

Planning Justification Brief

Zoning By-law Amendment Application

1127 Garrison Road, Fort Erie, Ontario

For: Trinity Star Development Inc.

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1.0 Introduction

NPG Planning Solutions Inc. (“NPG Planning Solutions”) are planning consultants to Trinitystar Aquilia Inc., (“Owners”) of approximately 1 (one) hectare of land in the Town of Fort Erie, municipally known as 1127 Garrison Road (“Subject Lands”). NPG has been retained to provide professional planning advice on an Application for Zoning By-law Amendment for the construction of a residential/commercial mixed-use development with 90 dwelling units and approximately 340 square metres of commercial space. Implementation of the proposed development requires a Zoning By-law Amendment to rezone a portion of the Subject Lands from Neighbourhood Development (ND) to a Site-Specific Residential Multiple 2 (RM2) zone, and to add site-specific provisions to the Highway Commercial (C3) Zone on the lands.

This Planning Justification Report (“PJR”) provides an analysis of the proposed development. It evaluates the appropriateness of Applications for Zoning By-Law Amendment when assessed against policies in the Provincial Policy Statement, 2020 (“PPS”), Growth Plan for the Greater Golden Horseshoe, 2020 (“Growth Plan”), the Niagara Official Plan (“Region’s OP”), the Town of Fort Erie Official Plan (“Town’s OP”) and the Town of Fort Erie Zoning By-law No. 129-90.

The proposed development focuses intensification along a Regional road, in an area serviced by transit and in proximity to institutional and commercial uses. It delivers a range of unit types in a compact built form, contributing to housing options in an area with predominantly low-density housing forms. The proposed development is an example of good land use planning and therefore we recommend approval of the Application for Zoning By-law Amendment.

Sections 5.1, 5.2, and 5.3 of this report present analysis of the proposed applications within the provincial and regional planning policies. Section 5.4 of this report discusses the proposal’s conformance with the general intent and objectives of the Town’s OP while Section 6.0 provides justification for the rezoning and the site-specific amendments of the Zoning By-law.

2.0 Description of Subject Lands and Surrounding Area

The Subject Lands are in the Town of Fort Erie within the Built-up Area along the south side of Garrison Road (Regional Road 3) in the Neighbourhood of Crescent Park. The property has a frontage of 66.4 metres, a depth of approximately 152.4 metres, and a total area of approximately 1 hectare (or 10,047 m²). The property has a generally regular shape, although there is a slight deviation due to a minor indentation in the front lot line as shown in Figure 1 below. There is an existing commercial building which once housed the Garrison General Store on the Subject Lands. The nearest developed parcel to the west is a commercial use (Tim Hortons), with vacant land in between as shown in Figure 1. Immediately east of the Subject Lands, is currently a single detached dwelling with various large accessory uses. This lot was recently approved for a mixed-use (commercial and residential) development, including an apartment building. The existing driveway to the Subject Lands is signalized, along with the entrance to Garrison Road Public School to the north.

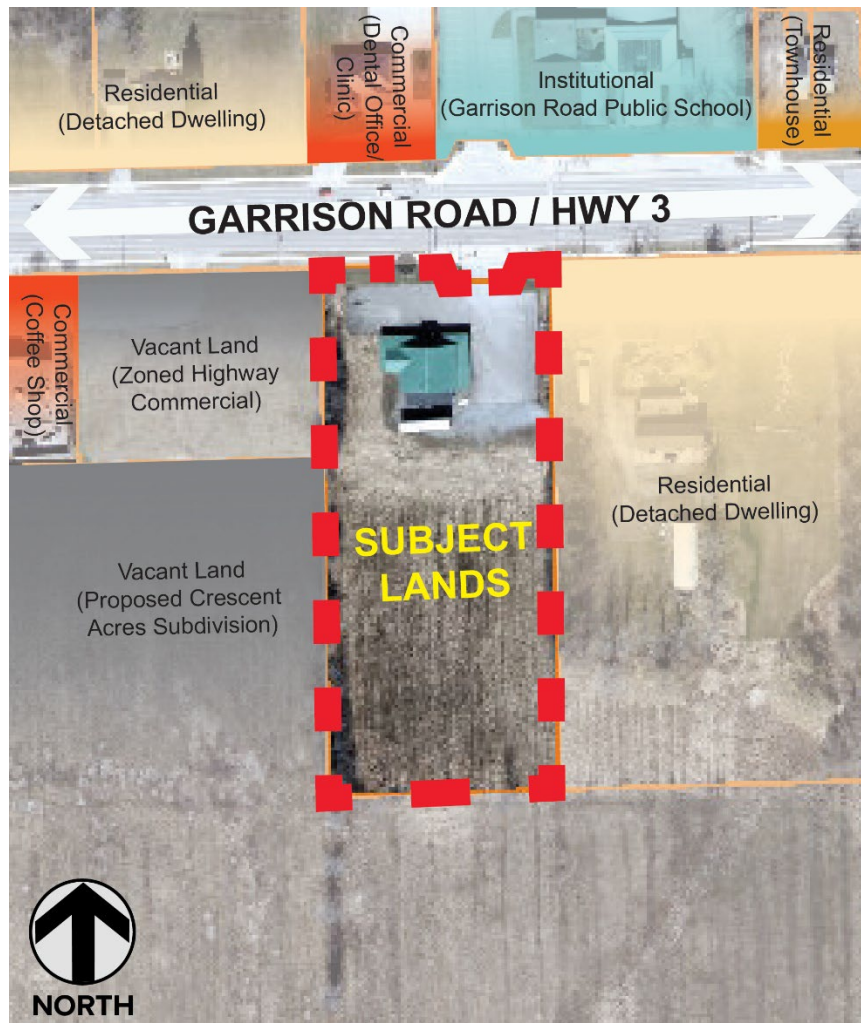


Figure 1 - Surrounding Land Uses

- North:** Commercial; Institutional (Garrison Road Public School)
- East:** Single-detached Dwelling (zoning approved for mixed use-development)
- South:** Vacant land zoned RM1 (location for proposed Crescent Acres Subdivision)
- West:** Vacant land zoned Highway Commercial

Figure 2 highlights community amenities and active transportation facilities within a 500 and 1000-metre radius of the Subject Lands.

Within the 500-metre radius (equivalent to a six-minute walk), a diverse mix of restaurants, commercial and retail services, and institutional uses are available. Additionally, there are various amenities beyond the 500-metre radius, such as parks, a golf course, and grocery shops. Additionally, the Subject Lands are serviced by an on-Demand transit service (NRT OnDemand), providing door-to-door transit and convenient access to amenities within the Town.

Residential development on the Subject Lands will promote high quality urban living with access to transit, grocery stores, school, and other local attractions (See Figure 2 – Community Amenities Map).



Figure 2 - Community Amenities Map

2.1 Site Photos

The Subject Lands are further contextualized by photos collected during a site visit on October 20, 2022. Please refer to the following photos for greater detail on the current state of the Subject Lands and the surrounding land uses (See photos 1-7).



Photo 1 – View from northwest corner of the Subject Lands looking southeast, with existing vacant structure shown (centre) to be demolished as part of proposal.



Photo 2 – View of existing vacant structure to be demolished, looking south from Garrison Road.



Photo 3 – View of neighbouring 1107 Garrison Road, looking east from the existing drive aisle on the Subject Lands.



Photo 4 – View of existing site access via a signalized intersection with Garrison Road and Garrison Road Public School, looking north.



Photo 5 – View of Subject Lands from directly south of the vacant structure. The treeline indicates approximate extent of Subject Lands.



Photo 6 – View of Subject Lands from southern property boundary, looking north. Treelines indicate approximate property boundary.



Photo 7 – View of Garrison Road ROW from sidewalk fronting Subject Lands, looking north. Dental Office (centre).

3.0 Proposed Development

The proposed development includes 90 dwelling units in one mixed-use building (Block A) and three blocks of stacked townhouses (Blocks B, C and D) on the Subject Lands. As shown in Appendix A – Site Plan, the vehicular access to the site is provided through the existing driveway from Garrison Road, which is signalized.

Block A is a 3-storey (~11.2 metres)¹ mixed-use building along the Garrison Road frontage, with approximately 340 square metres of commercial space at grade and 10 dwelling units on the upper two floors. Blocks B, C, and D are stacked townhouses with a height of approximately 12 meters or 3 storeys. Block B and C have 28 dwelling units each (4 units per module), while Block D has 24 dwelling units (3 units per module). Block B and C are located on the east and west sides of the Subject Lands, while Block D is positioned parallel to the rear lot line. The proposal will deliver a residential density of 90 units per hectare.

Vehicular access to the site is proposed via the existing driveway from Garrison Road, connecting to a signalized intersection. This intersection maintains traffic flow and provides safe access for pedestrians crossing Garrison Road. Parking for the development will be provided at grade, at a rate of 1.3 spaces per dwelling unit for the RM2 portion of the Subject Lands, 1 space per dwelling unit for the C3 portion and 1

¹ Height calculated as per Town of Fort Erie Zoning By-law.

space per 30 square metres of commercial space, for a total of 131 parking spaces, including five (5) accessible spaces. Lot coverage is proposed at 18.25% of the total site area, and landscaped open space is proposed to cover approximately 31%. Landscaping is comprised of the proposed walkways and landscaped areas around the proposed buildings.

The Town of Fort Erie Official Plan designates the subject lands as Commercial and Urban Residential according to Schedule A –Land Use Plan (see Appendix B – Town of Fort Erie Official Plan Schedules). The Commercial designation extends approximately 55 metres (180 feet) in depth from the Garrison Road property line. Block A, the mixed-use building, is located within the Commercial designation and is permitted by Section 4.9 of the Official Plan. Block C to D, the stacked townhouses, are located in the Residential designation and are permitted by Section 4.9 of the Official Plan.

The Town of Fort Erie Zoning By-law No. 129-90 currently zones the lands as Neighbourhood Development (ND) Zone in part, Highway Commercial (C3) Zone in part, and Environmental Conservation (EC) Overlay Zone in part. The proposed mixed-use building is permitted within the C3 Zone, however site-specific provisions are required for a reduced front yard setback and an increased building height. The proposed Zoning By-law Amendment is also needed to re-zone the ND Zone to a site-specific Residential Multiple 2 (RM2) Zone to permit the proposed stacked townhouse dwellings and to add site-specific provisions for minimum lot area, parking rate and permitted uses. The EC Overlay, along the west edge of the site, is proposed to be removed.

3.1 Pre- Consultation Meeting Summary

A pre-consultation meeting with the Town was held on May 12, 2022, during which the Town identified the following items that will be required for the Zoning By-law Amendment Application

No.	Reports, Studies, Plans	Note
1	Planning Justification Report (PJR)	Submitted with Application
2	(Conceptual) Site Plan, elevations and renders	Submitted with Application – Refer to Appendix A
3	Stage 1 & 2 Archaeological Assessment	Submitted with Application
4	Landscape Plan	Submitted with Application
5	Environmental Site Assessment	Submitted with Application
6	Transportation Impact Study	Submitted with Application
7	Noise Feasibility Study	Submitted with Application
8	Functional Servicing Report (FSR)	Submitted with Application

4.0 Supporting Studies Review

The supporting studies and plans above (3-8) have been submitted alongside this PJR as supporting documentation for the proposed development and should be read and reviewed in conjunction with this PJR. This PJR includes the Draft Zoning By-law Amendment (see Appendix C). These studies have been prepared by qualified professionals according to industry standards. A thorough review of each document has been undertaken in preparing this PJR and it is noted that no significant issues have been raised. Findings of report are summarized below.

A Hydrogeological Study and Tree Preservation Plan (“TPP”) were initially noted by the Town during the Pre-consultation. The Town subsequently removed the requirements for the above studies (see Appendix E – Correspondence re: Removal of Hydrogeological and TPP Study Requirements).

4.1 Stage 1 & 2 Archaeological Assessment

A Stage 1-2 Archaeological Assessment Report was prepared by Detritus Consulting Ltd. which indicates no archaeological resources were encountered on the subject lands during the fieldwork conducted. All work was conducted in accordance with Ontario Ministry of Tourism and Culture’s “Standards and Guidelines for Consultant Archaeologists” and the Ontario Heritage Act. The archaeological assessment recommends that no further archaeological assessment of the subject lands is warranted, and the proposed undertaking is clear of any archaeological concern.

The Stage 1-2 Archaeological Assessment has been submitted to the Ontario Ministry of Heritage, Sport, Tourism and Cultural Industries. A compliance letter issued by the Ministry will be submitted to the relevant reviewing agencies when available.

4.2 Landscape Plan

A Landscape Plan was prepared by James McWilliam Landscape Architect to illustrate landscaping features of the proposed development, including trees and plantings, as well as surfaces covered with sod, concrete paving, and asphalt. The Landscape Plan also shows the layout of perimeter fencing and privacy screening located throughout the site. It has been submitted as part of this application.

4.3 Environmental Site Assessment

A Phase One Environmental Assessment (ESA) report was prepared by Niagara Soil Solutions LTD (NSSL) for the Subject Lands. The Phase One report assessed any known and potential environmental issues on-site as is required to file a Record of Site Condition. The Phase One ESA concluded the following:

- Potential contamination activity identified within the study area did not result in creating an onsite Area of Potential Environmental Concern (APEC) to the Phase One ESA property.
- Recommendation to move forward with a designated substance and hazardous material survey to identify potential lead-based paints and asbestos containing materials (if any) prior to removal of the existing commercial building.

A Phase Two ESA was not conducted as it was not recommended after conducting the Phase One.

4.4 Transportation Impact Study

A Transportation Impact Study (TIS) was prepared by GHD Limited to determine the impacts of the proposed development on the surrounding road network and recommend improvements, if necessary, to accommodate the site generated traffic.

