THE CORPORATION OF THE TOWN OF LINCOLN  
ECONOMIC DEVELOPMENT & PLANNING COMMITTEE  

A G E N D A  

April 11, 2016  

7:00 p.m.  

1. CALL TO ORDER  

2. ROLL CALL  

3. DECLARATIONS OF INTEREST  

4. PUBLIC HEARINGS  
   (a) None.  

5. DELEGATIONS  
   (a) Ben Clare, PL 16-19  

6. CORRESPONDENCE  

7. REPORTS  
   (a) PL 16-19, CN: 3-5-02-05, Application: PLSUB20150118, Draft Plan of Subdivision Application by 1528149 Ontario Inc.  
   (b) PL 16-20, CN: 1-2-03-02, January to March 2016 Building Activity Report  

8. COUNCILLOR ENQUIRIES  

9. NOTICE OF MOTION  

10. ANNOUNCEMENTS  

11. CLOSED SESSION  

12. ADJOURNMENT
March 29, 2016

LOCAL AREA MUNICIPALITIES

SENT ELECTRONICALLY

Project Initiation Report
Niagara GO Hub and Transit Stations Study
PDS 9-2016

Regional Council, at its meeting of March 24, 2016, approved the following recommendation of its Planning and Development Committee:

That Report PDS 9-2016 dated March 9, 2016, respecting Project Initiation Report Niagara GO Hub and Transit Stations Study, BE RECEIVED and BE FORWARDED to all the local municipalities

A copy of Report PDS 9-2016 is enclosed for your information

Yours truly,

Ralph Walton
Regional Clerk

cc: B. Dick, Senior Planner, Growth Management
    M. Kernahan, Senior Planner
    N. Sergy, Administrative Assistant
    N. Oates, Executive Assistant to the Commissioner, Planning & Development Services
REPORT TO: Planning and Development Services Committee
MEETING DATE: Wednesday, March 09, 2016
SUBJECT: Project Initiation Report
Niagara GO Hub and Transit Stations Study

RECOMMENDATIONS

1. That this report BE RECEIVED for information

2. That a copy of this report BE FORWARDED to all the local municipalities.

KEY FACTS

- In 2011 GO Transit completed the Niagara Rail Service Expansion Environmental Assessment (EA), which identified 4 (four) transit station locations within Niagara Region.
- GO Rail expansion has been identified as one of Council’s most significant priority projects.
- The GO Rail Business Case advocates for daily GO Rail service to Niagara Region. The Niagara GO hub and Transit Station Study (HTSS) is a complimentary component to the business case that will leverage the planning and transportation framework around the transit station sites.
- The purpose of the HTSS for the four identified sites is to develop conceptual transit station designs and create a planning and transportation framework for the area surrounding each transit station.
- The Niagara GO HTTS has been awarded to Dillon Consulting and associated sub consultants (Brook McIlroy, Cushman & Wakefield Ltd., Hanscomb Limited).
- The HTSS commenced in mid-December 2015 and is expected to be complete in June 2017.
- Formal partnerships with the Town of Grimsby, Town of Lincoln, City of St. Catharines and the City of Niagara Falls have been established through a Memorandums of Understanding.
CONSIDERATIONS

Financial

The GO HTSS has an estimated total cost of $750,000 which is funded from the 2015 budget. There are no additional financial requests at this time.

Corporate

GO Rail expansion has been identified as one of Council's most significant priority projects. As a result, a cross departmental project team will ensure work toward the development of hub and transit station studies aligns with the GO Rail Business case. The project aligns with Council’s strategic priority of moving people and goods.

Governmental Partners

Working in partnership with the members of the participating municipalities is essential to advance the HTSS. For this reason, 4 (four) Memorandums of Understanding formalizing the respective rolls of the Region and the participating municipalities were executed in August and September 2015.

Staff and key stakeholders from the participating municipalities (Grimsby, Lincoln, St. Catharines, and Niagara Falls) will be providing key input into helping create the planning and transportation framework for the area surrounding each transit station. As part of the HTSS work plan, 4 (four) Stakeholder Advisory Committees (SAC) and Technical Advisory Committees (TAC) have been created (i.e. one for each of the respective participating municipalities).

The SACs are generally composed of members of the community with an interest in the outcome of the study and the study area in general. Membership is composed of representatives of special interest and community groups, council advisory committees, business improvement associations, property owners and representatives of significant businesses and institutions operating within the study areas. The purpose of consultation with these groups is to obtain input into the study from members of the public that are most knowledgeable of the study areas.

The TACs are composed of municipal technical staff from planning, engineering, transit, parks and economic development departments. The purpose of consultation with TACs is to obtain input from local technical experts and decision makers on technical aspects of the planning study.

