both increase the mix and amount of housing options, and secure employment opportunities and retail function on the subject site, and therefore is appropriate and desirable for the subject site.

5.3 Height, Massing & Density

In our opinion and as noted in Section 5.1 above, the subject site is an appropriate location for mid-rise intensification in land use policy terms, and is compatible with the existing and planned surrounding context. From a built form perspective, the development of subject site is contextually appropriate given:

- Its shape, size, and amount of frontage along King Street;
- Its location along a Regional Road;
- Its location within a designated growth area, which is anticipated for mixed use development.

The proposed building height is appropriate given the majority of its massing towards its southern and western boundaries, leaving ample room for transition to lower rise residential uses to the east and north. In this regard, the proposed midrise buildings are located a minimum of 20.3 metres from the low-rise residential dwellings that front onto Lincoln Avenue.

As it relates to density, for the reasons outlined in Section 5.1, it is our opinion that the subject site is an appropriate location for intensification and higher density land uses. As noted in policy 1.6.3 of the Lincoln Official Plan, the Town has established minimum residential targets for lands designated low, medium and high density Residential within designated greenfield areas.

Although we note that the subject site is designated General Commercial rather than Residential, we acknowledge that the policies of the low, medium and high density Residential designations guide residential built form of differing densities within the Town of Lincoln. The high density residential designation permits building heights of 6-storeys and net density between 50 and 120 units per hectare per Policy 3.1.5.3 (b).

Building 2 (6-storeys) conforms with the permitted building height within the high density Residential designation, while Building 1 requires an amendment to increase the maximum building height to 7-storeys. Further, the overall net density of development is 176 units per hectare. In this regard, the Draft Lincoln Official Plan Update has removed the policy establishing a maximum height and thus provides no maximum height, and further increases the permitted maximum net density to 160 units per hectare. This aligns with the recently updated NROP, which establishes higher growth and intensification targets for the Town and Region. Although the Draft OP is not in effect, it does acknowledge the Town's need to intensify and optimize density especially on underutilized sites and along the Town's key major corridors.

Further with respect to density, it is our opinion that the proposed net density of 176 units per hectare and overall density of 1.59 FSI is appropriate and desirable. This scale of density seeks to optimize the use of land and infrastructure on the subject site, to a scale that is appropriate given its partial designation within the designated greenfield area and within the Built-Up Area of the Town, collectively within the Regional and Municipal urban area. The planned 176 units per hectare exceeds the minimum greenfield density target of 50 people and jobs per hectare, which is both encouraged by policy and also an appropriate strategy to create more housing opportunities within the City.

As a matter of good urban design, buildings should relate to the streets in which they front. In this regard, the metric height of Buildings 1 and 2 along the King Street frontage is 25.54 metres and 22.34 metres, respectively relating well to the existing and planned 26 metre right-of-way width of King Street. Further, Building 2 steps down along the eastern, Lincoln Avenue frontage to a metric height of 15.24 metres, relating to the planned 23 metre right of way of Lincoln Avenue. From a massing perspective, as noted in Section 5.4 below, the proposed buildings have been carefully sited and massed to provide transition to the existing and planned adjacent context. It provides a large setback (minimum of 20.3 metres) to low-rise residential uses to the north and east, and the proposed 2-storey amenity building provides an appropriate transition between the intensities of uses on the site.

The proposal has further been massed to establish a pedestrian scale along King Street, with active uses facing the street at ground level that support high pedestrian activity. Setbacks along King Street have been secured to enable pedestrian circulation to the proposed retail units in Buildings 1 and 2, and along Lincoln Avenue to allow space for high-quality landscaping. In this regard, the proposal will replace front yard parking with an urbanized streetscape along the site's King Street and Lincoln Avenue.

5.4 Built Form Impacts

Light, View and Privacy (LVP) impacts are generally dealt with through a combination of spatial separation, orientation and mitigating measures between buildings. In our opinion, such impacts will be minimal in this case given the siting of the buildings, midrise building typology, as well as appropriateness of the proposed building setbacks and the separation distance of the proposed buildings from neighbouring buildings.

