

Planning Justification Report

3285 Thunder Bay Road

Fort Erie, ON

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Table of Contents

PREFACE	2
DESCRIPTION AND LOCATION OF THE SUBJECT LANDS.....	3
THE PROPOSED DEVELOPMENT.....	7
REQUIRED APPLICATIONS	8
RELATED STUDIES AND REPORTS.....	10
PROVINCIAL LEGISLATION AND PLANS	12
PLANNING ACT (R.S.O. 1990)	12
2020 PROVINCIAL POLICY STATEMENT.....	18
2019 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE	25
NPCA Policy Document	27
NIAGARA REGION OFFICIAL PLAN.....	29
TOWN FORT ERIE OFFICIAL PLAN	36
TOWN OF FORT ERIE WATERFRONT STRATEGY (2017)	56
TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW (BY-LAW 129-90)	58
PLANNING POSITION.....	63

Appendices

Appendix I – Draft Plan of Subdivision

Appendix II – Draft Zoning By-law Amendment

Appendix III – Pre-consultation Agreement

Appendix IV – Ridgeway – Thunder Bay Secondary Plan Schedules

PREFACE

Upper Canada Consultants respectfully submits this Planning Justification Report pertaining to Applications for Draft Plan of Subdivision and Zoning By-law Amendment for the property known municipally as 3285 Thunder Bay Road in the Town of Fort Erie, within the Regional Municipality of Niagara.

The landowner is proposing a Plan of Subdivision containing forty-one (41) residential lots for single detached dwellings at the southeast corner of Thunder Bay Road and Burleigh Road South. In addition to the residential lots, there are four (4) Blocks of land to be transferred to the Town for long term environmental protection and parkland purposes, as well as two (2) Blocks for road widening and a daylighting triangle.

This Planning Justification Report provides an analysis of how the applications satisfy the requirements of the Planning Act, are consistent with the Provincial Policy Statement (2020), and conform to the Growth Plan for the Greater Golden Horseshoe (2019), Niagara Region Official Plan (as amended) and the Town of Fort Erie Official Plan (as amended).

This Report should be read in conjunction with the following reports and materials:

- Draft Plan of Subdivision prepared by Upper Canada Consultants
- Draft Zoning By-law Amendment
- Preliminary Functional Servicing Report prepared by Upper Canada Consultants
- Environmental Impact Study prepared by Beacon Environmental Ltd.
- Stage 1-2 Archeological Assessment prepared by Detritus Consulting Ltd.

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The Draft Plan of Subdivision application pertains to the lands known legally as Lots 20 A, 20 B, Part of Lots 19 A, 19B and 21C, Registered Plan 408 and Part of Lot 20, Broken Front Concession Lake Erie, Geographic Township of Bertie, Town of Fort Erie, Regional Municipality of Niagara.

The subject lands are municipally addressed as 3285 Thunder Bay Road and are assigned municipal Roll Number 270302001102000.

The subject property is 4.6 hectares in area and is located within the Thunder Bay neighbourhood in the Town of Fort Erie, as shown in **Figure 1**, below. The property has frontage along Thunder Bay Road to the north and Burleigh Road South to the west. The subject lands are abutted by existing low density residential land uses on all sides and the Lake Erie shoreline to the south.



Figure 1 - Subject Lands - 3285 Thunder Bay Road, Fort Erie

Existing Development

The property currently contains one single detached dwelling and an accessory structure. The property currently has one driveway access provided from Thunder Bay Road. These existing structures are to remain on site for potential public repurposing at the request of the Town of Fort Erie.

Former Wooded Area

The northern portion of the subject lands was previously comprised of several trees and is identified as a Significant Woodland in the Regional Official Plan and as a Woodlot in the Town of Fort Erie Official Plan. The property is also subject to an Environmental Conservation (EC) Overlay found in the Zoning By-law. The treed community can be seen in 2018 Niagara Region aerial imagery provided within this report.

In 2018, the owner engaged the NPCA and Town regarding their desire to remove dead Ash trees from the property as they presented a risk to public health and safety and a liability to the landowner. The site was attended by the NPCA Forester in 2017 who confirmed the presence of the dead trees and that the wooded area was not considered a significant woodland under the Regional Tree By-law in effect, at the time. Accordingly, tree removal could be permitted.

An Arborist Report was prepared by Beacon Environmental Ltd. in February of 2018 that was submitted to the Town with an application to remove the Environmental Conservation (EC) Overlay. The Town's Environmental Advisory Committee (EAC) Committee refused the request, and the application was subsequently sent to Council for their consideration. Town Council passed a motion with the following effects:

"That the EC Overlay remain on the entirety of 3285 Thunder Bay Road and that the selective removal of dead ash trees is permitted provided that the owner:

- *engage a certified arborist to identify non-ash trees on the site;*
- *tag those trees and prepare a plan to be submitted to the Town that identifies the location and species of non-ash trees;*
- *identify on the plan the location of the access corridor - only dead ash trees can be removed to establish the access corridor; and*
- *Town staff will need to approve the plan prior to any cutting of ash trees, or the establishment of the access corridor;*
- *all trees when cut down must be removed from the site, leaving it in a tidy condition; and*
- *no cutting or removal of during the nesting season as communicated by staff."*

In accordance with the direction of Town Council, the requisite materials were provided to the Town of Fort Erie for approval. Town staff approved the submitted materials and the trees were subsequently removed in 2019.

Prior to the removal of the trees, staff from Beacon Environmental Ltd. conducted their necessary field investigations to inform the EIS that has been submitted with the application. As included in that document, qualified analysis of the site, pre and post removal, has been provided.

The removal of remaining trees and Environmental Conservation (EC) Overlay Zone in the Zoning By-law are required to facilitate the development of the residential lots.

Existing Sanitary Easement (Part 2 of Plan 59R-7095)

An existing easement for sanitary servicing, described as Part 2 of Plan 59R-7095, is present on the subject lands. This easement provides a legal sanitary outlet for existing development located along Lakecrest Court to the south of the subject lands.

The existing easement will remain in place and will be unaffected by the proposed development. The sanitary sewer that services the residents of Lakecrest Court will remain in place and will not be changed.

As Blocks 42 and 45 are intended to be conveyed to the Town of Fort Erie, the Town will assume ownership of the majority of the lands affected by the easement. Lot 35 will be the only private ownership lot subject to this existing, underlying easement.

Site Photographs

Images in **Figure 2** were taken on June 28, 2021.



Figure 2 - 1) Site Frontage Looking West Along Thunder Bay Road, 2) Interior of Site Looking North, 3) Shore of Lake Erie, 4) Interior of Site Looking West, 5) Existing Dwelling, 6) Watercourse

THE PROPOSED DEVELOPMENT

Residential Development

The application proposes to create forty-one (41) lots for single detached dwellings. These lots range in size from 510 square metres to 829 square metres in area, as shown on the Draft Plan of Subdivision provided as **Appendix I** to this report. Access to the proposed lots will be provided from Thunder Bay Road for Lots 1-9 and from a new public roadway (Street A) for Lots 11-41.

Interior lots have proposed lot frontages ranging between 13.6 metres to 15 metres, while corner lots have a minimum lot frontage of 17 metres. Lots 2-9 and 15-22 have intentionally designed with smaller frontages to ensure a mix of lot sizes within the development and efficient design.

The residential portion of the development represents roughly 50% of the subject lands. The balance of the property is intended to be Zoned to reflect natural heritage features and natural hazards identified by the Environmental Impact Study, as well as lands to be dedicated for public parkland.

Land Dedications to the Municipality

Outside of the developable area are lands that are intended to be dedicated to the municipality for long-term protection and public enjoyment. These Blocks include:

- Block 42 – Existing Watercourse
- Block 43 – Public Parkland Block
- Block 44 – Shoreline Hazard Lands
- Block 45 – Public Parkland Block
- Blocks 46 & 47 – 1.45 metre Road Widening inclusive of Daylighting Triangle

Off-site Infrastructure

An extension of a Town Storm sewer is required along Thunder Bay Road to support this development. These required works will be undertaken at the cost of the developer.

REQUIRED APPLICATIONS

A pre-consultation meeting occurred for the proposed development on October 8, 2020.

As outlined by the review agencies (Town of Fort Erie, Niagara Region, Niagara Peninsula Conservation Authority), complete application submission requirements for Draft Plan of Subdivision and Zoning By-law Amendment include:

- Planning Justification Report
- Environmental Impact Study
- Functional Servicing Report
- Stormwater Management Plan

Please see **Appendix III** for a copy of the Pre-consultation Agreement.

Draft Plan of Subdivision

Forty-one (41) lots for single detached dwellings are proposed through the Draft Plan application, as well as two Blocks for long-term environmental protection (Blocks 42 & 44), two Blocks for municipal parkland (Blocks 43 & 45), and two Blocks (Blocks 46 & 47) for road widening and daylighting triangle.

A copy of the Draft Plan of Subdivision is provided as **Appendix I** to this report.

Zoning By-law Amendment

A Zoning By-law Amendment has been submitted to rezone the property from Waterfront Residential (WR) to Residential 2A (R2A), Site Specific Open Space (OS-X) and Environmental Protection (EP) Zone.

The Application will also remove the Environmental Conservation (EC) Overlay that was associated with a former woodlot feature.

Site-specific relief from the base Open Space (OS) Zoning provisions is requested for the following items:

- Reduced Minimum Lot Area – 4,500 square metres where as 8,000 square metres is required (Block 43)
- Reduced Minimum Lot Area – 1,400 square metres where as 8,000 square metres is required (Block 45)
- Reduced Minimum Lot Frontage – 0 metres whereas 15 metres is required (Block 44)

Site-specific relief is not required for the proposed Environmental Protection (EP) Zone on the watercourse Block (Block 42).

The existing Hazard (H) Zone will remain on Block 44.

The Draft Zoning By-law Amendment is included as **Appendix II** to this report.

RELATED STUDIES AND REPORTS

Consistent with the submission requirements outlined during pre-consultation (see **Appendix III**) and in addition to this Planning Justification Report, the studies and reports listed below have been submitted with the Draft Plan of Subdivision and Zoning By-law Amendment applications. A brief overview of their conclusions and recommendations are provided below.