A Metrolinx Regional Workshop was held at the Welland Canals Centre in St. Catharines on February 2, 2016. Participants included staff from the Region, local
municipalities and Metrolinx. The purpose of the workshop was for Regional and local municipal staff to provide input on the legislated review of the Provincial Regional Transportation Plan. The workshop provided a forum for the exchange of information between Niagara Region, local area municipalities and Metrolinx. Metrolinx shared information with staff on the progress of their initiatives within the Metrolinx planning area including the update to the "Big Move" Regional Transportation Plan. The Region and locals presented on major growth and transit related initiatives underway in Niagara.

Public and/or Service Users

The HTSS project supports the efforts underway to secure a commitment from the Province for GO Rail expansion to Niagara. With station stops identified in Grimsby, Beamsville, St. Catharines and Niagara Falls, the expansion of GO rail service into Niagara will provide a new level of direct transportation connectivity for Niagara residents and businesses to the Greater Toronto-Hamilton Area. GO train stations will also act as the cornerstone for current and future local transit options, supporting enhanced transit alternatives and opportunities.

Users of GO Transit must complete the first and last portion of their trip on their own; they must first walk, drive or cycle themselves to the nearest station and once they get to the destination they must again walk, drive, or cycle to complete their journey. This is referred to a as the "first-last mile" of the users trip. The streets and infrastructure surrounding the future transit stations are critical elements of an effective transportation system. For that reason, as part of the work plan the HTSS will review the issues and opportunities the future GO users will contend with in the first-last mile.

ANALYSIS

Background

In early 2015, Regional Council identified a number of strategic priorities to help move the performance dials on economic prosperity. Establishing a commitment from the Province to extend GO Rail to Niagara was identified as Regional Council's number one priority.

In support of the introduction of two-way, all-day GO train service between Niagara Falls and Hamilton's James Street North Station, Niagara Region is building upon the completed 2011 Niagara Rail Expansions Environmental Study Review (ESR) and undertaking a HTTS for the four preferred future GO Transit station areas (see Appendix I for the maps of the preferred station areas from the 2011 ESR). The four preferred areas are located in the municipalities of Grimsby, Lincoln, St. Catharines and Niagara Falls.
GO Hub and Transit Stations Study: Project Scope

- **Phase 1 Study Context and Site Review**
  The first phase of the project involves confirmation of GO Station locations and associated study area boundaries and the commencement of consultation with Technical Advisory Committees and Stakeholder Advisory Committees in each of the four participating municipalities.

- **Phase 2 Prepare and Development Visions, Principles, Options**
  A design vision and guiding development principles for the GO Hub and Transit Station areas will be established in Q2 2016. A public visioning workshop will be held in each of the participating municipalities during Q2 2016. The purpose of the workshops is to assist in the establishment of a vision for each of the study areas.

- **Phase 3 Prepare Secondary Plans**
  Phase 3 involves the development of Secondary Plans for each of the GO Hub and Transit Station areas. Consultation with the municipal Stakeholder Advisory Committees and Technical Advisory Committees as well as a Public Event Series will be undertaken.

- **Phase 4 Primary Zone Technical Analysis**
  Phase 4 will be focused on completing the Primary Zone Transportation and Land Market Value Analysis. The key tasks of this phase include reviewing and assessing the existing and future travel demand for the Hub and Transit Station Areas; developing network and phasing plans for the transportation infrastructure requirements coordinated with proposed development thresholds; and refining the functional layout and design for each transit station.

- **Phase 5 Station Area Design and Layout**
  Phase 5 involves the development of conceptual station designs, layout and supporting illustrations for each of the Station Areas.

- **Phase 6 Implementation Plan and Planning Framework Update**
  A Phasing and Implementation Strategy that sets out specific directions for the Region to assist in achieving the Design Vision for each Study Area will be prepared in Phase 6. This Phase will also involve the finalization of the secondary plans for each of the station areas and the adoption of the secondary plans by local municipalities.
Relationship to Niagara 2041 Growth Strategy

The Niagara Go Hub and Transit Stations Study is a component of the Niagara 2041 Growth Strategy. It is envisioned that the areas surrounding the stations will be focus areas for significant infrastructure investment and population and employment growth. Accordingly, these areas will be identified as key hubs in an urban structure framework.

Project Status

The contract to complete the Niagara Go Hub and Transit Stations Study was awarded to Dillon Consulting and associated sub-consultants (Brook McIlroy, Cushman & Wakefield Ltd., Hanscomb Limited) and the project was initiated in early December 2015.

Next Steps

- **Phase 1 Study Context and Site Review** (currently underway)
- **Phase 2 Prepare and Development Visions, Principles, Options** (currently underway)
- **Phase 3 Prepare Secondary Plans** *(to be started in Q3 of 2016)*
- **Phase 4 Primary Zone Technical Analysis** *(to be started in Q4 of 2016)*
- **Phase 5 Station Area Design and Layout** *(to be started in Q1 of 2017)*
- **Phase 6 Implementation Plan and Planning Framework Update** *(to be started in Q2 of 2017)*

ALTERNATIVES REVIEWED

Commencing the GO Hub and Transit Stations Study is warranted. Failure to move forward with the GO Hub and Transit Stations Study will undermine the Region’s effort to obtain a Provincial commitment to GO Rail expansion.