The TIS concludes that *under the Future Background and Total scenarios for the 2025 and 2030 horizon years, the intersection of Garrison Road and Garrison Road Public School is reported to operate satisfactorily with substantial reserve capacity, low levels of delay, and negligible queueing.*

The TIS found the intersections within the study area operate with acceptable levels of service and well within capacity during the AM and PM hours and will continue to do so after accounting for generalized background traffic growth and traffic generated by the proposed development. Additionally, the TIS concluded no capacity issues are forecasted to occur at the site driveway intersection and no geometric or traffic control improvements are required at the study area intersections.

4.5 Noise Feasibility Study

A Noise Feasibility Study was conducted by HGC Engineering to support the proposed development. The Noise Feasibility Study recommends providing central air conditioning and upgraded building construction for the north façade of Block A as it faces Garrison Road. Additionally, forced air ventilation systems with ductwork sized for the future installation of central air conditioning by the occupant or an alternative means of ventilation to open windows will be required for Blocks B and C. These recommendations will be addressed in detail at the Site Plan Application stage.

4.6 Functional Servicing Report

LandSmith Engineering & Consulting Ltd. prepared a Functional Servicing Report (“FSR”) in support of the applications. The FSR establishes that the water demands and sanitary flows generated by the proposed development can be accommodated by the existing watermain and the sanitary sewer system. The FSR indicates further discussion with Niagara Region should occur to determine if a single pump upgrade noted with the

Region's Water and Wastewater Master Servicing Plan will be required to accommodate projected sanitary flows given local stormwater infiltration rates. A combination of permeable paver parking areas and bio-swale are proposed to provide stormwater attenuation and limit peak runoff rates to the pre-development level while providing the appropriate level of stormwater quantity control.

5.0 Planning Policies

The purpose of this Planning Justification Report is to evaluate the appropriateness of advancing an application for Zoning By-law Amendment in the context of the *Planning Act*, PPS, Growth Plan, Region's OP and Town's OP. This section provides an overview and discussion of these documents.

5.1 *Planning Act*

Section 2 of the *Planning Act* identifies matters of provincial interest for which Council shall have regard for in carrying out its decision making responsibilities under the *Planning Act*. The following table assesses the proposed development with the Section 2 matters of provincial interest.

Section	Provincial Interest	Analysis
a)	the protection of ecological systems, including natural areas, features and functions	This is not applicable as there are no natural heritage features on site.
b)	the protection of the agricultural resources of the Province	This is not applicable as the lands are in the settlement area.
c)	the conservation and management of natural resources and the mineral resource base	This is not applicable.
d)	the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest	There are no known significant features on the Subject Lands.
e)	the supply, efficient use and conservation of energy and water	The proposed development will make use of the existing municipal services.
f)	the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	Water and sewer services are available for the Subject Lands. The proposed development is accessible for pedestrians, cyclists and motorists from Garrison Road.
g)	the minimization of waste	Waste management will be addressed through Molok bins as shown in Appendix A: Conceptual Site Plan
h)	the orderly development of safe and healthy communities	The Subject Lands are located within the Built-Up Area in Fort Erie and front onto a regional road making the Subject Lands

Section	Provincial Interest	Analysis
		an appropriate location for the proposed development.
h.1)	the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	Accessible parking spaces are provided as part of the proposal. Additional design details will be provided at the Site Plan stage of the planning process.
i)	the adequate provision and distribution of educational, health, social, cultural and recreational facilities	This is not applicable.
j)	the adequate provision of a full range of housing, including affordable housing	The proposed development is for 90 new housing units in a mixed size of units.
k)	the adequate provision of employment opportunities	Local employment opportunities will be provided through the proposed commercial development.
l)	the protection of the financial and economic well-being of the Province and its municipalities	This is not applicable.
m)	the co-ordination of planning activities of public bodies	This will be addressed through the circulation of the planning applications to applicable public bodies.
n)	the resolution of planning conflicts involving public and private interests	This is not applicable.
o)	the protection of public health and safety	There are no natural or human made hazards on the Subject Lands.
p)	the appropriate location of growth and development	The proposed development is located on an arterial road which is suitable for higher density development.
q)	the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	The compact form and location of the development along a regional road within proximity to an existing public school (Garrison Road Public School) and commercial uses, promotes walkability and reduces automobile reliance, while making efficient use of an under-utilized property through intensification.
r)	the promotion of built form that:	
r.i)	is well-designed	The proposal exhibits a thoughtful design approach ensuring a suitable built form for the subject lands. An analysis of the proposal's design can be found in Section 5.5.2 and 5.5.3 of this report.
r.ii)	encourages a sense of place	The proposal will enhance the public realm along Garrison Road, which will foster

Section	Provincial Interest	Analysis
		sense of place and add to neighbourhood character.
r.iii)	provides for public spaces that are of high quality, safe, accessible, attractive and vibrant	The proposed development will provide an attractive street wall with commercial uses along Garrison Road and add eyes-on-the-street to enhance the safety and attractiveness of the adjacent public realm, where active transportation facilities are available and/or planned. The proposal also implements a walkway connection to the existing municipal sidewalk to ensure accessibility.
s)	the mitigation of greenhouse gas emissions and adaptation to a changing climate	Low impact development (LID) features will be utilized to provide on-site storage for stormwater.

5.2 Provincial Policy Statement (2020)

The PPS sets the policy foundation for regulating land use in Ontario. It requires that developments make efficient use of land and services and supports opportunities for long-term economic prosperity. The Subject Lands are within a Settlement Area as per the policies of the PPS. In this regard, the following applies:

5.2.1 Managing and directing land use

The PPS provides the following with respect to managing and directing land-use:

POLICY

1.1.3.1 *Settlement areas shall be the focus of growth and development.*

1.1.3.2 *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed; and

1.1.3.3 *Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant*

supply and range of housing options through 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.

ANALYSIS

The Subject Lands are located within a Settlement Area as defined in the PPS 2020. A medium density residential development is proposed on lands that are underutilized relative to their planned highest and best use. The proposed development will efficiently use urban lands where infrastructure and public facilities are available. The proposed development will utilize existing municipal water and sanitary services as discussed in the FSR prepared by Landsmith Engineering and Consulting Ltd and will not require their uneconomical expansion or extension. The Subject Lands have on-demand transit service available and are located proximate to existing and planned active transportation routes. The proposed development will be transit-supportive, provide residents with active transportation choices, and increase the range and supply of housing at an appropriate location for residential intensification.

POLICY

1.2.6.1 *Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*

ANALYSIS

A Noise Feasibility Study conducted by HGC Engineering to support the proposed development determined traffic noise from Garrison Road would impact the proposed development. The Noise Feasibility Study recommends providing central air conditioning and upgraded building construction for the north façade of Block A as it faces Garrison Road. Additionally, forced air ventilation systems with ductwork sized for the future installation of central air conditioning by the occupant or an alternative means of ventilation to open windows will be required for Blocks B and C. As noted in Section 4.5 of this report, these recommendations will be addressed in detail at the Site Plan Application stage.

5.2.2 Housing

POLICY

1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

b) permitting and facilitating:

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
- 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and

f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety

ANALYSIS

The proposed development will deliver residential intensification by way of four townhouse blocks, at a density of 90 units per hectare. The stacked townhouse model with surface parking will provide new housing supply that increases the range of housing options available in Fort Erie, while minimizing the cost of housing and providing a more compact built form. Residential intensification at this location is transit-supportive and will have access to the on-demand transit services provided in Fort Erie. The proposed development will utilize the existing infrastructure, including municipal water and sanitary and water services currently available along Garrison Road, as described in the FSR prepared by LandSmith Engineering & Consulting Ltd.

5.2.3 Infrastructure and Transportation Systems

POLICY

1.6.6.2 *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. Within settlement areas*

with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

ANALYSIS

As noted earlier, proposed development will utilize the existing infrastructure, including municipal water and sanitary and water services currently available along Garrison Road, as described in the FSR prepared by LandSmith Engineering & Consulting Ltd.

POLICY

1.6.7.4 *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

ANALYSIS

The proposed development provides a residential use at a location that will minimize the length and number of vehicular trips made to access services, retail and institutional uses in the immediate vicinity. The diverse mix of land uses surrounding the Subject Lands enables future residents to complete their trips on foot or other active alternatives such as cycling and transit. As such, the proposal is consistent with Policy 1.6.7.4 of the PPS that encourages land use patterns and development densities to reduce car usage and support active transportation.

SUMMARY

The proposed development is within a settlement area and will provide additional housing supply and increase the range of housing options which will contribute to meeting the housing needs of the current and future residents. The development also introduces new commercial uses in a mixed-use environment. The development is appropriately located where municipal services and infrastructure are available.

Based on the preceding analysis, the proposed development is consistent with the PPS.

5.3 Growth Plan for Greater Golden Horseshoe (2020)

The Growth Plan supports the achievement of complete communities that are compact and transit supportive and make efficient use of investments in infrastructure and public service facilities. The Growth Plan also prioritizes intensification in Built-up Areas where existing municipal services and infrastructure are available. The proposed development is located within the Built-Up Area in Fort Erie where the Growth Plan envisions accommodating intensification and more compact, higher density forms of housing.

The policies of the Growth Plan relevant to the proposed development are reviewed below.

5.3.1 Guiding Principles

POLICY

Section 1.2.1 sets out the Guiding Principles of the Growth Plan, and the policies relevant to the development are listed below.

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.*
- *Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.*
- *Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.*

ANALYSIS

The proposed development supports the achievement of a complete community in Fort Erie by providing dense, compact housing on an underutilized parcel of land close to community amenities such as schools, grocery stores and local businesses. The proposed residential intensification development will be supported by existing on-demand transit services that provide access to local destinations. The proposal includes one-, two- and three-bedroom units in a compact stacked townhouse form that increases both the range and mix of housing options in the area to better serve a variety of households by size, income and age/stage of life.

5.3.2 Managing Growth

POLICY

2.2.1.2 *Forecasted growth to the horizon of this Plan will be allocated based on the following:*

c) within settlement areas, growth will be focused in:

i. delineated built-up areas;

ii. strategic growth areas;

iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and

iv. areas with existing or planned public service facilities;

2.2.1.4 *Applying the policies of this Plan will support the achievement of complete communities that:*

a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;

- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
 - ii. public service facilities, co-located and integrated in community hubs;*
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
 - iv. healthy, local, and affordable food options, including through urban agriculture;**
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;*
- f) mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and*
- g) integrate green infrastructure and appropriate low impact development.*

ANALYSIS

The proposed development is within the Delineated Built-up Area where the Growth Plan directs growth should be focused (Policy 2.2.1.2.c).

The proposal conforms to Policy 2.2.1.4 and supports the achievement of complete communities by:

- Intensifying residential uses at a location that will enable more people to live close to employment opportunities, restaurants, grocery stores, services, recreational options as well as institutional uses such as schools and churches.
- Introducing a new type of compact housing form that contributes to the range and mix of housing options within the community.
- Locating new compact, dense housing where expanding convenient access to active transportation and on-demand transit services are provided.
- Contributing to the liveliness, vibrancy and safety of the public realm along Garrison Road.
- Implementing low impact development techniques such as the proposing permeable pavers in the parking area and a 'bio-swale' feature at the south end of the site where the elevations are lowest.

5.3.3 Housing

POLICY

2.2.6.1 *Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:*

- a) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
 - i. identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and*
 - ii. establishing targets for affordable ownership housing and rental housing;**
- b) identify mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);*
- c) align land use planning with applicable housing and homelessness plans required under the Housing Services Act, 2011; and*
- d) implement policy 2.2.6.1 a), b) and c) through official plan policies and designations and zoning by-laws.*

2.2.6.2 *Notwithstanding policy 1.4.1 of the PPS, 2014, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:*

- a) planning to accommodate forecasted growth to the horizon of this Plan;*
- b) planning to achieve the minimum intensification and density targets in this Plan;*
- c) considering the range and mix of housing options and densities of the existing housing stock; and*
- d) planning to diversify their overall housing stock across the municipality.*

2.2.6.3 *To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.*

ANALYSIS

The proposed development will provide 90 stacked townhouse units, which is a housing typology that is new to the surrounding area. Policies 2.2.6.1, 2.2.6.2 and 2.2.6.3 provide support for housing choice through intensification and identifying a diverse range and mix of housing options, including directing municipalities to plan to diversify their overall housing stock. In addition to helping the Town of Fort Erie meet its target intensification rate, the development will increase the range of housing options found in the area in terms

of type and density. As previously stated, stacked townhouses are a denser, more compact form of housing that reduces housing costs and will contribute to meeting anticipated housing needs of current and future residents.

SUMMARY

The proposed development is situated in the designated Built-up Area and supports the achievement of complete communities, increases housing options, and will contribute to meeting the minimum intensification targets set by the Town of Fort Erie. Additionally, the proposed development will utilize the existing municipal services and transportation network, while adopting a compact built form to optimize site design and make efficient use of the land. Based on the preceding, the proposed development conforms to the Growth Plan.

5.3.4 Infrastructure and Transportation Systems

POLICY

3.2.3.1 *Public transit will be the first priority for transportation infrastructure planning and major transportation investments.*

3.2.6.1 *Municipalities should generate sufficient revenue to recover the full cost of providing and maintaining municipal water and wastewater systems.*

Section 3.2.3 – Moving People of the Growth Plan states that “public transit will be the first priority for transportation infrastructure planning...”. Being located close in an area serviced by on- demand transit, the proposed development supports the use of active transportation options. As outlined in the Site Plan Concept in Appendix A it implements adequate walkway connections to the existing municipal sidewalk to ensure a safe and well-connected pedestrian network, both within the development and to the adjacent public uses and facilities. The use of active modes of transportation will help reduce single-occupancy car trips, reduce traffic congestion on major roads and cut down greenhouse gas emissions.