Environmental Impact Study prepared by Beacon Environmental Ltd.

An Environmental Impact Study (EIS) was completed for the subject lands by Beacon Environmental Ltd. The field studies for the project took place between 2018 and 2021.

The EIS has concluded that the subject lands contain Type 3 Fish Habitat, potential habitat for the endangered Fowlers Toad, an endangered Butternut Tree and natural hazards associated with the Lake Erie Shoreline.

The proposed plan does not contemplate any development within the limits or buffers associated with the identified natural heritage and natural hazard features. No development is proposed within the potential Fowlers Toad habitat, either. The EIS also addresses the authorized removal of trees from the property in 2019.

This EIS concludes that “...with the implementation of the recommended mitigation measures the proposed draft plan to be located at 3285 Thunder Bay Road, in the Town of Fort Erie is supported with respect to maintaining the natural heritage system of the Town of Fort Erie, Niagara Region and the Province.”

Stage 1-2 Archeological Assessment prepared by Detritus Consulting

The subject lands were investigated for archaeological resources in 2019 by Detritus Consulting Ltd.

A Stage 1 desktop analysis was conducted which concluded that the site “exhibited moderate to high potential for the discovery of archaeological resources”, as per the Stage 1-2 Report. Due to this circumstance, a Stage 2 field investigation was undertaken in July 2019.

The scope of the Stage 2 study included the of digging 30 cm test pits at 5 metre intervals. The investigative works were conducted on the majority of the subject lands except for the existing structures, driveway and beach. No archaeological resources were discovered through these works.

The completed Stage 1-2 Report was submitted to the Ontario Ministry of Heritage, Sport, Tourism and Cultural Industries for review. A letter of concurrence approving the works was

issued by the Ministry on July 3, 2020. Copies of the report and Ministry clearance are provided with the application submission.

Functional Servicing Report prepared by Upper Canada Consultants

A Functional Servicing Report, inclusive of a Preliminary Stormwater Management Plan, has been prepared by Upper Canada Consultants and submitted with the applications.

The report finds that the subject lands have available municipal water and sanitary services that can support the development. Generally, the domestic servicing design for this development will include lateral connections to services within Thunder Bay Road for Units 1-11. The balance of the units will be connected to a new watermain and sanitary sewer that will be constructed within Street A. The watermain will be looped between Thunder Bay Road and Burleigh Road South for servicing efficiency, while the new sanitary sewer will outlet to the existing sanitary easement located on the subject lands generally around Block 45.

Stormwater will be managed through a new municipal storm sewer that will be constructed within Street A. This sewer will connect to a new ~400 metre extension to the existing Storm Sewer on Thunder Bay Road being constructed at the developers cost. Stormwater Quality and Quantity controls are required for this development and will include an oil/grit separator and orifice control system.

Existing overland flows to the watercourse (Block 42) will continue for the purpose of rear yard drainage, prior to discharge to Lake Erie.

Environmental Compliance Approvals from the Ontario Ministry of Environment, Conservation and Parks will be required for the sewers. A local municipal approval will be required for the new water main.

Overall, the proposed development is able to be provided with, and efficiently serviced by this planned infrastructure.

PROVINCIAL LEGISLATION AND PLANS

Development applications within the Town of Fort Erie are subject to the Ontario Planning Act (R.S.O. 1990), 2020 Provincial Policy Statement and the 2019 Growth Plan for the Greater Golden Horseshoe. An assessment of how the submitted applications satisfy applicable Provincial legislation and policies is provided below.

PLANNING ACT (R.S.O. 1990)

The Planning Act regulates land use planning in the Province of Ontario. The Act prescribes matters of Provincial Interest with regard to land use planning and the necessary procedures to be adhered to when making applications for development.

Section 2 – Matters of Provincial Interest

Section 2 of the Planning Act outlines matters of Provincial Interest that a planning authority must have regard for when contemplating a land use planning application. Matters of Provincial Interest include:

- a) the protection of ecological systems, including natural areas, features and functions;*
- b) the protection of the agricultural resources of the Province;*
- c) the conservation and management of natural resources and the mineral resource base;*
- d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- e) the supply, efficient use and conservation of energy and water;*
- f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- g) the minimization of waste;*
- h) the orderly development of safe and healthy communities;*
 - (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- j) the adequate provision of a full range of housing, including affordable housing;*
- k) the adequate provision of employment opportunities;*
- l) the protection of the financial and economic well-being of the Province and its municipalities;*

- m) the co-ordination of planning activities of public bodies;*
- n) the resolution of planning conflicts involving public and private interests;*
- o) the protection of public health and safety;*
- p) the appropriate location of growth and development;*
- q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- r) the promotion of built form that,*
 - (i) is well-designed,*
 - (ii) encourages a sense of place, and*
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.*

Clauses a), f), h), j), o), p), and q) are considered to be relevant to these applications.

The applications protect on-site and adjacent ecological systems and features that have been evaluated through an Environmental Impact Study (EIS) prepared by Beacon Environmental Ltd. As cited in the EIS, the subject lands contain an existing watercourse, which will remain unaltered through development and will be zoned for long-term protection prior to conveyance to the local municipality. Ecological features associated with the Lake Erie shoreline will also remain unaffected by development.

The property formerly contained a wooded area containing Ash Trees. As cited in the EIS, the Emerald Ash Borer had devastated this feature, and under the direction of Town Council via resolution, these trees were removed by the owner in 2019. The remnant vegetation will be removed to facilitate development.

An endangered Butternut Tree was discovered on site as part of a planted hedgerow. This tree is located within one of the Blocks that will be dedicated to the Town. As no development is proposed nearby, and that the tree is to remain in situ, the preservation of this ecological feature is achieved.

The applications propose a development that can efficiently use municipal infrastructure in the surrounding area. The development will utilize an existing watermain and sanitary sewer to service the development. A new watermain will be constructed as part of the development

which will be looped to improve water service efficiency. The development will also utilize an existing sanitary sewer outlet and proposes to extend a municipal storm sewer to the site. Overall, the servicing method will build upon existing infrastructure and where improvements are needed, will be required to be provided at the developers expense will no undue costs placed on the municipality.

The orderly development of safe and healthy communities is achieved through the development of the subject lands as low density residential community. The development will be connected to urban services and will contain a new public roadway built to municipal standards.

Residential development is proposed outside of identified natural hazard features including the existing watercourse and the hazards associated with the Lake Erie Shoreline. The provision of lands for public parkland and shoreline access will facilitate opportunities for recreation and outdoor enjoyment, which can contribute to the health and wellness of residents.

The applications assist the municipality with the provision of a full range of housing by providing additional units into the local supply. Although the dwelling type will be homogeneous, this built form consistency is desirable in this area, as set forth through the Official Plan, Ridgway-Thunder Bay Secondary Plan and existing Waterfront Residential (WR) Zoning. There is some variation in lot sizes within the Draft Plan, which will assist in the provisions of a mix of housing scales in this area of the community. The smaller lots will facilitate the development of dwellings that will be relatively more affordable than those typically expansive and expensive dwellings/lots found in the waterfront areas.

The applications ensure the protection of public health and safety by ensuring development is locate outside of on-site natural hazards and is provided with full municipal services. The subdivision design also facilitates the movement of emergency vehicles.

The applications propose growth in an appropriate location within the Town. The subject lands are currently designated and zoned to permit residential land uses, which is consistent with the development proposal. The property has convenient access to local roadways, is located within a large stable neighbourhood, has municipal servicing, and is identified as a future route for public transit service (Schedule RTB-4 of the Ridgeway Thunder Bay Secondary Plan found in **Appendix IV**). The concurrent provision of new parkland and shoreline access for this area of the municipality also make the development appropriate and desirable.

The applications propose a sustainable building form that has the ability to increase pedestrianism and support future public transit investments. The provision of the new park and

shoreline connections paired with the inclusion of interior sidewalks will also contribute to the growth of alternative forms of transportation. The significant land dedication will ensure that roughly half of the property remains in a natural state, thus providing an increase in protected natural spaces in the municipality for long-term enjoyment and enhancement.

Section 51 – Draft Plans of Subdivision

Draft Plans of Subdivision are considered under Section 51 (24) of the Planning Act.

Section 51 (24) the Planning Act prescribes that “*In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*” items a) to m). An overview of how each item is addressed is provide below in italics.

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

As noted above, the applications satisfy clauses a), f), h), j), o), p), and q) of Section 2 of the Planning Act.

- b) whether the proposed subdivision is premature or in the public interest;

The Draft Plan is not premature as the subject lands are designated in the Town’s Official Plan for low density residential development. The existing Zoning also permits residential development.

The removal of the EC Overlay, which prohibits development until such time that necessary environmental study is completed, is justified based on the analysis and conclusions provided in the Environmental Impact Study prepared by Beacon Environmental Ltd.

The applications are considered to be in the public interest by providing additional housing opportunities within the community, protecting adjacent natural heritage features and creating new public parkland and access along the Lake Erie waterfront.

- c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The applications conform to the Town of Fort Erie Official Plan. A detailed analysis of this conformity is included in this report.

The existing lotting patterns in this area of the municipality vary. The proposed development reflects a more traditional grid pattern that exists to the north of the subject lands between Thunder Bay Road and the Friendship Trail.

The abstract lotting pattern to the west and east is long standing and not desirable for new development.

- d) the suitability of the land for the purposes for which it is to be subdivided;

The property is located in a suitable location for development as it is within an established residential area in the Town, is along collector roadways, has full municipal services available and is free of significant development encumbrances. The property is generally flat and has a clear area for residential development available.

- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

At this time, affordable housing as defined by the Province of Ontario, is not proposed.

- e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The proposed development will have vehicular access provided from Thunder Bay Road and Burleigh Road South. The proposed street (Street A) will be a crescent that connects both streets through the development.

Thunder Bay Road and Burleigh Road South are both Collector Roads that provide connections within the Town and to other higher order arterial and collector roadways.

- f) the dimensions and shapes of the proposed lots;

The proposed lots are generally rectangular with variations in area and frontage.

Interior lots will be provided with frontages that vary between 13.6 metres and 15 metres, with corner lots having minimum frontages of 17 metres. All lots meet the minimum 375 square metre lot area and lot frontage requirement of the proposed Residential 2A (R2A) Zone.

