

PLANNING JUSTIFICATION REPORT

Zoning By-law Amendment Application

May 2021

0-15850 Rebstock Road

Northwest of Rebstock Road & Ridge Road South

Town of Fort Erie, ON

For: M5V Inc./Niagara on the Beach

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1.0 INTRODUCTION

NPG Planning Solutions Inc. (NPG) were retained as planning consultants in March 2021 for M5V Inc./Niagara on the Beach, owner of approximately 15,035 square metres of land in the Town of Fort Erie. The Subject Lands are legally described as Part of Lots 23 & 24, Broken Front Concession Lake Erie, Town of Fort Erie, Regional Municipality of Niagara. NPG has been retained to provide professional planning advice on the proposed development of a townhouse complex with a total of 168 dwelling units on the Subject Lands. Implementation of the proposed development requires a Zoning By-law Amendment (ZBA) and a future Site Plan application and Condominium application.

The following Planning Justification Report (“PJR”) provides an analysis of the proposed development and evaluates the appropriateness of the application for the Amendment to the Zoning By-Law 129-90 when assessed against policies in the Provincial Policy Statement (“PPS”), Growth Plan for the Greater Golden Horseshoe (“Growth Plan”), Niagara Region Official Plan (“NROP”), and the Town of Fort Erie Official Plan (“Local OP”). The proposed development is an example of good land use planning, and therefore, we recommend that the Zoning By-Law Amendment be approved.

As per the Pre-Application Consultation Agreement dated February 11th, the following documents are required for a complete Zoning By-law Amendment application:

1. Planning Justification Report
2. Conceptual Site Plan
3. Archaeological Assessment
4. Functional Servicing Brief
5. Traffic Brief
6. Shadow Analysis

2.0 DESCRIPTION OF SUBJECT LANDS AND SURROUNDING LAND USES

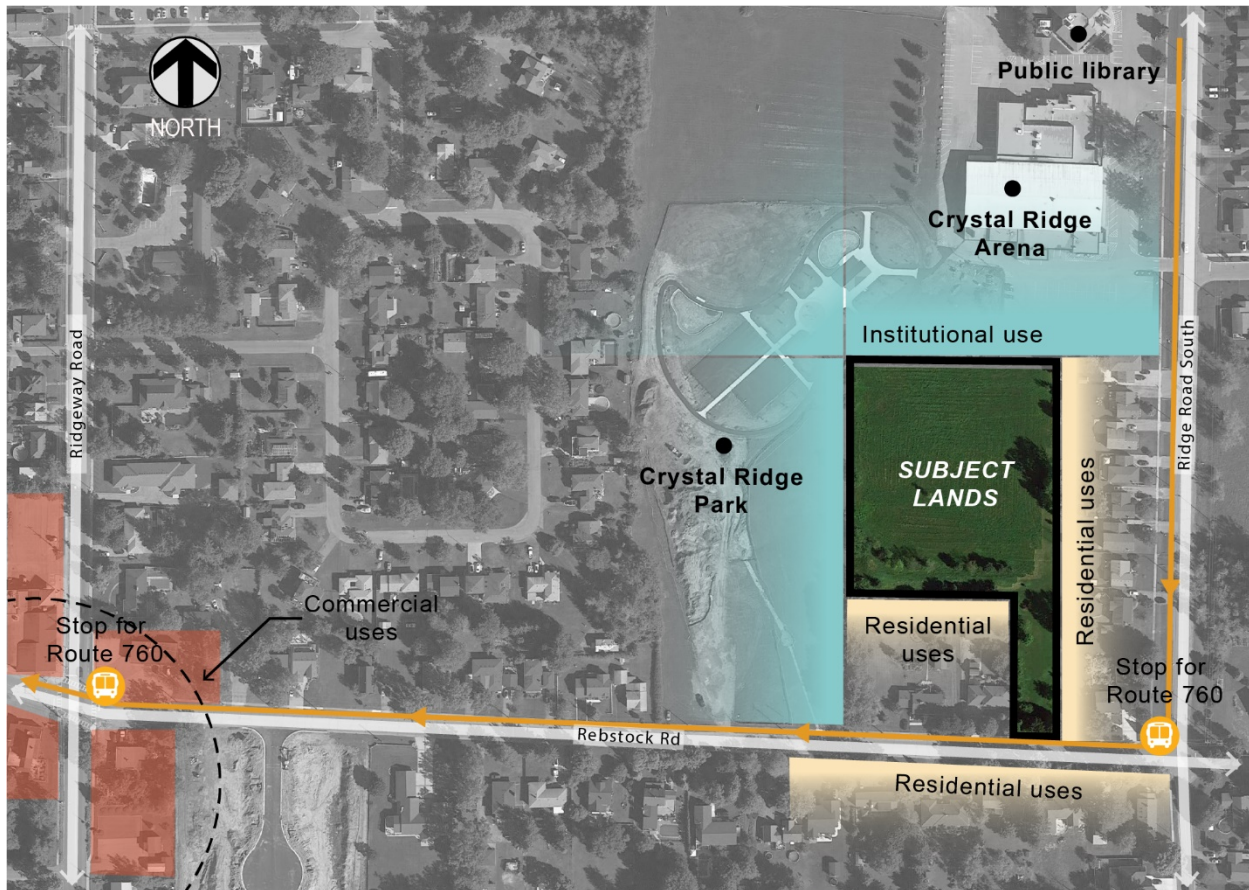
As shown in **Figure 1 – Site Context and Surrounding Uses**, the Subject Lands are located north of Rebstock Road and west of Ridge Road South. The Subject Lands have a frontage of approximately 27.6 metres on Rebstock Road, a depth of approximately 187 metres and a total area of approximately 1.5 hectares. The land is designated Urban Residential in the Town’s Official Plan and zoned Neighbourhood Development (ND-428) in Zoning By-law 129-90.

Currently, the site is vacant with a few trees located along the edge of the site. The site is entirely covered by grass and there are no areas of natural heritage significance identified on the Subject Lands. There is a high berm with a row of trees along the property line shared by residences fronting Rebstock Road. Surrounding the property are

residential uses to the south and east and institutional use to the north and west. Please refer to **Photos 1 – 10** on the following pages for more details.

Figure 1 also shows the location of the nearest commercial business' at the intersection of Rebstock Road and Ridgeway Road, containing a Discount store, a Bar & grill and other uses. **Photo 10** shows these local establishments. Further south along Ridgeway Road, there is a Convenience Store, a Restaurant and Tim Hortons, which are less than 800 metres from the site entrance.

Figure 1. Site Context and Surrounding Uses



Existing uses surrounding the Subject Lands include the following:

- **North:** Institutional (Crystal Ridge Park)
- **South:** Residential
- **East:** Residential
- **West:** Institutional (Crystal Ridge Park)

Photo 1. Site Frontage and Existing Sidewalk Condition along Rebstock Road



Photo 2. Existing residences abutting the east lot line



Photo 3. Site Interface at the East Lot Line

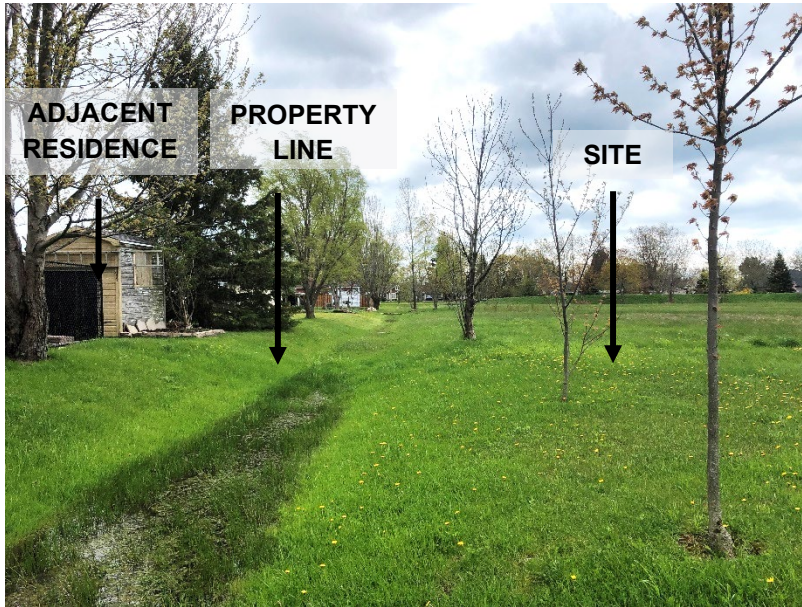


Photo 4. Site Interface at the North Lot Line



Photo 5. Site Interface at the West Lot Line

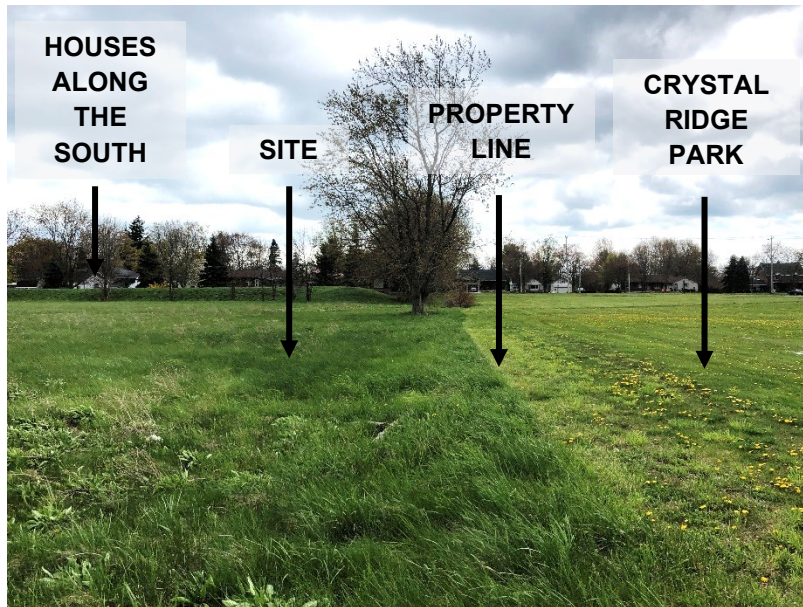


Photo 6. Site Interface along Residences fronting Rebstock Road



**Photo 7. View of the Subject Lands from the south-east corner
looking towards Crystal Ridge Park**



Photos 8 – 10: Existing Uses on Surrounding Lands
Photo 8. Crystal Ridge Park



**Photo 9. View of Crystal Ridge Park Facilities and
Crystal Ridge Arena from the Subject Lands**



Photo 10. Commercial use at the intersection of Rebstock Road and Ridgeway Road



3.0 PROPOSED DEVELOPMENT

M5V Inc./Niagara on the Beach is proposing to develop a total of 168 dwelling units arranged in six back-to-back stacked townhouse blocks. Blocks A - D are situated along the northern and western property line, and contain 30 dwelling units each. Blocks E & F are located centrally facing Blocks C and D, and contain 24 units each.

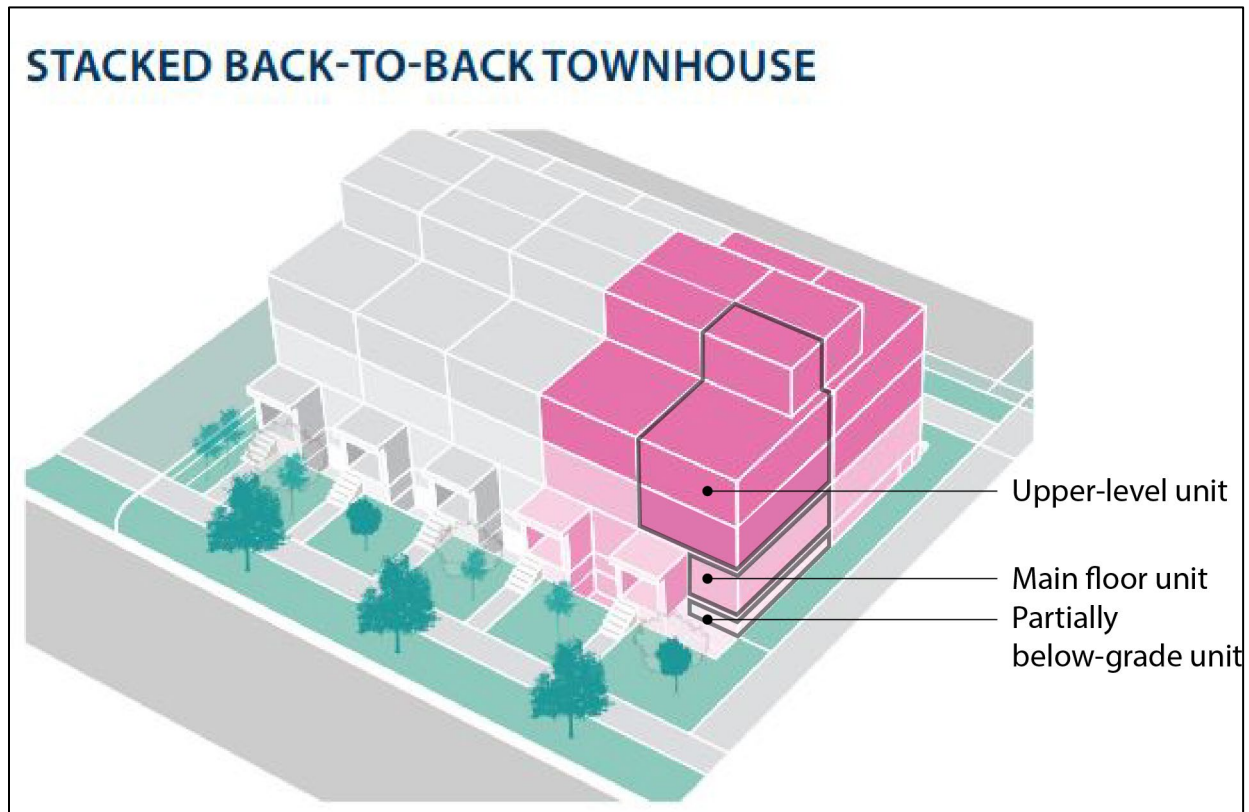
Lot coverage is proposed at approximately 18.8% of the total site area, and landscaping is proposed to cover approximately 34.6% of the entire site area. Landscaping is comprised of the proposed walkways, landscaped areas around the residential blocks and the amenity area between Blocks E and F. Outdoor space in the form of patios or balconies will be provided to the to the lower level, at-grade, and upper-level dwelling units; these spaces total approximately 21% of the total site area. Parking for the development will be provided at grade, at a rate of 1.16 spaces per dwelling unit, with a total of 195 parking spaces, including 6 accessible spaces.

The cross-section prepared by Organica Studio demonstrates the split between the levels. The height for Blocks A - D will be split into 5 levels, where 4 levels are above grade and 1 level is partially below grade. The height for Blocks E & F will be split into 4 levels, where 3 levels are above grade and 1 level is partially below grade. For Blocks A – D, the structure over the Roof Level (as shown in the section prepared by Organica Studio in **Appendix A**) comprises the staircase leading to the roof-top terrace. As such, there is no livable space at this level. Following the Town’s Zoning By-law, Blocks A – D will be 3.5 storeys high and Blocks E & F will be 3 storeys high (for more details on height calculation, please refer to **Section 6.0 – Proposed Zoning By-law Amendment** of this report under ‘Maximum Building Height’). Typically, buildings with a height of 4 storeys or less are considered to be low-rise built-form. Based on this information, the proposed built-form can be considered to have a low-rise profile. A more detailed analysis is provided in **Section 5.4 – Town of Fort Erie Official Plan** under Table 1. In addition, the cross-section indicates that the upper-level units are stepped back from the building face. The proposed low-rise built form and stepped back building elevation provide better integration with the surrounding land uses.

The proposed housing type is a combination of stacked and back-to-back townhouses. The residential blocks have been designed with lower, at grade and upper-level units “stacked” on top of each other, and adjacent units will share sidewalls and a back wall. A visual of the product type is provided on the following page. The proposal is a type of townhouse development that will have a lower building profile (of 3.5 storeys) while delivering a higher residential density of 112 units per hectare. Currently, the Town does not have any development with a similar housing type. The proposed product type will create housing choice in the Town while allowing units to be at an affordable price, both of which are desirable for the Town to attract young families and promote age-in-place opportunities. In addition, the Site Plan also includes a mix of units ranging from one-,

two- and three-bedroom dwellings. Overall, the proposed housing type is a good product to increase density in a compatible manner.

Figure 2. Graphic Visualization of Stacked Back-to-Back Townhouse Model



*Base graphic retrieved from City of Guelph’s Built Form Standards for Mid-Rise Buildings and Townhouses (April 2018), p.48

Access to the site is proposed via Rebstock Road – which is a Municipal Road in the Town of Fort Erie. Generally, higher density developments are proposed on lands that front onto Arterial or Regional Roads. The traffic study completed by GHD identifies that Rebstock is a collector road and that the existing road network can support the proposed development.

Pedestrian sidewalks are currently provided on the north side of Rebstock Road. Also, Fort Erie Transit operates Route #760 West which travels on Rebstock Road, and the closest stop is located approximately 70 metres from the site entrance. The proposed Site Plan includes conveniently located walkways providing direct access to the existing sidewalk from each unit.

