



October 14, 2021

364-20

Via Email & Delivered

Matt Bruder
Director of Planning & Development

Melissa Shih
Manager of Special Projects

Town of Lincoln
4800 South Service Road
Beamsville, ON L0R 1B1

Dear Mr. Bruder & Ms. Shih:

**RE: Part of Lot 16, Concession 1, Part 2, and Part 3
Ontario Street and Greenlane, Beamsville ON
PLZBA20210059 - Zoning By-law Amendment Application Resubmission**

As you are aware, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Greenlane Joint Venture Inc., c/o Peter DeSantis Sr., who are the registered owner of the lands located at the North East corner of Ontario Street and Greenlane in the Town of Lincoln. Upon review of the Town, Regional and external agencies comments dated July 13, 2021, responses to specific comments and overall themes are addressed below. Corresponding material is also attached.

A number of improvements have been made to the proposal in direct response to the department, agency and public feedback received to date and these changes are summarized below:

- The building height for the majority of the development has been reduced from 10 storeys to 8, with a 10 storey portion remaining at the western portion of the site;
- A distinct three storey podium has been introduced with floors four to eight further stepped back from Greenlane;
- “Walk-outs” units have been introduced along Greenlane to improve the pedestrian realm, transition in height and street interface;
- The number of parking spaces has been increased from 404 spaces to 450 spaces;
- 302 square metres of commercial space are proposed for the ground floor; and,
- “flex” spaces has been introduced to the zoning by-law to accommodate live/work permissions.

CN Rail

Comment: CN Rail has submitted the Noise and Vibration Report and the Stormwater Management report for peer review and are awaiting response from the peer reviewer. This is anticipated to occur by early

August. CN Rail notes that the crash wall design must be peer reviewed and approved by AECOM. The applicant is advised to contact AECOM directly to initiate a peer review. Upon approval by AECOM, the applicant must submit an approved copy of the crash wall design to CN.

Applicant Response: A response from the peer reviewer (Jade) was provided on August 17, 2021. Thornton Tomasetti has addressed the comments provided by Jade (the peer reviewer) regarding the *Noise and Vibration Study* submitted. Please see the attached revised *Noise and Vibration Study* from their Office.

AECOM provided comments on August 13, 2021. Jablonsky, Ast and Partners has revised and submitted their *Preliminary Crashwall Report* to AECOM for further comment. Once approved a copy will be sent to CN Rail.

Town of Lincoln – Development Engineering

Comment: The proponent will need to revise their Traffic Impact Study to include traffic for peak volume hours at the Ontario Street intersection and proposed entrances from the proposed new school on the south side of Greenlane (Roll # 262201002205010).

Response: See the revised *Traffic Impact Study* prepared by NexTrans Consulting Engineers. All other Development Engineering comments have been addressed by S. Llewellyn & Associates, please see their attached material.

Town of Lincoln – Planning and Development Department

Comment: Please provide 3D renderings of the proposed development.

Response: 3D renderings prepared by KNYMH are included with this submission package.

Comment: The development proposes to increase the maximum permitted density, as outlined in the Beamsville GO Secondary Plan, from 200 u/ha to 242 u/ha. There are existing sanitary sewer capacity concerns within the Region's Ontario Street trunk sewer running from Greenlane to Lister Road. The Functional Servicing Report has not demonstrated that the development's increased municipal services demand can be met by the existing or planned municipal servicing system.

Response: See the updated *Functional Servicing Report* from S. Llewellyn & Associates.

Comment: For the next submission, please identify the community benefits that are being proposed in exchange for increases in maximum height and density. Please provide details on how the proposed community benefits are suggested to be implemented.

Response: See below a list of community benefits that are being provided in accordance with Section 9.8 of the Official Plan:

- Provision of publicly accessible, private open space access (refer to landscape plan);
- Provision of public parking (layby parking identified on the attached Concept Plan);
- Provision of underground parking (resulting in further intensification);
- The implementation and connection of active transportation networks (see attached Street Interface Sketch prepared by UrbanSolutions);
- Enhancement of Public Realm and the Corner of Greenlane & Ontario Street;
- Enhancement of underutilized and vacant lands;
- Implementation of the GO Station Secondary Plan and the provision of mass transit supportive density;
- Increase in entry level housing stock; and,
- The overall improvement of servicing and infrastructure.