- g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The subject lands are encumbered by an existing watercourse and shoreline erosion and flood hazards, as confirmed through the EIS prepared by Beacon Environmental Ltd.

Although the watercourse (Block 42) is undevelopable, this feature will support the development by continuing to provide an overland stormwater drainage function for Lots 24-35.

No development is proposed in the regulated shoreline and flood area found within Block 44.

- h) conservation of natural resources and flood control;

The subject lands contain a watercourse and a floodplain associated with Lake Erie. These features will be protected through the proposed Zoning Amendment and dedicated to the Town of Fort Erie for long-term conservation and public enjoyment.

- i) the adequacy of utilities and municipal services;

As outlined in the provided Preliminary Functional Servicing Report prepared by Upper Canada Consultants, the proposed development is able to be serviced by an existing watermain and sanitary sewer. Utility connections including gas, hydro and telecommunications are also available.

An extension of a municipal storm sewer along Thunder Bay Road will be required to support the development, and will be constructed at the cost of the developer.

- j) the adequacy of school sites;

The subject lands are located within approximately 1.5 kilometres of two elementary schools.

The local school boards (DSBN, NCDSB) will have an opportunity to comment on this application and confirm adequacy of service.

- k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Approximately 1.75 hectares of land is proposed to be conveyed to the Town of Fort Erie for conservation, parkland and shoreline access purposes.

- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

Energy efficient design may be explored through the development of detailed building plans.

- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

Single detached dwellings are not subject to Site Plan Control in the Town of Fort Erie.

2020 PROVINCIAL POLICY STATEMENT

Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns (PPS 1.1)

The overarching purpose of the Provincial Policy Statement (2020) (PPS) is to provide direction to planning authorities on how to best achieve the development of healthy, livable and safe communities.

The subject lands are located within the Crystal Beach Urban Area in the Town of Fort Erie, which is delineated in both the Niagara Region Official Plan and Town Official Plan. Niagara's Urban Areas are considered as Settlement Areas by the PPS. Policy 1.1.3.1 of the PPS directs that Settlement Areas are to be the focus of growth and development within Ontario communities. Consistent with this requirement of the PPS, the proposed development will be located within the Settlement Area boundary.

Within Settlement Areas, development is to proceed in a manner that efficiently uses land and resources, is appropriate for the efficient use of infrastructure and public service facilities, minimizes negative impacts on air quality and climate change, supports multi-modal transportation options including active transportation and transit and freight movement. Land use patterns are to be based on a range of uses and opportunities for intensification and redevelopment.

The proposed development is appropriate for the subject lands and surrounding area. In total, 41 new residential lots will be supported by existing municipal infrastructure. The subject lands are accessible from two local collector roadways (Burleigh Road South, Thunder Bay Road) and are identified on Schedule RTB-4 the Ridgeway Thunder Bay Secondary Plan as having frontage along a pedestrian route and future transit route.

Policy 1.1.3.5 of the PPS requires that municipalities establish and implement minimum targets for intensification and redevelopment within built-up areas. As set forth in the Regional Official Plan, Fort Erie is to accommodate 15% of development to the year 2031 within the Built-Up area as intensification. Consistent with this Regional requirement and the PPS, the subject lands are located entirely within the Built-up Area and the proposed units will contribute to the achievement of that minimum 15% intensification target.

Coordination (PPS 1.2)

Section 1.2.1 of the PPS directs that planning matters should be dealt with through a coordinated, integrated and comprehensive approach. This approach is recommended to ensure that consideration of all relevant matters including, but not limited to natural environment, infrastructure, hazards, employment and housing.

Section 1.2.4 of the PPS requires that upper tier municipalities provide planning direction on allocations of population and employment, preferred growth areas, targets for intensification and transit supportive development. The Regional Municipality of Niagara is the upper tier government body that has prescribed growth within the region. This Regional level policy direction prescribes 15% annual residential intensification within the Built-up Areas within the Town of Fort Erie's Settlement Areas.

The applications are consistent with this section of the PPS as they will facilitate development that will contribute to the achievement of required intensification targets for the local municipality.

Through the pre-consultation process, the planning authority, NPCA and Niagara Region provided direction on required studies and information needed to process the application. This comprehensive approach was used to ensure that all matters of Provincial, Regional and local interest are identified. The requisite studies and materials have been provided with the submitted application.

Housing (PPS 1.4)

The PPS requires that municipalities must provide for an appropriate mix of housing that can accommodate the 15 year population growth determined for the municipality by the Upper Tier Municipality, in this case the Regional Municipality of Niagara.

Table 4-1 of the Niagara Region Official Plan forecasts that Fort Erie will have 37,400 people and 15,860 households by 2031. The Regional Official Plan forecast anticipates that Fort Erie will need to add 2,200 dwellings between 2016 and 2031 to accommodate the expected growth.

The proposed lots will provide new opportunities for the creation of new dwellings that will support the forecasted increase in population to the current planning horizon.

Public Spaces, Recreation, Parks, Trails and Open Space (PPS 1.5)

The PPS directs planning authorities to promote healthy and active communities through the detailed planning of streets, spaces and facilities that are safe, foster social interaction and facilitate active transportation and community connectivity. To achieve this, Policy 1.5.1 of the PPS requires that a full range and equitable distribution of publically accessible spaces for recreation be provided such as parks, trails, as well as access to shorelines for public enjoyment.

The subdivision application proposes a significant public land dedication for the purposes of new municipal parkland along Lake Erie. The provision of these lands is consistent with Policies 1.5.1 b) and c) of the PPS that respectively promote the establishment of recreational areas within natural settings and opportunities for public access to shorelines.

Infrastructure and Public Service Facilities (PPS 1.6)

A general tenant of the Policies within Section 1.6 of the PPS is that urban development must occur on urban services, and that existing infrastructure should be capitalized upon before undue expansions are considered.

Water and Sanitary Services

The proposed development will utilize existing municipal water and sanitary services. New water and sanitary sewer extensions will be required along Street A to service the development, which will be undertaken at the expense of the developer.

Stormwater will be directed to the municipal storm sewer on Thunder Bay Road. An extension of approximately 400 metres is required to reach the site. Flows collected from the development will be treated by an oil/grit separator prior to eventual discharge to the storm sewer. Quantity of flow will be governed by an orifice control.

As the development will connect to existing urban services, the applications are considered to be consistent with the infrastructure policies of the PPS.

Transportation

The Policies under Section 1.6.7 of the PPS directs that efficient use should be made of existing and planned transportation infrastructure, that connectivity amongst systems and modes be maintained and improved, and that land use patterns, density and mix of uses should be promoted that minimizes the length and number of vehicle trips, and support multi-modal transportation options.

The subject lands are situated on two local roadways being Thunder Bay Road and Burleigh Road South. These two roads are classified as Collector Roads on Schedule RTB-4 of the Town's Official Plan. Lots 1-9 will rely on Thunder Bay Road for access, whereas the balance of the lots and the public land dedication Blocks will have access provided from a new public roadway (Street A).

Thunder Bay Road is identified in the Ridgeway-Thunder Bay Secondary Plan as a pedestrian route and future transit route. The provision of additional residential development along these routes can in increasing the modal share for alternative forms of transportation

The Town of Fort Erie has not requested any Transportation or Parking Studies in support of this application. Accordingly, the existing transportation networks and proposed roadway are considered to be adequate to support the development.

Natural Heritage (PPS 2.1)

As outlined in Section 2.1 of the PPS, natural features and areas are to be protected for the long term. These features include significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest and coastal wetlands. This protective policy framework is also applicable to natural heritage features on adjacent lands.

An Environmental Impact Study pertaining to the subject lands was completed by Beacon Environmental Ltd. between 2018 and 2021. As outlined in that report, the subject lands contain an existing watercourse that is classified as Type 3 Fish Habitat, an endangered Butternut Tree, potential habitat for the endangered Fowlers Toad along the Shoreline, as well as Natural Hazard features associated with Lake Erie.

The following provided an analysis of applicable policies.

Fish Habitat

Policy 2.1.6 of the PPS states that "development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements". As outlined in the EIS, the on-site watercourse is generally described as a 1 metre wide dug channel that conveys flows from west of the subject lands eastward across the site, under a concrete driveway culvert and then to adjacent lands where flows ultimately discharge unto Lake Erie. The EIS states that this watercourse "drains a small watershed, with the headwater area associated with two wetland pockets located along Prospect Point Road 500 m to the west of the subject lands." It is noted

that flows in the watercourse are ephemeral and are associated with spring freshet and heavy rainfall events. The channel is vegetated on both sides with existing residential development situated adjacent to the south. The EIS states that no fish were observed in the watercourse during the review of the feature, and due to the flows being ephemeral, the watercourse cannot be classified as Type 1 or 2 Fish Habitat. Based on these circumstances, the EIS concludes that the watercourse is therefore classified as Type 3 Marginal Fish Habitat.

Under the applicable NPCA Regulations found in Section 9.2.5.1 of the NPCA Policy Document, a minimum 10 metre buffer is required to protect Type 3 Fish Habitat. Similar policies exist in the Niagara Region Official Plan that require a 15 metre buffer be provided for Type 3 fish habitat, which may be reduced based on the findings of the EIS.

As stated in the EIS and as shown on the Draft Plan, a variable setback of no less than 10 metres exists between the watercourse and the proposed lots. The feature will be protected for the long term through the application of Environmental Protection (EP) Zoning and the ultimate conveyance of Block 42 to the municipality. As no development is proposed within 10 metres of the watercourse, the applications are considered to be consistent with Policy 2.1.6 of the PPS.

Fowlers Toad Habitat

The presence of potential Fowlers Toad Habitat is limited to the beach area (i.e. sand). As no development is proposed within this area, and that this portion of the subject lands will be conveyed to the Town of Fort Erie, there are no impacts to the habitat of this species. Accordingly, the applications are considered to be consistent with the PPS.

Butternut Tree

Through site evaluation a Butternut Tree was identified on the subject lands, east of the existing dwelling. This species is endangered in the province of Ontario and its habitat is to be protected. The EIS has concluded that the tree was planted rather than naturally occurring and therefore is not afforded protection under the Environmental Protection Act. Regardless, the applications are consistent with the PPS as there will be no impacts to the habitat of this species as the surrounding area will be dedicated to the municipality.