The Town of Fort Erie Official Plan designates the Subject Lands as Urban Residential according to Schedule A – Land Use Plan (see **Appendix C – City Schedules**). As per Policy 4.7.4.1 of the Town’s Official Plan, the designation allows for medium and higher density residential uses by permitting housing forms such as townhouses, multiple-unit

dwellings and apartments. Notably, the designation does not have a height or density restriction. The proposal complies with this designation, and M5V Inc./Niagara on the Beach is not proposing any modifications to the current Official Plan.

Notably, the Town of Fort Erie is currently undertaking a Crystal Beach Secondary Plan process. The draft policies are recommending Land Use Designation and Zoning changes for the Subject Lands. The Draft Secondary Plan has not received final Council approval as of the date of this report and we would respectfully request that the proposed development be taken into consideration while finalizing the Secondary Plan for the area.

The Town of Fort Erie Zoning By-law 129-90 currently zones the lands as Neighbourhood Development (ND-428). As per Section 17.2 of the Zoning By-law, any existing single-detached dwellings and their accessory uses are the only uses permitted in the ND Zone. The site-specific policy requires the minimum lot area to be not less than 1.5 hectares. The proposed development of six townhouse blocks made up of 168 units is currently not permitted within the ND-428 Zone. As such, M5V Inc./Niagara on the Beach is proposing to re-zone the Subject Lands to a Site-Specific Residential Multiple 1 Zone (RM1-XX), which will include relief from: permitted use, minimum lot frontage, minimum rear yard, maximum building height, minimum landscaped area, minimum distance between buildings on the same lot, maximum density, and parking requirements. Further details of the proposed amendments can be found in **Section 6.0 – Proposed Zoning By-law Amendment** of this report.

4.0 SUPPORTING STUDIES

Supporting studies were required to ensure the subject lands are suitable for the proposed development. The following reports and analyses have been prepared by qualified professionals according to industry standards and should be read in their entirety.

4.1 Archaeological Assessment

A Stage 1-2 Archaeological Assessment was conducted by Detritus Consulting Ltd., dated May 7, 2021, which concludes that no archaeological resources were found. A report recommending clearance of the archaeological condition will be submitted to the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries. A summary letter can be found enclosed with this submission.

4.2 Municipal Servicing Report

A Functional Servicing & Stormwater Management Report, dated May 2021 was prepared by S. Llewellyn & Associates Limited to provide detailed information on the proposed servicing scheme and stormwater management strategy for the proposed development. The report is summarized as follows:

- An underground storage tank is proposed to provide on-site stormwater storage for storm events up to and including the 100-year event.
- Appropriate measures to achieve a Level 1 “Enhanced” level of water quality protection are proposed.
- The lands are proposed to be serviced with a new sanitary sewer and watermain, which will connect to the existing sewer and watermain along Rebstock Road.
- The report concludes that the proposed development can be constructed in a manner that meets the requirements of the Town of Fort Erie and Niagara Peninsula Conservation Authority.

Further details on conclusions and recommendations can be found in the enclosed Report.

4.3 Transportation Brief

GHD has prepared a Transportation Brief, dated May 4th, 2021. The brief estimates trip generated from the proposed development and documents the expected site-related impacts on the adjacent road network in the future.

Based on an assessment of future traffic conditions, the site traffic generated from the proposed development is expected to operate satisfactorily at the intersections of Rebstock Road with Ridgeway Road and Ridge Road South. As a result, there are no improvements required at these intersections in response to the proposed development.

The site access is also expected to operate well under the future scenario, with reserve capacity, acceptable level of delays and negligible queuing. The brief provides a detailed analysis and justification for the reduced parking standard and concludes that the proposed parking rate is appropriate for the subject site.

Further details on the conclusion and recommendations can be found in the Transportation Brief enclosed with this submission.

4.4 Shadow Study

A Shadow Study was produced by the project architect, Organica Studio + Inc., dated May 2021. The shadow study identifies the new shadows cast by the proposed residential blocks. The study examines the shadow patterns for 4-5 times a day in Spring, Summer, Fall and Winter periods.

Spring

- There are no shadows falling upon adjacent houses in this study period.
- Crystal Ridge Park receives a minimum of 7 hours of sunlight.

Summer

- There is partial shadowing on property #137 Ridge Road south. The residential properties facing Ridge Road South will receive a minimum of 12 hours of sunlight.
- Crystal Ridge Park will receive early morning shadows cast and will receive a minimum of 10.5 hours of sunlight.

Fall

- The residential properties facing Ridge Road South will have a minimum of 9 hours of sunlight.
- Crystal Ridge Park will receive early morning shadows cast and will receive a minimum of 9 hours of sunlight.

Winter

- The shadows cast from the proposed development are largest in the winter.
- The large shadow affects the residential dwelling to the northeast for approximately 1 hour from the start to the finish of the shadow rotation.

Further details on the conclusion can be found in the Shadow Study enclosed with this submission.

5.0 PLANNING POLICY FRAMEWORK

As aforementioned, the purpose of this Planning Justification Report is to evaluate the appropriateness of advancing the application for a Zoning By-law Amendment in the context of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, Region of Niagara Official Plan, Town of Fort Erie Official Plan and Town of Fort Erie Zoning By-law 129-90. The following provides an overview and discussion of these documents.

5.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides overall policy direction on matters of provincial interest related to land and development within the province of Ontario. It supports improved land use planning and management, contributing to a more efficient land use planning system, which seeks to ultimately protect resources of provincial interest, public health and safety, and preserve and maintain the natural environment.

Relevant Policies and Analysis

Section 1.1.3 Settlement Areas of the PPS states that:

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;*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The Subject Lands are located within the Urban Area of the Municipality of Fort Erie as defined in the PPS and is within an area that is the focus of growth and development. The proposal will develop the currently vacant parcel, which will provide an opportunity for residential intensification and promote its efficient utilization over the long term. The proposed development will utilize existing municipal services as per the Functional Servicing report prepared by S. Llewellyn & Associates.

The proposed use intends to build on the available infrastructure (municipal sidewalk and transit facilities) along Rebstock Road. The residential intensification along existing transit services will support the future use of transit and provide residents with an alternate means of transportation to essential destinations.

Section 1.4 Housing of the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities 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;

The proposed development will deliver residential intensification by way of six townhouse blocks, at a density of 112 units per hectare. The stacked back-to-back townhouse model with surface parking will allow for a housing option that is more affordable, dense and efficiently utilize the existing municipal services. Additionally, the proposed density in proximity to the existing transit network and local commercial establishments will assist in creating a more active and livable community.

Section 1.6.6.2 states that Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services are to be promoted. The proposed development will utilize the existing municipal sanitary and water servicing currently available along Rebstock Road, as described in the Functional Servicing report prepared by S. Llewellyn & Associates. The report also makes recommendations for stormwater quality and quantity control, which are subject to the outlined technical requirements.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

In accordance with Section 2.6.2, an archaeological assessment was conducted by Detritus Consulting Ltd. to evaluate the archaeological potential on the Subject Lands. There were no archaeological findings, and a report will be submitted to the Ministry recommending clearance of the archaeological condition. A letter has been prepared to summarize the conclusions, which can be found enclosed with this submission.

Summary

The proposed development is within an existing settlement area and will provide additional housing supply to align with the needs of the current and future residents. The development is appropriately located to rely on available municipal services and infrastructure and does not contain any archaeological resources.

Based on the foregoing, the proposed development is consistent with the general policies and intent of the PPS.

5.2 Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe came into effect on May 16, 2019. The Plan directs growth to Settlement Areas throughout the Greater Golden Horseshoe, including the Region of Niagara and the Town of Fort Erie. The Growth Plan supports the achievement of complete communities that are “compact, transit-supportive, and make efficient use of investments in infrastructure and public service facilities” through site design and urban design standards.

Relevant Policies and Analysis

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.*

The development proposal supports the achievement of a complete communities vision by providing residential uses on an underutilized parcel of vacant land. The location of the site close to community amenities (schools, public library and Crystal Ridge Park) and local businesses such as nearby commercial uses further implements the complete communities vision. The site is in proximity to the Local Bicycle Network (see Schedule E in **Appendix C – Town Schedules**), and planned Bike Route with Sharrow along

Rebstock Road (see CB-6 in **Appendix D – Draft Crystal Beach Secondary Plan Schedules**). The proposed residential intensification will be supported by the existing transit services and planned bicycle routes, which will provide a convenient connection to local destinations. The proposal includes a range of units including one-, two- and three-bedroom dwellings, which will serve a variety of household sizes, incomes and ages.

The policies of Section 2.2.1 - Managing Growth requires development to be directed to Settlement Areas and within the delineated built boundary. The Subject Lands are located within the Built-up Area of Fort Erie as per Schedule 2 of the Growth Plan. Accordingly, Niagara Region is targeting 40% of all new residential growth to be within the Built-up Area (Policy 4.C.3.1 of Niagara Region Official Plan), which will increase to 50% at the time of the next Municipal Comprehensive Review to conform with Policy 2.2.2.1 a) of the Growth Plan. The proposed development will provide residential intensification within an area with existing municipal services.

Policy 2.2.2.3 encourages all municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas. Section 2.2.6 - Housing supports housing choice through the achievement of minimum intensification and density targets. The proposed development will contribute to the achievement of the Region's intensification target of 15% for the Town by accommodating 168 dwelling units and achieving a density of 112 dwelling units per hectare. Further, the proposed residential development will provide an alternate housing option to serve a range of household sizes and incomes. Development of the Subject Lands will support the achievement of a "complete community" vision within the area by providing homeownership options and incorporating a mix of unit sizes close to retail services, transit stops and neighbourhood facilities (parks, library and commercial uses). Additionally, the proposed 3.5-storey townhouse blocks are compatible with the surrounding low-density residential uses, based on the detailed analysis undertaken in **Section 5.4 – Town of Fort Erie Official Plan** of this report.

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 to existing transit stops and planned cycling routes, 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, municipal water and wastewater systems will be utilized to accommodate the proposed development, as per the Functional Servicing & Stormwater Management Report, prepared by S. Llewellyn &

Associates Ltd. The residential development will be designed in accordance with the recommendations of the report to meet the requirements of the Town of Fort Erie. Per Section 3.2.7 - Stormwater Management, S. Llewellyn & Associates report suggests appropriate installations that will provide effective stormwater quantity and quality control. The report also recommends implementing sediment and erosion control measures to minimize erosion during the grading and site servicing period. Lastly, the design of the proposed development demonstrates a compact built form, providing approximately 34% landscape cover for on-site water percolation and reduce stormwater runoff. Further details of the conclusions and recommendations can be found in the report enclosed with this submission.

Summary

The proposed development is located within the delineated Built-up Area and supports the achievement of complete communities, housing choice, as well as the minimum intensification targets for the Town of Fort Erie and will make use of the existing municipal services and the available transit network. Also, the proposed development exhibits a compact built form, optimizing site design and increasing opportunities for permeable surfaces to allow rainwater infiltration.

Based on the foregoing, the proposed development conforms with the general policies and intent of the Growth Plan.

5.3 Niagara Region Official Plan (2014 Consolidation)

The Niagara Region Official Plan (NROP) is a long-range document that guides the physical, economic, and social development of Niagara Region. It contains objectives, policies and mapping that implement the Region's approach to ensuring that most new development in Niagara Region is directed towards the existing Built-up Area to accommodate future growth.

Relevant Policies and Analysis

The Subject Lands are located in the Built-up Area within the Urban Area Boundary of the Town of Fort Erie (see Schedule A in **Appendix B – Regional Schedules**) and is identified as part of the Gateway Economic Zone (see Schedule G1 in **Appendix B – Regional Schedules**). Growth Management Policies of the plan state “*the majority of growth and development to Niagara’s existing Urban Areas*” and focusing “*a significant portion of Niagara’s future growth to the Built-up Area through intensification*”. All forms of development that occur within the Built-up Area is Intensification, as per Policy 4.C.1.1. The Subject Lands are considered suitable for intensification, as the proposal will make efficient use of the existing municipal services and infrastructure.

By the year 2015 and for each year thereafter, a minimum of 40% of all residential development occurring annually within Niagara will occur within the Built-up Area of Niagara's communities. The Town of Fort Erie is expected to accommodate a minimum of 15% of all new residential development through intensification. Local municipalities are to identify specific Intensification Areas to support the achievement of these intensification targets. As previously discussed, the Town of Fort Erie has initiated the preparation of a Crystal Beach Secondary Plan (CBSP), and the Subject Lands fall within the area of this Plan. Per Schedule CB-1 of the Draft CBSP, the Subject Lands have been identified for Residential intensification.

Section 4.C.2 lists policies for promoting intensification and achieving the intensification targets for local municipalities. Local official plans are to plan each Intensification Area to achieve higher densities than what currently exists within the Intensification Area and to generally achieve higher densities than the surrounding areas (as per Policy 4.C.2.1 h)). The proposed development will support the achievement of the Regional and Municipal intensification targets by attaining a density of 112 units per hectare on the currently vacant lands. The Subject Lands are proximate to existing transit facilities and planned active transportation routes, which will render the proposed development to be transit-supportive and active transportation friendly. The development is also at a higher density than the neighbouring residences, which will contribute to an increase in residents within the area and support the local businesses.

Section 4.G.3 of the NROP provides policy direction for sustainable urban development. The proposed site design features a compact built form, with integrated walkways and landscaped and amenity areas. These areas will provide an increased surface for on-site stormwater infiltration. The proposal includes space for on-site collection and storage of waste. Some of the blocks are oriented to have south-facing units which will optimize passive solar energy gains, especially during the winter months. The location of the residential development and proximity to local transit services will reduce commute times for future residents to and from work and traffic congestion on major roads. As such, the proposal supports the Region's interest in establishing environmental sustainability principles by way of building compact, integrating appropriate stormwater and waste management into the development plan, and providing active transportation options to the future residents.

Section 8.B of the NROP gives guidance on utilizing water and wastewater systems. The required form of servicing for development in Urban Areas is through Municipal sewage and water services. The proposed development will have services constructed in accordance with the recommendations of the Functional Servicing & Stormwater Management Report, prepared by S. Llewellyn & Associates Ltd., dated May 2021. The report indicates that the proposed development can be constructed to meet the

requirements of the Town of Fort Erie, subject to the recommendations outlined in the report.

The Region promotes and supports a multimodal transportation system to reduce single-occupant vehicle trips and encourage transit-supportive development. GHD's Transportation Brief proposes Transportation Demand Management measures to reduce vehicular demand and encourage transit, cycling and walking. The proposal involves separating parking cost from the residential unit cost to encourage residents to make more informed active transportation decisions. In addition, the brief also recommends providing 20 on-site secure long-term bicycle parking and additional short-term visitor bicycle spaces to encourage cycling and public transit as a viable alternative to the automobile. Further details on the recommendations can be found in the Transportation Brief enclosed with this submission.

The Regional comments at the pre-consultation meeting, dated February 11th, 2021, identified the Subject Lands as having high potential for archaeological resources. An archaeological assessment has been completed by Detritus Consulting Ltd. and concludes that no archaeological resources were found on the subject site. A summary letter has been enclosed with this submission. The letter outlines that a subsequent report will be prepared and submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries recommending clearance of the archaeological condition.

Section 11.A speaks to the Region's policy direction for attractive and well-designed residential developments. The NROP encourages a variety of housing types within urban neighbourhoods to serve a variety of people for age-in-place benefits. The proposed development will provide an alternative housing model in the form of stacked back-to-back townhouse units. The proposed housing form is compatible with neighbouring residences and is not anticipated to cause significant privacy or shadowing concerns for the neighbours, based on the detailed analysis undertaken in **Section 5.4 – Town of Fort Erie Official Plan** of this report. The proposed density and surface car parking area will support increased housing affordability of the units. Some of these parking spaces are provided close to the frontage of Rebstock Road and are proposed to be buffered by a 4.5-metre landscape strip. Additionally, the parking spaces along the east and south lot line, adjacent to the neighbouring residences, are proposed to be buffered by a 3-metre landscape strip. Adequate buffering treatments will be proposed to shield the parking areas from the public realm and the adjacent residences, which will be refined at the site plan stage. The site design provides safe and convenient walkway connections to the municipal sidewalk, on-site amenity and car park areas, and to the adjacent Crystal Ridge Park from all units. The blocks along the northwest lot line are designed to be oriented towards the park. Such an orientation will provide passive surveillance benefits and contribute to a sense of safety to the park users. On-site landscaping and open areas will

promote groundwater percolation, and a designated area for waste collection and recycling further promotes the principles of sustainability.

Summary

The proposal focuses development in an area identified for long-term growth that can be serviced through municipal infrastructure. It facilitates residential intensification by way of 112 units per hectare, which will contribute to the Region and Town’s intensification targets. The proposal incorporates principles of sustainability in the site design and is well-designed to enhance the public realm experience along Rebstock Road. Further, the proposed development is compact, transit-supportive and active transportation friendly. Lastly, an archaeological assessment confirms there are no archaeological findings identified on the property.

Based on the foregoing, the proposed development conforms with the general policies and intent of the Niagara Region Official Plan.

5.4 Town of Fort Erie Official Plan (2018 Consolidation)

The Town of Fort Erie Official Plan guides growth and development through the use of land use designations and policy with respect to urban lands, conservation of natural heritage features and servicing for the 20 year time horizon. 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.

Relevant Policies and Analysis

The following table identifies the Town Schedules pertaining to the Subject Lands.