ORIGIN OF REPORT

This report is brought forward by staff to notify Regional Council that the GO Hub and Transit Stations Study has commenced.
OTHER PERTINENT REPORTS

- PDS 29-2015, Niagara GO Mobility Hub Study Memorandum of Understanding, June 24, 2015

SUBMITTED & SIGNED BY:  
Rino Mostacci, MCIP, RPP  
Commissioner  
Planning and Development Services

APPROVED & SIGNED BY:  
Harry Schlage  
Chief Administrative Officer

This report was prepared by Brian Dick, MCIP, RPP, Senior Planner, Growth Management and Matt Kernahan, MCIP, RPP, Senior Planner and reviewed by Diana Morreale, MCIP, RPP, Manager of Community Planning

APPENDICES

Appendix I – Maps of Preferred Station Locations  
Page 6
Chairman and Members of the Economic Development and Planning Committee

April 11, 2016

Draft Plan of Subdivision Application by 1528149 Ontario Inc.
CN: 3-5-02-05 Application: PLSUB20150118

RECOMMENDATIONS

For the reasons outlined in PL 16-19 it is hereby recommended:

1. That the Draft Plan of Subdivision, Lincoln Heights, BE APPROVED in accordance with the plan outlined in Attachment No. 2 and in accordance with the provisions of the Planning Act and regulations thereunder, subject to the conditions outlined in Attachment No. 3.

2. That all parties be advised of Council’s decision on the Draft Plan of Subdivision application in accordance with Provincial Regulations. (Note: Appeal period is twenty days from notice of decision).

3. That the Director of Planning and Development or the Town Clerk be authorized to endorse the Draft Plan as ‘approved’ twenty days after notice of Council’s decision has been given, provided that no appeals against the decision have been lodged.

4. That the applicant be advised that draft approval of this plan will lapse three years from the date of draft approval unless Town Council grants an extension of the approval period. If an extension is requested, an updated review and revisions to the conditions of draft approval may be necessary at that time.

PURPOSE

The purpose of this report is to provide a recommendation to Committee and Council regarding a Draft Plan of Subdivision application known as Lincoln Heights to permit 7 single detached units.

BACKGROUND

1. Location

The subject lands are located on the west side of Lincoln Avenue in Beamsville. The lands consist of part of Lot 19, Concession 2, further described as Parts 1 to 7 on 30R-14108. A map outlining the location of the lands is included as Attachment No. 1.
2. **Background**

The subject lands are vacant of any buildings with the majority of the subject lands being tree covered. The subject lands possess a lot area of 0.65 hectares (1.61 acres). Surrounding land uses consist of residential uses to the north, south and east and agricultural uses to the west.

On May 8, 2013 consent was granted to sever the subject lands from the abutting lands to the west for future residential use.

On May 19, 2015 Council passed a Zoning By-law Amendment to rezone the subject lands from Residential Development (RD) to Residential 2 (R2-26) (H) Zone to facilitate the construction of the 7 single detached dwellings. The Site Specific Provision is to include a 13 metre minimum front yard setback for the new dwellings. The Holding Provision (H) is not to be removed until the following has been completed:

(a) The applicants have entered into a subdivision agreement to ensure that all development concerns and constraints have been adequately addressed;

(b) The subdivision agreement has been registered on title;

(c) A letter of compliance from the Ministry of Tourism and Culture is submitted to the Niagara Region Planning and Development Services Department confirming that all archaeological resource concerns have met licensing and resource conservation requirements; and

(d) The primary services have been completed to the satisfaction of the Town.

The Zoning By-law Amendment was appealed to the Ontario Municipal Board by a neighbouring property owner. A decision to dismiss the appeal was issued by the Board on October 28, 2015.

The Draft Plan of Subdivision is included as Attachment No. 2.

3. **Provincial Policy Statement, Growth Plan and Greenbelt Plan**

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

**Provincial Policy Statement**

The Provincial Policy Statement defines the subject lands as within a settlement area. Policy 1.1.3.1 states that settlement areas will be the focus of growth and development, and their vitality and regeneration shall be promoted. As a result, residential development is directed to locate within settlement areas. Policy 1.1.3.2(a) states that land use patterns within settlement areas shall be based on densities and a mix of land uses, which efficiently use infrastructure and public service facilities. Policy 1.1.3.2(b) states that land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification.
and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

**Places to Grow - Growth Plan for the Greater Golden Horseshoe**

The Growth Plan has identified the subject lands as being within a designated greenfield area. Policy 2.2.7.1 requires that new development within designated greenfield areas contribute to creating complete communities by accommodating a range of land uses. This policy also directs new development within designated greenfield areas to create street configurations, densities and an urban form that support walking, cycling and the early integration and sustained viability of transit services. Policy 2.2.7.2 requires greenfield areas to achieve a minimum density target of 50 people and/or jobs per hectare.