Cultural Heritage and Archaeology (PPS 2.6)

PPS Policy 2.6.2 directs that development and site alteration shall not be permitted on land containing archaeological resources or areas of archeological potential unless resources have been conserved. Typically, areas of interest are outlined within a municipal archeological master plan. The Town of Fort Erie has its own Archaeological Mater Plan and screening tool, which is Schedule D – Cultural Heritage Archeological Zones of Potential within the Official Plan.

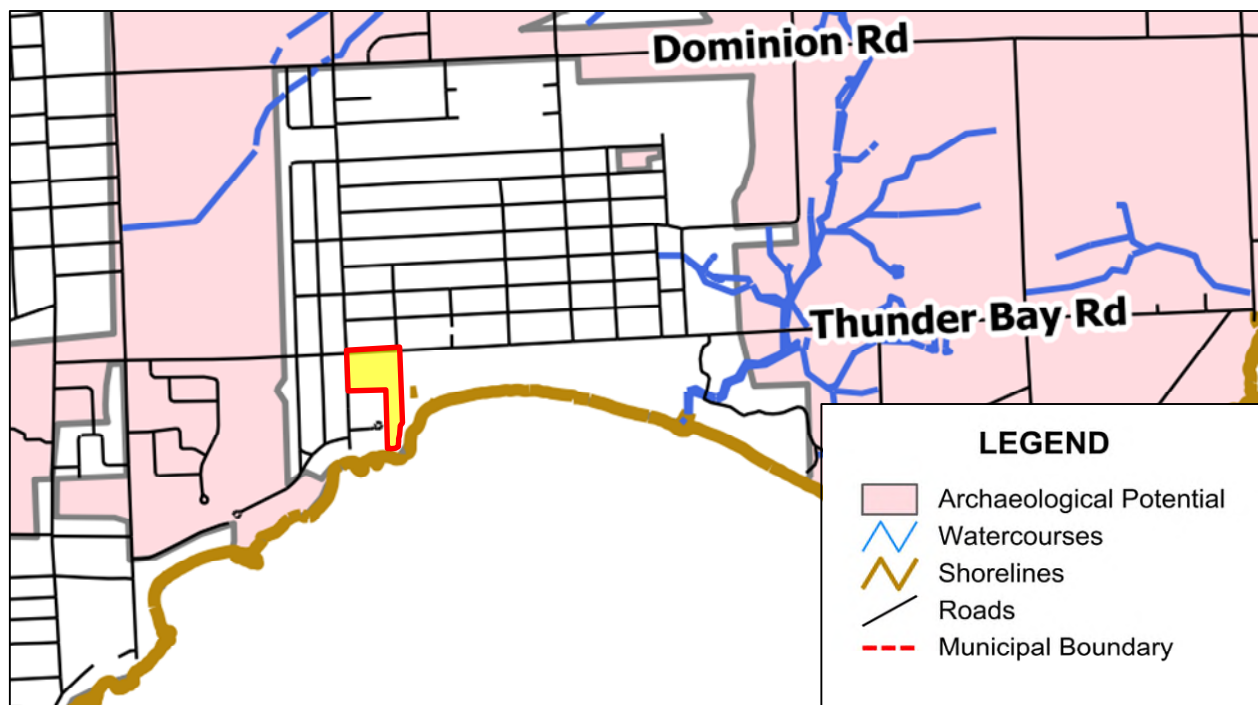


Figure 3 - Schedule D - Town of Fort Erie Official Plan

As shown in **Figure 3**, the subject lands do not fall within the Archeological Potential area, therefore the completion of an Archeological Assessment was not required.

Despite this exemption from study, a Stage 1-2 Archaeological Assessment was completed in 2019 by Detritus Consulting Ltd. As noted in a previous section of this Report, these investigations yielded no resources and no further study was recommended or undertaken. The report was submitted for review to the Ministry of Heritage, Sport, Tourism and Cultural Industries. Ministerial approval was provided on July 3, 2020.

Accordingly, the Applications are considered to be consistent with PPS Policy 2.6.

Natural Hazards (PPS 3.1)

Section 3.0 of the PPS contains policy direction for ensuring the protection of Public Health and Safety in Ontario. Under this policy framework, development is directed away from areas of natural and human made hazards where there is an unacceptable risk to public health and safety, properties or aggravating or creating new hazards.

The subject lands are adjacent to, and include a portion of the Lake Erie shoreline, which is part of the dynamic beach hazard.

Consistent with the policies of Section 3.1. of the PPS, no development is proposed within the dynamic beach hazard or Lake Erie floodplain. As all development is proposed outside of the hazard area and that the lands will be provided to the Town for long-term protection and stewardship, the applications are considered consistent with the PPS.

2019 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

Managing Growth (PTG 2.2.1)

The Growth Plan directs growth to occur in Settlement Areas throughout the Greater Golden Horseshoe, and specifically in those areas that have existing municipal services. Intensified development within Built-Up areas of municipalities is strongly encouraged to leverage cumulative benefits for transportation systems, infrastructure and social services. When followed, the policies of the Growth Plan can contribute to the development of complete, sustainable and resilient communities.

Consistent with the direction of the Growth Plan, the subject lands are located within a Settlement Area, are within the designated Built-up Area and are subject to Section 2.2.2 of the Growth Plan. In accordance with the policy direction of the Growth Plan, this development will be compact in nature and utilize available urban land and existing municipal servicing connections to facilitate residential development.

Delineated Built-up Area (PTG 2.2.2)

By 2031, and each year afterwards, 50% of all growth within the Regional Municipality of Niagara is to occur in the Built-up Area (i.e. intensification.) The Regional Municipality of Niagara has an established annual residential intensification target of 15% for the Town of Fort Erie, as its annual contribution to intensified growth.

The development of these lands will contribute towards the achievement of the Town and Region's annual residential intensification goals, consistent with Provincial policy direction for Built-up Areas.

Housing (PTG 2.2.6)

The Growth Plan directs Planning Authorities to develop housing strategies that will ensure that forecasted growth can be accommodated, density targets are achieved, and that a mix of housing options be available.

The proposed housing type will be exclusively single detached dwellings, which are the permitted housing form in the Official Plan and existing and proposed zoning categories. Single detached dwellings are dominant and compatible housing form in this area of the community, and will integrate well with the established character of the area. The lot sizes vary in size due to site geometry and provide for some variation in housing scale and design.

Transportation (PTG 3.2.2)

The subject lands are accessible by multiple modes of transportation including walking, cycling, and private automobile. The site is also shown on Schedule RTB-4 of the Official Plan as being along a future transit route. The development provides a new public street that is capable of providing municipal sidewalks, which will connect to the adjacent neighbourhood to the west and also provide connections to the proposed park blocks and Lake Erie Waterfront.

Water and Wastewater Systems (PTG 3.2.6)

The development will make use of existing local municipal water and sewer connections. No new municipal infrastructure is required to support this development.

Stormwater Management (PTG 3.2.7)

The Town of Fort Erie does not have a Stormwater Master Plan.

In conformity with Policy 3.2.7.2 of the Growth Plan, the proposed Draft Plan is supported by a preliminary stormwater management plan that has been prepared by Upper Canada Consultants. As outlined in the report, stormwater will be collected using a new storm sewer system that will be extended to connect to an existing municipal sewer further east on Thunder Bay Road. Captured flows will be subject to quality and quantity controls prior to leaving the development area. Existing overland flows from the proposed rear yards of Lots 24-35 will continue drain overland into the watercourse (Block 42) prior to eventually draining into Lake Erie.

Please consult the Functional Servicing Report prepared by Upper Canada Consultants for detailed information on Stormwater Management.

Public Open Space (PTG 4.2.5)

Section 4.2.5 of the Growth Plan encourages local municipalities to develop a system of publically accessible parkland, open space and trails. These elements are also promoted in shoreline areas.

The applications propose a significant land dedication to the Town of Fort Erie, which will facilitate the development of public shoreline access and new municipal parkland. The provision of these lands is considered to be in conformity with the Growth Plan and will allow the Town to execute these duties and actions as prescribed.

NPCA Policy Document

Development proposed within the NPCA's Regulated Areas is subject to review and permits from the Conservation Authority.

A visual representation of features regulated by the NPCA is provided on the Agency's Watershed Mapping Site. The features shown on the NPCA mapping correspond with those referenced and regulated in the NPCA Policy Document.