As a matter of good urban design practice, a minimum distance of 11 metres is generally used as an appropriate separation distance between main windows of low and mid-rise buildings. Buildings 1 and 2 are separated by the access driveway from King Street and are separated by 18 metres, thus mitigating any privacy or overlook concerns. Building 2 is setback 20.23 metres from the north-eastern property line that abuts low-rise residential uses. Further, the proposed amenity building is setback 6 metres from the rear lot line of the adjacent residential uses, which, coupled with the rear yard setbacks for these dwellings, achieves a greater than 11m separation. Collectively, these separation distances mitigate privacy and overlook concerns from both existing and planned residential uses.

Further, the proposed Buildings 1 and 2 establish a perimeter block form, with the greatest massing located furthest from the adjacent single detached dwellings. The 7-storey building massing of Building 1 is located along the western property line, stepping down to 6-storeys along the King Street frontage. Similarly, Building 2 has a height of 6-storeys massed along the King Street frontage of the site, stepping down to 4-storeys at the intersection of King Street and Lincoln Avenue.

In our opinion, these distances exceed best practices for minimum separation distances for low and mid-rise buildings, coupled with the proposed location and orientation of buildings along street frontages and away from the interface with lower intensities of land uses mitigate any adverse impacts associated with LVP. In addition, the proposed setbacks exceed the minimums established in the GC Zone.

Shadow Impact

A Shadow Impact Study has been prepared by SRM Architects + Urban Designers, dated April 2025, to review the incremental shadow expected to result from the proposal in comparison to the shadow impacts expected to result form the as-of-right development permissions (12.5 building height). The study reviews shadow impacts on April 21st, June 21st, September 21st and December 21st and hourly intervals from 10am – 6pm, and incorporates Daylight Saving Time (DST) for April 21st.

On April 21st and June 21st, limited shadow impacts are anticipated. Proposed outdoor amenity spaces exceed 4 hours of sunlight between 10am to 6pm. Adjacent commercial buildings both west and south of the site are unaffected and receive over 9 hours of sunlight. Residential properties to the east, on the west side of Lincoln Avenue, are mostly unaffected and receive 9 hours of sunlight. Further beyond on the east side of Lincoln Avenue, residential properties remain mostly unaffected and receive at least 8 hours (April 21st) and 9 hours (June 21st) of sunlight within a typical day.

The proposed development exceeds a minimum of 4 hours of sun coverage between 10am and 6pm on public sidewalks, residential streets, patios and trees. Overall, minor incremental shadow impacts are anticipated on the residential dwellings to the north-east and east as a result of the proposed massing between 5pm and 6pm (April 21st), and on residential dwellings to the east at 6pm (June 21st).

On September 21st, limited shadow impacts are anticipated that are somewhat greater than those on April 21st and June 21st. Proposed outdoor amenity spaces continue to exceed 4 hours of sunlight. Adjacent commercial buildings to the west and south receive 8 and 9 hours of sunlight, respectively. The residential property to the immediate north-east of the site receives 7 hours of sunlight. The four residential properties north of this residence remain mostly unaffected and receive 8 hours of sunlight. The proposed development exceeds 4 hours of sun coverage between 10am and 6pm, on public sidewalks, residential streets, patios and trees. Overall, minor incremental shadow impacts are anticipated on the residential dwellings to the north-east and east between 3pm and 6pm; while shadowing would occur based on the as-of-right development permissions (12.5m building height), the shadows resulting from the proposed development are slightly longer during these times.

Lastly on December 21st, some shadow impacts are anticipated. While the proposed outdoor amenity spaces continue to exceed the minimum requirement of 4 hours of sunlight and adjacent commercial buildings to the west and south continue to receive 8 and 9 hours of sunlight, respectively, there is an increase in shadowing on land uses to the north and east in light of the long shadows anticipated at this time of year.

