

PRE-CONSULTATION AGREEMENT

Once completed by Town Planning Staff, this form must be submitted with your formal application.

Important: This form will be completed with Planning Services staff at a pre-consultation meeting and will form part a complete application. All reports, documents and drawings **must** be submitted in paper and **digital** (i.e. PDF) form.

Meeting Attendance:	-									
☐Town Planning Town	Regional Planning	Niagara Parks Commission								
☐Infrastructure	Regional Public Works	□NPCA								
Other										
Pre-Consultation Meeting Da Site Location/Address:	t	Site Plan Consent Application Other								
Approximate Land Area (metric):										
Phone No: Email:										
Principal Contact: Email:										
Local Municipal Contact:										
Name of Contact:										

Brief description of proposed development:

Submission Requirements: Required Information and Studies to be submitted with the Application(s). Studies identified with an asterisk* will likely require a peer review at the cost of the developer.

Local Region	gion	NPCA	Reports, Studies, Plans	No. of Copies		
	Re	N	(<u>See Notes for additional details</u>)		Paper	Notes
			Planning Justification Report			
			Conceptual Site Plan, Subdivision Plan			
			Draft Regional Policy Plan Amendment			
			Draft Local Official Plan Amendment			
			Land Use/Market Needs*			
			Urban Design/Landscape Plans			
			Archaeological Assessment			
			Cultural Heritage Impact Assessment*			
			Environmental Impact Study			
			Environmental Planning Study/ Sub-Watershed Study			
			Tree Inventory Preservation Plan			
			Floodplain and Hazard Lands Boundary Plan			
			Geotechnical			
			Environmental Site Assessment			
			Air Quality/Noise & Vibration Study*			
			Agricultural Impact Assessment			
			Farm Operation and Ownership			
			Minimum Distance Separation I & II			
			Mineral Aggregate Resources			
			Municipal Servicing Study			
			Phasing Plan			
			Sensitive Land Use Report			
			Slope Stability Report			
			Stormwater Management Plan			
			Transportation Impact Study/Parking Impact Analysis			
			Hydrogeological Study and Private Servicing Plans*			
			Soil report			
			Financial Impact Assessment*			
			Shadow Analysis			
			Shoreline Study/Dynamic Beach			
			Risk Management Study			
			Gas Well Study/Gas Migration Study			
			Wind Study*			
			Other*			



Property: 3624 & 3610 Hazel Street

Development Planning: Mackenzie Ceci (<u>mceci@forterie.ca</u> or 905-871-1600 ext. 2514)

- 3624 & 3610 Hazel Street are designated Low Density Residential in part, and Medium Density Residential in part, in the Ridgeway-Thunder Bay Secondary Plan. The properties are correspondingly zoned Residential 1 (R1) Zone in part, and site specific Residential Multiple 1 (RM1-508) Zone in part.
- The two parcels, which are under one Property Identification Number (PIN) appear to be comprised of six lots from the original plan of subdivision. The lots do not appear to have been deemed by Deeming By-law. As such, six separate lots exist.
- The Applicant is proposing to retain the existing single detached dwelling (3624 Hazel Street), and create five residential lots Lot 5 for the construction of a semi-detached dwelling, and Lots 1 to 4 for the construction of single detached dwellings.
- The Applicant is proposing to rezone Lot 5 to Residential 3 (R3) Zone and Lots 1 to 4 to Residential 2A (R2A) Zone to permit the proposed uses and corresponding lot fabric.
- The Official Plan provides Staff with the ability to interpret the boundary of a land use designation. In the case of this development parcel, Staff will be making the interpretation that the land use designation boundary is intended to follow the lot line. As such, the entire development parcel will be interpreted to be designated as Low Density Residential. As such, Staff will not be requesting an Official Plan Amendment to facilitate this proposal. The proposed density complies with the density requirement of up to 25 units per hectare for the Low Density Residential designation.
- A Zoning By-law Amendment will be required to rezone the lands in order to facilitate the
 development proposal. Staff also recommend rezoning the rear of 3624 Hazel Street
 from RM1-508 Zone to R1 Zone to align the zoning. Based on Staff's review of the
 sketch, the proposed lots and dwellings appear to comply with the proposed zones.
- Staff note that the general timeline for Zoning By-law Amendment applications is 90 days. This is roughly the amount of time it takes to obtain a decision from Council after the application is deemed complete. This timeline may be longer if Council requests additional information, or if the application needs to be revised based on the comments received from Council and/or members of the public.
- The fee for a Major Zoning By-law Amendment application is \$8,771.00 Your preconsultation fee will be deducted from this.
- Future consent applications will be required to facilitate the lot creations. This process
 will occur after the Zoning By-law Amendment process. Staff note that approval of a
 Deeming By-law will be required to facilitate the proposed severances. This would be
 required as a condition of the consents.
- Staff note that the existing dwelling is contained on two of the six lots from the original plan of subdivision. The Applicant could avoid one of the five consent applications if they deem the two lots (Lots 14 and 15) through a Deeming By-law. This would de-register the two lots from the original plan of subdivision and allow them to merge in title. The