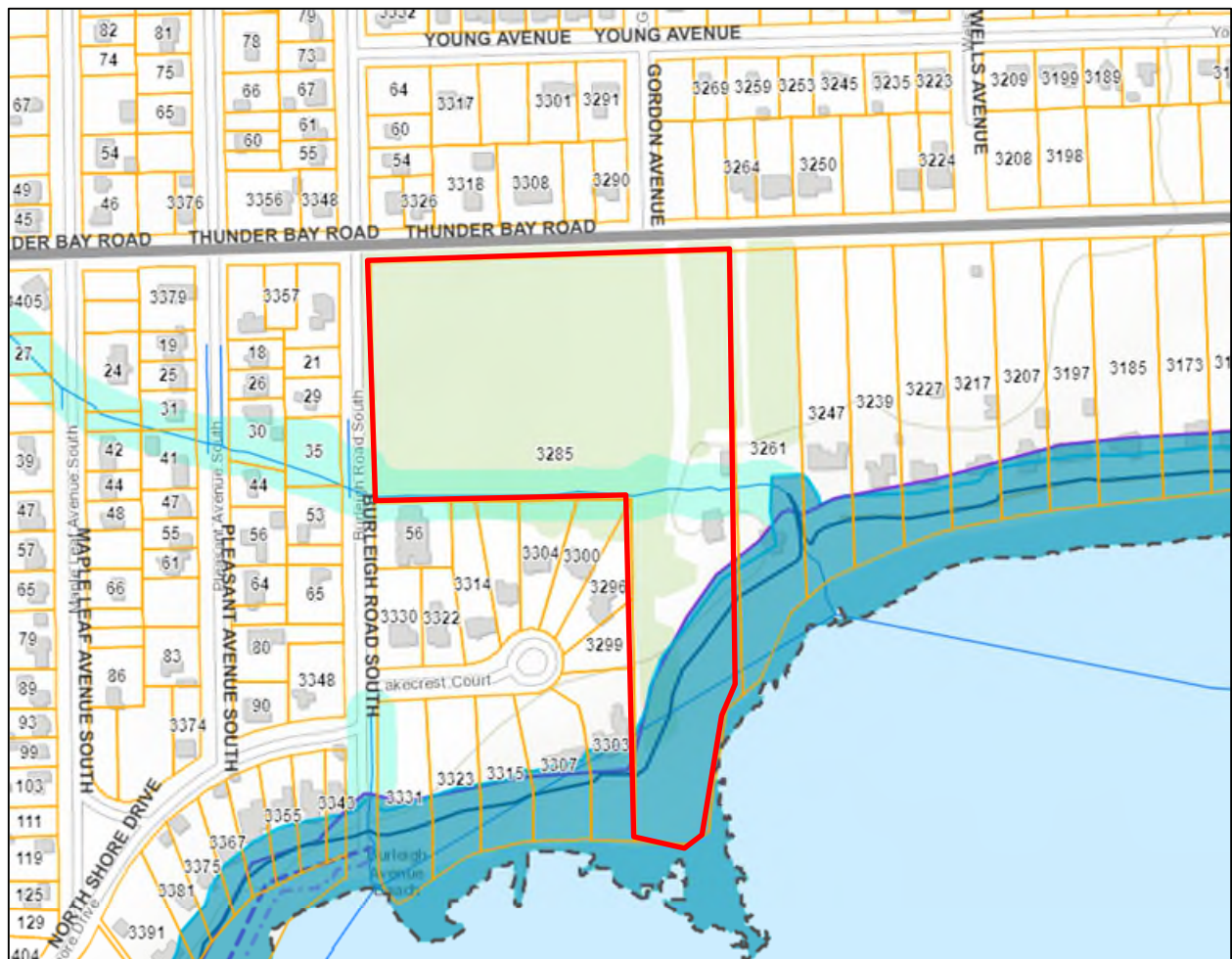


Figure 4 - NPCA Watershed Mapping

As shown in **Figure 4**, the NPCA mapping indicates that the site contains the following features:

- Watercourse (Light Cyan)
- Regulated Shoreline Extent (Dark Blue Shading)
- Regulatory Erosion Limit (Magenta Line)
- Regulatory Floodplain limit (Light Blue Line)
- Great Lakes Flood Plan Limit (Dark Blue Line)

Watercourses are regulated by the NPCA and have related policy direction provided in Section 9.2.5 of the NPCA Policy Document. The EIS has concluded that the ephemeral watercourse on the subject lands is a Type 3 Marginal Fish Habitat. Accordingly, Policy 9.2.5.1 of the NPCA Policy Document permits a setback of 10 metres from this feature. This minimum setback is provided in the Draft Plan design, with variable minimum setbacks of 10 metres to 11.4 metres provided from the existing watercourse to the rear of lots 24-35 and Block 45. This feature will also be fenced off to prevent encroachment. Any development or site alternation proposed on lots 24-35 within the NPCA Regulated Area will be subject to an NPCA Permit application.

No development is proposed within any of the regulated features associated with Lake Erie.

With the exception of the minor encroachment of Lots 24 - 35 into the NPCA's Regulated Area associated with the existing watercourse, no physical development is proposed any of the NPCA's regulated features or area. Accordingly, the applications are considered to comply with applicable NPCA Policies and Regulations.

NIAGARA REGION OFFICIAL PLAN

The Niagara Region Official Plan provides a comprehensive and long range planning vision for the Regional Municipality of Niagara. Its focus is primarily on implementing Provincial Policy (i.e. Growth Plan, PPS, Greenbelt Plan, and Niagara Escarpment Plan) and providing regional-level land use planning direction on attributes and resources unique to Niagara.

Chapter 4 – Growth Management

Urban development, both greenfield and intensification/infill, is governed by the policies of Chapter 4 of the Regional Official Plan – Managing Growth. This portion of the Plan provides the long-term growth objectives for the Regional Municipality and contains growth management and community development policies to ensure the achievement of dense, serviceable communities that are multi-modal and offer a variety of land uses and social/recreation resources and opportunity for residents.

As shown in **Figure 5** below, the subject lands are located within the Crystal Beach Urban Area and are within the Provincially designated Built-up Area.

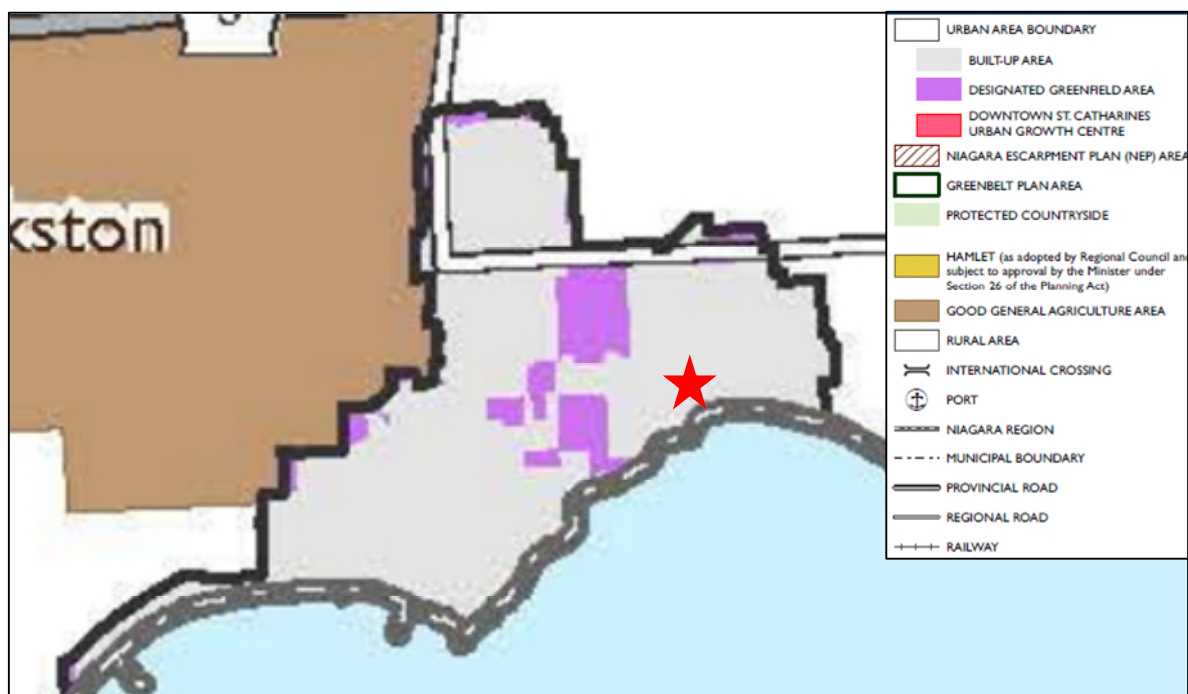


Figure 5 - Schedule A - Regional Official Plan

4.A.1 Growth Management Objectives

Chapter 4.A of the Regional Official Plan contains the growth objectives of the regional municipality. These objectives include directing the majority of growth and development to existing urban areas (Obj. 4.A.1.1.), directing a significant portion of the future growth to the built-up area (Obj. 4.A.1.2) building compact, mixed use, transit supportive and active transportation friendly communities in the built-up area and greenfield area (Obj. 4.A.1.6), directing growth in a manner that uses existing water and sanitary services efficiently (Obj. 4.A.1.12) and providing frameworks for developing complete communities that include a diverse mix of land uses, employment opportunities housing mix, high quality public open spaces and access to services via multiple modes of transportation.

The subject lands are located within the Urban Area and Built-up Area, which are priority areas for growth and development in Niagara. The lotting pattern provides a mix of detached dwelling lot sizes, which ensures compatibility with adjacent detached dwellings.

The proposed lots will be accessible by multiple modes of transportation, including private vehicle and active transportation, with future transit service identified along Thunder Bay Road in the Ridgeway – Thunder Bay Secondary Plan. From a servicing perspective, the development can generally be serviced by existing municipal infrastructure. The Plan also proposes a 1.75 hectare public land dedication for the purpose of public parkland and shoreline access.

Overall, the applications are considered to conform with the applicable objectives of the Regional Official Plan.

4.B.1 Provincial Population and Household Employment Forecasts

The Regional Official Plan forecasts growth to the 2031 Planning Horizon. For Niagara, a population of 511,000 persons and 218,000 are estimated. Based on these forecasts, Fort Erie is anticipated to have a total population of 37,400 and 13,820 jobs by 2031.

The applications support the achievement of these Regional Growth forecast through the development of 41 new residential lots. Based on the 2021 person per unit estimate of 2.44, this development is estimate to support 100 new residents and 5 jobs (5% work from home consideration).

4.C.4 Municipal Residential Intensification Target

The subject lands are within the Provincially established Built-up area and are to be the focus of residential and employment intensification and redevelopment within the Region over the long term.

The Regionally established residential intensification target for the Town of Fort Erie is 15%, as outlined in Section 4.C.4 of the Regional Official Plan. The 41 residential lots will contribute to the achievement of the Regional intensification target for the municipality.

Chapter 7 – Natural Environment

Section 7 of the Regional Official Plan provides policy direction on matters relating to natural heritage, hazards and water resources. Natural Heritage and Hazard features are shown on Schedule C – Core Natural Heritage of the Regional Official Plan, provided in **Figure 6** below.