The 2 residential properties to the immediate north-east of the subject site, on the west side of Lincoln Avenue, receive almost 2 hours of sunlight. The 3 residential properties north of these residences receive nearly 5 hours of sunlight. Residential properties on the east side of Lincoln Avenue remain mostly unaffected and receive at least 5 hours of sunlight. Overall, only two properties immediately north of the subject site do not exceed 4 hours of sun coverage between 10am and 6pm on public sidewalks, residential streets, patios and trees. In our opinion, the reduced sun access for two properties occurs during the winter solstice, which is the shortest day of the year and when the sun angle is lowest and creates long shadows. In addition, the incremental shadows are only slightly longer than those that would be cast by the as-of-right development permissions. Furthermore, the winter solstice and shadow impacts occur when the outdoor amenity area is not generally utilized given the cold temperatures.

Overall, the shadows from the proposal do not result in unacceptable impact to surrounding properties throughout the day and year, with the exception of minor incremental shadowing on two low-rise residential dwellings located north-east of the subject site. However, we note that the as-of-right development permissions would result in shadowing on these dwellings, to a slightly lesser extent. In our opinion, these incremental shadow impacts are adequately limited and will facilitate a comprehensive mixed use development at an appropriate scale.

Wind Study

A Pedestrian Level Wind Study has been prepared by Gradient Wind engineers & Scientists, dated November 22, 2024. The Wind Study notes that wind conditions on the subject site are predicted to generally improve following the introduction of the proposed development, provided adequate mitigation measures are incorporated into the proposed development through construction, such as canopies that wrap around the southeast and southwest corners of Buildings 1 and 2, extending approximately 3m in depth from the building facades.

The Wind Study notes that conditions over the surrounding sidewalks, surface parking, drive aisle, walkways, proposed drop-off areas, loading zones, outdoor patios serving the Amenity Building, and in the vicinity of. Building access points are considered acceptable for the intended pedestrian uses.

During the summer, wind conditions over the outdoor amenity to the north of the subject site are predicted to be suitable for standing, while conditions over the outdoor patio to the east of Building 2 are predicted to be suitable for mostly sitting with a mix of standing and walking conditions at the south corner of the patio. Depending on programming (i.e. if they are not intended to accommodate seating or lounging activities), the noted conditions may be considered acceptable.

Regarding the common amenity terraces serving the proposed development at the rooftop levels, conditions during the summer are predicted to be suitable for mostly standing. Comfort conditions within the terraces may be extended around sensitive areas by implementing perimeter wind screens, the extent of which will be dependent on terrace programming.

5.5 Urban Design

In our opinion, the Proposal conforms with the applicable built form and urban design policies of the NROP and Official Plan.

An Urban Design Brief has been prepared by SRM Architects + Urban Designers, dated April 2025, considers the proposed development against the policies of the Official Plan. It acknowledges the Urban Design Principles of the Official Plan (Policy 8.6.2), which include:

- To encourage a compact, walkable, and well connected community;
- To encourage mixed use and a range of housing;
- To provide a linked public open space system;
- To encourage quality architecture and to ensure that buildings provide an appropriate edge to the street
- To encourage increased density in appropriate locations;
- To provide a range of transportation options, including walking and cycling;
- To encourage complete streets for all users;
- Appropriate design of streets and public spaces to enhance and encourage pedestrian and public activity;
- (To encourage a strong sense of place;
- To encourage improvements to the public realm;
- New development is to be compatible with established development;
- Protection of the heritage buildings and structures;
- Protection of the natural environment; and
- The preservation of cultural heritage landscapes and features.

Further, the Draft OP introduces a new Urban Design Principle as Policy 8.6.2 (l), being to provide appropriate transitions from existing development to future development and redevelopment sites.