Applicant could then treat one of Lots 1 to 5 as the retained parcel, and apply for four consent applications following the Zoning By-law Amendment. Eliminating one severance application would result in some cost savings associated with conditions of consent including cash-in-lieu of parkland dedication, street trees etc. The fee for a Deeming By-law is \$618.00.

Submission Requirements for the Zoning By-law Amendment application:

- Submission of a Planning Justification Report (PJR), prepared by a Registered Professional Planner, that speaks to the compatibility of the proposed lots, zoning and resulting built form with the surrounding area. A document containing guidelines for the PJR is attached for review:
- Renderings and elevations of the proposed development; and
- Submission of a consent sketch, prepared by an Ontario Land Surveyor, that shows building envelopes for existing and proposed dwellings, all setbacks to proposed and existing property lines, and conceptual driveway locations. Please also show the location of trees within the Town's Road Allowance and the daylighting triangle, and note if there are any existing structures to be removed.

Servicing: Jeremy Korevaar (<u>ikorevaar@forterie.ca</u> or 905-871-1600 ext. 2505)

Conditions of Consent:

- A grading plan is required encompassing all proposed lots. (Thorough investigation by the applicant and surveyor should be undertaken prior to making application to fully grasp the implications of providing adequate drainage for the proposed lot(s). Consideration must be made that expenses such as installation of catchbasins and underground pipes may be required.)
- A tree contributed fee is required, \$500 per tree and it is one tree per newly created interior lot and 3 trees per newly created corner lot. Depending on how the application is brought forward will determine the final tree fee
- A 7.0 m by 7.0 m daylighting triangle is required at the south west corner of lot 4.

Additional Comments:

• As the proposed semi-detached dwelling is proposed on 1 lot, Town standards would only allow one water service and one sanitary lateral to this proposed lot (town records show that this vacant lot has existing services to the property line). Therefore, a meter pit at the property line would be required for the water service, then it could split to two separate lines once inside the private property. The sanitary lateral would be one lateral in the road allowance and then split once inside private property. If in the future the lot for the semi-detached dwelling was to apply for a consent to separate the semi-detached dwelling, the servicing would be required to be separated (cannot have shared servicing) and contained within their respective lots as a condition of that consent application. In addition, the existing sanitary sewer only fronts a small portion of the proposed semi-detached lot and it may require a sanitary sewer extension depending on the exact location of the sanitary sewer in relation to the proposed lot, this would be a condition of that consent application. Further details on the sanitary sewer extension and separating the servicing would be provided at the time of that consent. All cost associated with the above works are borne to the application/owner. It is highly recommended that the



application/owner contact Jeremy Korevaar to discuss the possible required sanitary sewer extension if the plan is to separate the semi-detached dwelling.