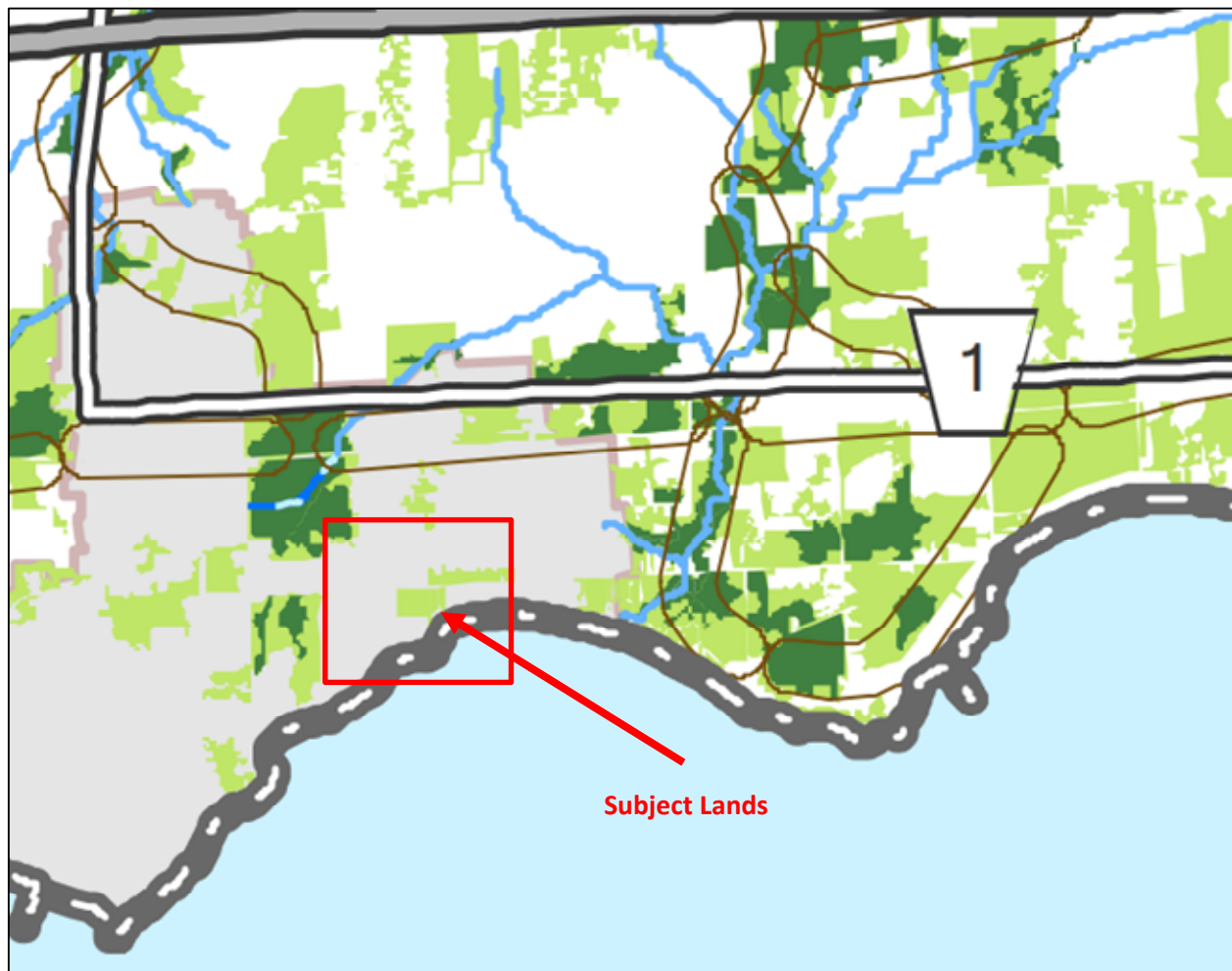


Figure 6 - Schedule C - Core Natural Heritage - Regional Official Plan

As outlined previously in this report, the Environmental Impact Study prepared by Beacon Environmental Ltd. has concluded that the subject lands contain Type 3 Fish Habitat within a watercourse, potential endangered Fowlers Toad habitat, an endangered Butternut Tree and Natural Hazards associated with the Lake Erie shoreline.

Policies 7.A.2 and 7.A.3 of the Region of Niagara Official Plan relate to Policies for a Healthy Landscape. The Draft Plan of Subdivision and Zoning Amendment applications development proposal are consistent with these policies as the development will maintain and enhance the integrity of the natural landscape by directing development away from features and required buffer areas and ensuring access to the waterfront.

Section 7.A.5 of the Regional Official Plan pertains to Shorelines. The two objectives for Shorelines in Niagara are to maintain and improve public access to shorelines and adjacent open spaces, and to maintain the shorelines in a natural condition as much as possible. Long term protection, restoration, and enhancement are also promoted. The policies of Section 7.A.5 build upon the Objectives and require similar efforts be made.

The shoreline features associated with the subject lands are to be dedicated to the municipality for long term protection. No development is proposed within the shoreline area (Block 44). Future enhancement and restoration opportunities have also been ensured as the shoreline lands will be transferred to the Town of Fort Erie along with the parkland dedication Blocks (Blocks 43 & 45) and the Watercourse Block (Block 42). The proposed consolidation of these properties will create a new public waterfront amenity and access to the shoreline, and is in conformity with the Objectives and Policies of Section 7.A.5 of the Regional Official Plan.

Policies pertaining to Natural Hazards are found in Section 7.A.6 of the Regional Official Plan. Natural Hazards are defined in the Official Plan as:

“...lands that could be unsafe for development due to naturally occurring processes and includes:

- a) Along rivers, streams and small lakes, the land, including that covered by water, to the furthest landward extent of the flooding or erosion hazard limits.*
- b) Along the shorelines of Lake Erie, Lake Ontario and the Niagara River, the land, including that covered by water, to the furthest landward limit of the flooding hazard, the erosion hazard or the dynamic beach hazard limits.*

Block 44 on the Draft Plan of Subdivision contains Natural Hazard features associated with Lake Erie which include flooding hazards, erosion hazards and the dynamic beach hazard. These hazards are also regulated by the Niagara Peninsula Conservation Authority.

The general direction of the Natural Hazard Policies is to prohibit development within the identified limits of features. No development is proposed within any Natural Hazard areas on the subject lands. Accordingly, the applications are considered to be in conformity with Section 7.A.6 of the Regional Official Plan.

Section 7.B of the Regional Official Plan contains policies pertaining to the Region's Core Natural Heritage System, which consists of:

- Core Natural Areas, classified as either Environmental Protection Areas or
- Environmental Conservation Areas;
- Potential Natural Heritage Corridors connecting the Core Natural Areas;
- the Greenbelt Natural Heritage and Water Resources Systems; and
- Fish Habitat.

Environmental Protection Area

The EIS states that there are two endangered species on the subject lands, being a butternut tree and the potential habitat for Fowler Toad. Under Policy 7.B.1.3 of the Regional Official Plan, significant habitat of endangered and threatened species are classified as Environmental Protection Area.

Given the sensitive nature of these features, habitats are rarely mapped to ensure they remain protected and are typically confirmed through the planning process.

With regard to the Butternut Tree, the EIS states that " ...the Butternut tree is located within a hedgerow between two lots in association with planted Black Walnut and Norway Spruce (*Picea abies*). Therefore, it is Beacon's opinion that the Butternut was likely planted, and as such, is not subject to the regulations of the Endangered Species Act." Although the tree is not subject to the protective measures of the Endangered Species Act, there is no intention to remove the tree, and it is in an area that will be assigned restrictive zoning that will protect the tree from development.

With regards to the Fowlers Toad, the EIS states that "no breeding habitat is associated with the lakeshore environment and no inland breeding ponds or wetlands up to 300 m upslope of the shoreline are associated with the subject lands." As the habitat for the Toad is associated with the beach, and that those lands will not be developed, the EIS concludes that there will be "no direct impact to the regulated habitat of Fowler's Toad will occur, including impacts to the migration corridor along the beach". The conveyance of the Block 44 to the Town will also ensure long term protection of the potential habitat. Accordingly, the applications conform to the Environmental protection Area policies of the Regional Official Plan.

Environmental Conservation Area

Policy 7.B.1.4 of the Regional Official Plan states that Environmental Conservation Areas include:

- Significant Woodlands
- Significant Wildlife Habitat,
- Significant Habitat of Species of Concern
- Regionally significant life science ANSI's
- Other evaluated Wetlands
- Significant Valley lands
- Savannahs and tall grass prairies,
- Alvars
- Publicly owner conservation lands.

As shown on **Figure 6**, the subject lands are mapped as Environmental Conservation Area. Policy 7.B.11 of the Regional Official Plan permits development and site alteration within lands designated as an Environmental Conservation Area provided that an EIS is completed to demonstrate that there will be no negative impacts on the natural features or their ecological functions.

The Environmental Conservation Area shown on Schedule C is associated with a former wooded area that was removed with permission from the Town of Fort Erie in 2019. As the remnant trees do not satisfy the significant woodland criteria, development within the Environmental Conservation Area can be considered on the subject lands.

Fish Habitat

Schedule C of the Regional Official Plan delineates Lake Erie as Fish Habitat. No on-site fish habitat is delineated on the Schedule C.

An existing watercourse on the subject lands is located within Block 42 of the Draft Plan. The EIS has concluded that this watercourse is Type 3 Marginal Fish Habitat as it is ephemeral and only fills during spring melt and significant storm events. The EIS states that no fish were observed in the watercourse during field investigation.

Policy 7.B.1.15 of the Regional Official Plan requires a 15 metre setback from the stable top of bank for Important or Marginal Fish Habitat. A narrower buffer may be considered through the completion of an EIS. The EIS has evaluated the watercourse and recommends a variable natural buffer of no less than 10 metres. This reduced setback is permitted in accordance with the Regional Official Plan and is consistent with the NPCA's Policies (Section 9.2.5) that permit a

minimum 10 metre buffer from Type 3 Marginal Fish Habitat. The proposed lots are located outside of this 10 metre minimum setback, as required by Policy 7.B.1.18.

Overall, the applications are considered to be in conformity with the Natural Environment policies found in Section 7 of the Regional Official Plan.

Chapter 11 – Housing and Community Services

Section 11 of the Regional Official Plan provides policy direction on Housing and Community services within Niagara. As outlined in Policy 11.A.1, “The Region encourages the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people as they age through the life cycle”.

The applications will facilitate the development of 41 new single detached dwellings near the Lake Erie waterfront. Single detached dwellings are the predominant housing type in this area. The proposed lot sizes vary and provide a range of options in terms of building design and pricing. The proximity of the lots to Thunder Bay Road, which is a pedestrian route and future transit route, also provides convenient access to essential commercial uses in the community. The provision of adjacent waterfront parkland is also of significant benefit to future and existing residents. Overall, the applications will facilitate opportunities for housing for persons who are in varying stages of their life cycle.