Comment: While staff are not opposed in principle to overall building height exceeding the Secondary Plan permissions, it is essential that the proposed massing maintains an appropriate scale in relation to the existing lower building fabric to the south, mitigates negative impacts such as shadowing and overview, and creates a comfortable, human-scaled building at grade.

Response: The proposed massing has been revised to further maintain an appropriate scale, and further mitigate negative impacts such as shadowing, while incorporating a more comfortable human-scaled building at grade. This is done by incorporating a tiered design which see the building maintain the original 10 storey height along Ontario Street, and tier down to 8 storeys in height towards Greenlane. In addition to this, “Walk-Outs” (which incorporates the step-back) have been incorporated to provide a more appropriate scale to the existing lower building fabric to the south. The Urban Design Brief prepared by Whitehouse Urban Design speaks to this transition.

Comment: The proposal comprises of a 10-storey building along the Greenlane frontage with no transition in built form. The proposal and submitted Urban Design Brief do not demonstrate that the additional height has no negative impacts on the stable residential area to the south (see Secondary Plan section 3.1.15.5.4.16). Staff recommend that the proposed development introduce a clear building podium with a height of 3 to 4 storeys, defined by a front step-back of 3.0 metres above the podium, consistent with Secondary Plan Policies 3.1.15.5.3.2.1 and 3.1.15.5.3.2.2. An additional stepback should be determined by a 45-degree angular plane applied at a height equivalent to 80 percent of the width of the right-of-way. This will help maintain a traditional build line throughout the area and mitigate the perception of building height from the surrounding areas. See the illustration on Schedule B12-3 attached.

Response: As previously mentioned, the development now incorporates a transition in built form and these stepbacks have been informed by the 45 degree angular plane analysis included in the submission package. As illustrated, the 8th story component nearly complies with the 45 degree policy at 80% of the right-of-way and is below the 45 degree plan when taken at the south side of the right-of-way. While the 10 storey portion does breach the plane, it only does so for a small portion of the overall built form. And further, the interface at the breach is with residential front yards, not rear yard, private amenity space. See the attached *Urban Design Brief* for further

commentary on the transition, and justification on having no negative impacts on the stable residential areas.

Comment: Staff recommend increasing the amount of commercial space on the ground floor of the proposed development, along the Ontario Street and Greenlane frontages.

Response: Through discussion with Senior level staff, the amount of commercial space has increase from 227m² to 302m² in addition to having 78m² of Flex Space. Flex Space is defined in the draft by-law as “as an area that can be occupied by either a commercial use, or dwelling unit as defined in the By-law”.

Comment: The treed area at the east end of the subject property is designated as Parks and Open Space and identified as a “Potential Public Space Improvement” location in the Secondary Plan. Staff recommend that the implementing Zoning By-law for this area be zoned Open Space to ensure conformity with the Official Plan.

As indicated through the pre-consultation process, there is no desire to assume this area for a public park. The Secondary Plan envisions an open space at this location that will enhance the pedestrian environment and provide amenities for residents, employees and visitors. This space is intended to support growth and intensification. Suggested design elements include a connection to the pedestrian network and planned transit stops, enhanced landscaping, shade trees, ample locations for seating and public art. Please see Secondary Plan section 3.1.15.5.5.2.1.7 for further design guidance on semi-public open spaces. Staff also note that there is a Planned Active Transportation Connection across the CN rail line at the far east side of the subject lands (see Schedule B11).

Please provide details on what is being proposed in the Open Space area at the east end of the site.

Response: Per the Schedule B7: *GO Station Secondary Plan Land Use* the east end of the property is designated Parks and Open Space. As such the draft by-law looks to rezone the east end as *Open Space* which permits Parks. This also allows for the Zoning By-law to stay in conformity with the Official Plan.