- Town records for the water services and sanitary laterals have been provided, as well as a sanitary drawing, this may help with determining where the sanitary sewer location would be in relation to the proposed semi-detached dwelling and if a sanitary sewer extension would be required for a future consent of the proposed semi-detached dwelling. Please note that the user of this information must verify it for completeness and accuracy prior to use.
- Servicing is the owner's expense
- A road widening is not required
- A streetlight fee is not required

Community & Neighbourhood Planning: Pieter Wasserman

(pwasserman@forterie.ca or 905-871-1600 ext. 2503)

Condition of Consent:

 A Payment of 5% of the appraised value of the 5 new units to "The Town of Fort Erie", in lieu of dedication of land for park purposes. This is as per By-Law No. 69-08 Parkland Dedication or Payment of Cash-In-Lieu as a Condition of Development or Redevelopment, Part 4 – Parkland Dedication, 4.1, b. in the case of consent or subdivision.

Economic Development & Tourism Services: Deanna Allen (<u>dallen@forterie.ca</u> or 905-871-1600 ext. 2252)

No comments

Committee of Adjustment: Breanna Antonio (<u>bantonio@forterie.ca</u> or 905-871-1600 ext. 2508)

- The Final Consent Certificate (required to sell or build on lots) will be issued once the provisional conditions of the consent are approved and cleared by staff/agencies and must be fulfilled within two years of the Decision of the Committee of Adjustment.
- Common conditions of final consent certificate approval are noted in this agreement
 (final consent certificate fee, reference plan, tree contribution fee, 5% cash-in-lieu of
 parkland dedication etc.) and will be noted on the report provided to the Committee of
 Adjustment and to the applicant one week prior to the hearing.

PLEASE NOTE:

- Applicant is required to submit a consent sketch prepared by an OLS and is to include
 lot size, lot coverage, front, rear and side setbacks, ALL existing and proposed building
 and structure dimensions in metric (dwelling, accessory buildings, a/c units, etc.) to meet
 required zoning requirements and as noted on Page 2 of the Consent application along
 with the proposed location of any driveways and the location of municipal trees.
- Please proceed with your Zoning By-law Amendment application prior to submitting your consent applications.



- It is recommended that the applicant review the following link for information on the consent process and to discuss any further questions with the Secretary-Treasurer directly, https://www.forterie.ca/pages/PreConsultationandConsents
- It is noted that the hearing/application submission schedule and process information can be found at https://www.forterie.ca/pages/CommitteeofAdjustmentHome

Building Department: Keegan Gennings (<u>kgennings@forterie.ca</u> or 905-871-1600 ext. 2515)

- If the garage with the dwelling unit above is to be demolished then a DC credit will be available
- Servicing of the semi may be an issue single service per property
- Street trees along Prospect may limit the location of driveways and access to lots street trees are to be noted on site survey

Fire Department: Robert Kirk (<u>rkirk@forterie.ca</u> or 905-871-1600 ext. 2606)

No comments

Niagara Peninsula Conservation Authority (NPCA): Sarah Mastroianni (smastroianni@npca.ca)

No comments

Canadian Niagara Power Inc. (CNPI): Shehraz Mustafa

(shehraz.mustafa@cnpower.com)

No concerns

Niagara Parks Commission (NPC): Ellen Savoia (esavoia@niagaraparks.com)

No comments

Niagara Region: Alexander Morrison (alexander.morrison@niagararegion.ca)

Provincial and Regional Land Use Designations

- Provincial Policy Statement (PPS): Settlement Area
- Growth Plan: Delineated 'Built-Up' Area
- Regional Official Plan (ROP): Urban (Built-Up) Area

Planning Comments

- Regional staff do not object to the proposal, in principle, as it aligns with the intent of Provincial and Regional urban area policies, subject to the comments below.
- The proposed development will contribute to the diversification of housing supply (semidetached) in Niagara and will support the Town in achieving its intensification target (15%) as set out in the ROP.
- The proposal will make better use of existing urban lands with available municipal servicing.



Archaeological Resources

- Based on a review of the Province's Criteria for Evaluating Archaeological Potential, the site exhibits a low potential for the discovery of archaeological resources, as it's not within 300m of any registered archaeological sites, nor natural watercourse features. Further, the lands are mapped outside of the Town's identified areas of "Archaeological Potential" as shown in the Town's Official Plan Schedule D.
- Regional staff does not offer any archaeological requirements for the proposed Applications. Town staff should be satisfied that any local archaeological provisions for the proposed applications are met.