In accordance with Section 3.2.6 - Water and Wastewater Systems, the proposed development will utilize the existing infrastructure, including municipal water and sanitary and water services currently available along Garrison Road, as described in the FSR prepared by LandSmith Engineering & Consulting Ltd.

In accordance with Section 3.2.7 – Stormwater Management, it is proposed that a combination of LID features, such as permeable paver parking areas and bio-swale, can be utilized to provide stormwater attenuation and limit peak runoff rates to the pre-development level while providing the appropriate level of stormwater quantity control.

5.4 Niagara Official Plan (2022)

The Niagara Official Plan (NOP) is intended to guide the physical, economic and social development in Niagara Region. It contains objectives, policies and mapping to ensure that most new development, which accommodates future growth in the Niagara Region, is directed to Built-up Areas.

The table below identifies the land-use designations that are applicable to the subject lands.

Schedule	Designation of Subject Lands
Schedule B - Regional Structure	Delineated Built-Up Area
Schedule J1 - Transportation Infrastructure	Garrison Road (Highway 3) is a Regional Road
Schedule K - Areas of Archaeological Potential	Area of Archaeological Potential

5.4.1 Growth and Housing

The Region's OP provides the following policies with regard to managing growth in urban areas:

POLICY

- 2.1a)** *coordinate Regional growth forecasts with land use, transportation, infrastructure and financial planning.*
- 2.2b)** *accommodate growth through strategic intensification and higher densities;*
- 2.2e)** *promote transit-supportive development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community.*
- 2.2.1.1** *Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:*
 - a) the intensification targets in Table 2-2 and density targets outlined in this Plan;*

Table 2-2 Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051

Municipality	Units	Rate
Fort Erie	3,680	50%
Grimsby	4,500	98%
Lincoln	8,895	90%
Niagara Falls	10,100	50%
Niagara-on-the-Lake	1,150	25%
Pelham	1,030	25%
Port Colborne	690	30%
St. Catharines	18,780	95%
Thorold	1,610	25%
Wainfleet	0	0%
Welland	10,440	75%
West Lincoln	1,130	13%
Niagara Region	62,005	60%

b) a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;

c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.

2.2.2.1 *Within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas with particular focus on the following locations:*

b) areas with existing or planned public service facilities;

c) other locations with existing or planned transit service, with a priority on areas with existing or planned frequent transit; and

2.3.1.1 *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.*

2.3.1.4 *New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:*

a) facilitating compact built form; and

ANALYSIS

The NOP directs that growth be accommodated through strategic intensification and higher densities. The proposed development provides a higher density housing option

within the Town's existing urban area with employment, retail options, services, recreation/institutional uses, and other amenities located nearby. As mentioned in relation to the PPS and Growth Plan policies, the proposed development will be supported by existing infrastructure and public service facilities. Increased residential densities proximate to walking and cycling will increase their use, which supports these modes of transportation and makes efficient use of existing and planned investments in them.

A minimum residential intensification target rate of 50% has been established for the Town of Fort Erie by the NOP. The proposed development, as residential intensification, contributes to achieving this target. Moreover, it will provide a mix of 1-, 2- and 3-bedroom units in a stacked townhouse form and apartment form that will increase the range of housing options available to serve various households by size, income level, and stage of life. Overall, the proposed development will support the creation of a complete community in the area and contribute to meeting diverse housing needs.

5.4.2 Urban Design

The Region's OP provides the following policies with regard to excellence in urban design:

POLICY

6.2.1.1 *Excellence and innovation shall be promoted in architecture, landscape architecture, site planning, streetscape design, and overall community design to ensure built environments are attractive, walkable, accessible, diverse, and functional.*

6.2.1.5 *The public realm shall be enhanced through urban design and improvements, and investment that contributes to safe, attractive complete streets and desirable communities.*

ANALYSIS

The proposed development contains a mixed-use commercial component that will face Garrison Road and serve as a catalyst for the transformation of Garrison Road into a complete street. The commercial component can be accessed through existing sidewalks and dedicated on-site parking stalls that are hidden from the street. The public realm will be improved by the addition of dwelling units above the proposed commercial component. Private balconies overlooking Garrison Road will contribute to "eyes on the street" and enhance the public realm, in accordance with policy 6.2.1.5.

5.4.3 Healthy and Safe Communities

POLICY

5.1.5.6 *Where new development for a sensitive land use is adjacent to a Regional Road, the Region will consider the need for a noise study or noise control measures to address traffic noise as per Provincial guidelines.*

ANALYSIS

A Noise Feasibility Study was conducted by HGC Engineering to support the proposed development. The Noise Feasibility Study recommends providing central air conditioning and upgraded building construction for the north façade of Block A as it faces Garrison Road. Additionally, forced air ventilation systems with ductwork sized for the future installation of central air conditioning by the occupant or an alternative means of ventilation to open windows will be required for Blocks B and C. These recommendations will be addressed in detail at the Site Plan Application stage.

POLICY

6.3.1.1 The Region shall support healthy communities by:

- a) creating built form that provides healthy living;
- b) planning for all ages, incomes, abilities and populations;
- c) supporting walkable and bikeable neighbourhoods through active transportation;
- d) encouraging integration of open space and parks that facilitate physical activity, social cohesion and support mental health;

ANALYSIS

As noted for Sections 5.3.1 and 5.3.3 of this report, the proposed development will add 90 stacked townhouse units and commercial use along Garrison Road on lands that are currently underutilized but identified for intensification. The commercial component of the proposed development will offer retail amenities not only to the residents of the development but also to the neighbouring community. Additionally, the stacked townhouses will provide new housing supply suitable for a range of households by age/stage of life and income. The proposed built form will be compact and dense and contribute to making Garrison Road (a Regional Road) more walkable.

SUMMARY

The proposed development is located within an area identified for long-term growth that can be serviced through municipal infrastructure. At 90 units per hectare the development will be compact, efficiently use land, and contribute to meeting the Region's target intensification rate for the Town. The proposed site layout and design of townhouse blocks are attentive to the interface with Garrison Road. The proposed development will provide an attractive street wall along Garrison Road with commercial use at grade and add eyes-on-the-street to enhance the safety and attractiveness of the adjacent public realm, where active transportation facilities are available and/or planned.

Based on the preceding analysis, the proposed development conforms with the Niagara Official Plan.

5.5 Town of Fort Erie Official Plan

The Town of Fort Erie Official Plan provides policy direction for the future development of the Town. The Official Plan directs new urban development to the Town’s Urban Areas. The Plan’s goal is to encourage a reasonable balance between housing and employment opportunities and accommodate population growth and future development in an orderly and efficient land use pattern.

The following table identifies the Subject Lands’ designations under the Town’s OP schedules.

Schedule	Designation of Subject Lands
Schedule A - Land Use Plan	Commercial – Northern portion Urban Residential – Southern Portion Environmental Conservation Overlay – Thin sliver to the southwest corner
Schedule A1 - Neighbourhoods	Crescent Park
Schedule C - Natural Heritage Features	Significant Natural Area (thin sliver of land in the southwest corner)
Schedule E - Transportation Plan	Garrison Road is a Regional Road

5.5.1 Purpose, Goals of the Official Plan and General Policies

POLICY

2.1. PURPOSE OF THE PLAN

1. The general purpose of this Plan ... is to provide the Town of Fort Erie with a general policy designed to support strong, livable, and healthy communities, protect the environment and public health safety, and facilitate economic growth. The policy goals and objectives and various sections of this Plan have been developed in consideration of the following planning principles being: providing for a mix of land uses; taking advantage of compact building design where appropriate; creating a range of housing opportunities and choices; creating walkable neighbourhoods; fostering distinctive, attractive communities with a strong sense of place; ...encouraging community and stakeholder collaboration in development decisions.

ANALYSIS

A compact, medium density mixed-use development along Garrison Road where public transit service and active transportation amenities are available or planned will increase the range of housing opportunities and choices in Fort Erie and support the area becoming more walkable and transit-supportive. It will also contribute to achieving the long-term objective of fostering a distinctive, attractive community with a strong sense of place. On the basis of the preceding, the proposal conforms to the general purpose of the Town’s Official Plan.

POLICY

2.3.3 COMMUNITIES AND NEIGHBOURHOODS

To foster the development of strong, liveable and healthy communities incorporating protection of the environment, public health and safety, while facilitating economic growth and maintaining community identity.

2.3.5 RESIDENTIAL

a) To accommodate population growth and future housing needs by providing for a full range of housing choices in terms of type, tenure and price available to accommodate persons with diverse social and economic characteristics, and needs;

b) To facilitate the efficient use of community and engineering services and to ensure that development does not create an undue financial hardship on the municipality; and

c) To foster and promote a sense of neighbourhood identity and to make neighbourhoods safe, energy efficient and well connected to everyday needs to reduce the need for the private automobile.

ANALYSIS

As per for Schedule A1 - Neighborhoods (see Appendix C – Town of Fort Erie Schedules), the Subject Lands fall within the neighborhood of Crescent Park and are accessible by Garrison Road which is a regional road. Proximity of the lands to existing transit facilities, commercial areas, institutional spaces, employment areas and recreational spaces will enable convenient access to everyday destinations and help foster a strong, liveable and healthy community.

The Subject Lands are in an urban area and will make use of underutilized lands, utilize existing municipal infrastructure and services, and reduce the need to develop greenfield lands. Moreover, proposed density of 90 units per hectare will be a form of higher density residential development. Consequently, the proposed stacked townhouses will offer an alternative housing model that will add to the mix of the existing housing stock in the neighborhood.

In accordance with the Town's goals and objectives for residential development the Subject Lands are within an area where municipal services exist, and the proposed development can be constructed to meet the town's requirements as indicated in the functional servicing report prepared by Landsmith Engineering and Consulting Ltd.

The proposal will promote a sense of place as it will be developed to create a visual impact and connection to Garrison Road. The proposal will also enhance the public realm and pedestrian environment along Garrison Road with at grade commercial uses which will contribute positively to the neighbourhood character.

POLICY

4.7.1(I) *New residential development within the urban area should proceed in an orderly phased manner to allow land and infrastructure to be used in an efficient manner. Infrastructure should not be extended through unplanned areas and residential development should be able to integrate with existing planned or developed areas.*

a) To minimize land consumption higher residential densities are encouraged. Neighbourhood Plans may contain an overall gross density and a minimum net residential density for development; and

b) In urban areas the overall neighbourhood housing mix in established residential areas shall contain at least: Low Density 80%, Medium Density 10%, and High Density 10%. Alternatively, within greenfield and significant redevelopment areas the housing mix shall contain at least Low Density 70%, Medium Density 15%, and High Density 15%.

4.7.1(III) *Residential intensification, infill development and redevelopment shall be encouraged in urban areas that have sufficient existing or planned infrastructure.*

ANALYSIS

The Town is projected to grow to 36,243 people by 2024, according to Section 3.2 - Growth and Urban Land Needs in the Town's Official Plan. The Subject Lands being in an urban area will make use of underutilized lands, utilize existing municipal infrastructure and services, and reduce the need to develop greenfield lands. As previously discussed, the lands are considered suitable for residential intensification, and will provide housing for the forecasted population. As per Policy 4.7.1.b., the Town Official Plan requires a minimum of 10% of medium density and 10% of high density in the overall neighbourhood housing mix. The proposed density of 90 units per hectare will be a form of higher density residential development and the proposed stacked townhouses will offer an alternative housing model that will add to the mix of the existing housing stock in the neighbourhood. It is also a housing form that will attract first-time homebuyers and families to the area. The proposed housing form is a newer product that can accommodate a higher residential density while maintaining a low-rise built form profile.

5.5.2 Town's OP Policies for Urban Residential

Section 4.7.4.1 II of the Town's OP provides the following criteria for consideration of medium density and high-density residential uses, and residential intensification on vacant lands within the Urban Residential designation. Although the Subject Lands is not technically vacant as it currently houses a small building (previously a grocery store), most of the Subject Lands sits vacant.

POLICY & ANALYSIS

POLICY	DESIGN RESPONSE & EVALUATION
<p><i>a. The height, bulk and arrangement of buildings and structures to achieve a harmonious design, compatible integration with the surrounding area and not negatively impact on lower density residential uses;</i></p>	<p>The proposed development has a maximum height of 12 metres. Blocks B, C, and D are divided into four levels, of which three are above grade and one is partially below grade. It is worth noting that there is no height restriction under the Official Plan designation, and it is governed by the implementing Zoning By-law. Considering the location of the Subject Lands, the proposed height and massing are appropriate. Moreover, a similar height development has been recently approved on the adjacent lands to the east, which will bring a cohesive and compatible built form to the area.</p> <p>Therefore, it is expected that the proposed development will not cause any significant concerns and will be compatible with neighboring uses.</p>
<p><i>b. Appropriate open space, including landscaping and buffering to maximize privacy and minimize the impact on adjacent lower density uses;</i></p>	<p>The proposed development intends to allocate approximately 31.5% of the lot area for landscaped spaces, including common amenity areas, perimeter landscape treatments, and landscaping. Furthermore, the development is thoughtfully designed with appropriate setbacks to the proposed low-density housing to the west in order to safeguard the privacy and comfort of the existing and future residents of the neighbourhood. Moreover, blocks B, C, and D are inward-facing, oriented towards the interior of the Subject Lands. Therefore, there are no significant privacy concerns anticipated for future neighboring residents.</p>
<p><i>c. Parking areas that are sufficient size to satisfy the need of the development and are well designed and properly related to buildings and landscaped areas;</i></p>	<p>The proposal features surface parking to keep home-ownership prices affordable. The parking space size is as per the Town's zoning requirements. The majority of the parking is located centrally and along the east side yard to the front of the Subject Lands due to the rectangular shape of the site. As shown on the Site Plan, landscape buffer strips have been provided around the parking area, interfacing the neighbouring properties. Portions of the driveways and parking area will be permeable pavers.</p>
<p><i>d. The design and location of refuse pick-up and recycling service areas meets Regional</i></p>	<p>A Waste Storage area has been provided at the southeast corner of the site, which will provide space for the collection and storage of waste on-</p>

POLICY	DESIGN RESPONSE & EVALUATION
Waste Collection design requirements;	site. The waste truck access complies with regional guidelines.
e. Driveway access, internal roadways and pedestrian walkways that are safe and properly designed;	<p>The primary access to the development will be via an 8.7 metre wide driveway. The internal road is intended to provide a two-way drive aisle and is well-designed for the efficient movement of vehicles. Additionally, walkway connections from the units to the municipal sidewalk and parking areas are also proposed.</p> <p>As such, the proposed walkways and internal road creates efficient circulation for pedestrians and vehicles.</p>
f. Convenient access to a collector or arterial road;	The Subject Lands are located off Garrison Road which is a regional road making the site highly accessible.
g. Location in regard to the elements of traditional neighbourhood design and within convenient walking distance of the central focus of the neighbourhood;	The Subject lands are in close proximity to existing transit facilities, commercial areas, institutional spaces, employment areas and recreational spaces will enable convenient access to everyday destinations and help foster a walkable community.
h. Building designs that place windows and balconies to overlook pedestrian routes and parking areas to encourage “eyes on the street”; and	Block A is oriented to overlook Garrison Road and as the Subject Lands is an interior lot, Blocks B, C and D overlook the common areas and parking area inside the Subject Lands. This successfully implements the concept of ‘eyes on the street’.
i. Site planning considerations that facilitate walking and cycling activity such as secured bike storage, lighting and bikeways.	The proposed walkways, including crosswalks across the internal driveway, will provide safe and convenient access from each unit to the municipal sidewalk.