As indicated on the attached Landscape Plan (L1 – Landscape Plan) provided by Whitehouse Urban Design, the Open Space and Park area a connection to the pedestrian network is provided, in addition to enhanced landscaping, and shade trees. At this point in time, only passive uses will be planned for the space (benches, trail, and trees). The orientation and layout of these will be addressed and finalized during the Site Plan stage. This area is intended to operate as a publicly accessible, privately owned space that will be implemented at the draft plan of condominium stage.

Comment:

The Transportation Impact Study notes that the provision of 56 long-term bicycle spaces (0.15 spaces per dwelling unit) will be addressed at site plan. Staff recommend that the implementing Zoning By-law include provisions for long-term bicycle parking areas within buildings as per Secondary Plan section 3.1.15.5.4.17.8.

Response: Noted, please see the attached revised draft by-law.

Comment: The development proposes a sufficient amount of amenity area. To ensure this is provided, Staff recommend that the implementing Zoning By-law incorporate minimum amenity area requirements consistent with the draft zoning regulations for Apartment uses as proposed through the Town's ongoing Comprehensive Zoning Bylaw Review.

Applicant Response: Noted, please see the attached revised draft by-law which includes an amenity regulation.

Comment: The proposal includes a reduction in the number of accessible parking spaces from approximately 10 accessible spaces to 4. Staff note that the number of accessible parking spaces required by the Zoning By-law is derived from the *Accessibility for Ontarians with Disabilities Act* and Staff do not support a reduction of this requirement.

Response: Noted, please see the attached revised draft by-law.

Agency Comment: *Servicing & Traffic – refer to comments issued.*

Response: All Servicing & Traffic concerns or comments have been addressed in the revised *Functional Servicing Report* prepared by S. Llewellyn & Associates and the revised Transportation Impact Study prepared by NexTrans. In addition to this, the Concept Plan has been revised to include one access driveway to minimize the number of driveways which cross sidewalks and to provide a safer pedestrian and cyclist environment per the Official Plan and Secondary Plan policy.

Comment: *Noise & Vibration Impact Study - refer to comments issued.*

Applicant Response: The noise barrier has been included on all relevant plans. All other noise concerns or comments have been addressed in Thornton Tomasetti's revised Noise Impact & Vibration Study which is enclosed.

Comment: *Preliminary Report: Crash Wall Protection*

Applicant Response: Jablonsky, Ast. & Partners is working towards obtaining approval from the external agency Aecom.

Comment: *Pedestrian Level Wind Assessment*

Response: Please see the revised Pedestrian Level Wind Study that has been prepared by RWDI.

Comment: *Shadow Impact Analysis*

Response: The only concern from the Town was minoring shadowing on the prior outdoor amenity area. As this has been removed, there is no longer any concern for this. Please see the attached report which was revised to reflect the updated massing.

Comment: *Urban Design & Landscaping*

Response: Please see the updated *Urban Design Brief & Landscape Plan* prepared by Whitehouse Urban Design which addresses the comments provided.

Niagara Peninsula Conservation Authority

Response:

An application for an NPCA Work Permit will be applied for/addressed at the Site Plan Stage.

Niagara Region

Comment: *Urban Design*

Response: As previously mentioned, all urban design comments (including Appendix 1: Detailed Urban Design Comments) have been addressed in the updated *Urban Design Brief & Landscape Plan* prepared by Whitehouse Urban Design. In addition to this the Pedestrian Level Wind Assessment has been updated, while there were no concerns from the Region regarding the Shadow Impact Analysis.

Comment: *Noise and Vibration Impacts*

Applicant Response: As previously mentioned, all other noise concerns or comments have been addressed in Thornton Tomasetti's revised Noise Impact & Vibration Study which is enclosed.