Environmental Comments

- The property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of Significant Woodland. Consistent with ROP Policy 7.B.1.11, an Environmental Impact Study (EIS) is generally required in support of alteration and/or development within 50m of Significant Woodland.
- The proposed development is within the above-noted setback. As such, a Terms of Reference for a scoped EIS should be developed consistent with ROP Policy 7.B.2. Staff is available to visit the site to confirm our requirements – please contact Adam Boudens (adam.boudens@niagararegion.ca).
- Staff note that a Terms of Reference was approved for the property to the north containing the majority of the woodland.

Transportation / Roads

- Hazel Street (Local).
- Prospect Point Road North (Local)

Servicing

- Water: 150 D Cl (Local)
- Sanitary: 200 D AC (Local)
 - If new municipal sewers are required, then approval through either the existing Transfer of Review Environmental Compliance Approval (ECA) Program or the new Consolidated Linear ECA Program is required.

Stormwater Management

• Regional staff offer no stormwater comments due to the location, scope, and nature of the proposal.

Waste Collection (Low Density Residential - per property)

- Recycling blue / grey bins or containers no limit (weekly collection)
- Green organics bins or containers no limit (weekly collection)
- Garbage / waste bags or cans 2 maximum (bi-weekly collection)
- · Curbside collection only

Required Studies for Regional Review

Environmental Impact Study (with scoped Terms of Reference)

Regional Review Fees

The Region's 2022 Fee Schedule is available at:

https://www.niagararegion.ca/business/fpr/forms fees.aspx.

- Minor Environmental Impact Study (\$1,165).
 - A Terms of Reference Review amount of \$415 will be deducted from the EIS Review amount once the EIS is complete.



- Zoning By-law Review (\$1,345).
- Consent Review within the Urban Area (\$645) typically this fee is per Consent Application; however, Regional staff will confirm the total consent fee amount upon circulation and review of the applications. A single consent fee, at minimum, is required.

Application Fees:

Note: please contact the Town for submission details and current fees when ready to proceed

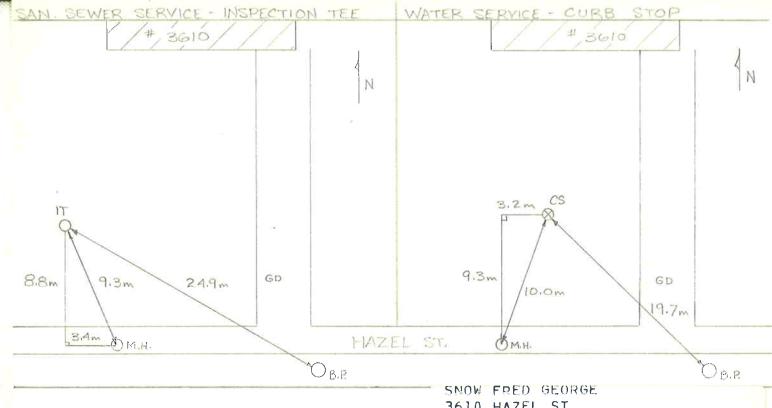
Application	Town of Fort Erie	Niagara Region	NPCA	Other
Major Zoning By-law Amendment (ZBA) x 1	\$8,771.00	See listed in	N/A	
Residential Consent x 4 or 5	\$1,436.00 per lot	section above		
	- \$894.00 for ZBA			
Pre- Consultation Fee Deduction	- \$238.00 for consent			
Other				
	\$7,877.00 for ZBA			
Total	\$5,506.00 or \$6,942.00 for consent			

- a) Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- b) Additional fees may be required at a later date based on the fee schedule by-law.
- c) Separate cheques shall be made payable to each appropriate agency and submitted to the Town with the complete application.
- d) The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and



should other policies, by-laws or procedures be approved by the Province, Municipality, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within 1 year, it is advisable that the applicant confirm with the municipality the directives of the original preconsultation meeting.