5.5.3 Urban Design Analysis

Section 5.6 of the Town’s Official Plan provides urban design guidelines as a way of providing visual contribution to the establishment of character of the Town and are intended to be integrated with the aforementioned neighbourhood plan policies. The proposed development’s design is evaluated against the relevant policies in this section.

POLICY & ANALYSIS

5.6.1 GENERAL POLICIES

POLICY	DESIGN RESPONSE & EVALUATION
<p><i>I. Urban character will be achieved within the Town’s neighbourhoods, along major roads and significant public spaces, and elsewhere as identified by this Plan or subsequent Planning Documents.</i></p>	<p>The high-quality urban built form presented in the proposal for the proposed development situated on Garrison Road, a significant regional road, will create a distinct visual identity for the area</p>
<p><i>IV. Residential development will be planned to preserve privacy, comfort, and amenity spaces while providing easy and safe pedestrian and cycling movement to commercial and community facilities.</i></p>	<p>As noted earlier, the development is thoughtfully designed with appropriate setbacks to the proposed low-density housing to the west in order to safeguard the privacy and comfort of the existing and future residents of the neighbourhood.</p> <p>Additionally, as shown on the Site Plan, there’s a parking area separating all the blocks on the Subject Lands. There are pedestrian walkways incorporated throughout the site to ensure easy and safe pedestrian movement.</p> <p>Additionally, due to the Subject Lands' location and the proposed pedestrian connection to Garrison Road, residents will have safe and convenient access to nearby commercial and community facilities by foot or bicycle</p>
<p><i>VII. Generous planting of native species will be provided appropriate to the circumstances and location, and existing vegetation will be preserved to compliment the built form and to create an established appearance.</i></p>	<p>Details related to landscape treatments and type of plantings will be addressed at the site plan application stage. However, generally speaking landscaping will be provided within the proposed development, as follows:</p> <ul style="list-style-type: none"> • Landscaping will be provided along the Garrison Road frontage to screen Block A and to enhance streetscaping. • A timber perimeter fence along the west and east property line to provide privacy and separation from future adjacent uses. • Trees along the southern property line to provide buffering from any future development. • Plantings to buffer parking areas from lot lines.

5.6.2. STREETSCAPES

POLICY	DESIGN RESPONSE & EVALUATION
<p><i>IV. Where appropriate with the existing urban character new development should be sited close to the street and aligned with it to enclose the street space.</i></p>	<p>A 9.5-metre front yard is proposed as part of the development. The commercial uses at grade will promote a pedestrian-friendly environment, provide visual interest, create a sense of enclosure, and enhance the sense of community. It will also make the street more vibrant and livelier and provide a more intimate and comfortable environment for walking through creating eyes on the street (balconies and windows facing Garrison Road).</p>
<p><i>VII. Buildings and streetscapes will be designed to create a sense of identity through rational and sensitive treatment of architectural features, forms, massing, layout, and landscaping.</i></p>	<p>The proposed development will create a sense of identity for the area by contributing to an urban character along Garrison Road through its high-quality architectural design. The massing and height of the proposed development does not overwhelm Garrison Road and promotes a visually vibrant streetscape.</p>
<p><i>VIII. Signage and utilities shall be designed to minimize visual clutter and shall be integrated into the landscape and designed to achieve scale mass and height relationships.</i></p>	<p>The incorporation of signage and utilities will be taken into consideration at the site plan stage.</p>

5.6.3 BUILDINGS AND PUBLIC SPACES

POLICY	DESIGN RESPONSE & EVALUATION
<p><i>I. The effect of buildings and spaces on the surrounding environment will be considered equally with the function and aesthetics of the site to complement surrounding site conditions, including heritage elements, and the intended character of the area.</i></p>	<p>The proposed development supports the Town’s vision for the area and contributes to the character as it features high architectural standards and façade design which will create a good visual impact on Garrison Road.</p> <p>Additionally, the commercial uses at grade will promote a livelier and vibrant pedestrian environment.</p>
<p><i>II. Building and site design will:</i></p> <p><i>a. Be compatible with surrounding site conditions including heritage elements, and the intended character of the area;</i></p>	<p>a. The proposed development will introduce a higher density residential development that is well-suited to the existing commercial, residential, and institutional uses in the surrounding area. The layout of the residential blocks has been strategically</p>

<p><i>b. Respect adjacent buildings and the street setting in scale, proportion, continuity, and texture;</i></p> <p><i>c. Incorporate personal safety measures and provide comfort and amenity space both on the site and on the abutting streetscape;</i></p> <p><i>d. Facilitate the preservation and where appropriate, the enhancement of natural features found on the site;</i></p> <p><i>e. Locate parking, loading, and storage areas to minimize their presence from the street having regard for personal safety;</i></p> <p><i>f. Minimize the overall effects of noise and other negative impacts; and</i></p> <p><i>g. Provide for appropriate bicycle parking.</i></p>	<p>positioned and oriented in a way that fosters safety and creates a favorable interface with Garrison Road.</p> <p>b. To maintain the scale and proportion of other developments along Garrison Road, the proposed development is designed as a low-rise structure.</p> <p>c. As mentioned earlier, there are pedestrian walkways incorporated throughout the site to ensure safe and easy pedestrian movement.</p> <p>d. There are no natural heritage features on the site.</p> <p>e. The parking area is located in the interior of the Subject Lands and away from the street.</p> <p>f. The Noise Feasibility Study conducted by HGC Engineering has provided certain noise control recommendations to curb the impact of noise from Garrison Road. The measures suggested in the report will be addressed at the Site Plan Application stage.</p> <p>g. Bicycle parking spaces will be considered and provided at the Site plan stage</p>
<p><i>III. Landscaping and planting will:</i></p> <p><i>a. Integrate with the landscaping of adjacent sites and the streetscape;</i></p> <p><i>b. Enhance personal safety both on site and on the streetscape;</i></p>	<p>Please refer to the policy analysis of policy 5.6.1.VII.</p>

<p><i>c. Define and enhance pedestrian and bicycle routes and accent entrances;</i> <i>d. Screen and buffer parking, loading, and storage areas;</i> <i>e. Screen unattractive views and buffer adjacent land uses;</i> <i>f. Promote a diversity of native plant materials; and</i> <i>g. Where appropriate enhance and buffer adjacent natural areas</i></p>	
<p><i>IV. Residential development will be planned to preserve privacy, comfort, and amenity spaces while providing easy and safe pedestrian and cycling movement to commercial and community facilities.</i></p>	<p>Blocks B, C and D measure 3 storeys in height, with one level partially below grade.</p> <p>Notably, the Official Plan designation does not have a height restriction and is regulated through the implementing Zoning By-law. The proposed height and massing is a suitable given the location of the Subject Lands. Additionally, the lands to the east have recently been approved for a similar height development. Therefore, the proposal will also bring harmonious and compatible built form.</p> <p>As such, the proposed development is not anticipated to cause any significant concerns and is compatible with the neighbouring uses.</p>
<p><i>V. Where employment, industrial, and commercial uses are located adjacent to noise sensitive uses, adequate acoustic protection and buffering shall be employed at or near the source of the noise to ensure compatibility and acceptability of adjacent land uses</i></p> <p><i>Measures will be incorporated into new residential development to buffer the dwelling units from incompatible traffic noise. Such measures will be incorporated into specific development applications.</i></p>	<p>According to the Noise Feasibility Study conducted by HGC Engineering, the commercial use located to the west (coffee shop) did not raise significant concerns as its located 80 metres from the Subject Lands. It was noted that the traffic sounds dominated the site. For this reason, block A had been advised to incorporate central air conditioning. This will be considered at the Site Plan stage.</p>
<p><i>VIII. The interconnection and integration of pedestrian, cycling and vehicular access is encouraged on abutting lands to facilitate safe</i></p>	<p>Internal drive aisles and walkways have been carefully arranged to create a comprehensive network. The proposed walkways will establish a direct connection from the municipal sidewalk to the entrances of all units. By</p>

<p><i>and efficient movement to and from the public road network.</i></p>	<p>providing secure and accessible connections to neighboring community facilities, nearby transit stops, and commercial and institutional uses, the proposal will contribute to the overall convenience and safety of the area.</p>
<p><i>IX. Development should be orientated to ensure that main entrances face the streetscape with strong pedestrian connections and landscape treatments that connect the buildings to the street.</i></p>	<p>Block A has been positioned to face Garrison Road, contributing to a strong and appealing streetscape. The facades of the blocks will create a visual impact through high quality architecture design. Additionally, landscaping along Garrison Road will aid in linking the buildings to the street.</p>

5.5.5 Natural Heritage System

Section 8 of the Town’s Official Plan provides policy direction for Significant Natural Areas identified on Schedule C of the Town’s OP. A thin sliver of land in the southwest corner of the subject property is identified as Significant Natural Area on Schedule C - Natural Heritage Features of the Town's Official Plan. This sliver on the subject property is related to a designation on the adjacent lands which does not physically exist. Some boundary trees/shrubs exists in this location.

An Environmental Impact Study was not requested with the subject applications as there are no features present which meet the Official Plan criteria for Significant Natural Area. The proposed development does not offend the policies of Section 8.

5.5.6 Air, Water and Energy Conservation

POLICY

9.1. AIR QUALITY

1. The Town shall support energy efficiency and improved air quality through land use and development patterns and transportation policies that:

a. Promote compact form and structure of nodes and corridors;

ANALYSIS

Section 9 of the Town’s Official Plan provides policy direction on conserving air, water and energy. As aforementioned, the proposal demonstrates a compact built form and efficient parking design that conserves energy. The compact footprint allows for on-site landscaping. The proposal supports the viability of the existing transportation infrastructure and reduces the need for single-occupancy vehicle trips to essential destinations. The resulting reduced greenhouse emissions will help in not negatively impacting the air quality.

SUMMARY

The Subject Lands are designated Commercial and Urban Residential, and the proposed stacked townhouse model complies with the permitted housing form in this designation. The proposed development is anticipated to deliver approximately 90 dwelling units consisting of a variety of unit sizes, which will support the municipal intensification targets and provide housing choice. The proposal will optimize the use of the Subject Lands while being compatible with neighbouring land uses. Stacked townhouses represent a compact and affordable housing form and residential intensification of the Subject Lands makes efficient use of existing community facilities such as transit, recreational facilities, and schools, as well as supports nearby retail and commercial services.

Based on the foregoing, the proposed development conforms with the general policies and intent of the Town of Fort Erie Official Plan.

6.0 Proposed Zoning By-law Amendment

The Subject Lands are presently zoned Highway Commercial (C3) Zone in part, and Neighbourhood Development (ND) Zone in part, in accordance with Zoning By-law No. 129- 90 (see Figure 3 below). There's also a thin sliver of an Environmental Conservation (EC) overlay at the southwest corner of the Subject Lands. Lands to the south and west have recently been subject to a Zoning By-law Amendment application and the figure below does not reflect the updated permission. The EC overlay was removed from the adjacent lands.