In this regard, the Urban Design Brief concludes that the proposed development aligns with these policies through the provision of the following standards:

- Streetscape:
  - Minimize driveway entrances across the sidewalk;
  - Locating parking and garage entrances at the rear of the property;
  - Establishing a principal façade with active retail entrances located along the street;
  - Providing front yard landscape design which reinforces the green identity of Beamsville, while creating clearly defined pedestrian walkways;
- Massing:
  - Providing a transition area through setbacks from neighbouring development;
  - Establishing building heights at the street wall ranging from 23.22m to 25.58m, massing the 7-storey portion of the proposed development along the western street frontage away from low-rise residential uses;
  - Provision of a less than 1:1 height to width ration to adjacent right-of-way widths (26 metres for King Street; 23 metres for Lincoln Avenue).
- Local Character:
  - Incorporating locally used materials including brick, and a rhythm of fenestration that can be found in the retail core of Beamsville;
  - Including architectural detailing that emphasises the important location at the corner of King and Lincoln;
  - Ensure equal importance to street front facades through the design of flanking facades.
- Ground Level Relationships:
  - Creation of pedestrian scaled, active uses facing the street at ground level that support high pedestrian activity;
  - Promoting an animated street environment with frequent doors, windows and pedestrian generating uses fronting directly onto King Street;
  - Provision of outdoor bicycle parking to encourage active transportation;
  - Providing materiality, lighting and overhangs to create legible main entrances;
  - Pedestrian connections from the parking lot are well defined through paving and lighting.

Further to the above, we note that the proposed development conforms to Policies 3.4.4 (e) – 3.4.4 (l) of the Official Plan by:

- Providing an improved streetscape through landscaping, the provision of pedestrian pathways, and landscape buffer to screen between commercial / mixed-uses and adjacent uses;
- Locating loading off-street within the rear yard;
- Designing a single ingress and egress along each frontage to minimize conflict between pedestrian and vehicular traffic;
- Where possible, locating buildings close to the public street to create pedestrian friendly and active street frontages;
- Occupying the majority of the public street frontage with building facades including windows and doors to create pedestrian friendly and active street frontages; and,
- Locating residential units at grade to the rear of the subject site.

5.6 Environmental Considerations

An Environmental Impact Study was prepared by Myler Ecological Consulting, dated July 2023, ("**2023 EIS**") in support of the NPCA Work Permit that was approved to allow for the realignment and stabilization of Tributaries 1B and 2A of Konkle Creek located on the subject site.

The 2023 EIS describes that prior to development of the proposed alignments, consideration of alternatives to the realignment of each tributary was undertaken. Firstly, a 'Do Nothing' approach was considered whereby the existing segments would be retained in their current alignment and condition on site. However, the EIS concludes that this is not a feasible solution in consideration of the existing instability and ongoing erosion of fill and soils along the Tributary 2A channel, the need to maintain the site and improve conditions of conveyance through the site presently, and the subject sites anticipated future contribution to the Beamsville Urban Area.

The 2023 EIS further described that existing alignment and condition of the watercourse segments are the result of historical artificial realignment and channelization of local drainage, combined with fill placement, that serves the historical orchard land use of the site and surrounding area. This drainage pattern and the configuration of the channel is no longer relevant in the urban setting and is unstable in the case of Tributary 2A. Because of the extensive rehabilitation required to bring it to a desired long-term stable and functional configuration, it was determined that the 'Do Nothing' approach is not prudent and Tributary 2A must be relocated more appropriately within the site. After multiple alternatives were considered through the EIS, it was ultimately determined that a minor realignment of Tributary 1B along the western property line should occur, and Tributary 2A should be relocated to be a separate and adjacent channel to Tributary 1B.