SCHEDULE	SUBJECT LAND DESIGNATION
A: Land Use Plan	Urban Residential
A1: Neighbourhoods	Within Crystal Beach Neighbourhood
D: Cultural Heritage Archaeological Zones of Potential	Archaeological Potential
E: Transportation Plan	Rebstock Road is a Municipal Road (collector); Ridgeway Road S is a Local Bicycle Network;

The following goals are set out for residential development in the Town, as per Section 2.3.5.

- 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.*

As per Schedule A1 – Neighbourhoods (see **Appendix C – Town Schedules**), the Subject Lands fall within the neighbourhood of Crystal Beach, which is one of the largest urban areas in the Town second to Old Town of Fort Erie. 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 S. Llewellyn & Associates Functional Servicing Report. Proximity of the lands to existing transit facilities, commercial areas and recreational spaces will enable convenient access to everyday destinations. The proposal will promote a sense of place as it will be developed to connect to the existing community, through private road and pedestrian connections to the streets and surrounding uses. The proposal will enhance the public realm along Rebstock Road and Crystal Ridge Park, which will add to the neighbourhood character. Setbacks and massing will ensure that the existing neighbourhood identity is maintained along Rebstock Road while providing a safe and well-connected residential development.

Section 4.7 of the Official Plan provides General Policies for residential development in the Town.

- 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%.

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

The Town is projected to grow to 36,243 people by 2024, according to Section 3.2 - Growth and Urban Land Needs of the Town's Official Plan. The Subject Lands being in an urban area will make use of vacant 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 I.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 112 units per hectare will be a form of higher density residential development and the proposed stacked back-to-back 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.

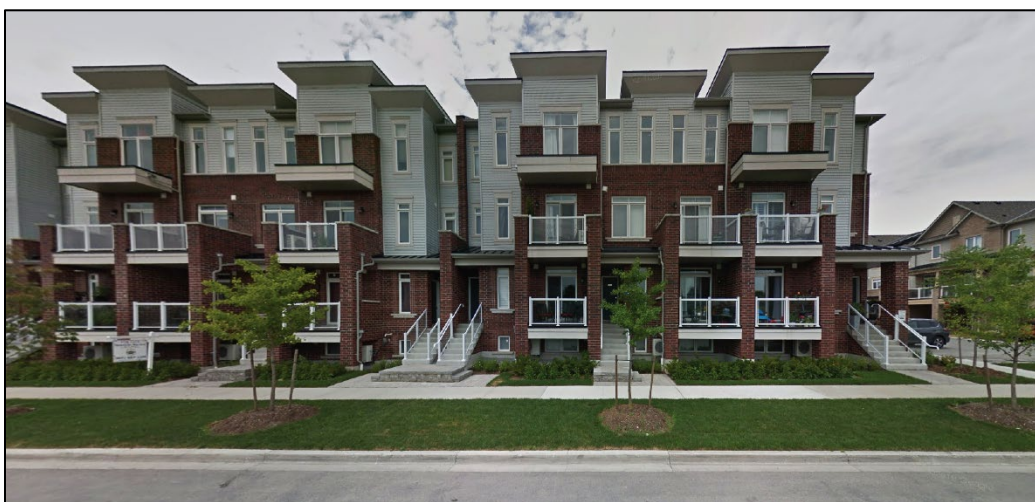
The Subject Lands are designated as "Urban Residential" on Schedule A - Land Use Plan (see **Appendix C – Town Schedules**). The designation permits a variety of housing forms such as single-detached dwellings, duplexes, semi-detached dwellings, townhouses, multiple-unit dwellings, and apartments (as per Policy 4.7.4 I) and permits stacked back-to-back townhouses.

The proposed housing form is a newer product that can accommodate a higher residential density while maintaining a low-rise built form profile. Notably, this type of development does not currently exist in Fort Erie, as such examples from other municipalities are provided below for context:

1. Southwest intersection of Highway 7 and Kipling Avenue in Vaughan



2. 2606 William Jackson Drive in Pickering



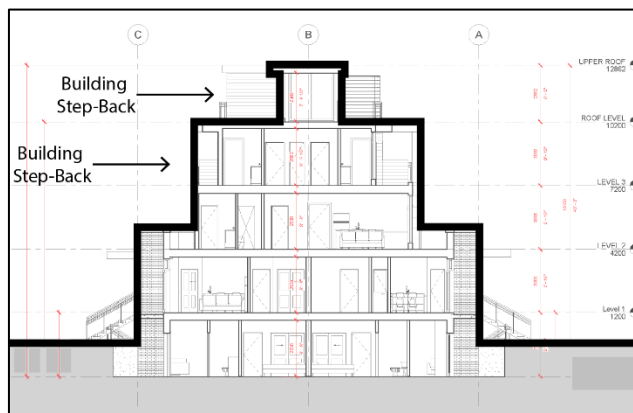
Section 4.7.4.1 II. of the Town Official Plan provides the following criteria for consideration of medium density and high density residential uses, and residential intensification on vacant lands within the Urban Residential designation:

Table 1. Policy Analysis for Section 4.7.4.1 II of the Town Official Plan

SECTION	POLICY WORDING	DESIGN RESPONSE & EVALUATION
4.7.4.1 II. a.	<i>The height, bulk and arrangement of buildings and structures to achieve a</i>	<u>Height</u> The proposed development measures a maximum of approximately 3.5 storeys in height, split into 5 levels,

	<p><i>harmonious design, compatible integration with the surrounding area and not negatively impact on lower density residential uses;</i></p>	<p>where 4 levels are above grade and 1 level is partially below grade, as shown in Organica Studio Inc.'s section in Appendix A. Notably, the Official Plan designation does not have a height restriction and is regulated through the implementing Zoning By-law. A brief review of other municipalities guidelines indicate that 4 storeys or less is considered to be low-rise built-form.</p> <ul style="list-style-type: none"> • City of Toronto – Townhouse and Low-Rise Apartment Guidelines (January 2018), p.6: <i>“Building types range from townhouses, through to stacked and back-to-back townhouses and low-rise apartment buildings of 4 storeys or less in height.”</i> • City of Mississauga – Urban Design Handbook Low-Rise Multiple Dwellings (May 2015), p.7: <i>“Low-rise multiple dwellings are defined as residential buildings with more than two dwelling units, but does not exceed a height of four-storeys.”</i> • City of Burlington – Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings (March 2019), p.2: <i>“For the purposes of these guidelines a ‘mid-rise building’ is defined as any building between five (5) and eleven (11) storeys in height.”</i> <p>The City of Burlington does not have a design manual for low-rise buildings. However, based on the above-mentioned information, it can be inferred that the City considers buildings with 4 storeys or less as low-rise buildings.</p> <p>Based on the review undertaken, the proposed development can be considered to have a low-rise built form.</p> <p>It should be noted that the structure on the 4th level (for Blocks A – D) provides a stairway leading to the roof-top terrace entrance. There are no livable spaces (living room, bedrooms, etc.) proposed within this area. As such, the proposal contains only 3 storeys of livable space. Further, this structure is stepped back from the building face, as shown in Figure 3 on the following page.</p>
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Figure 3. Tapering Building Profile due to Stepbacks



*Base cross-section prepared by Organica Studio Inc.

Massing and Orientation

To reduce any potential impacts to the surrounding low-density residential uses, the majority of the proposal’s massing and orientation will be located along the northwestern portion of the property, abutting the Institutional designation. Blocks A – D are 3.5 storeys high and are located along the north and west property lines. Blocks E&F are 3 storeys high and are located more centrally to the site. The proposed site layout achieves the following:

- Integrates well with the adjoining public realm (on Rebstock road and Crystal Ridge Park) through appropriate landscape treatments and pedestrian connections.
- The upper levels units will have a stepped back built-form to reduce shadowing on neighbouring uses. The tapering profile reduces the scale of the building, promotes solar pass and increases views. The stepped back feature will provide appropriate transition to minimize impact on adjacent residential properties and the public realm.
- The shadow study prepared by Organica Studio Inc. demonstrates that the neighbouring residences will be affected by no more than two hours of shadowing in the Fall due to the proposed development. As such, the proposal is not anticipated to cause significant shadowing concerns to the adjacent single-detached dwellings.

Setbacks

The setbacks along the eastern and southern lot lines, where the development abuts existing single-detached residences, are proposed at 6.5 metres and 8.5 metres, respectively. The proposed setbacks comply with the Town’s Zoning By-law for the Residential Multiple 1

		<p>zone, and no relief is requested for the above-noted setbacks. The provided setbacks will ensure that fundamental quality of life aspects, such as access to natural light, sky views and privacy, continue to be provided for the neighbouring properties.</p> <p>As such, the proposed development is not anticipated to cause any significant concerns and is compatible with the neighbouring uses.</p>
4.7.4.1 II. b.	<i>Appropriate open space, including landscaping and buffering to maximize privacy and minimize the impact on adjacent lower density uses;</i>	<p>The proposed development will provide approximately 34% of the lot area as landscaped spaces. These spaces will contain common amenity areas, internal walkways and perimeter landscape treatments. Landscaping along the perimeter of the site is provided to address potential issues such as light and noise pollution caused by residents using the parking area. As aforementioned, each unit will be provided with outdoor space in the form of patios or balconies totaling approximately 21% of the site area.</p> <p>Moreover, the orientation of Blocks B and D (closest to the low-density uses) is such that it does not face the adjacent residential properties and is not intended to cause any significant privacy concerns for the residents.</p>
4.7.4.1 II. c.	<i>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>The proposal features surface parking to keep home-ownership prices affordable. The parking space size is as per the Town's zoning requirements. GHD's Transportation Brief indicates that the proposed parking rate is sufficient to accommodate the anticipated resident parking demands.</p> <p>The majority of the parking is located centrally and along the front and side yards of the property due to the unique shape of the site. Appropriate landscape buffering treatments will be provided to de-emphasize the parking area along the front and side yards. A landscape buffer strip of approximately 3 metres is provided around the parking area, interfacing the neighbouring residences. Additional landscaping is also proposed to help break up continuous hard parking surfaces, as shown on the Site Plan Concept in Appendix A of this report.</p> <p>The proposed development will provide convenient connections between the dwelling units and the parking areas. The proposed parking areas are well designed with respect to the buildings and landscaped areas.</p>
4.7.4.1 II. d.	<i>The design and location of refuse pick-up and recycling service areas meets Regional Waste Collection design requirements;</i>	<p>A Waste Storage area has been provided at the southwest corner of the site, which will provide space for the collection and storage of waste on-site. The site plan shows the truck-turn template to ensure that the development meets the Regional Waste Collection requirements.</p>

<p>4.7.4.1 II. e.</p>	<p><i>Driveway access, internal roadways and pedestrian walkways that are safe and properly designed;</i></p>	<p>The primary access to the development will be via an 8.5-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, parking areas and the adjacent park are also proposed.</p> <p>As such, the proposed internal road and walkway layout creates efficient circulation for pedestrians and vehicles.</p>
<p>4.7.4.1 II. f.</p>	<p><i>Convenient access to a collector or arterial road;</i></p>	<p>Access to the proposed development will be via Rebstock Road – a collector road, as inferred from the Town Official Plan (Table – Town Collector Road, under Policy 12.7.4.IV.). GHD’s Transportation Brief also conducted an Intersection Capacity Analysis and concludes that the future traffic conditions, with the addition of the proposed development, are expected to operate satisfactorily with negligible queuing.</p>
<p>4.7.4.1 II. g.</p>	<p><i>Location in regard to the elements of traditional neighbourhood design and within convenient walking distance of the central focus of the neighbourhood;</i></p>	<p>The Subject Lands are predominantly surrounded by single-detached dwellings. In order to preserve the existing neighbourhood elements and to be sensitive to the adjacent dwellings, the proposed residential blocks will be located along the south and east boundary of the site. Further, the blocks will not have direct frontage along Rebstock Road preserving the existing neighbourhood character along abutting streets.</p> <p>The proposed stacked back-to-back townhouse model will have a low-rise building profile. Notably, Policy 5.5.2.1 of the Town’s Official Plan states that new residential development should be designed to complement the existing character of the area but are not required to replicate the existing neighbourhood. The townhouse blocks are sufficiently set back from the existing single-detached residences to the south and east, and the proposed housing form is compatible with adjacent dwellings. A more detailed compatibility analysis was conducted within this table for policy 4.7.4.1 II. a.</p> <p>The proposed development will be within walking distance of neighbourhood commercial areas, parks and other community facilities. The existing infrastructure – municipal sidewalk and transit facilities will provide convenient connections to these destinations.</p>
<p>4.7.4.1 II. h.</p>	<p><i>Building designs that place windows and balconies to overlook pedestrian routes and parking areas to encourage “eyes on the street”; and</i></p>	<p>As aforementioned, the proposed blocks will not have direct frontage on Rebstock Road however, Blocks A - D are oriented towards Crystal Ridge Park and provide passive surveillance benefits to park users.</p>

		Additionally, the interface with the park will contain walkway connections and landscaped areas to provide easy access to future residents and contribute towards an active use of the park.
4.7.4.1 II. i.	<i>Site planning considerations that facilitate walking and cycling activity such as secured bike storage, lighting and bikeways.</i>	The proposed site layout exhibits a complete pedestrian network, as described in GHD’s Transportation Brief. The proposed walkways, including crosswalks across the internal driveway, will provide safe and convenient access from each unit to the municipal sidewalk. In accordance with the Brief on-site long-term and short-term bicycle parking will be provided to encourage cycling as a viable alternative to using an automobile. The combined benefits will assist in creating a more active and livable community.

Section 5.5.2 provides policy guidance on neighbourhood development:

- I. New residential development should be sensitively designed to complement the existing character of the area, but not required to replicate the existing neighbourhood.*
- III. Redevelopment of existing neighbourhoods will be addressed by providing flexibility in land use and compact, efficient urban form such as alternative lotting patterns and housing types, as well as a mix of uses;*
- IV. Incorporate pedestrian and cycling access within and between residential development, parks, schools, commercial areas, churches, community facilities, employment uses and similar land uses to promote active transportation in a comprehensive manner that considers continuity and connectivity on a broader network basis;*
- VI. Encouraging energy efficient designs;*
- VIII. Neighbourhood Plans will ensure that housing is provided in a manner that implements and addresses Provincial policies by:*
 - a. Providing opportunities for the development of a range of housing choices in terms of type, tenure, size and affordability;*
 - b. Encouraging residential intensification and redevelopment; and*

The proposed development will contain six stacked back-to-back townhouse blocks, which is a higher density housing model than the surrounding residences, encouraging residential intensification. The development proposes ownership options between one-, two- and three-bedroom dwelling units to meet the needs and preferences of a range of household structures and provide housing choice. As aforementioned, the site has been sensitively designed to minimize potential impacts to the adjacent residences through the

massing and orientation of the blocks and includes appropriate landscape buffer spaces. Moreover, the design of the proposed development demonstrates a compact built form with integrated amenity space and permeable surfaces for stormwater. Further, it keeps seasonal solar exposure in mind and promotes energy efficiency throughout the site. The proposal will also have safe walkable connections to the municipal sidewalk, internal parking area and the adjacent park. Based on the foregoing, the proposed development is found to comply with the policies under 5.5.2 pertaining to Neighbourhood Planning in the Town.

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 as tabulated below:

Table 2. Policy Analysis for Section 5.6 of the Town Official Plan

SECTION	POLICY WORDING	DESIGN RESPONSE & EVALUATION
5.6.1 IV.	<i>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>The proposed development is consciously designed to preserve the privacy and comfort of both the existing and future residents of the neighbourhood. As shown on the site plan, the side elevations of Blocks B and D abut the neighbouring residences. However, the side faces are not intended to have balconies or patio spaces directly overlooking the residential uses and privacy screens have been provided where appropriate (please refer to the enclosed rendering in Appendix A). Moreover, building stepbacks have been implemented on the upper levels to further minimize privacy concerns.</p> <p>The site layout demonstrates a well-connected drive aisle and walkway network suitable for pedestrians and cyclists. The proposed walkway layout is considered “a complete network” as it provides connections to the internal common amenity space and the adjacent Crystal Ridge Park. The walkway network will link to the existing municipal sidewalk, providing convenient access to the neighbouring community facilities and nearby commercial uses.</p>
5.6.1 VI.	<i>Proposed development patterns will encourage open space connections that link public parks and community facilities through the use of pedestrian and cycling walkways, trails, and other such connections.</i>	<p>As previously mentioned, pedestrian connections have been integrated with the design of the development to provide safe and convenient access to the municipal sidewalk and neighbourhood amenities. More specifically, a direct connection to Crystal Ridge Park is being proposed. The future residents will benefit from easy access to the park facilities and contribute towards safe and active use of the park.</p>

<p>5.6.1 VII.</p>	<p><i>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"> • Plantings along the south and east lot line will primarily provide visual buffering from the adjacent low-density residences. • Treatments along the north and west lot line is recommended for better integration with Crystal Ridge Park. • Landscaping will also be provided along the Rebstock Road frontage to screen the parking area and enhance streetscaping.
<p>5.6.3. I.</p>	<p><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 of the area in the following ways:</p> <ul style="list-style-type: none"> • The site is designated for residential use and is an ideal location for intensification, as identified by the Town while preparing the draft Secondary Plan for the area (see Section 5.5 of this report for more details). • The proposal is a low-rise built-form, as previously reviewed. The height and scale of the building will not have significant shadowing impacts on the adjacent park and residential uses, as discussed in the Shadow study prepared by Organica Studio Inc. • The upper levels of the buildings are stepped back, which will provide appropriate transition to the neighbouring uses. • Building orientation along the north and west lot lines will provide passive surveillance benefits to park users - Blocks A and D are set back approximately 4.5 metres at the pinch-point. The low-rise built form and reduced setbacks will provide a human-scaled interface and create an active edge with the park. In addition, the step backs will reduce the overall scale of the building and further emphasize the ground-level elements of the building. <p>Overall, the proposed development achieves a harmonious design and integrates well with the surrounding uses.</p>
<p>5.6.3. II.</p>	<p><i>Building and site design will: a. Be compatible with surrounding site conditions including heritage elements, and the intended character of the area;</i></p>	<p>The proposed development is compatible with the surrounding site conditions for the following reasons:</p> <ul style="list-style-type: none"> • The proposal will provide a residential use, which is fitting with the surrounding residential and institutional uses.