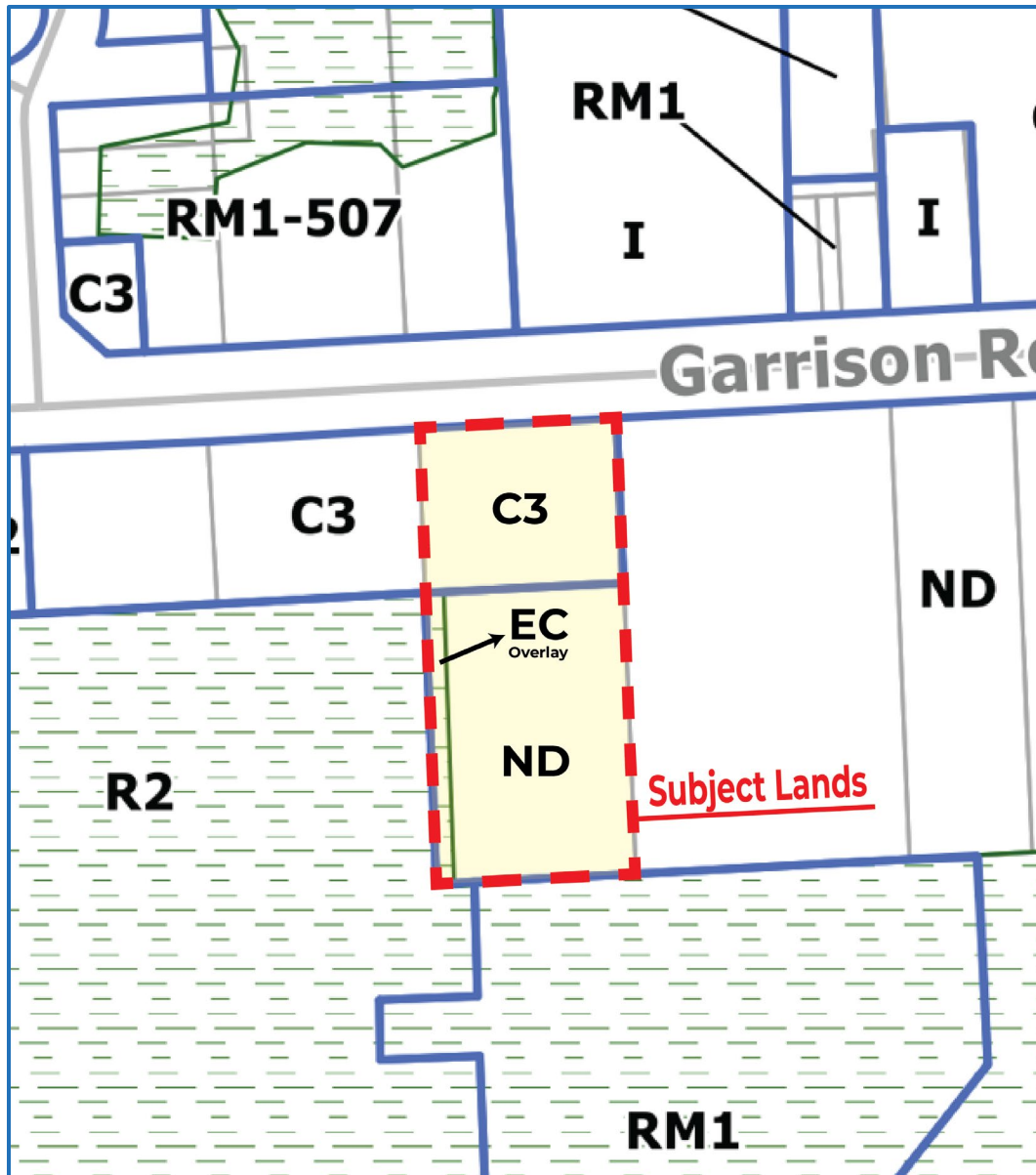


Figure 3 - Existing Zoning of Subject Lands

A Zoning By-law Amendment is required to rezone the ND zoned portion of the subject lands to a Site- Specific Residential Multiple 2 (RM2) zone and the Highway Commercial

(C3) to a Site-Specific Highway Commercial (C3) zone. The Amendment will also remove the EC Overlay which is essentially a mapping exercise only. The tables below provide a detailed comparison of the proposed development with C3 and RM2 zone regulations and other relevant provisions under the Town's Zoning By-law No. 129- 90 that are applicable to the proposed development.

Table 1 – Highway Commercial (C3) Zone Compliance

REGULATION	C3 REQUIREMENT	PROPOSED	COMPLIANCE
Permitted Uses	(a) Commercial uses (b) Dwelling units	Commercial uses at grade Dwelling units on the 2 nd – 4 th floors.	Yes
Minimum Lot Area	450 m ²	3,442.35 m ²	Yes
Minimum Lot Frontage	15 m	66.4 m	Yes
Maximum Lot Coverage	60 %	9.86%	Yes
Maximum Gross Floor Area	100%	29.6%	Yes
Minimum Front Yard	15 m	9.6 m	No
Minimum Side Yard	3 m	3 m	Yes
Minimum Rear Yard	Refer to Table 2 below		
Maximum Height	i) 2.5 storeys ii) 12 m	3 storeys and 11.2 metres	No
Residential Open Space	18.5 sq. m. per unit = 1,665 m ²	31.65% = 3,179.9 m ²	Yes
Minimum Floor Area per Dwelling Unit	<ul style="list-style-type: none"> • Bachelor Unit: 40 m² • One-bedroom Unit: 50 m² • Two-bedroom Unit: 60 m² • Unit comprising three or more bedrooms: 70 m² 	Min. 1 bed: 50 m ² Min. 2 bed: 60 m ² Min. 2 bed: 79 m ²	Yes
Residential Access; Policy 18.2 (e)	Each dwelling unit shall have a separate and private entrance from the outside or a common hallway.	Each dwelling unit has a separate and private entrance from the outside or a common hallway.	Yes

Table 2 - Residential Multiple 2 (RM2) Zone Compliance

REGULATION	REQUIREMENT	PROPOSED	COMPLIANCE
Permitted Uses	<ul style="list-style-type: none"> • Fourplex • Apartment Dwellings • Uses, buildings and structures accessory to the foregoing permitted use 	Stacked Townhouse	No
Minimum Lot Area	115 m ² per unit= 9,200 m ²	6,604.68 m ² or 82.5 m ² per unit	No
Maximum Lot Coverage	40%	18.25%	Yes
Minimum Lot Frontage & Minimum Front Yard	Refer to Table 1 - Highway Commercial (C3) Zone Compliance		
Minimum Side Yard	6 m (one half of building height)	7.023 m	Yes
Minimum Rear Yard	7.5 m	7.5 m	Yes
Minimum Floor Area per Dwelling Unit	<ul style="list-style-type: none"> • Bachelor Unit: 40 m² • One-bedroom Unit: 50 m² • Two-bedroom Unit: 60 m² • Unit comprising three of more bedrooms: 79 m² plus 7 m² for each bedroom in excess of three 	Min. 1 bed: 50 m ² Min. 2 bed: 60 m ² Min. 2 bed: 79 m ²	Yes
Maximum Height	9 storeys or 26 metres, whichever is greater	3 storeys and 12 m	Yes
Landscaped Area (Full site)	Minimum of 25% = ~2551.76 m ²	30.88% =3,103 m ²	Yes
Landscaping and planting strips (6.21 (a, b))	3 m landscape strip required along the perimeter of the RM2 zone	A landscaping strip of more than 3 m is provided	Yes
Encroachment into Yards (6.41 (b))	Any enclosed porch, balcony, patio shall meet all required yard setbacks thereof.	Lower-level sunken patios project 1.83 metres into the required rear yard	No
Minimum Distance Between Any Abutting Residential	a) No driving lane shall be closer than 3 metres to any lot line abutting any Residential Zone.	Minimum distance for some of driving lanes (back out lanes) from lot line	No

REGULATION	REQUIREMENT	PROPOSED	COMPLIANCE
Zone and Driving Lanes or Parking Areas (15.4 (a))		= 1.5 m from the lot line	

Table 3 - Parking Area Regulation Compliance

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Commercial Parking for C3 Zone (6.20 A)	1 parking space/ 30 m ² of gross floor area 339.5 / 30 m ² = 11.3 ~ 12	12	Yes
Residential Parking for the C3 zone (18.2 (d))	1 parking space/ unit 1 x 10 = 10	10 + 5 visitor parking spaces	Yes
Residential Parking for the RM2 zone (6.20 A)	1.5 parking spaces/ unit 1.5 x 80 = 120	1.3 X 80 = 104 spaces	No
Ingress and Egress Standards (6.20 D)	(i) Ingress and egress, to and from the required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0 m, where only one-way traffic is permitted and have a minimum width of 7.5 m but not more than 12m in perpendicular width where two-way traffic is permitted.	7.5 metres where two-way traffic is provided.	Yes
Dimensions of Parking Spaces (6.20 J)	6.7 m X 2.7 m	6.7 m X 2.7 m	Yes
Accessible Parking Spaces (6.20 M)	3 Type A & 2 Type B required.	Type A = 3 Type B = 2	Yes

6.1 Zoning Relief for C3 Zone

Justification for relief from the C3 Zone regarding a reduced minimum front yard, and increased building height are described as follows:

Minimum Front Yard

Required: 15 m

Proposed: 9.6 m

A reduced front yard is proposed to establish a strong streetscape along Garrison Road. This will promote a pedestrian-friendly environment, provide visual interest, create a sense of enclosure, and enhance the sense of community. It will also make the street more vibrant and livelier and provide a more intimate and comfortable environment for walking. The requested reduction in front yard setback is not anticipated to cause any significant impacts on the adjoining streetscape.

Maximum Height

Required: 2.5 storeys & 12 m

Proposed: 3 storeys & 11.2 m

The lot to the east of the Subject Lands has recently been approved for a 3.5 storey structure; the proposed development of 3 storeys will create consistency in terms of height. Additionally, the height measurement for Block A meets the maximum requirement of 12 metres.

6.2 Zoning Relief for RM2 Zone

Justification for relief from the RM2 Zone regarding permitted uses, the prescribed parking rate, and minimum lot area are described as follows:

Permitted Uses

Required: Uses permitted in the RM2 Zone

Proposed: Stacked Townhouse

The 'stacked townhouse' building form provides a housing type that is between a fourplex and an apartment building, both of which are permitted in the RM2 zone. The stacked townhouses make efficient use of the land, are more cost efficient, and provide new and mixed housing types for the Town of Fort Erie.

Parking Rate

Required: 1.5 spaces per dwelling unit, or, 120 parking spaces

Proposed: 1.3 spaces per dwelling unit, or, 104 parking spaces

A reduced parking rate of 1.3 parking spaces per unit is proposed. The reduction can be supported as:

- The Subject Lands are in a location that is serviced by on-demand public transit and within a walkable distance to community amenities as illustrated in Figure 2 of this report.
- The proposal includes convenient pedestrian connections to the municipal sidewalk.

It is noted that 24 parking spaces required for the RM2 zone are provided in the C3 portion of the Subject Lands. The C3 portion of the lands will contain commercial uses with residential units on upper storeys, with associated parking for each. Providing a portion of the parking for the stacked townhouse dwellings in the C3 zone is not anticipated to create compatibility issues between uses. A provision noting this circumstance is proposed in the site-specific regulations for the RM2 zone.

Minimum Lot Area

Required: 115 square metre per dwelling unit

Proposed: 82.5 square metre per dwelling unit

A minimum lot area of 82.5 m² per unit is being proposed which is a reduction of 32.5 m² from the required lot area per unit. It is not anticipated that will cause any negative impacts on the proposed development or the surrounding uses and is better suited for the proposed housing form. A 115 square metre per dwelling roughly equates to a density of 87 uph and the proposed 82.5 square metre per dwelling unit equates to 121 uph. The Town's OP offers direction for evaluating medium density and high-density residential uses within the Urban Residential designation, along with residential intensification. In Section 5.5.2 of this report, an evaluation of these guidelines is provided, indicating that the proposed intensification is appropriate for the Subject Lands. Finally, the amount of landscaped area provided on the site exceeds the minimum requirements, further supporting the proposed intensification.

Encroachment into Yards (lower-level sunken patios)

Required: Any enclosed porch, balcony, patio shall meet all required yard setbacks thereof.

Proposed: Lower-level sunken patios project 2.1 metres into the required rear yard.

The encroachment of the sunken patios into the rear yard is not expected to result in any adverse effects. The encroachment occurs below ground level and will not be visible from the adjoining lot, thus eliminating any potential visual impacts. Consequently, any concerns regarding the overall aesthetic appeal of the rear yard are not anticipated.

Additionally, Block D adheres to a 7.6 metre rear yard setback for its main building wall.

7.0 Summary of Planning Opinion

The proposed development is located within the Crescent Park Neighbourhood within proximity to commercial business, transit facilities and institutional spaces. The surrounding area is characterized by commercial and institutional uses along Garrison Road and medium density residential uses to the east of the Subject Lands. The proposed development of 90 residential dwellings will provide an opportunity for additional housing, that will respect the existing character of the neighbourhood while making efficient use of the Subject Lands. The stacked townhouse development will provide an affordable varied form of housing in the Town that can serve a variety of households and create housing choice through 1-, 2- & 3-bedroom units.

It is our opinion that the proposed Zoning By-law Amendment be approved because it represents good land use planning, is in the public interest and should be supported for the following reasons:

1. The proposed development is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan, Niagara Official Plan, and the Town of Fort Erie Official Plan.
2. The proposed development will provide an opportunity for additional housing within the Built-Up Area designated for residential growth and is a focus for intensification. It will make efficient use of the existing municipal services and facilities. The Subject Land is close to community facilities such as commercial facilities (dental office, coffee shop etc), school and local transit stops.
3. The proposed development will provide commercial uses facing Garrison Road which will help enhance the streetscape.
4. The proposal creates new housing in the Town of Fort Erie contributing to a more diversified housing mix.
5. The development is compatible with the surrounding land uses.
6. The proposal is supported by reports prepared by qualified professionals, subject to relevant recommendations, that confirm there are no municipal servicing issues, significant noise impacts identified on the property.

Report prepared by:



Asawari Modak, MPlan
Planner
NPG Planning Solutions Inc.

Report reviewed by:



Aaron Butler, MCIP, RPP
Principal Planner, Niagara
NPG Planning Solutions Inc.