**Greenbelt Plan**

Since the subject lands are located within the Beamsville Urban Area, they are not subject to the policies of the Greenbelt Plan.

**Conclusion**

Staff is of the opinion that the proposed development of the lands is consistent with the Provincial Policy Statement and the Provincial Growth Plan. The focus of the Provincial Policy Statement and the Provincial Growth Plan is intensification and redevelopment within existing urban areas.

**4. Regional Official Plan**

It is required that the municipality ensures that proposed developments conform to the Regional Official Plan. The subject lands are within the Beamsville Urban Area and therefore the responsibility for regulating land uses within those areas rests with local municipalities through their Official Plans and Zoning By-laws.

Planning and Development Staff is of the opinion the application conforms to the Regional Official Plan.

**5. Council Policy**

The lands are subject to the policies of the Official Plan and the regulations of Zoning By-law No. 93-14-Z1. The development of the lands will be the subject of a subdivision agreement.

**Existing Official Plan**

The subject lands are designated Residential according to the Official Plan. Policy 2.2.3 (a) states that use of the land designated Residential shall be for dwellings of all types and that uses which are compatible with the surrounding residential environment may also be permitted. Policy 8.6.4 (a) states that where five (5) or more new residential lots are being created, or where a new road or road extension is necessary, Council will require development by registered plans of subdivision pursuant to Section 51 of the Planning Act, as amended, rather than by individual land severances by consent.
Where development is proposed in or adjacent to natural features, an Environmental Impact Study (EIS) is to be undertaken to evaluate the impact of the proposed development on the natural heritage features and functions and ecosystem of the area and to establish the proposed methods to mitigate the impacts.

**New Official Plan**

The new Official Plan was adopted by Council on July 7, 2014 and has been appealed to the Ontario Municipal Board (OMB). The Town is currently awaiting a decision from the OMB. The subject lands are located in a greenfield area within the Beamsville urban boundary and designated Low Density Residential according to the new Official Plan. Policy 3.1.5.1 states that lands designated Low Density Residential shall include single detached dwellings, semi-detached dwellings, duplexes and townhouses, have a minimum net density of 10 units per hectare and a maximum net density of 25 units per hectare.

The new Official Plan contains similar policies with regards to requiring an EIS when development is proposed in or adjacent to natural features.

Planning and Development Staff is of the opinion that the application conforms to the existing and new Official Plan.

**STAFF COMMENTS**

1. **Agency and Staff Development Coordinating Committee**

   The Draft Plan of Subdivision application was circulated to relevant government agencies and Town Departments. The following comments have been received as of the preparation of this report:

   - The **Building Department** advises that they have no objections.

   - The **Public Works Department** has requested that entrance locations, sanitary lateral connections, water service connections, grading, stormwater management and road restoration be addressed as part of the Subdivision Agreement.

   - **Canada Post** has advised that the development will be serviced by community mailboxes and that the specific locations will be determined upon approval of the plan. They have also provided comments with regards to their service requirements and conditions that must be met by the developer.

   - The **Regional Development Services Division** advises that they have no objections provided that the Niagara Peninsula Conservation Authority is satisfied and that a number of requested conditions of Draft Plan Approval be incorporated into the Subdivision Agreement.

   - The **Niagara Peninsula Conservation Authority** advises that they have no objections provided that a number of requested conditions of Draft Plan Approval be incorporated into the Subdivision Agreement.
2. **Public Comments**

The application was circulated to all assessed owners within 120 metres of the subject lands and a public notice sign was posted on the lands. In addition, an open house was held on December 2, 2015 and a public meeting was held on December 15, 2015 to obtain public comments. No comments/concerns have been received to date.

3. **Planning and Development Staff**

The applicant retained the services of North-South Environmental Inc. to prepare an EIS. The EIS concluded that mitigation measures will avoid or mitigate any actual or potential negative impacts to the key natural hydrogeological feature and other natural areas on site. Those mitigation measures include:

- Removing vegetation from mid-May to mid-July to mitigate the impact to breeding birds;
- Providing a detailed design of driveway culverts and any work within the watercourse (as described in Section 6.1.2 of the EIS) to mitigate the impact to Fish and Fish Habitat;
- Providing a two metre buffer to the watercourse from the top of bank;
- Creating a habitat for Milksnake (as described in Section 6.1.3 of the EIS);
- Providing educational material to prospective home owners describing the sensitivity to the adjacent natural area; and
- Implementing an erosion control plan that includes erosion control measures and monitoring to mitigate impacts associated with erosion of bare soils during construction.