	<ul style="list-style-type: none"> • The Shadow Study indicates that there are no significant shadowing concerns on the neighbouring properties due to the proposed development. • The proposed massing, orientation and location of the residential blocks is in a manner that reduces potential privacy impacts to the abutting residential uses while creating a positive interface with the institutional use (Crystal Ridge Park).
<p><i>b. Respect adjacent buildings and the street setting in scale, proportion, continuity, and texture;</i></p>	<p>Massing and location of the proposed blocks will be set away from the street to respect the continuity of the setting along Rebstock Road.</p> <p>As aforementioned in the report, appropriate setbacks and stepbacks have been implemented to sensitively transition the proposed development to the abutting residences, including landscaping features along the site perimeter.</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>Appropriate pedestrian connections are provided in the site design, as shown in the site plan in Appendix A. The proposed walkways and crosswalks across internal drive aisles will facilitate safe and efficient pedestrian movement. The walkways are conveniently located providing direct access to each unit from the existing municipal sidewalk along Rebstock Road.</p>
<p><i>d. Facilitate the preservation and where appropriate, the enhancement of natural features found on the site;</i></p>	<p>The property does not contain any significant natural features that have been identified for preservation.</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>Surface parking areas have been designed to accommodate a 3-metre landscape buffer spaces along the site perimeter. The parking spaces are sufficiently setback from Rebstock Road to minimize their visual impact along the streetscape. Appropriate landscape treatments will be provided along the frontage to visually screen the parking spaces from the public realm along Rebstock Road.</p>
<p><i>f. Minimize the overall effects of noise and other negative impacts; and</i></p>	<p>The pre-consultation meeting dated February 11th, 2021 identifies that Crystal Ridge Arena could be a stationary noise source as it is located within 50 metres of the property line. However, a noise study has not been requested, and a detailed analysis has not been conducted at this time. If needed warning clauses within purchase and sales agreement can be made as a condition of the site plan agreement.</p> <p>The proposal aims to minimize other possible negative impacts through the following:</p>

		<ul style="list-style-type: none"> • Perimeter landscaping will be implemented to address potential concerns from light and noise pollution caused by residents using the parking area. • Appropriate building setbacks and stepbacks are implemented to preserve the privacy of the surrounding residences. • The sun-shadow study conducted by Organica Studio ensures that the proposed development will have no adverse impact on the existing dwellings and the adjacent park. The study is enclosed with the application, and a summary of the study is provided in Section 4.4 – Shadow Study of this report.
	<p><i>g. Provide for appropriate bicycle parking.</i></p>	<p>GHD’s Transportation Brief recommends providing 20 on-site secure long-term bicycle parking spaces for future residents. In addition, space for short-term visitor bicycle parking is also suggested to be included throughout the site. The proposed development will implement bicycle parking, in accordance with the GHD’s recommendations, at the site plan stage of the application.</p>
<p>5.6.3. III.</p>	<p><i>Landscaping and planting will:</i></p> <ul style="list-style-type: none"> <i>a. Integrate with the landscaping of adjacent sites and the streetscape;</i> <i>b. Enhance personal safety both on site and on the streetscape;</i> <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>The site is proposed to have approximately 34% landscape cover, which will include perimeter treatments, internal plantings and paved walkways. The proposed development will implement on-site landscaping, as follows:</p> <ul style="list-style-type: none"> • Perimeter landscaping to provide visual screening for the the neighbouring properties. • A common amenity area is proposed, where suitable landscaping to encourage residents to socialize, exercise and play will be implemented. • Sufficient landscaped area along the site access to improve the streetscape along Rebstock Road and to function as a welcoming space for future residents. • NPG recommends providing appropriate landscaping along the park interface to provide a porous connection.
<p>5.6.3. VII.</p>	<p><i>Building and site designs that conserve energy and water will be encouraged. Energy conservation will be addressed at the development application stage and during the preparation of detailed building and site design. Buildings should, wherever possible, be designed to minimize interior heat loss and to capture and retain solar heat</i></p>	<p>The layout and design of the proposed Townhouse Blocks demonstrate a compact built form that conserves energy:</p> <ul style="list-style-type: none"> • The proposed housing type is such that the middle units will only have one side exposed to the elements and will help to retain heat energy during the winter months and reduce outside heat penetration in the summer months.

	<i>energy during the winter and to minimize solar heat penetration during the summer.</i>	<ul style="list-style-type: none"> • The compact unit footprint reduces the overall heating and cooling demands when compared to a typical single-detached residence. • The layout of the proposed buildings and landscaped areas help break up asphalted parking surface. This will minimize the heat sink effect and contribute to a more regulated microclimate.
5.6.3. VIII.	<i>The interconnection and integration of pedestrian, cycling and vehicular access is encouraged on abutting lands to facilitate safe and efficient movement to and from the public road network.</i>	As shown on the site plan, the internal drive aisles and walkways form a complete network. The proposed walkways will provide a direct connection from the municipal sidewalk to the main entrances of each unit. The proposed road layout connects to the existing collector road (Rebstock Road), and will operate satisfactorily as per GHD’s Transportation Brief. The proposal will provide safe and convenient connections to adjacent community facilities, nearby transit stops and commercial uses.
5.6.3. IX.	<i>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>The proposed residential blocks are oriented to face the north and west lot line, abutting the community park. The proposed walkways and landscape treatment along this interface will enhance the public realm, providing passive surveillance benefits to the park users.</p> <p>Although the proposed blocks do not front the streetscape along Rebstock, adequate walkway connections will be provided to connect the unit entrances to the street. Appropriate buffering treatments will also be proposed to add to the quality of the existing streetscape along Rebstock Road. Further, streetscape and pedestrian presence is created within the development through design and layout.</p>

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 an increased surface for stormwater percolation and on-site landscaping. S. Llewellyn & Associates Stormwater Management Plan ensures that the post-construction stormwater runoff quantity and quality can be controlled to the pre-development runoff rate, subject to the recommendations of the report. Further analysis can be found in the report enclosed with this submission. The proposed density supports the viability of the existing transit 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 and water quality locally. Blocks A and B are oriented to have south-facing units that will improve passive solar energy gains, especially during the winter months.

As per Schedule D of the Town Official Plan, the property falls within an area demarcated for Archaeological Potential. The Stage 1-2 archaeological assessment has been conducted by Detritus Consulting Ltd., as per the pre-consultation agreement and in accordance with Policy 11.4.I of the Town Official Plan. A summary letter has been provided by the archaeologist, which states that no archaeological resources were found on the site. A report recommending clearance of the archaeological condition will be submitted to the Ministry.

Policy 12.1.III. requires all lands within the urban area to be serviced by municipal sanitary and water services. The Functional Servicing Report prepared by S. Llewellyn & Associates Limited indicates that the development can be fully serviced through municipal services. A summary of the report can be found in **Section 4.2 – Functional Servicing & Stormwater Management Report** of this report.

Rebstock Road is a Municipal Road, as per Schedule E - Transportation Plan of the Town's Official Plan and is further identified as a Collector Road under Table – Town Collector Road, under Policy 12.7.4.IV. The preferred road allowance width for the section of Rebstock Road fronting the Subject Lands is 23 metres - a road allowance requirement has not been identified for the proposed development at this time. The proposed residential development has one driveway access to-and-from Rebstock Road, which will control and support the designated function of the roadway.

Summary

The Subject Lands are designated as Urban Residential, and the proposed stacked back-to-back townhouse model complies with the permitted housing form in this designation. The proposed development is anticipated to deliver approximately 168 dwelling units consisting of a variety of unit sizes, which will support the municipal intensification targets and provide housing choice. The proposal promotes efficient use of vacant lands by facilitating a higher density development while respecting neighbouring land uses. The proposal will provide a compact and affordable development form and takes advantage of existing community facilities such as public transit, neighbouring park and nearby commercial business'.

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

5.5 Town of Fort Erie Crystal Beach Secondary Plan (DRAFT)

As aforementioned, the Town of Fort Erie is in the process of creating the Crystal Beach Secondary Plan (CBSP) through Official Plan Amendment No. XX ("OPA"). The Subject Lands are located in the Crystal Beach neighbourhood area and have been identified for Land Use Designation and Zoning changes in the Draft CBSP. Although the CBSP is

not currently in effect the following Section provides a summary and analysis of the proposed CBSP and how it relates to the proposed development.

Relevant Policies and Analysis to the OPA

The following table identifies the draft Crystal Beach Secondary Plan Schedules relating to the Subject Lands.

DRAFT SCHEDULE	RECOMMENDED DESIGNATION
CB-1	Lands designated for Residential intensification
CB-2	Lands designated for Site-specific Medium Density (Draft Section 4.22.9.9)
CB-4	Crystal Ridge Park is identified as a Community Park;
CB-5	<ul style="list-style-type: none"> • Approved Transit Stop at the intersections of Ridge Road South and Rebstock Road & Ridgeway Road and Rebstock Road; • Rebstock Road identified as a Current Transit Route; • Rebstock Road is an Existing Municipal Collector Road;
CB-6	<ul style="list-style-type: none"> • Rebstock Road identified to have Signed Bike Route with Sharrow; • Existing Sidewalk along Rebstock Road; • Buffered Bike Lane on Ridge Road South; • Buffered Bike Lane and Niagara Region identified Cycling Network on Ridgeway Road;

Section 4.22.4 provides objectives of the Draft CBSP, and the relevant policies from this section read as follows:

- a) *Provide a variety of housing choice that supports “age-in-place” opportunities for all ages, not just senior residents, but rather housing and tenure that spans the full lifecycle and economic status;*
- b) *Encourage development forms which are more compact, affordable and utilize urban land and services more efficiently;*
- c) *Identify locations within the Plan Area which may best support intensifying residential form and reinforce support for these locations through zoning implementation;*
- d) *Increase population in a moderate manner through intensification efforts in key locations. An increased population will better support existing community facilities and offer increased viability to commercial enterprise and transit feasibility yearround;*

The CBSP designates the Subject Lands as a site for Residential Intensification, as per Draft Schedule CB-1 (see **Appendix D – Draft CBSP Schedules**), which will assist the Town in meeting its intensification target of 15 percent. The CBSP recognizes that a *“majority of the Plan is characterized as being a mature residential neighbourhood and therefore, adding residential to these areas is not seen as presenting depreciating or deteriorating effects. To the contrary, intensification is expected to enhance land values and stimulate additional private investment into the existing building stock.”*

It is the objective of the Draft CBSP to intensify in key locations to better support community facilities, local commercial business’ and transit feasibility, which are all required to create a complete community. The Subject Lands will provide residential intensification in an area close to an existing transit route, community park and nearby commercial uses, which aligns with CBSP’s vision.

In addition, the CBSP encourages a mix of dwelling unit types to support housing choice for ageing in place and starter homes for younger cohorts. The proposed stacked back-to-back townhouse housing type provides a range of unit types (one-, two-, and three-bedrooms), which will enable homeownership options at affordable rates to a variety of household types.

The Draft CBSP recognizes that the plan area has limited opportunity for large scale subdivision development and will instead rely on infilling of vacant and/or underutilized lots. However, it also recognizes that existing uses, land designations and zoning on adjacent lands must be considered when intensification is being proposed. (Draft Policy 4.22.5 a)). Further, Draft Policy 4.22.6 a) provides general policy guidance on how to assess medium density and high-density residential uses, redevelopment and infill residential intensification on vacant land through the Town’s existing Official Plan policy found in Section 4.7.4.1, II. As aforementioned a detailed policy analysis has been provided in **Section 5.4 – Town of Fort Erie Official Plan** (Table 1) of this report and the proposed development is in conformance with the Town’s policies.

As per Draft Schedule CB-2, the Subject Lands are identified as Medium Density designation. Per draft Policy 4.22.9, the Medium Density Residential designated lands are generally:

- to be reserved for multiple-unit structures such as townhouses, triplex, quads and low-rise apartment dwellings.
- to be generally developed between a range of 25 to 50 units per hectare.
- to achieve a minimum target of 30% Medium Density residential within the overall neighbourhood.
- to provide development not exceeding 3 storeys in height, subject to site-specific policy requirements.

The CBSP does not contain a designation for High Density though it does include Draft Policy 4.22.9 i), which provides consideration for higher density development on Medium Density designated lands, subject to a Zoning By-law Amendment.

i) Higher density residential development on lands designated as Medium Density Residential in this Plan shall only occur by zoning by-law amendment, having considered matters such as size of the site and compatibility with adjacent lands, proximity to collector or arterial roads, public transport and parks or open space areas. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.22.6 c).

Based on our analysis in Table 1 and Table 2 in **Section 5.4 – Town of Fort Erie Official Plan** the proposed development conforms with the criteria as outlined in Draft Policy 4.22.9 i) and higher density would be appropriate as it is compatible with adjacent uses and has access to a collector road, public transportation and open space areas.

In terms of height, townhouse blocks in the proposed development range from 3 storeys to 3.5 storeys. It is our understanding that the intent of the height requirement in the Medium Density residential designation is to ensure compatibility with adjacent lands in an already established neighbourhood. It is our opinion that this can be achieved as demonstrated in the Table 1 and Table 2 analysis in **Section 5.4 – Town of Fort Erie Official Plan** above through the proposed Zoning By-law Amendment and future Site Plan application.

Section 4.22.9.9 of the Draft CBSP list site-specific criteria for developing the Subject Lands, as tabulated below.

4.22.9.9 0 Rebstock Road (adjacent to Crystal Ridge Park)

These lands represent a key opportunity within the Secondary Plan for intensified, family-oriented development with a mix of multi-unit dwellings. Proximity to amenities such as arena, park, library, transit and schools provides excellent opportunities for all age groups, particularly that of youth. It is the Town’s desire to see development that addresses these unique opportunities.

Table 3. Policy Analysis for Section 4.22.9.9 of the Draft CBSP

SECTION	POLICY WORDING	RESPONSE & EVALUATION
a)	<i>The site shall be reserved for semi-detached dwellings, townhomes, low-rise apartment and their</i>	The proposal is for a Townhouse development. The proposal was assessed against the policies in Section 4.7 of the Town’s Official Plan and was found to conform. Please

SECTION	POLICY WORDING	RESPONSE & EVALUATION
	<p><i>accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.</i></p>	<p>refer to Section 5.4 – Town of Fort Erie Official Plan of this report for further details.</p>
<p>b)</p>	<p><i>A Medium Density range for the entire site of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.</i></p>	<p>The proposed development is for 112 units per hectare, where the maximum suggested density is 50 units per hectare. As aforementioned, policy 4.22.9 i) of the draft Plan provides consideration for higher density development on Medium Density designated lands, subject to a Zoning By-law Amendment.</p> <p>A Draft Zoning By-law Amendment has been prepared and can be found in Appendix F.</p>
<p>c)</p>	<p><i>Apartment dwellings shall form part of any proposal to develop these lands and shall generally be located in the northwesterly portion of the site. Zoning shall be used to regulate location and height of one or more buildings</i></p>	<p>The proposal is to facilitate a combination of stacked and back-to-back townhouse development. Unlike a typical apartment building, each unit has its own front entrance and does not have any shared lobby space or elevators. The proposed housing type provides homeowners more separation in using their space. Although the proposal does not provide apartment dwellings, it is our opinion that the proposed development is comparable to a low-rise building, and therefore, complies with the intent of this policy.</p> <p>As required, the majority of the density on-site is proposed along the northwestern portion of the site to reduce potential impacts to existing residential uses. Matters such as height and building setbacks are discussed in Section 6.0 – Proposed Zoning By-law Amendment of this report.</p>
<p>d)</p>	<p><i>The following height restrictions shall apply: semi-detached dwellings up to a max of 2 storeys, townhouses development up to a max of 2 storeys and apartment development up to a max of 3 storeys.</i></p>	<p>The development proposes Townhouse Blocks from 3 storeys to 3.5 storeys. This is in exceedance of the suggested maximum for townhouse development.</p> <p>As discussed previously, it is our understanding that the intent of the height requirement in the Medium Density residential designation is to ensure compatibility with adjacent lands in an already established neighbourhood. It is our opinion that this can be achieved as demonstrated in the Table 1 and Table 2 analysis in Section 5.4 – Town of Fort Erie Official Plan above through the proposed development.</p>
<p>e)</p>	<p><i>The Town does not support development that includes a public road to access/service this site.</i></p>	<p>The proposed development will include a private driveway measuring approximately 6.3 metres in width (minimum) to accommodate a two-way drive aisle within the development.</p>

SECTION	POLICY WORDING	RESPONSE & EVALUATION
	<i>Developments shall be designed with a private/common roadway.</i>	The site plan is enclosed in Appendix A and shows the proposed private driveway connection from Rebstock Road.