The 2023 EIS concluded the following:

- The 'Other Woodland' woodland that runs along the northern portion of the subject site is not considered to be 'significant' per the definition thereof in the NROP, due to its width of less than 20m.
- The existing fish habitat and natural heritage conditions of the tributaries has been described and it has been determined that the proposed watercourse realignment will have no negative impact on the watercourses and associated riparian natural heritage features or their ecological functions.
- Screening for Significant Wildlife Habitats and Species at Risk has determined that both are absent from the subject site and neither will be impacted by the proposed watercourse realignment.
- Design of the proposed realignment to maintain hydraulic performance (i.e. conveyance and flood limits) and employing natural channel design principles and the creation of a native species riparian corridor will enhance watercourse physical and ecological functions.
- Implementation of the proposed realignment includes measures to mitigate erosion and sedimentation and to restore and enhance riparian habitat. Annual monitoring of the channel stability and the successful establishment of riparian vegetation is recommended for a period of up to 5 years, with annual technical memoranda provided to the Niagara Peninsula Conservation Authority to confirm success and to describe solutions implemented to address identified shortcomings.

The final NPCA Work Permit was issued in January 2024 and is described in Section 1.1 above. Subsequently, Niagara Region identified through the Pre-Consultation Process that a scoped Environmental Impact Study would be required to justify the amendments to the Official Plan and Zoning By-law associated with the relocation of the tributaries and 'Other Woodland' on site. Accordingly, Myler Ecological Consulting prepared an Environmental Impact Memo, dated November 2024 (the "**EIM**").

The EIM concludes that the area of 'Other Woodlands' affected by the watercourse alignment was compensated for through the realignment design through a restored, planted riparian corridor. Ultimately, the EIM concludes that the policies of the NROP, including:

- NROP Policy 3.1.18.1 by ensuring the permanent conservation and enhancement of Other Woodlands within the realigned riparian corridor;
- NROP Policy 3.1.20.1 through providing enhancements that are consistent with the Region's support for enhancements to the natural environment system to support ecological functions and improve ecological integrity; and
- NROP Policy 3.1.11.4 through the design of the riparian corridor to be wider than the pre-existing watercourse corridor, to anticipate and incorporate required watercourse and woodland buffers with a 'built-in' wider buffering vegetated riparian corridor, coupled with a wider extension of Other Woodlands across the property than previously existed.

Ultimately, the 2024 EIS concludes that the Other Woodlands on site have been conserved and enhanced by the NPCA-approved watercourse realignment and will continue to exist and function with the proposed development.

5.7 Transportation Considerations

A Transportation Impact Study was prepared by CF Crozier & Associates, dated April 2025, in support of the proposed development. The purpose of the study is to assess the impacts of the proposed development on the study road network and to recommend any required mitigation measures, if warranted, in accordance with the agreed upon Terms of Reference with the Town of Region.

The Transportation Impact Study concludes that the proposed development does not significantly impact the study road network. Although individual critical movements existing in the ultimate horizon year, it can be noted that the growth of existing and background traffic account for a large portion of the 2035 future total traffic volume.

With respect to traffic safety, the Transportation Impact Study concludes that an assessment of sight distance at the proposed site access indicate that no sight distance issues are expected for vehicles exiting the site. Vehicle turning diagrams indicate that there is sufficient space for the expected design vehicles to maneuver in and out of the designated site accesses, parking and loading spaces without conflict.

Lastly, the Transportation Impact Study confirms that the proposed development achieves (and in some cases, exceeds) the minimum parking, loading and bicycle parking requirements of By-law 2022-50.

Ultimately, the Transportation Impact Study concludes that the proposed development can be supported from transportation, operations, safety, parking and loading perspectives.

5.8 Noise Considerations

An Environmental Noise Assessment was prepared by Gradient Wind Engineers & Scientists, dated November 18, 2024, to consider the stationary noise impacts of King Street, as well as an adjacent car repair shop.

The Environmental Noise Assessment ultimately concludes that OBC compliant exterior building components are sufficient for the development, as well as forced air heating with provision for central air conditioning and a Type D warning clause on all Lease, Purchase and Sale Agreements, to address noise related to the adjacent King Street.

Similarly with respect to outdoor living areas, the Environmental Noise Assessment concludes that no mitigation measures are required, and that a Type A warning clause on all Lease, Purchase and Sale Agreements is sufficient.