A.J. Clark and Associates Ltd. prepared a Functional Servicing Brief and provided recommendations and conclusions regarding the proposed development as follows:

- Existing sanitary sewers and watermains (of sufficient capacity and depth) are located along the frontage of the site. No difficulties are anticipated in servicing the site with private sanitary drains and water services to municipal standards;
- Improvements to the existing watercourse/roadside ditch (other than maintenance) are not currently being proposed by the Town. Therefore site storm runoff shall be accommodated by this outlet as per the Master Drainage Plan;
- Floodplain limits have been determined in the Master Drainage Plan for this watercourse. Of concern is the southeast corner of Lot 7 which shows a minor encroachment. However based on the most recent topographic information, the flooding limit is contained and does not impact Lot 7 appreciably;
- To mitigate disruption of fish and fish habitat within the watercourse due to installation of driveway culverts and municipal services remedial measures have been proposed and implemented in the driveway culvert design as follows:
  - Suitable sized driveway culverts, placement of culvert inverts below stream bed to allow for embedment;
  - Placement of culvert inverts below the existing stream bed to allow for embedment material;
- Embedment material to be suitably sized clean round stone (60-120mm diameter) to replicate a natural channel bottom within the culvert;
- Construct inlet and outlet pools at culvert ends to provide fish habitat and trap sediment;
- Place scour protection on both sides of the culvert to improve channel stability; and
- Plant riparian vegetation within a two metre buffer area on the west side of the watercourse to provide shade and cover.

- Proposed driveway crossings of the watercourse along Lincoln Avenue have been designed to contain 100 year flows within the watercourse area (west half of road allowance) and not spill over to the east; and
- Siltation and erosion control measures be installed before construction activity commences and maintained throughout the construction process until adequate ground cover is established.

Planning Staff are of the opinion that the proposed conditions of draft plan approval will address all agency requirements, including the requirements identified in the Functional Servicing Brief and the mitigation measures identified in the EIS. The conditions of draft approval will be implemented through the subdivision agreement process.

The recommended conditions of draft approval are outlined in Attachment No. 3.

Planning Staff are of the opinion that the proposed 7 single detached dwellings units are compatible with the surrounding residential area and conform to the minimum required net density of 10 units per hectare. The net density for the proposed development is 10.7 units per hectare.

Planning Staff are of the opinion that the application is consistent with the Provincial Policy Statement, Growth Plan and Regional Official Plan, and complies with the policies of the Town Official Plan and Zoning By-law. On this basis, Planning Staff recommend approval of the application.

As noted previously, Council approved appropriate zoning with a holding provision in May of last year. The holding provision will not be removed until such time as the applicant has satisfied the Town that all on-site and off-site development concerns have adequately been addressed. That will include the requirement that the applicant enters into a subdivision agreement, the agreement being registered on title and the Town receiving all required securities relating to the subdivision agreement.

**PROCESSING TIMELINES**

Date of Receipt of Complete Application: September 24, 2015
Processing Time: 5.5 months

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

There are no immediate direct costs to the municipality anticipated. However, legal costs could be incurred if the Town position is appealed and the Town chooses to support its position.

CORPORATE PLAN

In January 2015, Council adopted a new Corporate Plan, which sets out its priorities and strategic directions for this term of Council. The Economic Development Strategy is pertinent to these applications. The Economic Development Strategy encourages an investment friendly environment to ensure that Lincoln is a sustainable and prosperous Town.

Planning and Development Staff is of the opinion that the application is consistent with the Corporate Plan.

ATTACHMENTS

1. Location Map
2. Draft Plan of Subdivision
3. Conditions of Draft Plan Approval

Report Prepared on April 5, 2016

Respectfully submitted by:

Monika Cocchiara
Planner

Reviewed by:

Kathleen Dale, MCIP, RPP
Director of Planning and Development

Reviewed by:

Michael Kirkopoulos, B.Sc., M.A., CMP
Chief Administrative Officer
The Conditions for draft approval and registration of the Lincoln Heights plan of subdivision, Town of Lincoln are:

General Approval

1. This approval applies to the Lincoln Heights draft plan of subdivision prepared by A.J. Clarke and Associates Ltd. dated September 23, 2015, showing 7 single detached units (Lots 1 to 7).

Official Plan and Zoning Approval

2. The Owner provides a letter to the Town advising that all lots conform to the requirements of the Zoning By-law.

Servicing

3. All required water and sanitary sewer servicing, lot grading, drainage and roadway plans and supporting design calculations be submitted by the Owner to the Town, the Niagara Peninsula Conservation Authority and any other relevant agency for review and approval.

4. All internal municipal services required by the Town be provided by the Owner to the Town, in a manner satisfactory to the Town.

Agreement

5. The Owner enter into a subdivision agreement with the Town to satisfy all the requirements, financial or otherwise, of the Town concerning the provision of the installation of services, drainage, fencing, financial issues and any other matters related to the development of the lands.

6. The subdivision agreement between the Owner and the Town be registered by the Municipality against the lands to which it applies, pursuant to the provisions of the Planning Act.

7. The Owner agrees in the subdivision agreement to pay all applicable development charges prior to the issuance of a building permit.

Warning Clauses

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

- The lands are subject to the payment of development charges in accordance with the Region, Niagara Catholic District School Board and Town Development Charge By-laws in effect at the time of payment. Development charges are payable prior to the issuance of a building permit.