8.0 Appendices

Appendix A – Proposed Site Plan

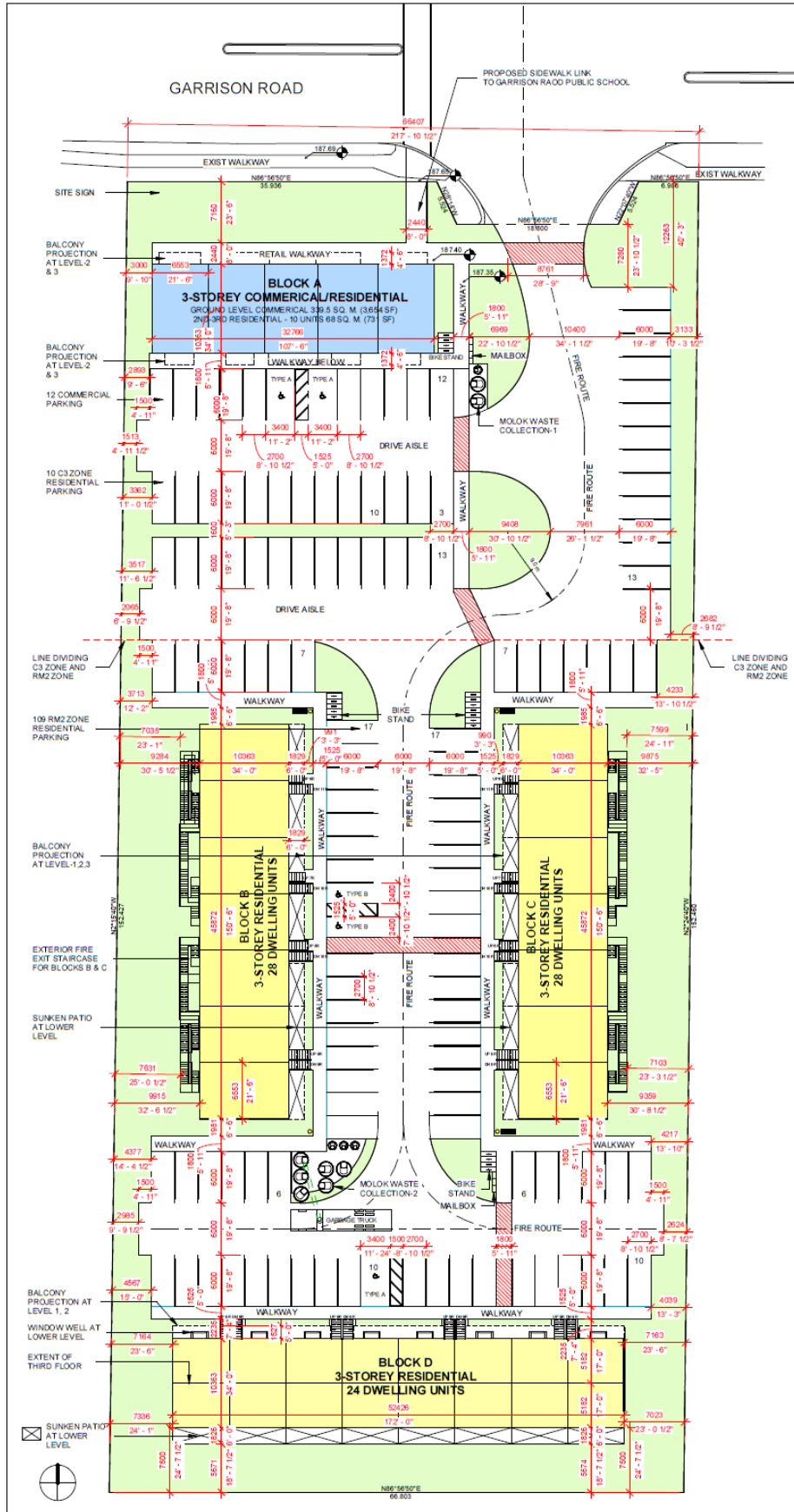
Appendix B – Regional Official Plan Schedules

Appendix C – Town of Fort Erie Official Plan Schedules

Appendix D – Draft Zoning By-law

Appendix E – Communication re: Hydrogeological Study & Tree Preservation Plan

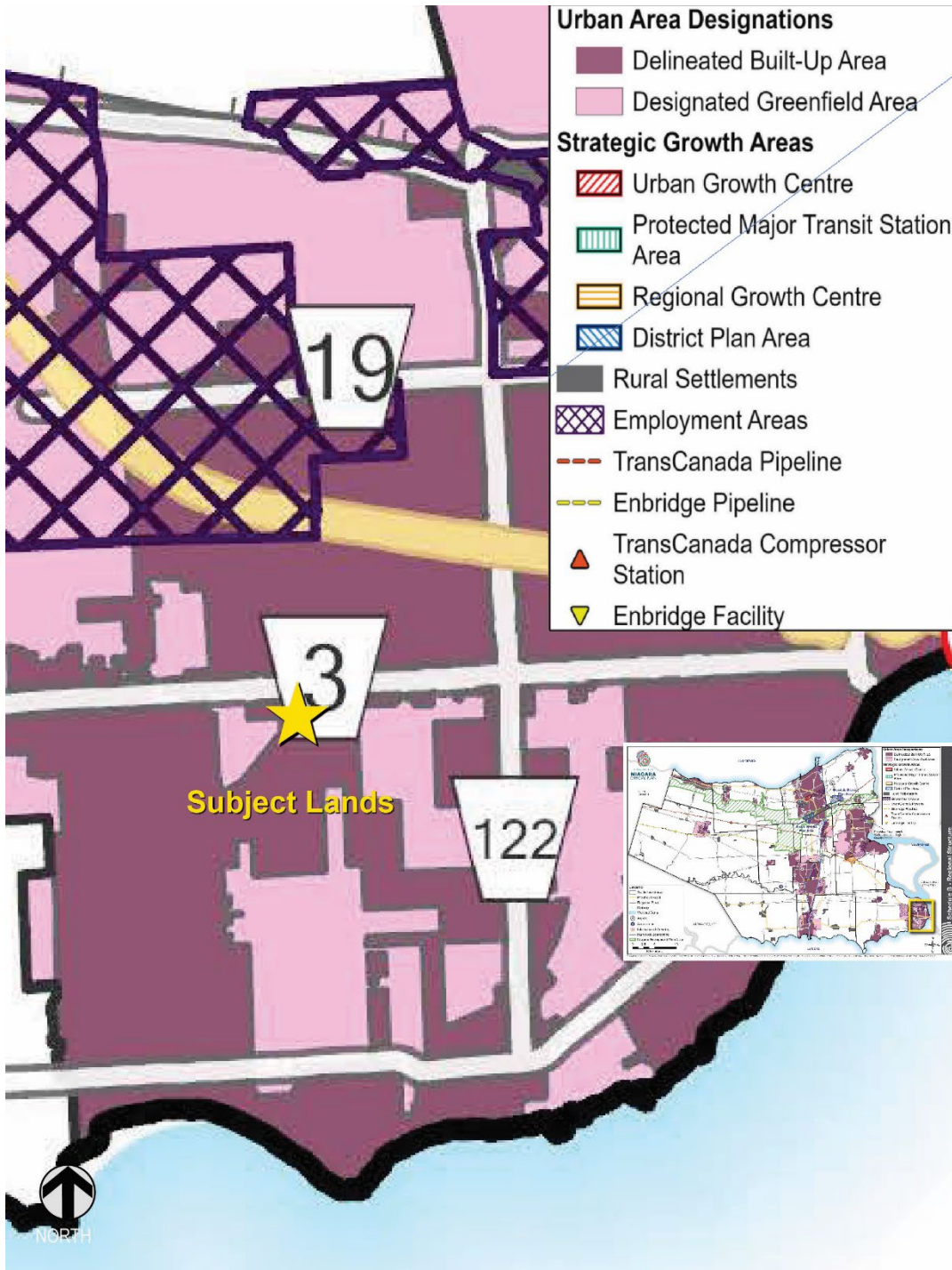
Appendix A – Site Plan



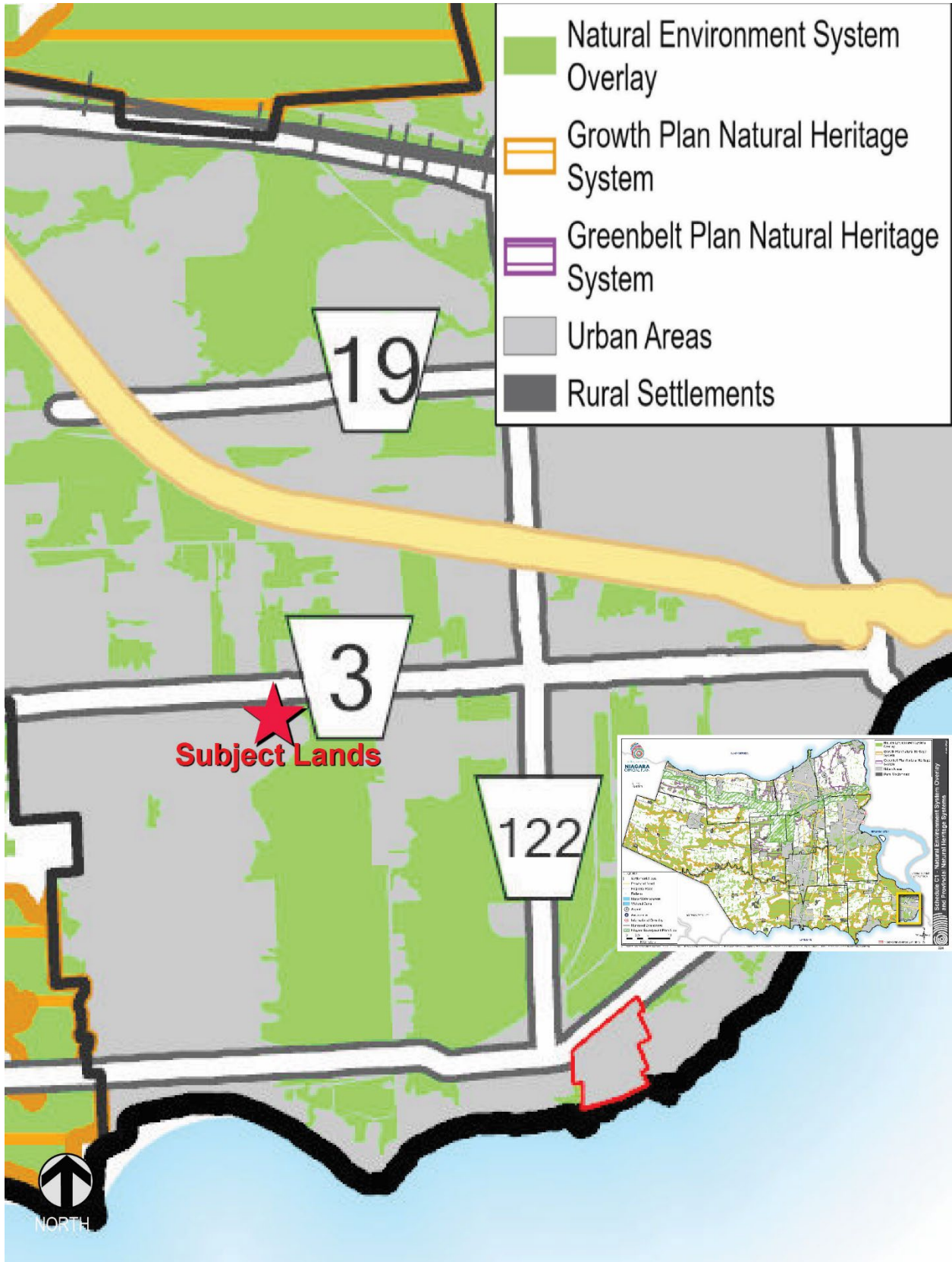
1 SITE PLAN
1:325

Appendix B – Niagara Official Plan Schedules

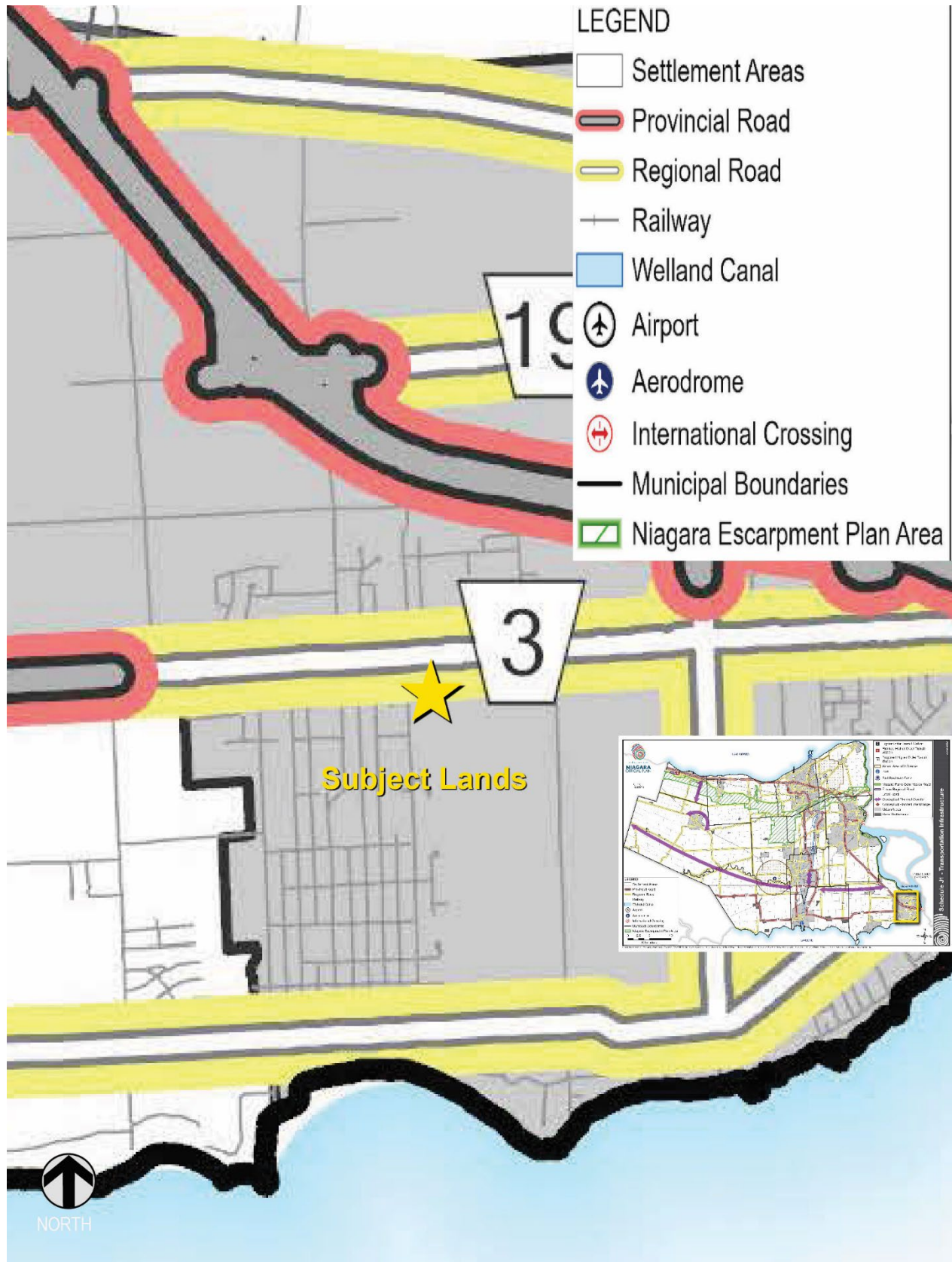
SCHEDULE A – REGIONAL STRUCTURE; *Delineated Built-Up Area*