TOWN FORT ERIE OFFICIAL PLAN

The Town of Fort Erie Official Plan is the long-range planning tool used to guide growth and development in the municipality. The following section of this report provides an analysis of conformity with relevant goals, objectives and policies contained within the Plan.

Land Use Designations

The subject property is located within the Urban Boundary and is designated as ‘Low Density Residential’, ‘Environmental Protection’ and “Environmental Conservation” on Schedule A to the Official Plan, as shown in **Figure 7** below.

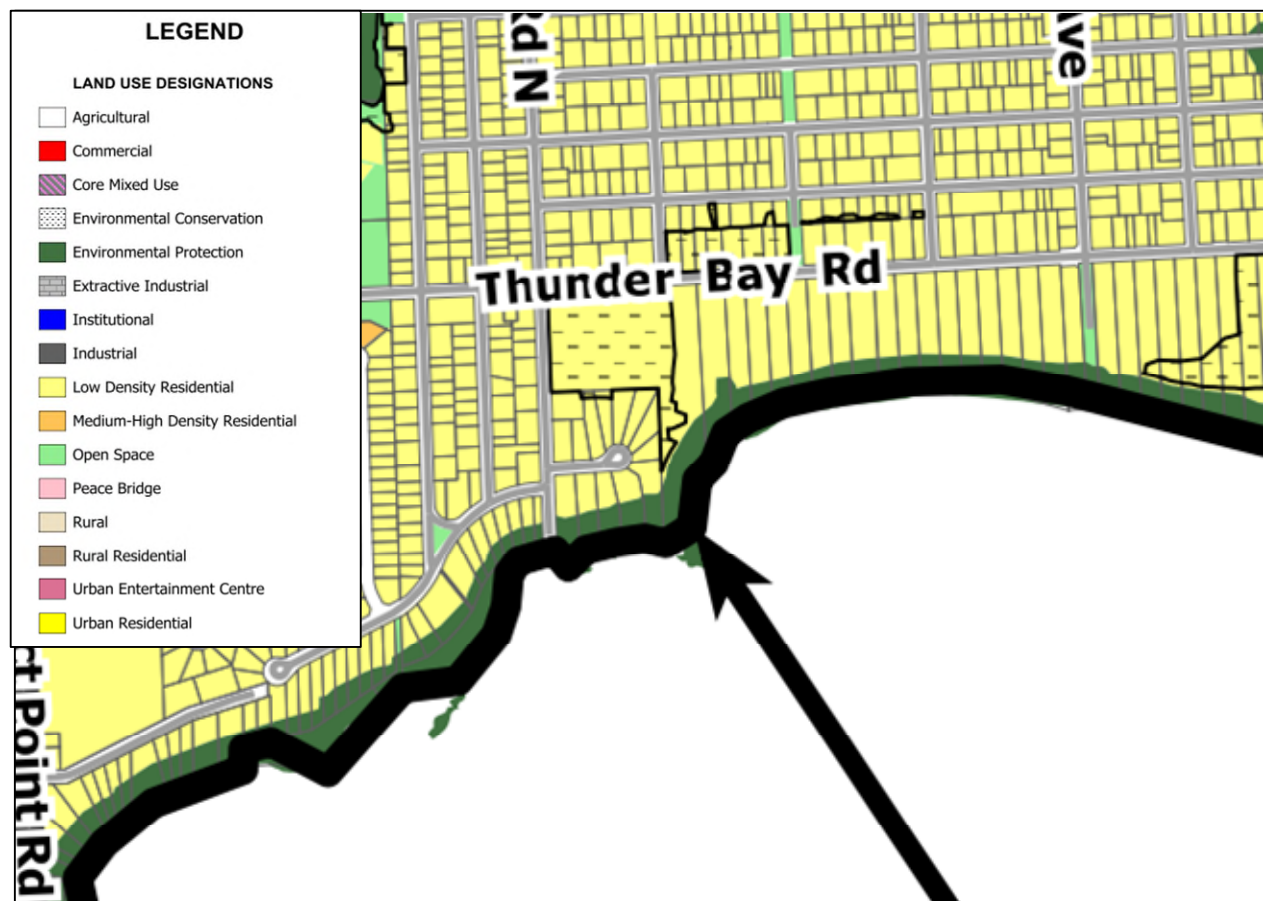


Figure 7 - Schedule A - Town of Fort Erie Official Plan

As per Official Plan Schedule A1 – Neighbourhoods, the subject lands are also located within the Ridgeway / Thunder Bay Secondary Plan Area and are subject to the policies pertaining to that Plan area. The Ridgeway-Thunder Bay Secondary Plan Schedules (RTB 1-4) more specifically delineate the land use designations that apply to the property, which include:

- RTB-1 (Built Boundary): Built-Up Area
- RTB-2 (Future Land Use Plan): Residential Low Density, Environmental Conservation and Environmental Protection
- RTB-3 (Open Space and Natural Heritage Plan): Woodlot over 2 hectares and Locally Significant Natural Area
- RTB-4 (Open Space, Natural Hazards and Fish Habitat Plan): Natural Hazard (shoreline) and Stream Fish Habitat – Other
- RTB-5 (Transportation Systems Plan): Collector Road (Thunder Bay Road and Burleigh Road) Pedestrian/Bicycle Route (Thunder Bay Road) Future Intersection Improvements (Thunder Bay Road and Burleigh Road)

These schedules are included as **Appendix IV** to this report.

Section 2 – Purpose and Goals

Section 2 of the Town of Fort Erie Official Plan contains the goals and objectives of the municipality as they relate to land use planning. Of specific relevance to these applications are the Goals and Objectives within Section 2.3.1 (General), Section 2.3.2 (Social and Community Needs), Section 2.3.3 (Communities and Neighbourhoods), Section 2.3.5 (Residential), Section 2.3.8 (Open Space – Recreation), and Section 2.3.9 (Environmental). An evaluation of the Applications conformity with this Goals and Objectives is provided in the following sections.

Section 2.3.1 – General

Goals

- To maintain the unique character of the Town of Fort Erie as a municipality with many distinct communities and neighbourhoods;*
- To encourage a reasonable balance within the Town of Fort Erie between housing and employment opportunities; and*
- To accommodate population growth and future development in an orderly and efficient land use pattern.*

Objectives:

- To establish an efficient, integrated land use pattern that will facilitate optimum growth for the Town of Fort Erie;*
- To protect and enhance the irreplaceable scenic areas and physical resources (such as the Niagara River and Lake Erie shorelines, streams, agricultural lands and mineral aggregate and petroleum resources);*

- c. To encourage a land use pattern which builds upon the historical development of the Town; and*
- d. To minimize the degree of incompatibility between various land uses while encouraging a land use pattern that integrates employment, recreation, and housing in close proximity.*

The Applications are considered to be in conformity with the goals and objectives of Section 2.3.1

The Draft Plan proposes 41 residential lots to be developed with single detached dwellings. The property is designated and zoned in municipal planning documents to permit low density residential development as of right. Furthermore, single detached dwellings are the dominant form of housing along the lakeshore and in this area. The proposed subdivision is considered to use the developable portion of the subject lands efficiently, and create new opportunities for connectivity.

Section 2.3.2 – Social and Community Needs

Goals:

- a. To provide adequate community services to meet the needs of the existing and future residents of the Town;*
- b. To foster and protect the community identity of the Town; and*
- c. To ensure new development is accessible to people with disabilities.*

Objectives:

- a. To cooperate with other levels of government in establishing recreation, open space and community centres where the need is demonstrated;*
- b. To encourage the maintenance and enhancement of the quality of life in the Town; and*
- c. To encourage the joint use of social, community and educational facilities.*

The applications will create additional housing supply and lands for public enjoyment and recreation. The identity of Fort Erie, and more specifically the neighbourhoods in the Crystal Beach Urban Area, have deep relationships with the Lake. This existing character is emulated through the creation of new low density dwelling lots and public access to the shoreline. The approval of these applications will provide a significant public resource that will support social and community needs.

Section 2.3.3.3 – Community and Neighbourhoods

Community Goals

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

Community Objectives

- a. To utilize Neighbourhood Plans in achieving strong, liveable and healthy communities comprising interconnected vibrant neighbourhoods;*
- b. Incorporating urban design elements to achieve attractive and distinct communities and neighbourhoods; and*
- c. To develop and implement Community Improvement Plans to improve communities characterized by inadequate physical, social, community or recreational facilities, infrastructure or obsolete/dilapidated buildings.*

The Draft Plan achieves the community goals of Fort Erie by balancing the need for residential growth with environmental protection and community identity. The proposed lots and housing forms are appropriate for the area and will assist in the achievement of larger municipal and regional growth objectives. The dedication of the watercourse, shoreline and parkland blocks will protect the lakefront area for the long term and create a new opportunity for residents to experience the traditional lifestyle of this community.

The Ridgeway – Thunder Bay Secondary Plan provides the necessary direction to achieve a strong, liveable and healthy community. The applications conform to the policies of the Plan, and therefore are considered to achieve community objectives.

Section 2.3.5 – Residential

Goals:

- 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.*

Objectives:

- a. To ensure that housing is provided in a manner that fully implements the intent of the Provincial and Regional housing policies;*
- b. To encourage, support, assist in the distribution of information, and participate to the best of its financial ability in housing programs offered by senior levels of government that provide housing to moderate and low income families and to encourage non-profit housing organizations to also participate in such programs;*
- c. To ensure that the existing housing stock is maintained both qualitatively and quantitatively while accommodating infill, redevelopment and reuse;*
- d. To provide the policy to assist with the provision of affordable housing to low and moderate income groups and special needs housing; and*
- e. To ensure that future residential land uses are appropriately separated from incompatible land uses*

The Draft Plan proposes 41 new residential units within the Crystal Beach Urban Area. This development will be supported by existing municipal services and roadways and will provide a new municipal storm sewer as part of the development, which is to the benefit of the municipality and adjacent properties. The neighbourhood design and scale is appropriate for the area and will facilitate new opportunities for active transportation, primarily from the proposed development and adjacent lands to the Lake.