- If any change is made to the grading of the Lot, which in the opinion of the Town is contrary to the approved Grading Plan for the Lot (a copy of which may be obtained from the Town), the Town may, at its sole discretion, enter upon the Lot and correct the grading deficiency and add the cost of effecting the correction to the assessment roll for the Lot. Such cost shall constitute a special lien upon the Lot and may be collected in the same manner, and with the same remedies, as municipal taxes.

- Due to the proximity of the Subdivision to nearby agricultural uses, noise, dust and odours from nearby agricultural operations and agricultural-related traffic may at times be generated and may occasionally interfere with some activities of the owners who may occupy these lands.

- Purchasers/tenants acknowledge that garages provided are intended for use as parking. It is the responsibility of the owner/tenant to ensure that their parking needs (including those of visitors) can be accommodated on site. Public on-street parking is provided on a “first come, first serve” basis and cannot be guaranteed in perpetuity.

(b) The Owner agrees to provide the Town with evidence that satisfactory arrangements have been made with Canada Post Corporation for the installation of Community Mail Boxes as required by Canada Post Corporation as shown on the approved plans, at the time of the installation of the sidewalks and or curbs. The Owner further agrees to provide notice to prospective purchasers and/or tenants of the location of the Community Mail Boxes and that mail delivery will be provided via Community Mail Boxes provided the Owner has paid for the activation of the equipment and installation of the Community Mail Boxes.

Regional Approvals

9. The Owner promptly acknowledge to the Regional Planning and Development Department that draft approval of this subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara. Servicing allocation will be assigned at the time of final approval of this subdivision for registration purposes and any pre-servicing will be at the sole risk and responsibility of the Owner.
10. Immediately following notice of draft plan approval, the Owner shall provide the Regional Planning and Development Department with a written undertaking that all offers and agreements of purchase and sale that may be negotiated prior to registration of this subdivision, shall contain a clause clearly indicating that a servicing allocation for this subdivision will not be assigned until the plan is granted final approval for registration and until capacity is upgraded at the Baker Road Wastewater Treatment Plan and that the purchaser will proceed at their sole risk and responsibility as the issuance of building permits may cease without prior notice due to capacity limitations at the Region's treatment facility. Further, a similar clause must be inserted in the subdivision agreement between the Owner and the Town.

11. An archaeological assessment be conducted of the subdivision site by a licensed archaeologist and adverse impacts to any significant archaeological resources found on the site be mitigated through preservation or resource removal and documentation. No demolition, grading or other soil disturbances shall take place on the subject property prior to the Ministry of Culture, through the Regional Planning and Development Department (Development Services Division), confirming that all archaeological resource concerns have met licensing and resource conservation requirements. NOTE: A copy of the archaeological assessment report is to be submitted to the Regional Planning and Development Department for information.

12. That the following clause be included in the subdivision agreement: "Should archaeological resources be discovered during construction, the owner shall agree to immediately cease construction and undertake an Archaeological Assessment by a licensed archaeologist and adverse impacts to any significant archaeological resources found on the site shall be mitigated through preservation or resource removal and documentation. No further demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry of Tourism and Culture through the Region of Niagara Planning and Development Department confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Note: A copy of the Archaeological Assessment report is to be submitted to the Region of Niagara Planning and Development Department.

Niagara Peninsula Conservation Authority Approvals

13. Prior to approval of the final plan or any on-site grading, the Owner submit to the Town, the Niagara Peninsula Conservation Authority and the Regional Planning and Development Department for review and approval a detailed stormwater management plan for the subdivision prepared by a qualified professional and prepared in accordance with the Ministry of the Environment document Stormwater Management Practices, Planning and Design Manual (as amended).

14. That detailed sedimentation erosion and control plans be prepared for the Niagara Peninsula Conservation Authority’s review and approval. All sedimentation and erosion control measures shall be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized.
15. The subdivision agreement between the Owners and the Town require that a limit of work fence be provided a minimum of 2 metres from the top of bank of the watercourse during the construction phase and that all disturbed areas be vegetated immediately upon construction of the works.

16. That detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site be submitted for the Niagara Peninsula Conservation Authority's review and approval.

17. That the Developer obtain a Work Permit(s) from the Niagara Peninsula Conservation Authority prior to beginning any work related to the servicing and the installation of the driveway culverts. As a part of an application for a Work Permit(s), the Developer will be required to implement the recommendations contained in the Environmental Impact Study (prepared by North-South Environmental Inc. and dated December 2014), Functional Servicing Brief (prepared by A. J. Clarke and Associates Ltd. and dated January 29, 2015) and Geotechnical and Slope Stability Report (prepared by Terraprobe and dated December 10, 2014) to the satisfaction of the Niagara Peninsula Conservation Authority.

18. That no tree removal, grading or soil disturbance shall take place during the bird nesting season between May 1 and July 31 in accordance with the *Federal Migratory Birds Convention Act 1994* or as determined by the Town.