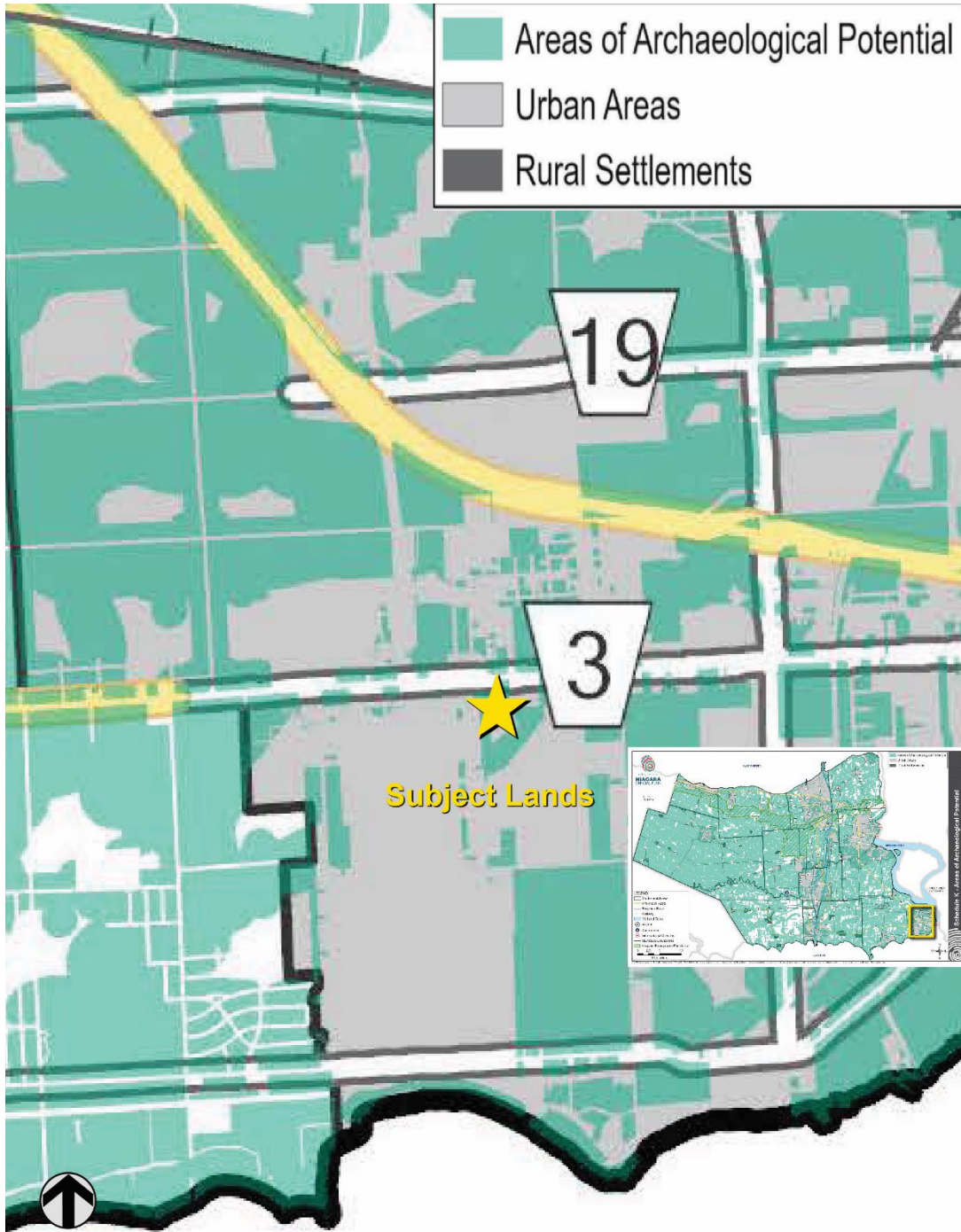
SCHEDULE C1 – Natural Environmental System Overlay and Provincial Natural Heritage Systems;
No Natural Environment System; Overlay Urban Area



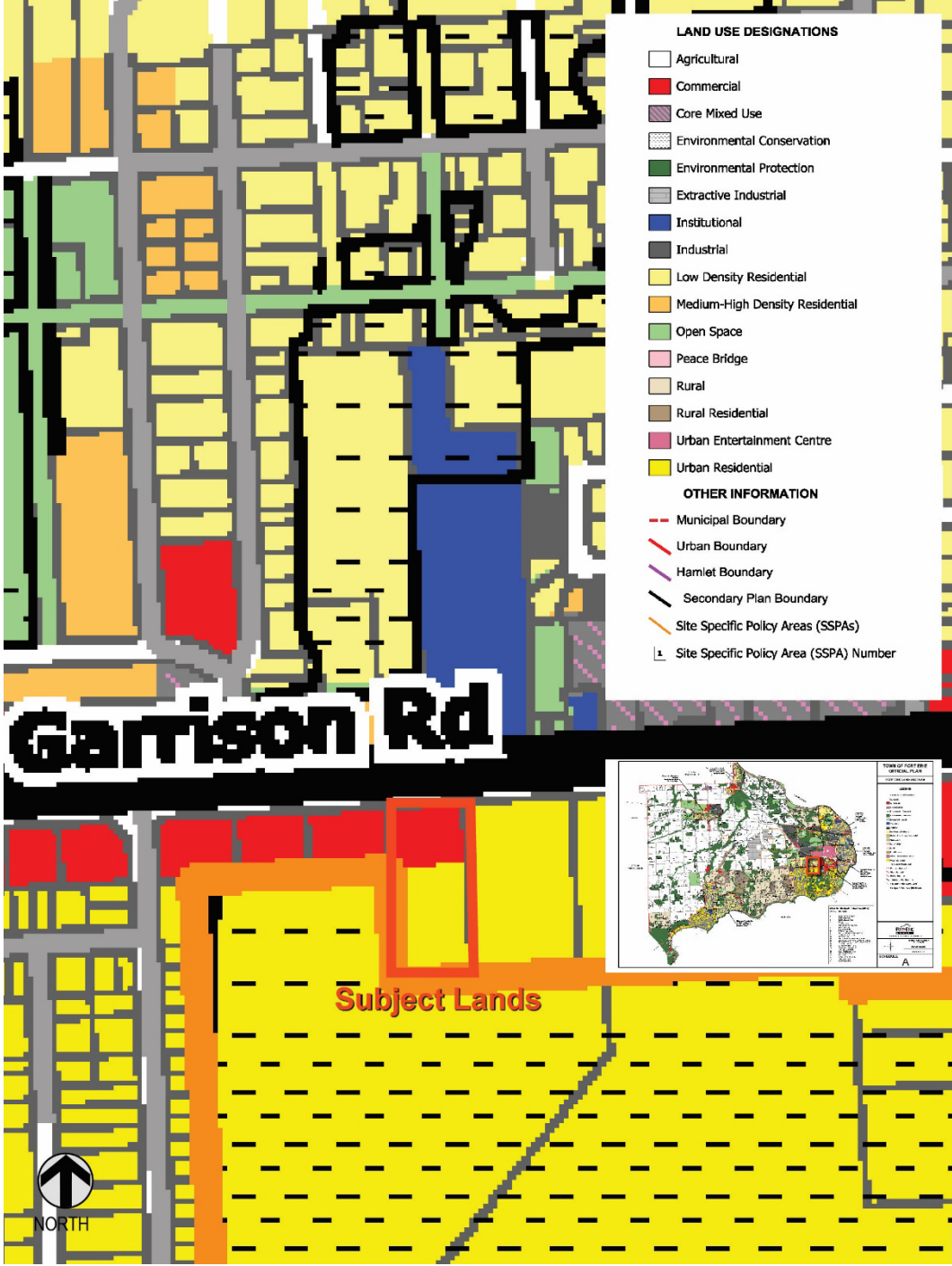
SCHEDULE J1 – TRANSPORTATION INFRASTRUCTURE, *Regional Road: Hwy #3*



SCHEDULE K – AREAS OF ARCHAEOLOGICAL POTENTIAL; *Area of Archeological Potential*