- e) The purpose of this agreement is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on the part of the Town staff or the Corporation of the Town of Fort Erie to either support or refuse the application.
- f) An application submitted without the information identified in this Pre-consultation Agreement will not be considered a complete application. If a site walk is required, the application will not be considered complete until it has taken place.
- g) All reports, documents and drawings must be submitted in paper and digital (i.e. PDF) form.
- h) The applicant acknowledges that the Municipality and Region considers the application forms and all supporting materials including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the Municipality and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
- i) It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
- j) If the Municipality or Region does not have sufficient expertise to review and determine that a study is acceptable, the municipality may require a peer review. The Terms of Reference for a peer review is determined by the Municipality or Region and paid for by the applicant.
- k) Some studies may require NPCA review and clearance/approval. In this instance the NPCA review fee shall be paid by the applicant.



SNOW FRED GEORGE
3610 HAZEL ST
RIDGEWAY ONT
LOSINO 020 014 01500 0000 0

WATER SERVICE- CURB STOP

3624

N

21.0m

21.1m

24.1m

HAZEL ST.

YOUNG ELIZABETH
3624 HAZEL ST
RIDGEWAY ONT
LOSINO 020 014 01600 0000 9





GUIDELINES FOR THE PREPARATION OF PLANNING JUSTIFICATION REPORTS AND PLANNING JUSTIFICATION BRIEFS

PURPOSE:

The purpose of this document is to provide guidance for the preparation of Planning Justification Reports and Planning Justification Briefs. Planning Justification Reports are required to accompany submissions of development related applications such as Official Plan and Zoning By-law Amendment applications and Draft Plan of Subdivision/Condominium applications and sometimes Site Plan applications. Planning Justification Briefs are typically required for less complex applications.

All reports shall follow the guidelines contained in this document. Failure to adhere to the guidelines may result in a report being considered unsatisfactory and submitted applications being deemed incomplete.

The goal of the Reports is to provide background context of the proposal, an overview of the purpose and effect of the applications(s), and provide a professional planning rationale for the application by demonstrating how the proposal if consistent with provincial policy and conforms to applicable planning policy documents and good planning principles.

All reports must indicate the author of the report, and be signed by a Registered Professional Planner (RPP). A Candidate Member (defined by the Professional Standards Board) or a Certified Planning Technician (CPT) may also prepare the report; however it must be signed and reviewed by an RPP

Reports will vary in content and detail depending on the nature and complexity of the proposal and applications being sought, however all reports must include the following:

- Introduction
- Site context
- Description of the proposal
- Policy and planning analysis
- Summary and conclusions
- Appendices/maps/plans

Web-site: www.forterie.ca

Planning Justification Reports:

The framework for a Planning Justification Report is based on the following:

A. Introduction

Every report must contain a brief introduction which outlines:

- Who was retained to write the report, when and by whom
- What applications(s) have been submitted or are required to support the proposal
- Date of the pre-consultation meeting(s)
- A statement of the purpose of the report

B. Site Context

The site context is intended to provide an understanding of where the proposal is located and the characteristics of the site and the surrounding area. This section of the report contains:

- A description of the location, existing condition and existing land uses of the subject lands
- A description of the surrounding land uses and important features such as roadways, significant buildings/features or characteristics of the area
- Identification of constraints affecting the site such as hazards, natural heritage features, access restrictions, servicing restrictions, cultural restrictions, etc.
- Identification of any lands of the site that may be regulated by the Niagara Peninsula Conservation Authority
- Identification of any other known development proposals affecting the area
- Maps or reference to appendices that help provide context for the site and surrounding land uses, such as surveys, aerial photographs, site photos, maps, etc.

C. Description of Proposal

The description of the proposal is to provide detailed information to allow the reader to understand the purpose and outcome of the application(s). This section of the report must provide details about proposed uses, proposed buildings and siting, if known, the planning history of the site (i.e. previous applications), identification of how the lands will be serviced and any previous consultations with the Town, Region and Conservation Authority.

Where modifications to the Official Plan are proposed, a detailed description of the proposed amendment and proposed modification should be included.