19. That conditions 13 to 18 above be incorporated into the Subdivision Agreement between the Developer and the Town, to the satisfaction of the Niagara Peninsula Conservation Authority.

Canada Post

20. The Owner shall address Canada Post’s requirements for the installation of community mailboxes in accordance with the requirements of Canada Post and the Town.

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

CLEARANCE OF CONDITIONS

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

- The Planning and Development Department for Conditions 1 to 8 and 21.
• The Regional Planning and Development Department (Development Services Division) for Conditions 9 to 12.

• The Niagara Peninsula Conservation Authority for Conditions 13 to 19.

• Canada Post for Condition 20.

NOTES:

1. **Conveying**
   (a) As the land mentioned above to be conveyed to the Municipal Corporation may be more easily described in the conveyance by reference to a registered plan than by "metes and bounds", we suggest that the description be so worded, and,

   (b) We further suggest that the Owner give to the Municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

2. **Land Required to be Registered Under the Land Titles Act**
   (a) Section 160(1) of The Land Titles Act, which requires all new plans be registered in land titles systems;

   (b) Section 160(2) – allows certain exceptions.

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

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

   Steve Newbold  
   Officer Delivery Planning  
   Canada Post  
   955 Highbury Avenue  
   London ON N5Y 1A3  
   PHONE: 519-495-8882 FAX: 519-495-8882  
   steve.newbold@canadapost.ca
5. **Review of Conditions**

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

6. **Clearance of Conditions**

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

- The Regional Planning and Development Department.
- The Niagara Peninsula Conservation Authority.
- Canada Post.
REPORT TO: Chairman and Members of the Economic Development and Planning Committee

DATE OF MEETING: April 11, 2016

SUBJECT: Building Activity for January to March 2016

RECOMMENDATION
That PL 16-20, a report relating to all the building permits being issued for January to March 2016, be received as information.

PURPOSE
The purpose of this report is to provide a record of building permit activity for the first quarter of 2016.

BACKGROUND
Not applicable.

CORPORATE PLAN
Not applicable.

STAFF COMMENTS
Building permit reports are provided to Committee and Council on a quarterly basis.

FINANCIAL CONSIDERATIONS
Not applicable.

ATTACHMENTS
1. January to March 2016 Building Activity Totals

Respectfully submitted by:
Andrew Greenaway, cbco
Chief Building Official

Reviewed by:
Kathleen Dale, MCIP, RPP
Director of Planning and Development

Reviewed by:
Michael Kirkopoulos, B.Sc., M.A., CMP
Chief Administrative Officer
## PLANNING DEPARTMENT, BUILDING PERMIT ACTIVITY REPORT

**PL 16-20**  
**ATTACHMENT NO.1**  
**January 2016**

### Dwelling Type

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>January 2015</th>
<th># of Permits 2015 To Date</th>
<th>January 2016</th>
<th># of Permits 2016 To Date</th>
<th>Estimated Value of Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>DETACHED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$150,000.00</td>
</tr>
<tr>
<td>SEMI DETACHED</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>TOWNHOUSE</td>
<td>8</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>APARTMENT</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>MOBILE HOMES</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>10</td>
<td>10</td>
<td>1</td>
<td>1</td>
<td>$150,000.00</td>
</tr>
</tbody>
</table>

### Type of Permits

<table>
<thead>
<tr>
<th>Type of Permits</th>
<th>January 2015</th>
<th># of Permits 2015 To Date</th>
<th>January 2016</th>
<th># of Permits 2016 To Date</th>
<th>Estimated Value of Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>POOLS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>RESIDENTIAL - ADDITIONS</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>$155,000.00</td>
</tr>
<tr>
<td>-REPAIR</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>-DECK/PORCH</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>-ACCESSORY</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>$80,000.00</td>
</tr>
<tr>
<td>AGRICULTURAL</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>INDUSTRIAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>INSTITUTIONAL</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>$86,000.00</td>
</tr>
<tr>
<td>PLUMBING</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>SOLAR PANEL</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>$32,000.00</td>
</tr>
<tr>
<td>DEMOLITION</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>MISC</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>$7,000.00</td>
</tr>
<tr>
<td>TENTS</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>SIGNS</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>$5,500.00</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>5</td>
<td>5</td>
<td>12</td>
<td>12</td>
<td>$487,000.00</td>
</tr>
</tbody>
</table>

**Total Number of Building Permits Issued for January 2016**: 13

**Total Estimated Construction Value for January 2016**: $637,000.00

**Total Estimated Construction Value to End of January 2016**: $637,000.00

**Total Estimated Construction Value for January 2015**: $1,161,220.00
## PLANNING DEPARTMENT, BUILDING PERMIT ACTIVITY REPORT