SCHEDULE A – LAND USE PLAN, *Commercial; Urban Residential*

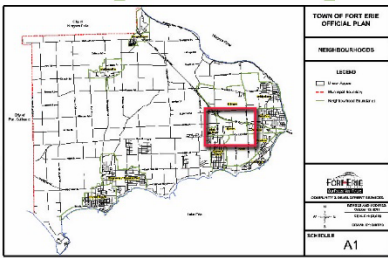


SCHEDULE A1 –NEIGHBOURHOODS, *Crescent Park*

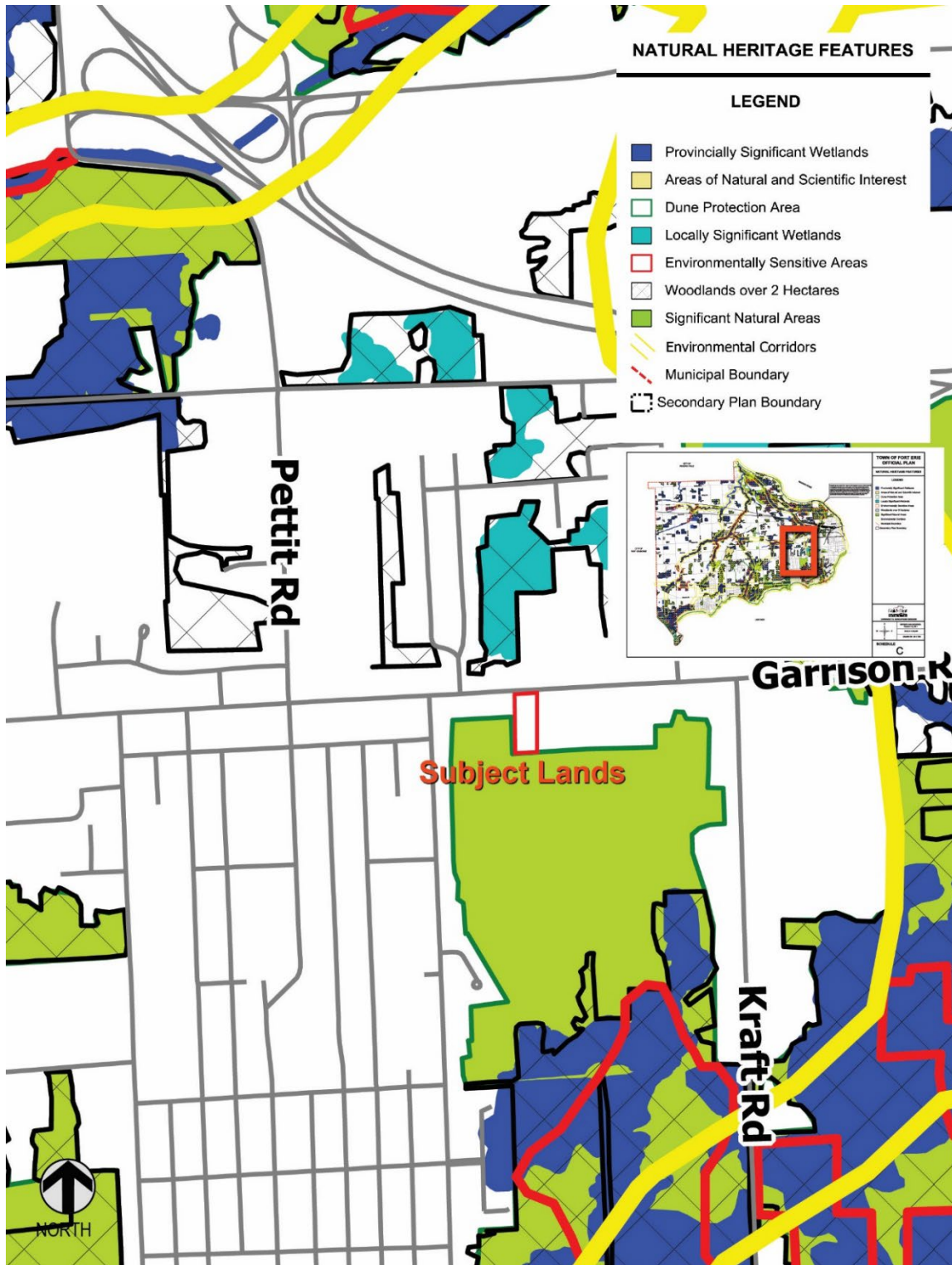
NEIGHBOURHOODS

LEGEND

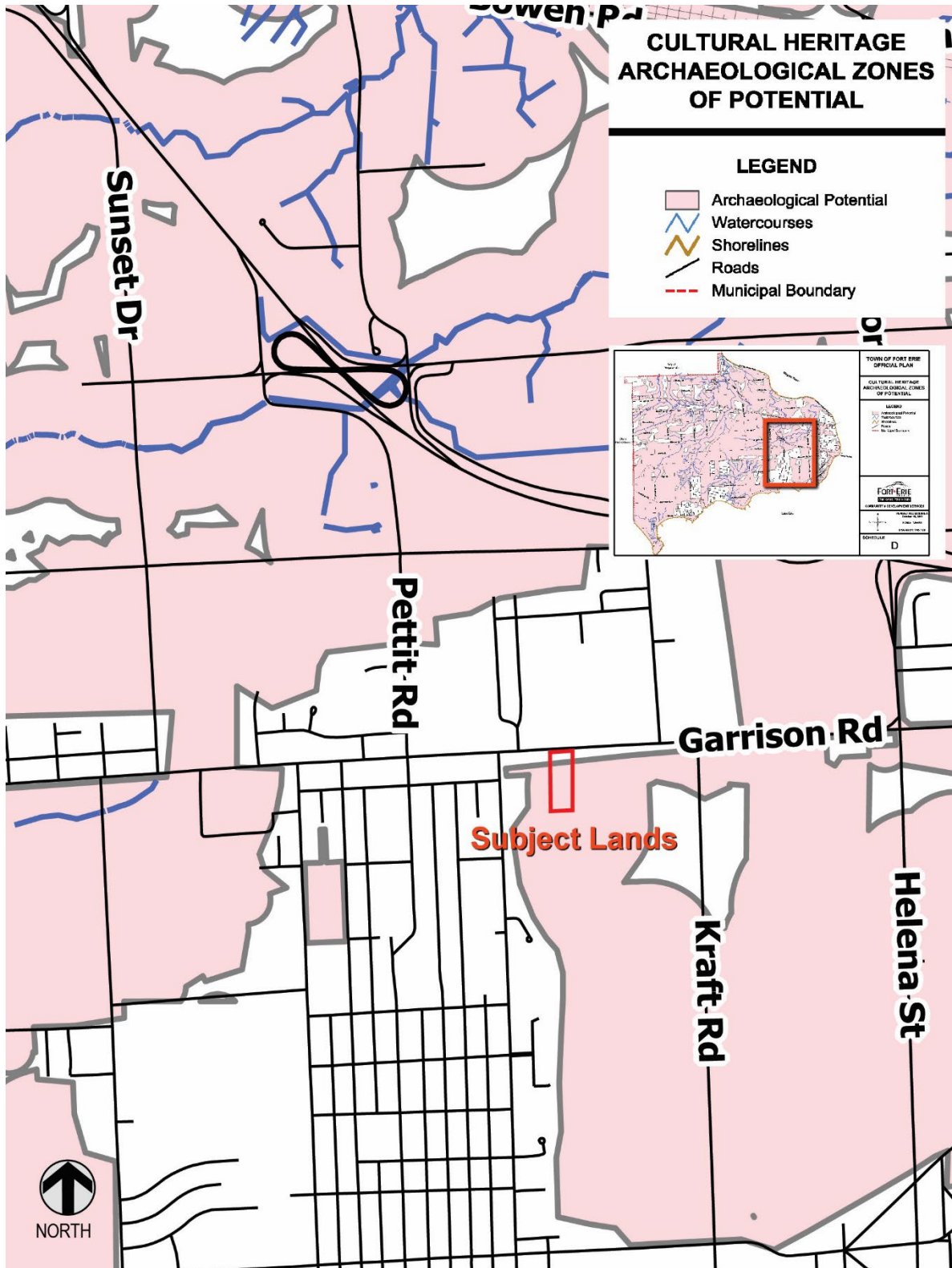
- Under Appeal
- Municipal Boundary
- Neighbourhood Boundaries



SCHEDULE C – Natural Heritage Features, *No Significant Natural Area*



SCHEDULE D – CULTURAL HERITAGE ARCHAEOLOGICAL ZONES OF POTENTIAL,
Archaeological Potential

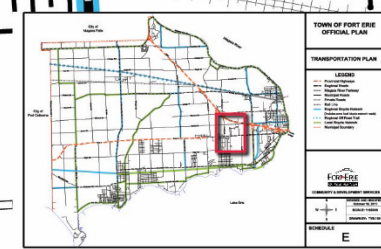


SCHEDULE E1 – TRANSPORTATION PLAN, *Regional Road: Garrison Road*

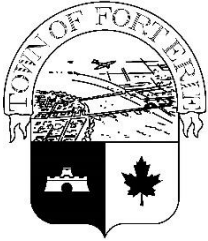
TRANSPORTATION PLAN

LEGEND

- Provincial Highways
- Regional Roads
- Niagara River Parkway
- Municipal Roads
- Private Roads
- Rail Line
- Regional Bicycle Network (Includes some local bicycle network roads)
- Regional Off Road Trail
- Local Bicycle Network
- Municipal Boundary



NORTH



The Municipal Corporation of the Town of Fort Erie

By-law No. XX-202X

**Being a By-law to Amend Zoning By-law No.
129-90,
as amended
1127 Garrison Road
NPG Planning Solutions Inc. - Agent
Trinity Star Development Inc. - Owner**

Whereas an application was received from NPG Planning Solutions Inc. (Agent) on behalf of Trinity Star Development Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands known municipally as 1127 Garrison Road; and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on XX XX 202X, and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law No. 129-90 as amended, pursuant to the recommendations of Report No. PDS-XX-202X considered and approved at the Council-in-Committee meeting held on XXX XX, 202X;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** Schedule "A" of By-law No. 129-90, as amended, is further amended by changing the zoning of the lands known municipally as 1127 Garrison Road and shown as Parts 1 and 2 on the attached Appendix "1" from "Highway Commercial (C3) Zone" to "Highway Commercial (C3-XXX) Zone" (Part 1) and from "Neighbourhood Development (ND) Zone" to "Residential Multiple 2 (RM2-XXX) Zone" (Part 2).
- 2. That** By-law No.129-90 as amended, is further amended by adding to "section 22 - Highway Commercial (C3) Zone" Subsection - "Exceptions to the Highway Commercial (C3) Zone" the following exception:

"C3- XXX (XX-202X) 1127 Garrison Road (Part 1)

These lands are zoned "Highway Commercial Zone (C3-XXX) Zone" (Part 1), and all of the provisions that relate to lands zoned "Highway Commercial (C3) Zone" by this by-law shall apply to those lands zoned "Highway Commercial Zone (C3-XXX) Zone", subject to the following special provisions:

- a) Minimum Front Yard – 9.6 metres
- b) Maximum Building Height – 3 storeys/ 12 metres

3. **That** By-law No.129-90 as amended, is further amended by adding to "section 15 - Residential Multiple 2 (RM2) Zone" subsection - "Exceptions to the Residential Multiple 2 (RM2) Zone" the following exception:

“RM2- XXX (XX-202X) 1127 Garrison Road (Part 2)

These lands are zoned "Residential Multiple 2 (RM2-XXX) Zone" (Part 2), and all of the provisions that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-XXX) Zone", subject to the following special provisions:

- a) Minimum Lot Area – 82.5 square metres per unit
- b) Parking Rate – 1.3 spaces per unit
- c) Permitted Uses – Stacked Townhouses
- d) Lower-level sunken patios may project 1.5 metres into the rear yard
- e) 24 parking spaces required for the RM2 zone are provided in the C3 portion of the Subject Lands

4. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this XX day of XXXX, 202X.

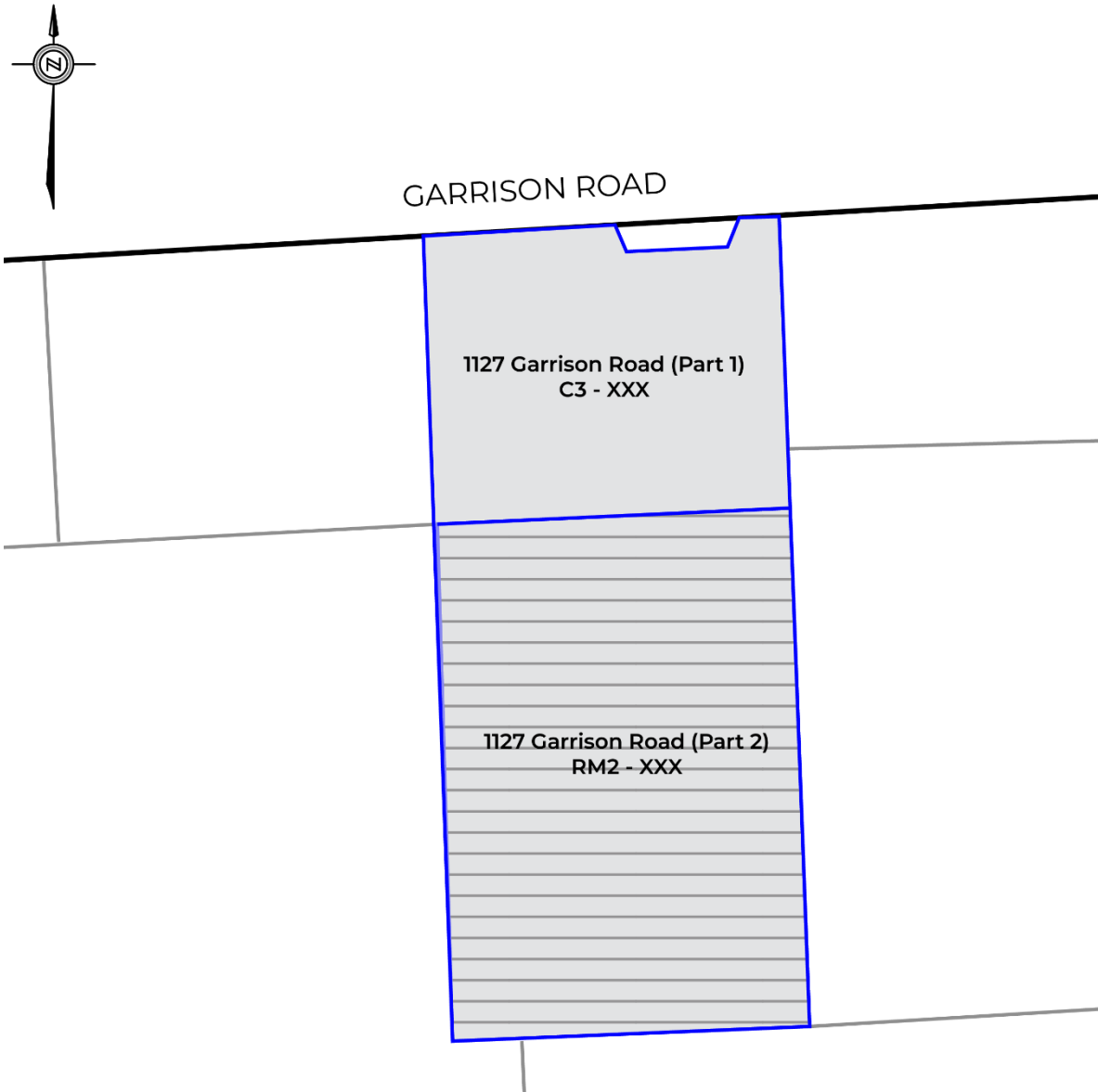
Mayor

Clerk


I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. XX-202X of the said Town. Given under my hand and the seal of the said Corporation, this

day of _____, 20

APPENDIX "1"



By-law No.XX-202X
THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY.LAW NO. 129.90
PASSED THIS XXth DAY OF XX, 202X

 Subject Lands

 Part 1 - Change from Highway Commercial C3 Zone to Highway Commercial C3 -XXX Zone

 Part 2 - Change from Neighbourhood Development ND Zone to Residential Multiple 2 RM2-XXX Zone

Appendix E – Communication re: Hydrogeological Study & Tree Preservation Plan

FW: 1127 Garrison Road Pre-Consultation Notes



Mary Lou Tanner

To MJ ; Aaron Butler

Cc Asawari Modak



Reply

Reply All

Forward



Sat 2022-06-25 8:11 AM

You forwarded this message on 2022-08-04 12:14 PM.

Here is my response after looking into your enquiries.

Study Requirements:

1. Within the chart, the following are checked as required:

- a. Tree Preservation Plan – we are unclear why this is required given the lack of tree cover on the property. We are also unclear as to why this is required for the OPA/ZBA stage. Please clarify.

[Community Planning has clarified that the Tree Preservation Plan will not be required for this project. Generally though TPPs are required at the site plan stage.](#)

2. Landscape Plan – please clarify if this is required at the OPA/ZBA stage and, if so, what level of detail. We request this because detailed engineering design will be done at the Site Plan stage so providing landscape plans this early in the process is costly and not the most effective way to address landscaping concerns. This is a site plan level of detail.

[Typically the Town would require the Landscape Plan at the Site Plan Control stage. However, Niagara Region has requested that the Landscape Plan be submitted at the OPA/Zoning stage in their comments. I have reached out to the Region to confirm if this is required at the OPA/ZBA stage.](#)

3. Hydrogeology/Private Servicing Study – we are unclear why this is required.

[This appears to be an error. A Hydrogeology/Private Servicing Study will not required for this proposal.](#)