Where modifications to the Zoning By-law provisions are proposed, a detailed concept plan should be provided illustrating all applicable zoning regulations, (i.e.

lot frontage, setbacks, coverage, encroachments, building height, parking (number and size of parking spaces, and driveway aisles), etc.).

The description of the proposal will also list and provide a brief description of other technical supporting studies that have been submitted as a part of a complete application, in support of the application(s) and how these relate to applicable planning policies (i.e. Traffic Impact Studies, Noise and Vibration Assessments, Archeological Studies, Functional Servicing Studies, Urban Design Brief, etc.).

D. Policy and Planning Analysis

The policy and planning analysis is the basis for establishing why a proposal should be considered and approved. The analysis must provide an outline of applicable planning policy documents and regulatory context quoting specific policies that are relevant to the proposal. The analysis must establish a basis for the application(s) by providing detailed analysis of the identified relevant policies and explain how the proposal conforms to the policies. Where changes to the Official Plan and/or Zoning By-law are proposed, the analysis must discuss the appropriateness of the requested amendments, including the policy basis for any requested modifications that are specific to the proposal. The following planning documents must be addresses as part of the policy and planning analysis:

- 1. Provincial Policy and Legislation
 - Provincial Policy Statement
 - Growth Plan for the Greater Golden Horseshoe
- 2. Municipal Policy
 - Region of Niagara Official Plan
 - Town of Fort Erie Official Plan
 - Council Approved Guidelines an Studies
- 3. Zoning By-law

If during the pre-consultation meeting specific policies were identified that need to be addressed in the Planning Justification Report, the policy and planning analysis should include an analysis of those specific policies and discuss how the proposal is supported by those specific policies.

The policy and planning analysis section is intended to provide a rationale and opinion as to why the proposal is appropriate, in terms of how the proposal addresses good planning principles. This may include a discussion of how the proposal contributes to creating complete, vibrant communities; and /or how potential negative impacts have be mitigated or avoided.

The analysis should also include a summary of the findings of other technical supporting studies that make up a complete application and discuss how the findings of these studies are supported by the policy context and strengthen the proposal greatly.

Applications which propose residential uses must provide an analysis of proposed densities and unit counts compared to the requirements in the applicable policy documents and demonstrate how the proposed density is in conformity with Provincial and/or municipal plans.

In some cases policy documents or zoning by-laws affecting lands may have been adopted or approved by Council, but are under appeal. In these cases, the documents are not in effect, but are relevant to the proposal. The Planning Justification Report should address the policies in the documents as part of the planning analysis and identify changes are needed if the document or zoning by-law were in effect.

E. Summary and Conclusions

This section of the Report will provide a summary and concluding remarks outlining:

- The purpose and effect of the application(s), including why the requested amendments(s) are necessary
- A summary of the key relevant plans and policies and how they are being addressed
- A summary of the key merits of the application and
- Final recommendations

F. Appendices/Maps/Plans

The following visual aids and/or appendices are typically included in Planning Justification Reports and should be included where applicable:

- Maps, including aerial photographs, land parcel mapping and surveys
- Street level photographs/renderings of the land subject to the proposed application(s)
- Official plan maps of land use designations
- Zoning maps
- Concept plans or site plans
- Official Plan amendment sketch and copy of Official Plan amendment
- Zoning By-law amendment sketch and cop of Zoning By-law amendment
- Draft plan of subdivision
- Supporting technical studies

Planning Justification Briefs:

For less complex proposals a Planning Justification Brief may be requested instead of a full Planning Justification Report. A Planning Justification Brief may be included as a covering letter for a formal application or as a short report. The Planning Justification Brief should give a summary of the proposal, outline merits of the proposal based on good planning principles, explain briefly how the proposal is consistent and conforms to

Provincial, Regional and Town policy plans and documents, and for minor zoning or official plan amendments the brief should address the policies in the Town's Official Plan Section 13.7 III. The requirement for a Planning Justification Brief will be determined on a case by case basis at the pre-consultation meeting.

Planning Justification Briefs must include at a minimum:

- A description of the proposal and site context
- A summary addressing how the proposal meets the general intent of provincial, regional and municipal policies specific to the lands
- A summary of how the proposal is consistent with good planning principles