**PL 16-20**
**ATTACHMENT NO.1**
**February 2016**

### DWELLING TYPE

<table>
<thead>
<tr>
<th>Type</th>
<th>February 2015</th>
<th># OF PERMITS 2015 TO DATE</th>
<th>February 2016</th>
<th># OF PERMITS 2016 TO DATE</th>
<th>ESTIMATED VALUE OF CONSTRUCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DETACHED</td>
<td>7</td>
<td>9</td>
<td>5</td>
<td>6</td>
<td>$1,935,000.00</td>
</tr>
<tr>
<td>SEMI DETACHED</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>$300,000.00</td>
</tr>
<tr>
<td>TOWNHOUSE</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>APARTMENT</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>MOBILE HOMES</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>TOTALS</td>
<td>7</td>
<td>17</td>
<td>7</td>
<td>8</td>
<td>$2,235,000.00</td>
</tr>
</tbody>
</table>

### TYPE OF PERMITS

<table>
<thead>
<tr>
<th>Type</th>
<th>February 2015</th>
<th># OF PERMITS 2015 TO DATE</th>
<th>February 2016</th>
<th># OF PERMITS 2016 TO DATE</th>
<th>ESTIMATED VALUE OF CONSTRUCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>POOLS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>RESIDENTIAL -ADDITIONS</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>$0.00</td>
</tr>
<tr>
<td>-REPAIR</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>-DECK/PORCH</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>-ACCESSORY</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>AGRICULTURAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>INDUSTRIAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>INSTITUTIONAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>PLUMBING</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>SOLAR PANEL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>$0.00</td>
</tr>
<tr>
<td>DEMOLITION</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>MISC</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>TENTS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>SIGNS</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>$0.00</td>
</tr>
<tr>
<td>TOTALS</td>
<td>6</td>
<td>11</td>
<td>3</td>
<td>15</td>
<td>$23,000.00</td>
</tr>
</tbody>
</table>

**TOTAL NUMBER OF BUILDING PERMITS ISSUED FOR FEBRUARY 2016**  
10

**TOTAL NUMBER OF BUILDING PERMITS ISSUED TO END OF FEBRUARY 2016**  
23

**TOTAL NUMBER OF BUILDING PERMITS ISSUED TO END OF FEBRUARY 2015**  
28

**TOTAL ESTIMATED CONSTRUCTION FOR FEBRUARY 2016**  
$2,258,000.00

**TOTAL ESTIMATED CONSTRUCTION VALUE TO END OF FEBRUARY 2016**  
$2,895,000.00

**TOTAL ESTIMATED CONSTRUCTION VALUE TO END OF FEBRUARY 2015**  
$3,424,990.00
<table>
<thead>
<tr>
<th>DWELLING TYPE</th>
<th>March 2015</th>
<th># OF PERMITS 2015 TO DATE</th>
<th>March 2016</th>
<th># OF PERMITS 2016 TO DATE</th>
<th>ESTIMATED VALUE OF CONSTRUCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DETACHED</td>
<td>3</td>
<td>12</td>
<td>8</td>
<td>14</td>
<td>$2,350,000.00</td>
</tr>
<tr>
<td>SEMI DETACHED</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>$0.00</td>
</tr>
<tr>
<td>TOWNHOUSE</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>APARTMENT</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>MOBILE HOMES</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>TOTALS</td>
<td>3</td>
<td>20</td>
<td>9</td>
<td>17</td>
<td>$2,450,000.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TYPE OF PERMITS</th>
<th>March 2015</th>
<th># OF PERMITS 2015 TO DATE</th>
<th>March 2016</th>
<th># OF PERMITS 2016 TO DATE</th>
<th>ESTIMATED VALUE OF CONSTRUCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>POOLS</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>4</td>
<td>$127,000.00</td>
</tr>
<tr>
<td>RESIDENTIAL - ADDITIONS</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>$120,000.00</td>
</tr>
<tr>
<td>-REPAIR</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>-DECK/PORCH</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>-ACCESSORY</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>4</td>
<td>$142,000.00</td>
</tr>
<tr>
<td>AGRICULTURAL</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>INDUSTRIAL</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>INSTITUTIONAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>PLUMBING</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>SOLAR PANEL</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>4</td>
<td>$31,250.00</td>
</tr>
<tr>
<td>DEMOLITION</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>MISC</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>TENTS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>$0.00</td>
</tr>
<tr>
<td>SIGNS</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>$6,500.00</td>
</tr>
<tr>
<td>TOTALS</td>
<td>5</td>
<td>16</td>
<td>19</td>
<td>34</td>
<td>$536,750.00</td>
</tr>
</tbody>
</table>

TOTAL NUMBER OF BUILDING PERMITS ISSUED FOR MARCH 2016 28
TOTAL NUMBER OF BUILDING PERMITS ISSUED TO END OF MARCH 2016 51
TOTAL NUMBER OF BUILDING PERMITS ISSUED TO END OF MARCH 2015 36
TOTAL ESTIMATED CONSTRUCTION FOR MARCH 2016 $2,986,750.00
TOTAL ESTIMATED CONSTRUCTION VALUE TO END OF MARCH 2016 $5,881,750.00
TOTAL ESTIMATED CONSTRUCTION VALUE TO END OF MARCH 2015 $5,455,882.00