Comment: *Land Use Compatibility*

Response: Please see the attached Land Use Compatibility Assessment Addendum which reiterates how the as of right Zoning Permissions and provisions put in place by the Town ensure development standards are maintained, and proposed developments are compatible with surrounding areas. If

an industry does not require an Environmental Compliance Approval certificate, it is understood that the Zoning provisions set out in the Town's By-law provide adequate compatibility or "protection" between industry and residential uses. As such, with the lands to the North being viewed at as draft Employment by the Region the Town's Zoning By-law is to be relied upon for ensuring compatible development with sensitive land uses. If, for whatever reason an industry or business with complex or unique types of operations, such as landfill sites, or wastewater treatment plans, were to occupy any lands to the north they would be required by law to meet the specific conditions set out in their required Environmental Compliance Approval.

In regard to the industry identified at 4641 Falletta Court, additional Noise and Vibration readings were taken by Thornton Tomassetti confirming the use has the characteristics of a Class I industry when implementing noise study mitigation measures, making it compatible with the residential development.

In regard to mitigation requirements between studies, as the Noise and Vibration Study recommends implementing a 2.1m high noise wall it is noted within the Land Use Compatibility Assessment. CN Rail also requires that the crash wall incorporates a noise barrier.

Comment: Archaeological Potential

Response: A Stage 1 & 2 Archaeological Assessment was prepared by Earthworks Archaeological Services Inc. which was also submitted to the Ministry as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, R.S.O. 1990, c 0.18, and has entered into the Ontario Public Register of Archaeological Reports without Technical Review. Please see the attached assessment and letter from the Ministry.

Comment: Transportation

Response: As previously mentioned, all Traffic concerns or comments have been addressed in the revised *Transportation Impact Study* prepared by NexTrans

Comment: Regional Permit Requirements

Response: Noted, the permit will be addressed at the time of a future *Planning Act* application.

Comment: Engineering (Servicing & Stormwater Management)

Response: As previously mentioned, all engineering concerns or comments have been addressed in the revised *Functional Servicing Report* prepared by S. Llewellyn & Associates.

Comment: Waste Collection

Response: Noted.

In support of the submission, please find the enclosed:

- One (1) copy of the Concept Plan prepared by UrbanSolutions;
- One (1) copy of the Street Interface Sketch prepared by UrbanSolutions;
- One (1) copy of the Draft By-law prepared by UrbanSolutions;
- One (1) copy of the Public Comment Response prepared by UrbanSolutions;
- One (1) copy of the 45 degree angular plane analysis prepared by UrbanSolutions;
- One (1) copy of the Land Use Compatibility Assessment Addendum prepared by UrbanSolutions;
- One (1) copy of the Architectural Package including Floor Plans, Underground Plan and prepared by KNYMH;
- One (1) copy of the revised Shadow Impact Analysis including Sun Shadow Projections prepared by KNYMH;
- One (1) copy of the Comment Response Letter prepared by S. Llewellyn & Associates;
- One (1) copy of the Grading & Servicing Plans prepared by S. Llewellyn & Associates;
- One (1) copy of the revised Functional Servicing Report prepared by S. Llewellyn & Associates Limited;
- One (1) copy of the Urban Design Brief prepared by Whitehouse Urban Design;
- One (1) copy of the Preliminary Landscape Plan prepared by Whitehouse Urban Design;
- One (1) copy of the Tree Protection Plan prepared by Whitehouse Urban Design;
- One (1) copy of the revised Pedestrian Level Wind Assessment prepared by RWDI;
- One (1) copy of the revised Transportation Impact Study prepared by NexTrans;
- One (1) copy of the revised Noise and Vibration Study prepared by Thornton Tomasetti;

We trust the enclosed is in order to proceed to the November 29th agenda; however, please feel free to contact the undersigned with any questions.

Regards,

UrbanSolutions


Matt Johnston, MCIP, RPP
Principal


Spencer McKay, CPT
Project Manager

cc: Ms. Diane Campbell, Town of Lincoln
Greenlane Joint Venture Inc.
Mr. Sergio Manchia, MCIP, RPP, UrbanSolutions