The noise levels associated with nearby commercial facilities are compliant with the required standards, however a Type E Warning Clause is recommended for all Lease, Purchase and Sale Agreements.

Lastly, the stationary noise impacts from the proposed development on the surroundings can be generally minimized by judicious selection and placement of equipment. Where necessary, noise screens and silencers can be incorporated into the design, to be determined upon detailed design of the building.

5.9 Servicing Considerations

A Functional Servicing Report has been prepared by S. Llewellyn & Associates Limited, dated December 2024 and revised in April 2025. The Functional Servicing Report ("**FSR**") provided detailed information on the proposed servicing and grading scheme for the developments, as well as the proposed stormwater management criteria in accordance with the Town of Lincoln, Niagara Region and Niagara Peninsula Conservation Authority requirements.

With respect to water quantity control, the FSR determined that the proposed condition discharge rates will not exceed the predevelopment discharge rates during the 2-year to 100-year design storms with the installation of the proposed dual stage orifice device. Further, the stormwater storage for catchment 203, which represents the discharge from the site that is captured and controlled by the private storm sewer system north into the existing watercourse, can be accommodated by the proposed storage tank.

With respect to water quality control, an 'enhanced' (80% TSS removal) level of water quality protection can be achieved through treatment by a Hydro International Up-Flo Filter prior to discharge into the drainage watercourse.

With respect to sanitary servicing, the FSR proposes to service the site by a 200mm sanitary sewer that will be designed and constructed in accordance with the Town of Lincon Standards. Drainage from the proposed sanitary sewer system will discharge to the existing 300mm sanitary sewer on Lincoln Avenue, east of the proposed development.

The FSR further notes addresses that a technical memorandum was prepared by GEI Consulting (dated April 11, 2025) to evaluate the capacity of the downstream sanitary sewer system. The results of the GEI Consulting technical memorandum indicate that the sanitary sewers in the Friesen Boulevard catchment are undersized to convey existing flows and, therefore, cannot accommodate additional sanitary drainage. To address this capacity constraint, the FSR notes that it is understood that either and inflow and infiltration reduction of 20 L/s must be achieved, or that certain sanitary sewers in the vicinity of the subject site must be oversized.

With respect to water servicing, the FSR proposes the installation of a 150mm watermain for each of the proposed buildings, connecting to the existing 250mm watermain on King Street.

Ultimately, the FSR concludes that the proposed development can be constructed to meet the requirements of the Town of Lincoln, Niagara Region and Niagara Peninsula Conservation Authority.

6 Conclusion

For the reasons set out in this report, it is our opinion that the proposal, and specifically the requested official plan and zoning by-law amendments ,represent an appropriate use of the subject site to introduce a new mixed-use, mid-rise building to the Beamsville community.

The report concludes that the proposal is consistent with the PPS, conforms with the policies of the NROP, and meets the intent of the policies of the Official Plan, all of which support the efficient use of lands within settlement areas and the direction for intensification within designated growth areas and settlement areas.

From a land use planning perspective, the proposal will contribute to accommodating both the Region and Town's population and employment target of 50 people and jobs per hectare in the designated greenfield area, and the overall intensification target of 90% within the Built-Up Area. Ultimately, the proposal contributes to a complete community and supports the transformation of the subject site by providing a mix and range of housing options and the replacement of commercial uses within the area.

From a built form and urban design perspective, the proposal makes efficient use of land and infrastructure through a compact and pedestrian oriented form of development. The proposal appropriately transitions in scale from the lower density land uses to the east and north, and has been designed in accordance with the Town's Urban Design policies.

In summary, it is our opinion that the proposal results in an appropriate and desirable use of the subject site and represents good planning and urban design. We recommend approval of the required official plan amendment and zoning by-law amendment applications.

Yours Truly

Bousfields Inc.



David Falletta, MCIP RPP

Partner



BOUSFIELDS INC.

PLANNING | DESIGN | ENGAGEMENT