Summary

Though the proposed development does not meet the site specific criteria outlined above, it is our opinion it does conform to the overall intent of the CBSP policies as it will implement residential development within a recommended area for intensification in the Draft CBSP and will build on existing municipal services and existing and planned infrastructure (sidewalks, cycling routes and transit facilities). The proposal provides housing choice to support various cohorts such as the starter market and ageing community, and will support commercial viability for local business'. The proposed density will help to achieve the intensification target set by the Municipality, and the proposed unit type and mix will bring diversification in the community.

CBSP ZBA XX to 129-90 to Implement OPA XX

We are respectfully requesting that the Draft Zoning By-law Amendment forming the basis for this application be approved and taken into consideration while finalizing the Secondary Plan for the area. As such, our review of the CBSP focuses solely on the proposed OPA policies and not the proposed Implementing Zoning By-law for the site. As aforementioned, it is our opinion that the proposed development conforms to the overall intent of the CBSP policies.

6.0 PROPOSED ZONING BY-LAW AMENDMENT

The Town of Fort Erie currently zones the Subject Lands as a Site-specific Neighbourhood Development (ND-428) Zone (see **Appendix E – Town’s Zoning Map**). In order to facilitate the proposed development, the owner is proposing to rezone the Subject Lands from ND-428 to a Site-specific Residential Multiple 1 Zone (RM1 – XX) and will address: permitted use, minimum lot frontage, minimum rear yard, maximum building height, minimum landscaped area, minimum distance between buildings on the same lot, maximum density, and parking requirements. See **Table 4 and 5** below for more details. A Draft Zoning By-law Amendment has been prepared and can be found in **Appendix F – Draft Zoning By-law Amendment** of this report.

Table 4. Zoning Comparison Chart for Section 14 (RM1 Zone)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Permitted Use	(g) Block townhouse dwellings	Stacked back-to-back townhouses	No
Minimum Lot Frontage	50 m	27.6 m	No
Minimum Lot Area	4000 sqm	15,035 sqm	Yes
Minimum Front Yard	6 m to garage; 4 m to other parts of dwelling	N/A (Nearest parking stall is 6.5 m from south property line.)	Yes
Minimum Side Yard	1.5 m	6.5 m at Block B 4.5 m at Block D	Yes Yes
Minimum Exterior Side Yard	3 m	N/A	N/A
Minimum Rear Yard	6 m	4.5 m at Block A	No
Maximum Building Height	i) 3 storeys ii) 12 m	3.5 storeys	No
Minimum Landscaped Area	50% including Privacy Areas	34.6%	No
Maximum Number of Units in a Row	8	N/A	N/A
Minimum Distance Between Buildings on the Same Lot	15 m, except 3m between end walls and 9m between an end wall and a rear wall	7.3 m between front wall of Block A and end wall of Block C	No
Maximum Density	35 units/ha	112 units/ha	No
Maximum Lot Coverage	Block townhouse - 40%	18.8%	Yes
Privacy Area	Notwithstanding the yard requirements above, every dwelling unit shall have at least	N/A	N/A

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
	one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 4.5m		
Planting Strips	In accordance with Section 6.21 and 4.5m where it abuts a street, except for points of ingress/egress	3m in accordance with Section 6.21 (b); 4.5 m along Rebstock Road	Yes Yes
Distance From Dwellings To Private Streets And Parking Areas (Section 14.8)	Any front or rear face of any dwelling shall be no closer than 3m to any private street or parking area.	3.1 m	Yes
	Any garage shall be no closer than 6.0m to any street or parking area.	N/A	N/A
	Any side of any dwelling shall be no closer than 1.5m to an internal driveway or parking area.	2.5 m at Block E 2.6 m at Block F	Yes Yes

Table 5. Zoning Comparison Chart for Section 6 (General Provisions)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Parking Requirements for Block Townhouse Dwellings (Section 6.20 (A))	1.5 parking spaces per dwelling unit (= 252 spaces)	1.16 parking spaces per dwelling unit (= 195 spaces)	No
Width of Ingress and Egress (Section 6.20 (D) (i))	7.5 m (min) 9.0 m (max)	8.5 m	Yes
Parking Area Location on Lot for RM1 Zone (Section 6.20 (I))	All yards provided that no part of any parking area, other than a driveway, is located closer than 3.0 m to any street line and any lot line.	3.0 m	Yes
Dimensions of	For spaces with parking	2.7 m x 6 m	Yes

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Parking Spaces (Schedule D Section 6.20 (J) (ii))	angle "90": 2.7 m x 6 m; For spaces with parking angle "Parallel": 2.7 m x 6.5 m	2.7 m x 6.5 m	Yes
	Minimum width of parking spaces abutting an area of landscaped open space or a pedestrian walkway greater than 1 m in width and located on the same lot: 2.4 m	2.4 m x 6 m	Yes
Minimum Aisle Width for Internal Driveway (Schedule D)	6 m for spaces with parking angle "90"; 5 m for spaces with parking angle "Parallel";	6.3 m	Yes
Accessible Parking Spaces (Section 6.20 (M) (ii))	<u>Type A</u> Required spaces: 4 (2% of total number of spaces) Dimension: 3.4 m x 6.0 m Adjacent access aisle dimension: 1.5 m x 6 m	Provided spaces: 4	Yes
	<u>Type B</u> Required spaces: 2 (1% of total number of spaces) Dimension: 2.4 m x 6.0 m Adjacent access aisle dimension: 1.5 m x 6 m	Provided spaces: 2	Yes
Minimum Landscaping and Planting Strip Width for uses abutting a Residential Zone (Section 6.21 (b))	3.0 m	3.0 m	Yes
Minimum Landscaped Open Space Area in a Residential Zone (Section 6.21 (g))	The minimum landscaped open space area in the front yard of any dwelling in any residential zone shall be 30%.	N/A	N/A

Permitted Use

Definition for Back-to-Back Stacked Townhouses

Currently, the Town’s Zoning By-law does not define the proposed housing typology. NPG conducted a brief review of housing type definitions in other municipalities, and the analysis is tabulated below.

MUNICIPALITY	HOUSING TYPE	DEFINITION	REFERENCE
City of Mississauga	Back to Back Townhouses	“Back to Back Townhouses” means a building with four or more dwelling units divided vertically, including a common rear wall, each with an independent entrance and has a yard abutting at least one exterior wall of each dwelling unit.	Zoning By-law 0225-2007; Section 1.2 Definitions – Housing Types: Back to Back Townhouses
	Stacked Townhouses	“Stacked Townhouses” means a building with four or more dwelling units divided horizontally and vertically, each with an entrance that is independent or through a shared landing and/or external stairwell.	Zoning By-law 0225-2007; Section 1.2 Definitions – Housing Types: Stacked Townhouses
City of Toronto	Apartment Building	(Stacked And Back-To-Back Townhouse defined as "Apartment Building" in the City’s zoning bylaw, as per Section 2.1.4 of City of Toronto - Townhouse and Low-rise Apartment Guidelines, p.24) “Apartment Building” means a building that has five or more dwelling units, with at least one dwelling unit entirely or partially above another, and each dwelling unit has a separate entrance directly from outside or through a common inside area. A building that was originally constructed as a detached house, semi-detached house or townhouse and has one or more secondary suites is not an apartment building.	Zoning By-law 569-2013; Chapter 800 Definitions, 800.50.(55) Apartment Building
City of Brampton	Back to Back Townhouses	DWELLING, BACK TO BACK TOWNHOUSE shall mean a building containing four or more dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards;	Zoning By-law 270 - 2004 Section 5.0 Definitions – Dwelling, Back To Back Townhouse
	Stacked	DWELLING, STACKED TOWNHOUSE,	Zoning By-law 270 -

	Townhouse	shall mean a building containing four or more dwelling units where each dwelling unit is separated horizontally and vertically from another dwelling by a common wall.	2004 Section 5.0 Definitions – Dwelling, Stacked Townhouse
City of Guelph	Stacked Back-to-Back Townhouse	There is currently no definition for Stacked Back-to-Back Townhouse within Zoning By-Law (1995)-14864. The Built Form Standards recommends the following definition: “Stacked Back-to-Back Townhouse” means a Building containing 2 or more Townhouses that share a rear wall and side wall and have vertically stacked Dwelling Units. Units can feature various organizational structures. Each unit typically features their own at-grade entrance.	Built Form Standards for Mid-Rise Buildings and Townhouses (April 2018) Section 9.0 Implementation, 6. Stacked Back-to-Back Townhouse

Based on a review of the foregoing have included the following definition in our Draft Zoning By-law Amendment for stacked back-to-back townhouse:

“DWELLING, STACKED BACK-TO-BACK TOWNHOUSE” means a dwelling containing four or more dwelling units divided horizontally and vertically, including a common rear wall, each with an entrance that is independent or through a shared landing and/or external stairwell.

Minimum Lot Frontage

There were two approved consent applications prior to the acquisition of the Subject Lands by our client - B488/1999 and B21/2010. The most recent application, approved in July 2010, severed 3720 Rebstock Road from the Subject Lands (retained parcel). The retained parcel was left with a frontage of 27.6 metres along Rebstock Road.

Frontage on the site does not meet the RM1 zone requirement of 50 metres. Relief is being sought to include the lot frontage as existing to the amending zoning by-law and bring it into conformity; no change is being made to the dimensions of the lot through this proposal.

Minimum Rear Yard

The RM1 zone of the Town’s Zoning By-law has a minimum rear yard requirement of 6 metres. The proposed development will have a rear yard depth of 4.5 metres along the north property line. The reduced yard width can be supported for the following reasons:

- The property has an oblong shape, which results in a pinch-point along the rear yard, ranging from 4.5 metres (at the pinch-point from Block A) to 8.5 metres (at the east-end of Block B). The requested relief will be for the pinch-point, which can be supported.
- The site's rear lot line abuts Crystal Ridge Park. The orientation of the proposed buildings frame the edge of the park to provide animation and passive overlook benefits. The reduced yard will sufficiently accommodate pedestrian walkways and landscape treatments to activate this interface and will provide an appropriate transition to the public realm.
- A Shadow Study was conducted by Organica Studio to study the impacts of the proposed development on this interface. The proposed development is only expected to cast early morning shadows, maximum until 10:30 am (during the Spring season). The park will receive a minimum of 7 hours of sunlight during Spring and 12 hours of sunlight during the Summer. As such, shadowing effects along this lot line will not cause significant concerns to affect the use of the park.
- Typically, rear yard space is used as a private amenity area for residents. With the proposed stacked back-to-back housing type, units front on both sides of a block. The typical rear yard function does not apply to this housing type. Generally, for such development, an on-site common amenity area is more beneficial than separate pockets of privacy areas. The proposed site layout incorporates a Common Space (between Block E and F) accessible by each unit via walkways. As such, the rear yard is intended to provide a connection with the adjacent park.

Maximum Building Height

The Town's Zoning By-law considers the following definitions to calculate the number of storeys.

5.28 "BASEMENT" means that portion of a building between two floor levels with a minimum height of 1.9 m which is partly underground but which has at least one-half its height from floor to ceiling above the average level of the adjoining grade.

5.320 "STOREY" means the portion of a building other than an attic, basement or cellar, between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, that portion between the surface of such floor and the ceiling above it.

(a) "FIRST STOREY" or "GROUND FLOOR" means the storey having its floor level closest to finished grade and its ceiling at least 2 m above finished grade.

(b) "SECOND STOREY" or "SECOND FLOOR" means the storey directly above the first storey.

(c) “STOREY, ONE-HALF” means the portion of the building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 m (7.54 ft) over a floor area equal to less than fifty per cent (50%) of the areas of the floor next below.

The proposed blocks contain below-grade units (as per Organica Studio’s cross-sections in **Appendix A**). The units will be only partly below grade, with more than one-half its height above the finished grade. The height of each unit at this level is approximately 2.6 metres. Based on Section 5.28 of the Town’s Zoning By-law, the below-grade units are within the basement portion of the proposed blocks. Section 5.320 does not consider the basement portion of a building as a storey.

The proposed blocks also contain a structure at the Roof Level that comprises a staircase leading to the roof-top terrace entrance. The height of this space between the finished floor and finished ceiling is roughly 2.3 metres (as per Organica Studio’s cross-sections in **Appendix A**). The floor area can be inferred to be approximately less than half of the subsequent floor area. Based on Section 5.320 (c) of the Town’s Zoning By-law, this portion of the proposed blocks is defined as 0.5 storeys.

Accordingly, the Blocks A, B, C & D are 3.5 storeys. The request is in exceedance of 0.5 storeys based on the RM1 requirement. The proposed height is a minor exceedance from the 3 storey requirement and can be supported for the following reasons:

- The exceedance is due to the structure at the Roof Level, which only contains a staircase. There are no livable spaces on this storey. Further, the renderings in **Appendix A** illustrates the implementation of Privacy Screens to reduce potential concerns to the adjacent neighbours.
- The Shadow Study conducted by Organica Studio indicates that there is no significant shadowing impact to the adjacent uses due to the proposed height. The “stepped” feature will help to reduce the scale of the building, reduce the duration of shadowing on neighbouring properties and lessens potential shadow impacts.
- Block E & F are 3 storeys in height.

Minimum Landscaped Area

Approximately 34.6% of the Subject Lands will be landscaped, which is a reduction from the Town’s Zoning By-law requirement of 50% of the lot area. The requested reduction is appropriate for the development of the site, and can be supported for the following reasons:

- The Town’s RM1 zone is typically utilized for lower density developments such as singles, semi’s, duplexes, townhouses, etc. (as listed in Section 14.2 of the Town’s

Zoning By-law). The proposed development provides higher density development through a stacked back-to-back townhouse built form. It should be noted that the proposal complies with the minimum landscaped area requirement of the RM2 zone, which is generally used for higher density development. As such, the proposal promotes residential intensification in an area desirable for future growth.

- The proposed landscaped area will be made up of open areas and surface walkways, providing a form of outdoor space for every unit. A Common Space is provided for the residents as a form of gathering space.
- In addition to 34.6% landscaped open space area, the proposed development provides 21% (approximately) private amenity area, for a total of 55% (approximately) outdoor space of the total lot area. Each unit will contain a form of private amenity area such as an outdoor patio (for lower level units), balconies (for main floor units), or roof-top terraces (for upper level units). A total of approximately 3,200 square-metres (21% of the lot area) of private amenity areas will be provided, as calculated from the site statistics for Terrace & Patio Areas (Blocks A – D) and Patio Areas (Blocks E – F).
- The site’s proximity to Crystal Ridge Park will provide community gathering spaces for walking, socializing and other aspects of public life. The future residents will benefit from easy access to park facilities.

Minimum Distance Between Buildings on the Same Lot

The RM1 zone requires a minimum of 15 metres between buildings on the same lot. Relief is requested for the distance between Blocks A and C, measuring 7.3 metres.

- The proposed distance is adequate in achieving desirable private amenity spaces for Block A. Section 5.4 of the Shadow Study prepared by Organica Studio, mentions that the internal shadowing between Blocks C and A is minimal as the shadow is fast moving and will only affect the central units for a maximum of 2 hours during the afternoon hours, as shown in **Figure 4** below.

Figure 4. Shadow Impacts in September for the Block A and C Interface



- Block C units contain some window openings along the side elevation. To avoid potential overlook from Block C to Block A, it is our recommendation to include landscaping and/or window treatments to ensure adequate privacy is achieved. The suggestions can be achieved without changing the proposed 7.3-metre distance between the residential blocks.

- The proposed distance will contain a walkway connection to the park, including landscaping, as shown in the Site Plan in **Appendix A**. The proposed width is sufficient to provide an attractive and comfortable pedestrian environment.

Maximum Density

The proposed development will provide a density of 112 units per hectare, which requires a relief from the Residential Multiple 1 zone requirements. The proposed density is appropriate for the development of the site, and the requested relief can be supported for the following reasons:

- The Subject Lands are designated Urban Residential by the Town's Official Plan (see Schedule A – Land Use Plan in **Appendix C – Town Schedules**), where higher residential density and intensification on vacant lands are permitted, subject to policy considerations (Policy 4.7.4.1.II.). The proposal has been assessed against the required policies in **Section 5.4 – Town of Fort Erie Official Plan** of this report, and was found to comply with the intent of the Town's Official Plan.
- The Subject Lands are ideal for intensification due to its frontage on a collector road, existing municipal servicing, and proximity to local transit stops and bicycle routes. Due to the sufficient existing infrastructure, the Subject Lands can support development of the land at a higher density.
- The proposed development is close to a variety of neighbourhood facilities – library, Crystal Ridge Park and Arena, and nearby commercial uses. The proposed density will offer increased viability of these uses.
- The stacked back-to-back townhouses is a form of townhouse development that has a low-rise built profile while delivering a higher residential density. The RM1 Zone contemplates the housing form but not density. If we were to compare density with another of the Town's Zones it would be the Residential Multiple 2 (RM2) zone, which does not have a maximum density requirement.

Maximum Number of Units in a Row

Section 14.3 allows a maximum of 8 units in a row. It is our understanding that the intent is to control the massing of standard townhouse block development. This provision is not applicable for the proposed stacked back-to-back townhouse form.

Privacy Areas/ Minimum Landscaped Open Space Area in a Residential Zone

Section 14.3 requires each dwelling unit to have a yard with a minimum depth of 4.5 metres to serve as private area. Also, Section 6.21 (g) requires 30% of the front yard of

any dwelling to be landscaped open space area. The intention of these requirements is to provide a private amenity area for each unit and to improve the quality of the neighbourhood, respectively.

These provisions are not applicable for the proposed development because they are meant to apply to standard townhouse block development and do not contemplate the stacked back-to-back townhouse form. Alternatively, the intent of the provision is being met through on-site common amenity area, which will be provided for the benefit of all future residents and landscaping that is proposed along the site frontage to enhance the streetscape along Rebstock Road.

Parking Requirements

The proposed zoning amendment seeks to provide 195 parking spaces, which is at a rate of 1.16 spaces per unit. Section 6.20 of the Town's Zoning By-law requires a rate of 1.5 spaces per unit for Block Townhouse Dwellings. The reduction can be supported as:

- The proposed resident parking ratio of 1 space per unit can be considered appropriate for the development based on the review undertaken by the Traffic Study prepared by GHD.
- The proposed visitor parking rate of 0.16 spaces per unit is sufficient to accommodate the expected parking demand based on proxy survey results in GHD's Traffic Study.
- The proposal provides the required accessible parking spaces and is located next to each block for convenient access.
- The Subject Lands are located along an existing transit route (Route #760 West) with one-hour headways and is serviced by a bus stop at a walkable distance.
- The proposal includes convenient pedestrian connections to the municipal sidewalk.
- The development will also provide 20 on-site enclosed bike parking for future residents and additional short-term visitor bicycle spaces, as outlined in GHD's Traffic Study. The proposed development will integrate the ability to walk, cycle, take transit and carpool to local destinations.

7.0 SUMMARY OF PLANNING OPINION

The proposed development is located within the Crystal Beach Neighbourhood within proximity to commercial business', transit facilities and recreational spaces. The surrounding area is characterized by low-density residential uses to the south and east, and an institutional use to the north and west. The proposed development of 168 residential dwellings will provide an opportunity for higher density intensification, that will respect the existing character of the neighbourhood while making efficient use of the Subject Lands. The stacked back-to-back 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.

The proposed Zoning By-law Amendment is requesting to rezone the Subject Lands from the current ND-428 to a Site-specific Residential Multiple 1 Zone (RM1 – XX) and will address: permitted use, minimum lot frontage, minimum rear yard, maximum building height, minimum landscaped area, minimum distance between buildings on the same lot, maximum density, and parking requirements.

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

1. The proposed development is consistent with the Provincial Policy Statement (2020) and is in conformity with the Growth Plan, Niagara Region Official Plan, and the Town of Fort Erie Official Plan.
2. The proposed development will provide an opportunity for residential intensification 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 convenience store, library, parks and local transit stops.
3. The proposed density is appropriate for the Subject Lands as the lands front on a collector road and has access to local public transit and active transportation choices.
4. The proposal creates new housing in the Town of Fort Erie contributing to a more diversified housing mix.
5. The development is appropriately distanced from the existing low-density residences to the south and east and Crystal Ridge Park to the north and west.
6. The proposal is supported by reports prepared by qualified professionals, subject to relevant recommendations, that confirm there are no municipal servicing issues, significant shadowing impacts or any archaeological findings identified on the property.

Recommendations

The following measures are recommended to support the proposed development:

- A. Appropriate landscaping be provided along the park interface such that it will contribute to activating the park edge and enhancing users' comfort and safety.
- B. Include landscaping and/or appropriate window treatments to ensure adequate privacy is achieved between Blocks A and C.

- 8.0 APPENDIX**
- 8.1 Appendix A: Site Plan, Schematic Section & Renderings**
- 8.2 Appendix B: Regional Schedules**
- 8.3 Appendix C: Town Schedules**
- 8.4 Appendix D: Draft Crystal Beach Secondary Plan Schedules**
- 8.5 Appendix E: Zoning By-law Map**
- 8.6 Appendix F: Draft Zoning By-law Amendment**

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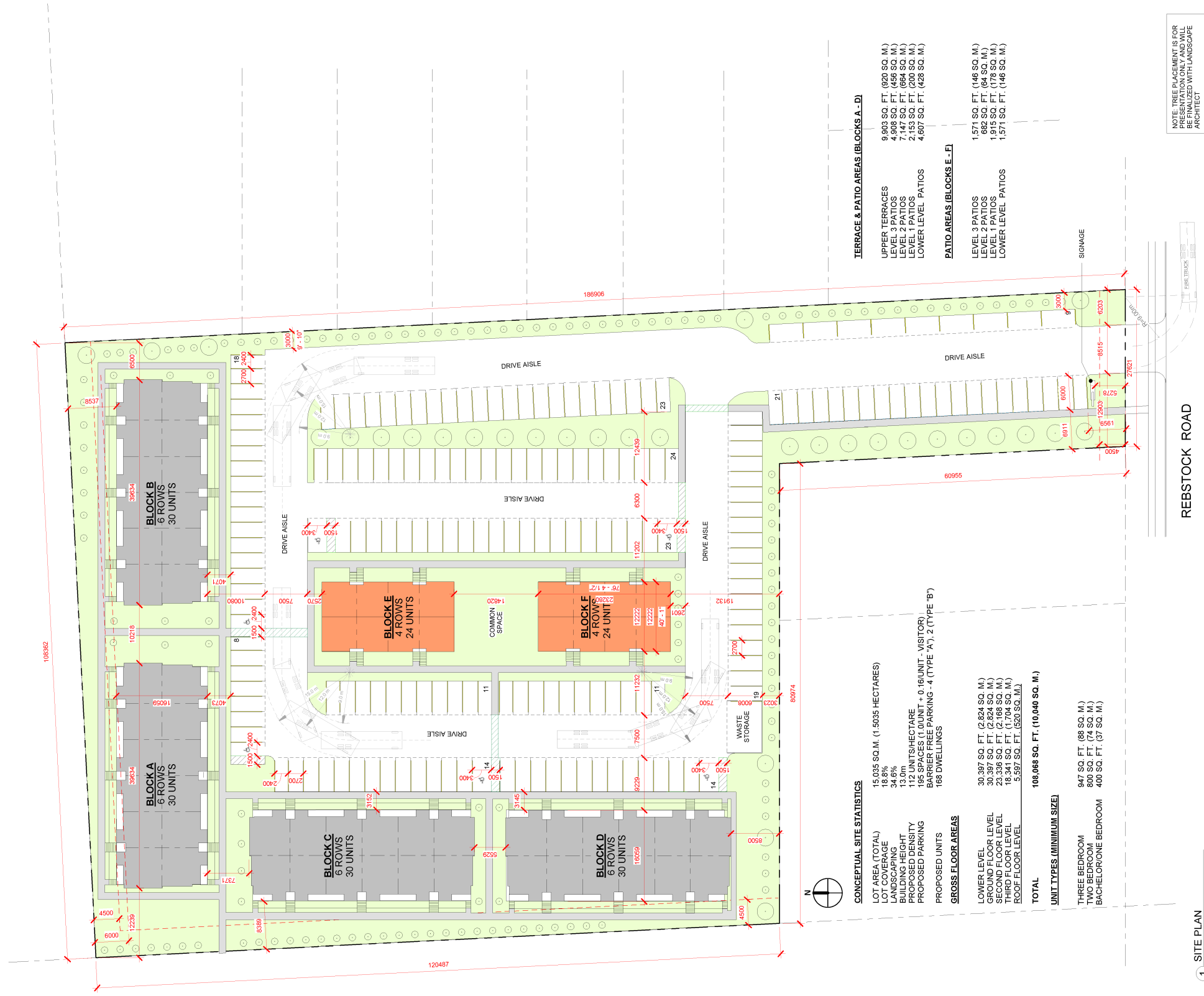
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Mary Lou Tanner

Mary Lou Tanner, FCIP RPP
Principal Planner
NPG Planning Solutions Inc.



CONCEPTUAL SITE STATISTICS
 LOT AREA (TOTAL) 15,035 SQ. M. (1,5035 HECTARES)
 LOT COVERAGE 18.8%
 LANDSCAPING 34.6%
 BUILDING HEIGHT 13.0m
 PROPOSED DENSITY 112 UNITS/HECTARE
 PROPOSED PARKING 195 SPACES (1.0 UNIT + 0.16 UNIT - VISITOR)
 BARRIER FREE PARKING - 4 (TYPE 'A'), 2 (TYPE 'B')
 PROPOSED UNITS 166 DWELLINGS

GROSS FLOOR AREAS
 LOWER LEVEL 30,397 SQ. FT. (2,824 SQ. M.)
 GROUND FLOOR LEVEL 30,397 SQ. FT. (2,824 SQ. M.)
 SECOND FLOOR LEVEL 23,336 SQ. FT. (2,168 SQ. M.)
 THIRD FLOOR LEVEL 18,341 SQ. FT. (1,704 SQ. M.)
 ROOF FLOOR LEVEL 5,597 SQ. FT. (520 SQ. M.)
TOTAL 108,068 SQ. FT. (10,040 SQ. M.)

UNIT TYPES (MINIMUM SIZE)
 THREE BEDROOM 947 SQ. FT. (88 SQ. M.)
 TWO BEDROOM 800 SQ. FT. (74 SQ. M.)
 BACHELOR/ONE BEDROOM 400 SQ. FT. (37 SQ. M.)

TERRACE & PATIO AREAS (BLOCKS A - D)
 UPPER TERRACES 9,903 SQ. FT. (920 SQ. M.)
 LEVEL 3 PATIOS 4,908 SQ. FT. (456 SQ. M.)
 LEVEL 2 PATIOS 7,147 SQ. FT. (664 SQ. M.)
 LEVEL 1 PATIOS 2,153 SQ. FT. (200 SQ. M.)
 LOWER LEVEL PATIOS 4,607 SQ. FT. (428 SQ. M.)

PATIO AREAS (BLOCKS E - F)
 LEVEL 3 PATIOS 1,571 SQ. FT. (146 SQ. M.)
 LEVEL 2 PATIOS 682 SQ. FT. (64 SQ. M.)
 LEVEL 1 PATIOS 1,915 SQ. FT. (178 SQ. M.)
 LOWER LEVEL PATIOS 1,571 SQ. FT. (146 SQ. M.)

NOTE: TREE PLACEMENT IS FOR PRESENTATION ONLY AND WILL BE DETERMINED WITH LANDSCAPE ARCHITECT

1 SITE PLAN
1 : 400



architecture | interiors | design | research

PROPOSED RESIDENTIAL DEVELOPMENT - SITE PLAN
 NORTHWEST CORNER OF REBSTOCK ROAD & RIDGE ROAD SOUTH
 CRYSTAL BEACH, ON
 M5V DEVELOPMENTS

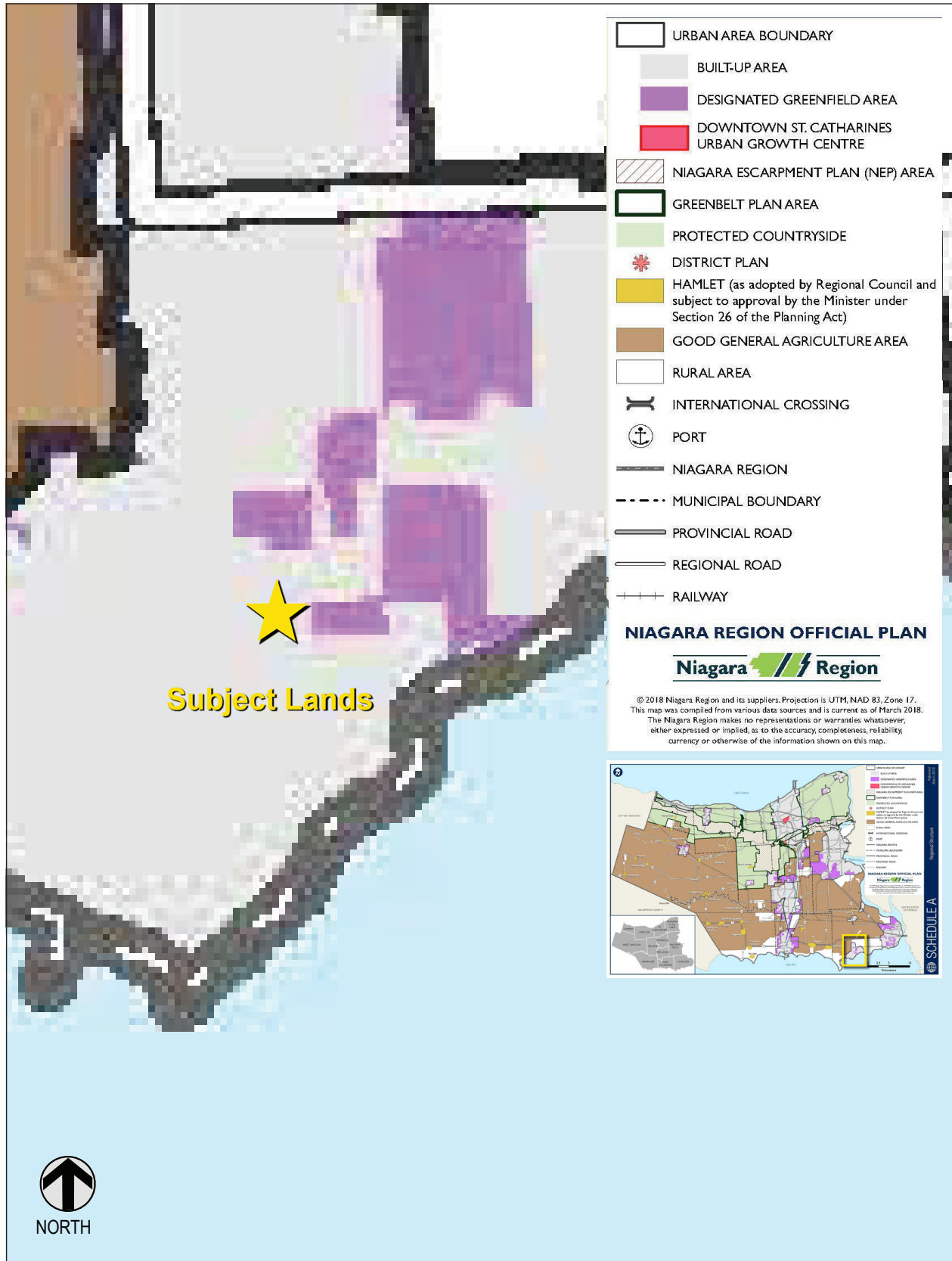
REV 10 - 05.17.2021
 [7-145 Birmingham Street | Toronto ON | M8V3Z8 | 905.832.5758 | organicastudio.ca | info@organicastudio.ca]



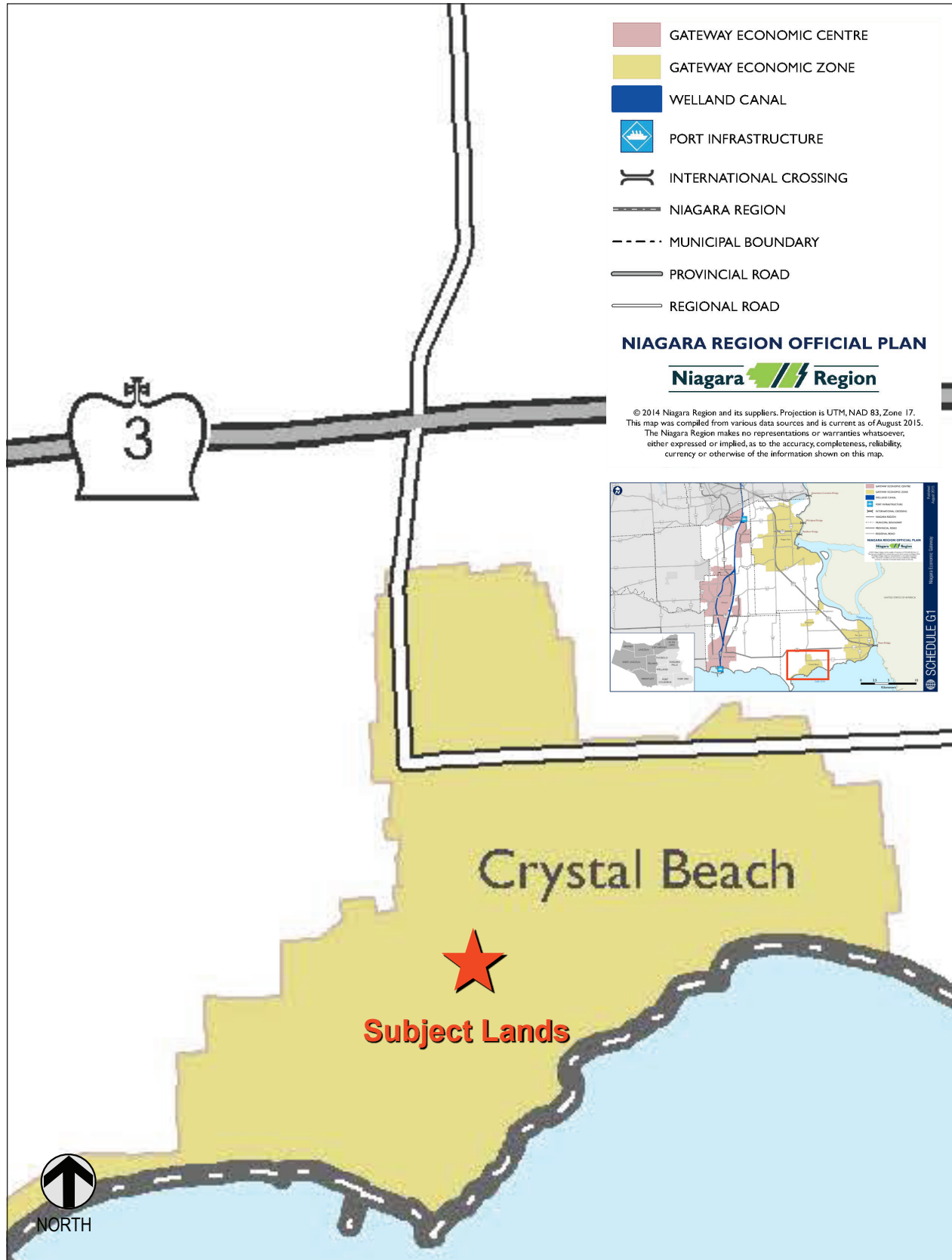


Appendix B - Niagara Region Official Plan Schedules

Schedule A: Regional Structure

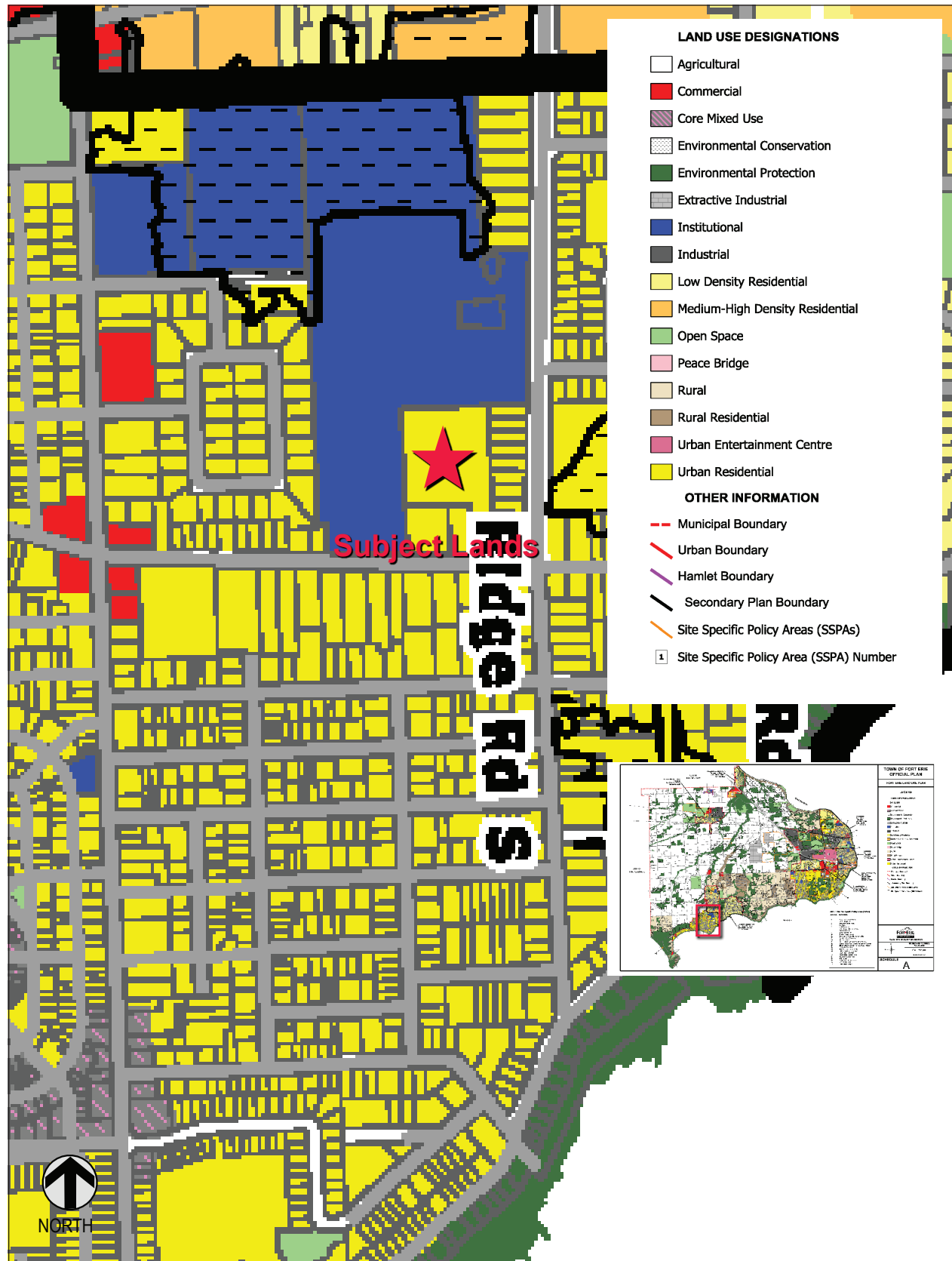


Schedule G1: Niagara Economic Gateway



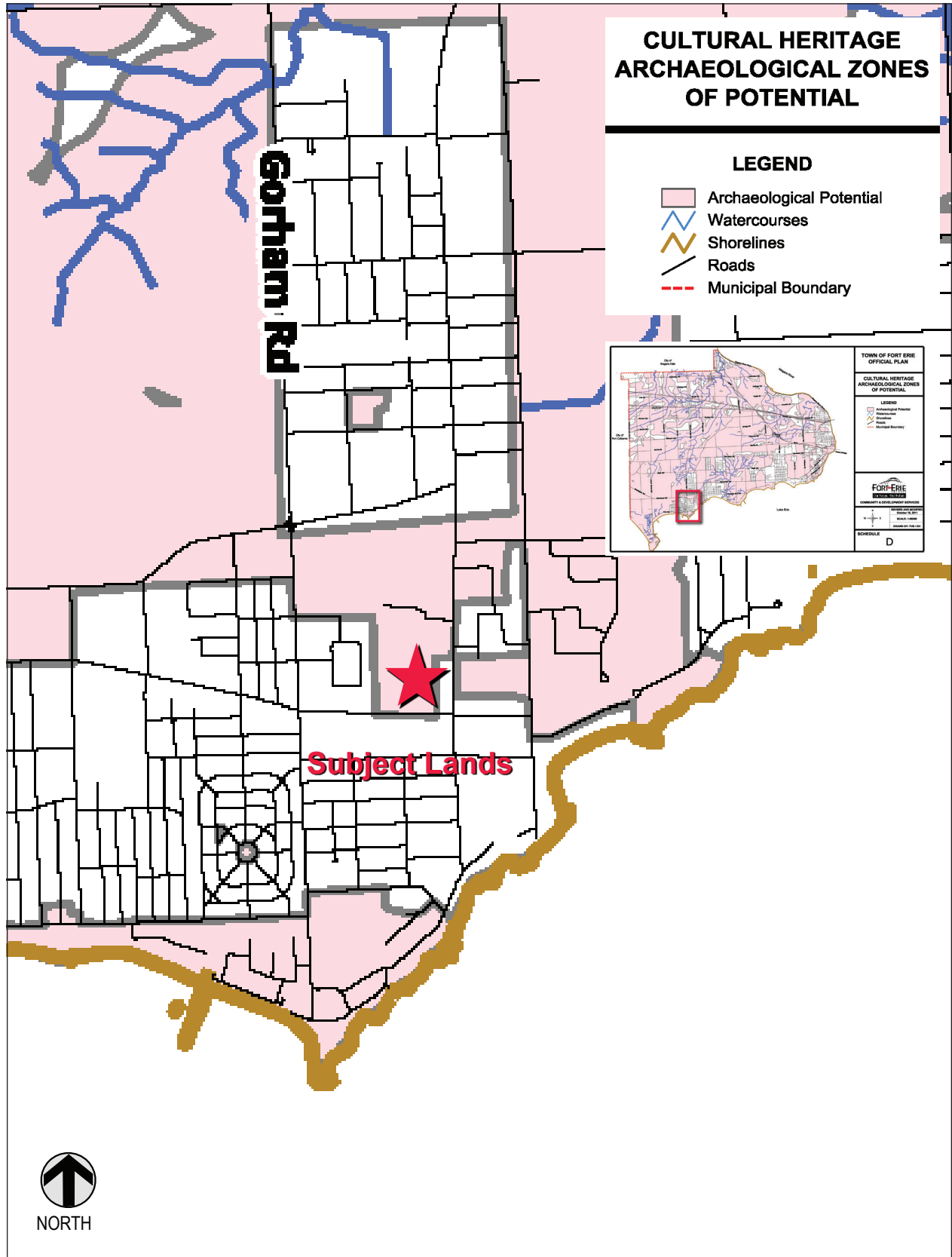
Appendix C - Fort Erie Official Plan Schedules

Schedule A: Land Use Plan





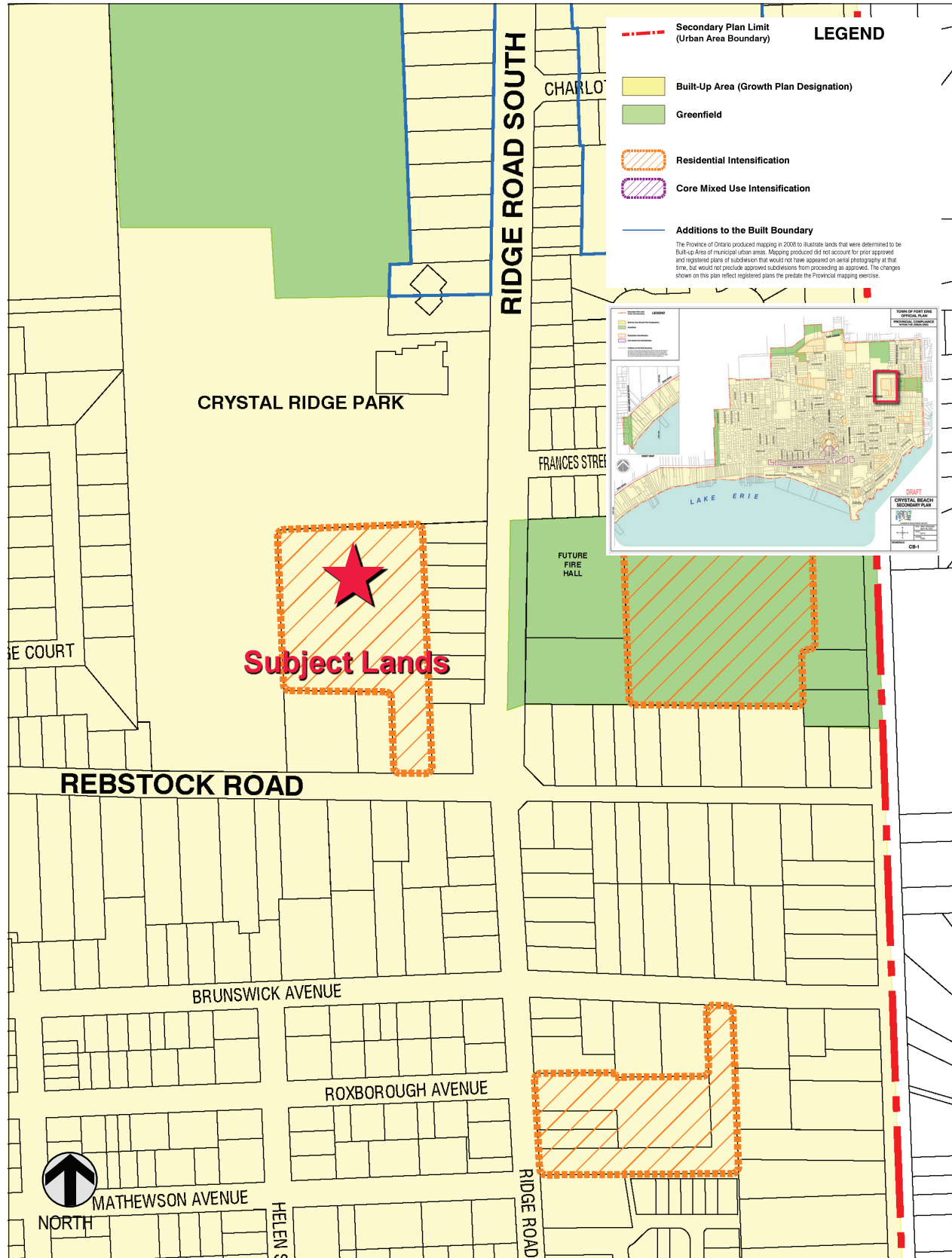
Schedule D: Cultural Heritage Archaeological Zones



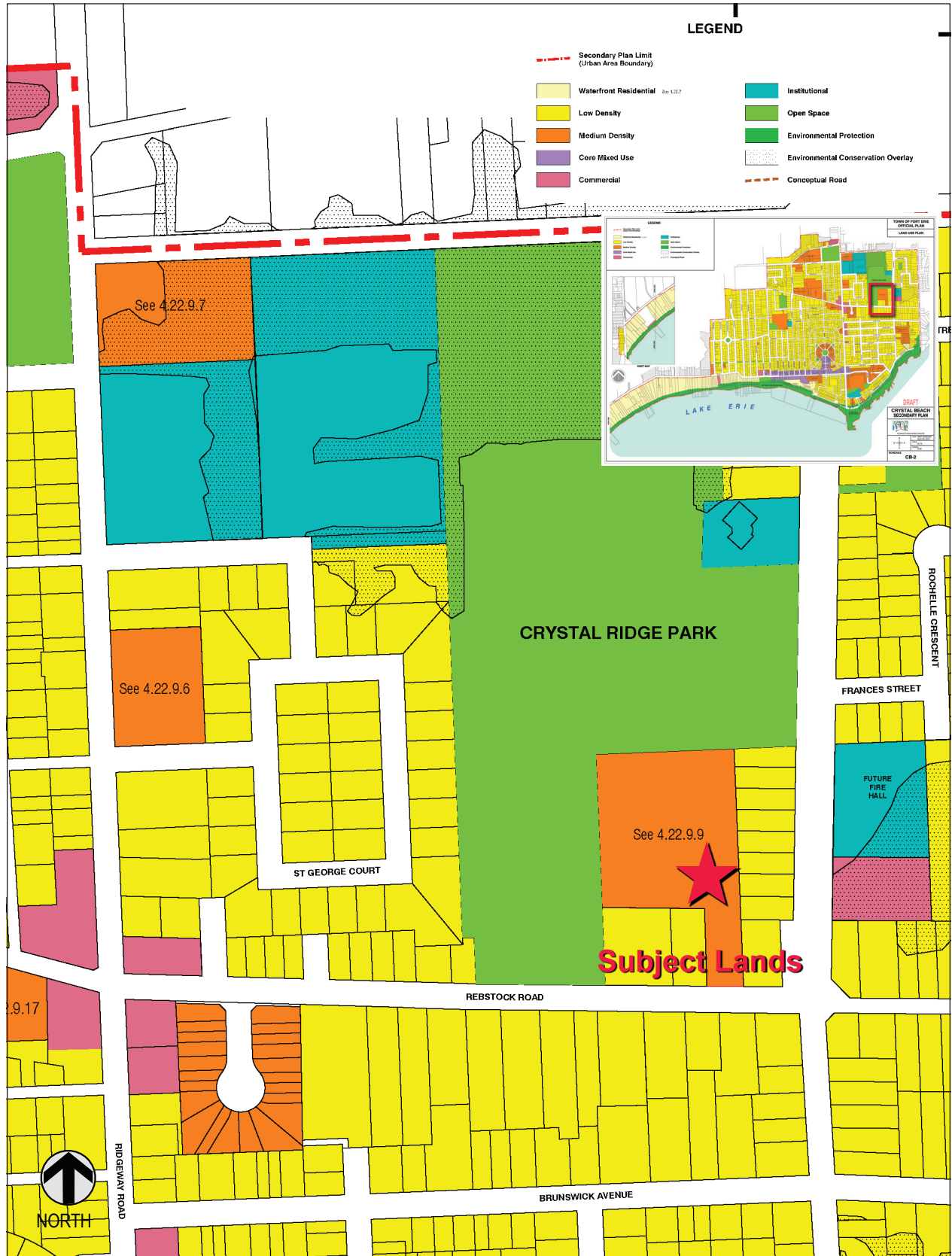


Appendix D - Draft Crystal Beach Secondary Plan Schedules

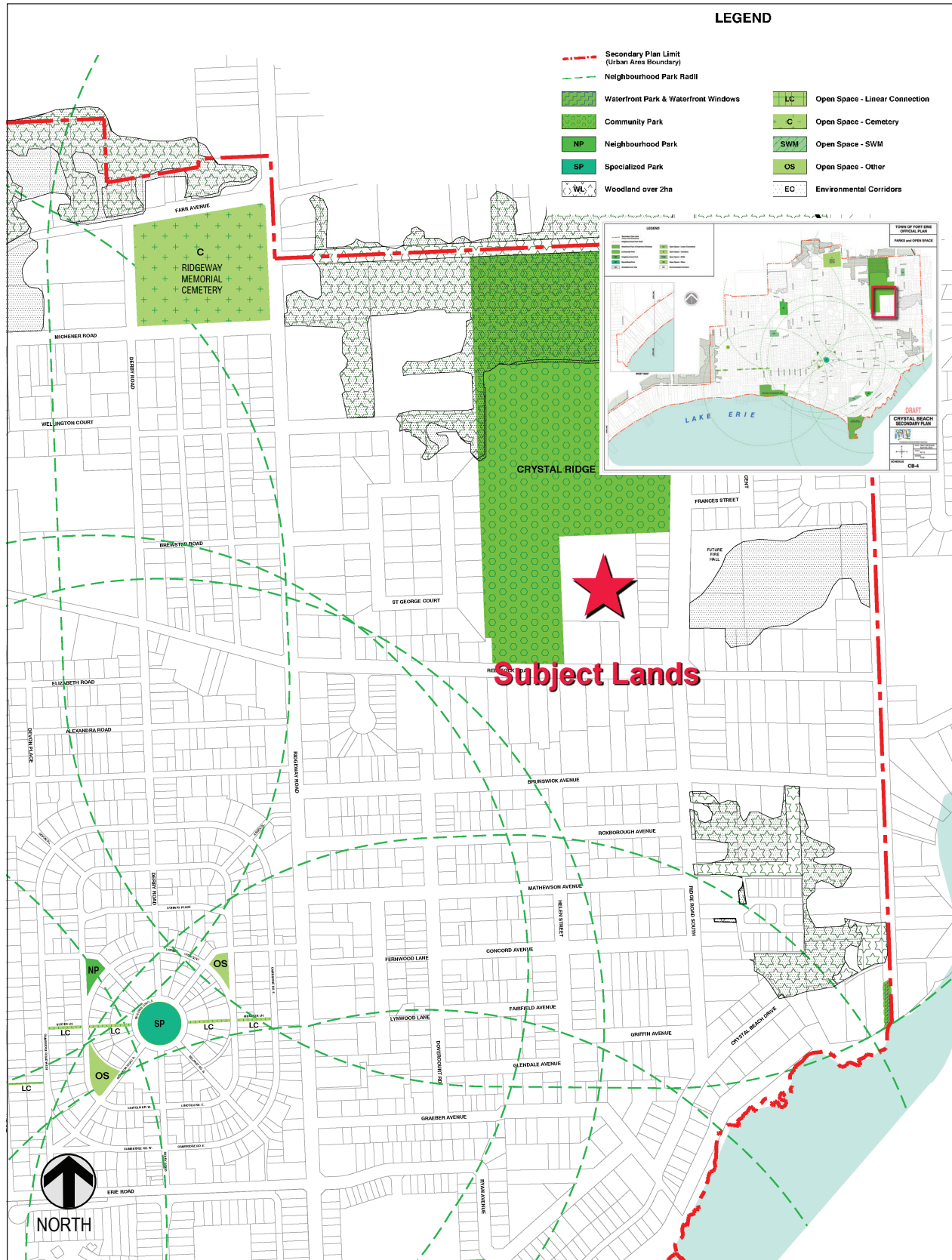
Schedule CB-1: Provincial Compliance Within The Urban Area



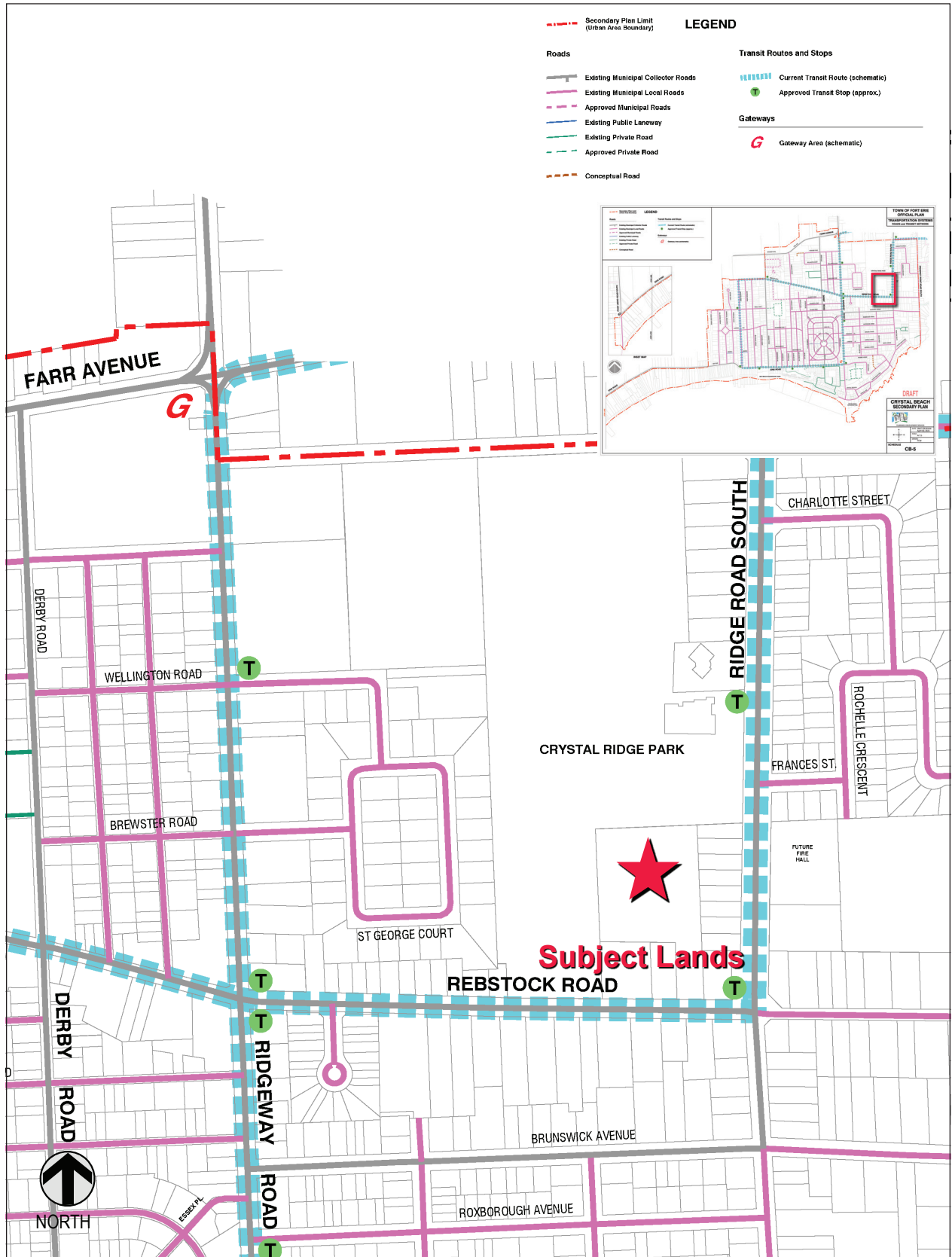
Schedule CB-2: Land Use Plan



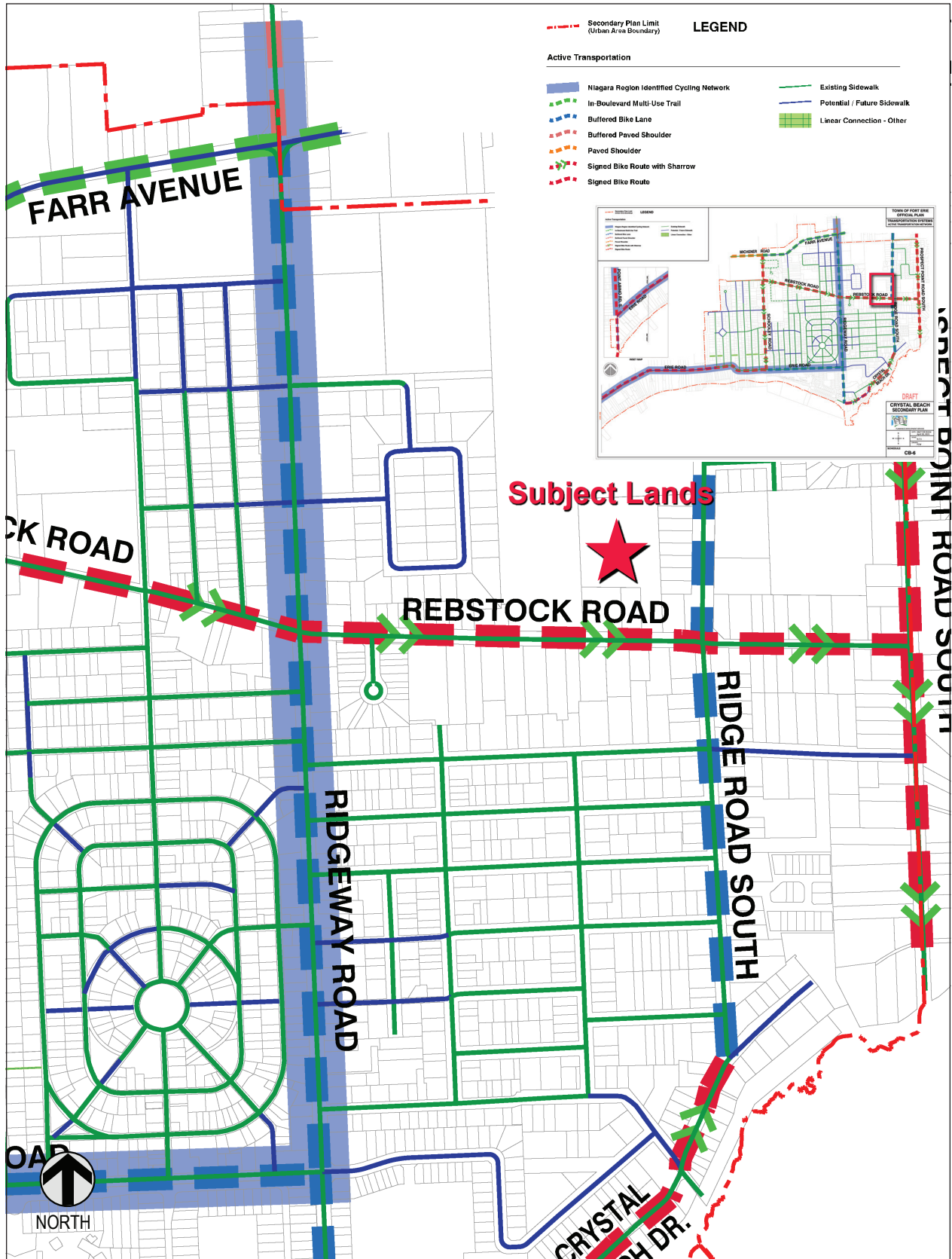
Schedule CB-4: Parks and Open Space



Schedule CB-5: Transportation Systems Roads and Transit Network

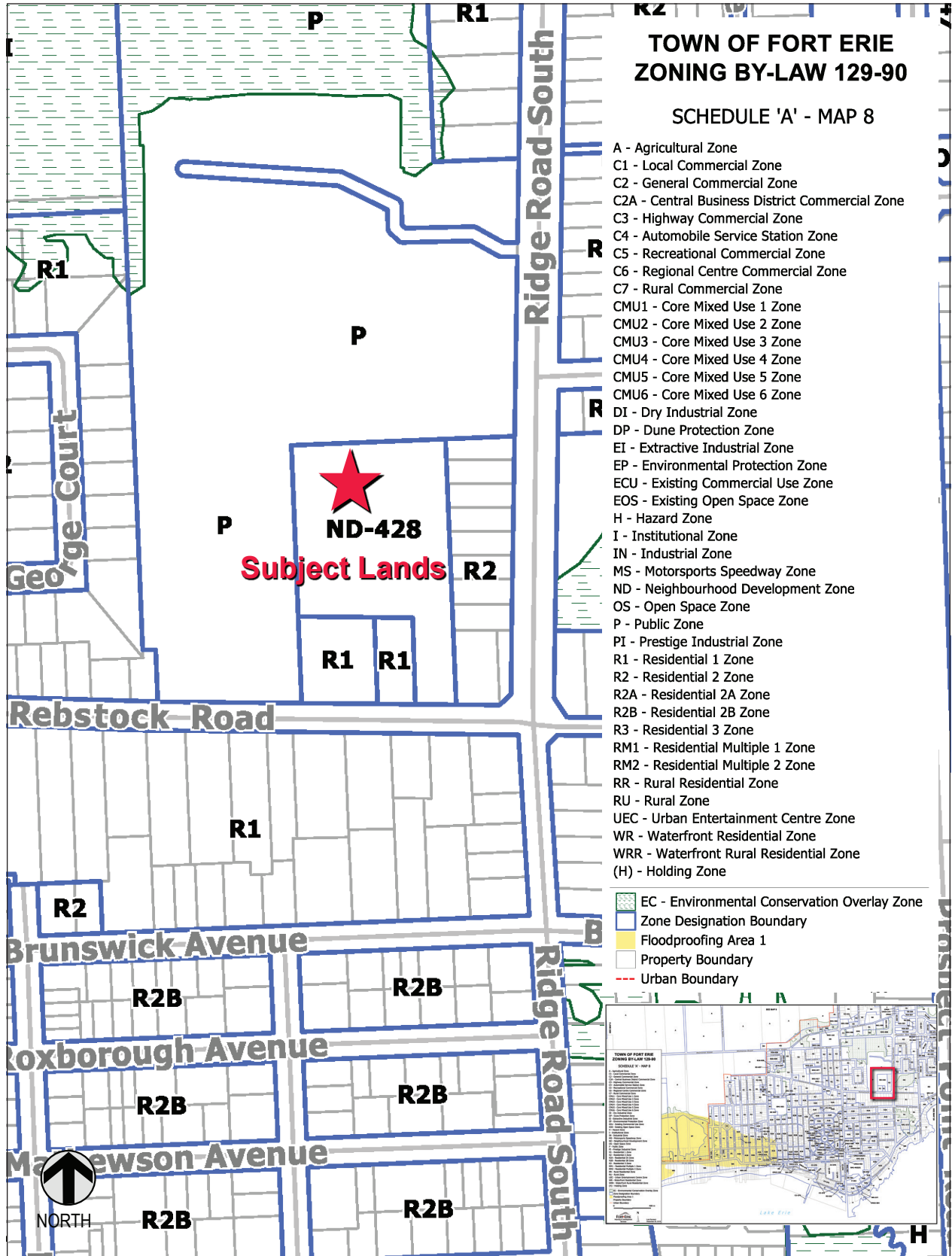


Schedule CB-6: Transportation Systems Active Transportation Network



Appendix E - Zoning By-law Map 129-90

Schedule A - Map 8



Appendix F - Draft Zoning By-law Amendment



The Municipal Corporation of the Town of Fort Erie

By-law No. XX-202X

By-law to Amend Zoning By-law No. 129-90 Northwest of Rebstock Road & Ridge Road South (0-15850 Rebstock Road) NPG Planning Solutions Inc. - Agent M5V Inc./Niagara on the Beach - Owner

Whereas an application was received from NPG Planning Solutions Inc., Planning Consultants (Agent) on behalf of M5V Inc./Niagara on the Beach (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as Part of Lots 23 & 24, Broken Front Concession Lake Erie, Town of Fort Erie, 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 at the Council-in-Committee meeting of XXX XX, 202X and subsequently authorized and approved by Council, and

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

1. **That** Schedule "A" Map 8 of By-law No. 129-90 as amended, is further amended by changing the zoning of the lands as described above and shown on the attached Appendix "1" from "Neighbourhood Development Site Specific (ND-428) Zone" to "Residential Multiple 1 Site Specific (RM1-XXX) Zone."
2. **That** By-law No.129-90 as amended, is further amended by recognizing "Section 6.21 (g) Minimum Landscaped Open Space Area In A Residential Zone" as not applicable for the lands described as above and shown on the attached Appendix "1".
3. **That** By-law No.129-90 as amended, is further amended by adding to "Section 14– Residential Multiple 1 (RM1) Zone" Subsection – "Exceptions to The Residential Multiple 1 (RM1) Zone" the following exceptions:

"RM1-XXX (XX-202X) 0-15850 Rebstock Road (east of Crystal Ridge Park)

These lands are zoned "Residential Multiple 1 Site Specific (RM1-XXX) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Residential Multiple 1 Site Specific (RM1-XXX) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 (RM1-XXX) Zone" shown as Part 1 on the attached Appendix "1" and shall be subject to the following provisions:

a) Permitted use – Stacked Back-to-Back Townhouses, as defined as:

“DWELLING, STACKED BACK-TO-BACK TOWNHOUSE” means a dwelling containing four or more dwelling units divided horizontally and vertically, including a common rear wall, each with an entrance that is independent or through a shared landing and/or external stairwell.

b) Minimum Lot Frontage – 27 m

c) Minimum Rear Yard – 4.5 m

d) Maximum Building Height – 3.5 storeys

e) Minimum Landscaped Area – 34%

f) Maximum Number of Units in a row – Not applicable

g) Minimum Distance Between Buildings on the Same Lot – 7 m

h) Maximum Density – 112 units/hectare

i) Privacy Area – Not applicable

j) Permit 1.16 parking spaces per dwelling unit

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