Section 2.3.8 – Open Space – Recreation

Goal:

- a. To ensure that the citizens of Fort Erie have access to a diversity of active and passive open space recreation opportunities.*

Objectives:

- a. To establish a hierarchy of open space uses for neighbourhoods, communities and the Town;*
- b. To promote recreational opportunities and public access to Lake Erie and the Niagara River;*
- c. To facilitate the development of an open space corridor, particularly through the use of the abandoned railways between Old Fort Erie, Douglastown and Ridgeway to facilitate active modes of transportation for recreation and everyday use; and*
- d. To preserve scenic views, important natural heritage features and functions, scenic routes and unique historic features in the Town.*

The applications proposes to dedicate 1.75 hectares of land to the municipality for public parkland, conservation and shoreline access. The conveyance of these lands will establish a

valuable public open space element in the existing neighbourhood, provide scenic views and new opportunities for recreation.

Section 2.3.9 – Environmental

Goal:

- a. To provide present and future residents of the Town with a high quality living environment that protects and enhances natural heritage features, minimizes pollution of water, air and land resources and ensures good community planning and design;*
- b. To protect and conserve significant natural heritage features and areas for the long term; and*
- c. To maintain, and where possible restore or improve, diversity and connectivity of natural heritage features.*

Objectives:

- a. To encourage the efficient use of land resources in the Town and to encourage the continuation of viable agricultural operations and conservation of the rural landscape;*
- b. To identify Natural Hazard Areas for the protection of life and property;*
- c. To ensure urban development is attractive and appropriately considers the protection of natural heritage features and functions from the site specific to watershed levels;*
- d. To encourage early recognition and regulation of existing and potentially incompatible uses resulting from adverse environmental effects, including sound, vibration and gas odour;*
- e. To ensure the preservation of Lake Erie, the Niagara River and their shorelines as major environmental resources, consistent with the recreational potential and the needs of the resident and tourist population; and*
- f. To recognize the importance of the Niagara River as one of forty three Areas of Concern in the Great Lakes Basin identified by the federal and provincial governments in cooperation with the International Joint Commission.*

The EIS identified a watercourse with Type 3 Fish Habitat, a Butternut Tree, potential Fowlers Toad Habitat and Natural Hazards associated with the Lake Erie Shoreline. All of these features will remain unaltered, are outside of the proposed development area, and are on Blocks of lands to be transferred to the Town for long term protection. These measures ensure that the applications are in conformity with the Town's goals and objectives for the environment.

Overall, the applications are considered to align with and achieve and execute several municipal goals and objectives, and therefore are considered to be in conformity with Section 2 of the Town of Fort Erie Official Plan

Section 4 – Land Use Plans and Policies

The subject lands are identified on Schedule A of the Official Plan and Schedule RTB-2 of the Ridgeway – Thunder Bay Secondary Plan as being designated for Low Density Residential land uses. Accordingly, the policies of Section 4.7 of the Official Plan are pertinent to these applications.

Section 4.7 – Residential

Section 4.7.1 of the Official Plan requires that development within the Urban Area should proceed in an orderly and phased manner to allow for the efficient use of existing infrastructure.

The applications conform to this requirement and propose 41 lots within a portion of the community that has existing municipal services, roadways and utilities.

Section 4.7.4 – Urban Residential

The policies of Section 4.7.4 of the Official Plan applies to lands with residential land use designations within the Urban Areas of Fort Erie. The subject lands are located within the Crystal Beach Urban Area and are designated for low density residential development and are therefore subject to this policy subset.

Policy 4.7.4.1 II states that “In considering medium density and high density residential uses, redevelopment and infill residential intensification on vacant land, regard shall be given to the following:

- a. The height, bulk and arrangement of buildings and structures to achieve a harmonious design, compatible integration with the surrounding area and not negatively impact on lower density residential uses;
- b. Appropriate open space, including landscaping and buffering to maximize privacy and minimize the impact on adjacent lower density uses;
- c. Parking areas that are sufficient size to satisfy the need of the development and are well designed and properly related to buildings and landscaped areas;
- d. The design and location of refuse pick-up and recycling service areas meets Regional Waste Collection design requirements;
- e. Driveway access, internal roadways and pedestrian walkways that are safe and properly designed;
- f. Convenient access to a collector or arterial road;

- g. Location in regard to the elements of traditional neighbourhood design and within convenient walking distance of the central focus of the neighbourhood;
- h. Building designs that place windows and balconies to overlook pedestrian routes and parking areas to encourage “eyes on the street”; and
- i. Site planning considerations that facilitate walking and cycling activity such as secured bike storage, lighting and bikeways.

The Draft Plan layout includes 32 lots along a new crescent roadway and 9 lots along Thunder Bay Road, for a total of 41 lots. The proposed dwelling form will be single detached dwellings only, which is the prevalent housing form in this area and along the lakeshore in general. This proposed housing form is considered compatible and will not have any significant negative impacts on adjacent land uses.

The design of the development is conducive to boulevard plantings, good streetscape conditions and allows for the preservation of existing vegetation on Block 42. Significant open space elements including parkland and shoreline access are also proposed through this the development.

From a transportation and circulation standpoint, all dwellings will have ample room for parking of vehicles with additional opportunities for on street parking along “Street A”. The through-street design allows for municipal waste collection services and the safe articulation of emergency vehicles, as well. Thunder Bay Road and Burleigh Road South are both collector roads that facilitate multimodal connections to the commercial portions of the Urban Area and adjacent parts of the municipality.

All dwellings are oriented towards the street to ensure a sense of eyes on the street. The specifics of glazing and building design will be determined at the building permit stage.

The development is not subject to Site Plan approval, however through detailed engineering the design of the streetscape, lighting and other tangible elements of the public realm will be undertaken.

The Ridgeway - Thunder Bay Secondary Plan found in Section 4.18 of the Official Plan contains more detailed planning direction for the subject lands.

Section 4.18 - Ridgeway - Thunder Bay Secondary Plan

The subject lands are designated as Low Density Residential on Schedule RTB-2 of Ridgeway-Thunder Bay Secondary Plan and are subject to the policies of Section 4.18.6 of the Official Plan. These policies permit the development of single detached dwellings, semi-detached dwellings and duplex dwellings. The applications conform with this requirement as single detached dwellings are a permitted housing form under the proposed Residential 2 (R2) Zoning.

Although the Plan prescribed that low density development should comprise no more than 60% of new development in the cumulative Secondary Plan Area, low density housing forms are the only permitted land uses on this property and are considered to be the most compatible form with the surrounding area. A more diverse mix of land uses, including multiple dwellings forms (i.e. semi detached, townhomes) is more appropriate to be provided in locations proximate to the commercial core of Ridgeway.

Section 4.18.2 of the Secondary Plan pertains to natural heritage features which are subsequently shown on Schedule RTB-3. As shown on **Figure 8**, on-site natural heritage features include a Locally Significant Natural Area, Environmental Corridor and a Woodlot over 2 hectares. The Secondary Plan provides some policy direction on Natural Heritage, but defers to Section 8 of the Official Plan for detailed natural heritage and natural hazard policy direction.



Figure 8 - Schedule RTB-3 0 Ridgeway Thunder Bay Secondary Plan

The Locally Significant Natural Area is designated as Environmental Protection Area on Schedule RTB2. Development and site alteration are generally prohibited in this area, subject to study. The designation generally aligns with Block 44 of the Draft Plan, which will contain no development and will be dedicated to the Town of Fort Erie. As no development is proposed, the applications are considered to be in conformity with the Environmental Protection Area policies of the Secondary Plan.

A portion of the property is delineated as a woodlot over 2 hectares. As discussed previously in this report and in the EIS prepared by Beacon Environmental Ltd., the wooded area has been removed. Accordingly, the Environmental Conservation policies associated with the Woodlot feature are not applicable.

There is an Environmental Corridor shown on Schedule RTB-3 that is generally centred along the Lake Erie shoreline. The EIS does not dispute the corridor function along the shoreline. This area is confined to Block 44 which will retain its Hazard (H) zoning and be conveyed to the municipality for long term protection.

Schedule RTB-4 shows the Transportation networks within the Secondary Plan Area. The subject lands have frontage on Thunder Bay Road which is classified as a pedestrian route and future

transit route. The development will benefit from these routes by being provided with established pedestrian connections and future transit service. The inverse is beneficial as well, as these connections will facilitate movement to the development site and the proposed public waterfront access.

Section 4.18.15 of the Secondary Plan pertains to Cultural Heritage. As outlined previously within, the subject lands have been investigated for archaeological resources with no finds. The field work and report have been reviewed and cleared by the Province of Ontario and thus confirm the lands can be developed without any negative impact on cultural heritage resources.

Section 4.18.16 pertains to municipal servicing and required conformity with Section 12 of the Official Plan (Servicing and Utilities). The secondary plan requires that municipal services be provided for all new development within the Urban Area. The applications conform to this requirement by utilizing existing water, sanitary sewer and storm sewer infrastructure. Utilities such as hydro, gas and telecommunications are also available for connection.

Section 5 – Urban Forms and Housing

As set out in Section 5.2 of the Town’s Official Plan, the general goal of Fort Erie is to improve the health and well being of people living, working and playing in the Town through the development of safe and healthy communities.

The applications satisfy this goal by proposing appropriate residential development in an area that has full municipal services, is walkable, has proximity to natural areas and resources (i.e Lake Erie) and is in close proximity to key elements within the Town such as recreation, essential commercial uses and employment.

Further to the prescribed form and function of land uses in general, Section 5.6 of the Official Plan contains policy direction on urban design, streetscaping, buildings and public spaces.

The proposed development plan conforms with Town Urban Design policies by replicating the typical lotting fabric of the area and proposing single detached dwellings. The proposed lots will front onto Thunder Bay Road, similar to newly developed lots to the north, and will ensure “double-loaded” lotting along Street A. Within this development fabric a clear and accessible Open Space permeation will be provided via Block 45 that will provide Lake Views and public access to the waterfront.

Although road design is at a preliminary stage, the proposed internal street (Street A) is a 20.0 metre right-of-way which will afford room for the consideration of sidewalks, boulevard planting, and on-street parking. Given the future connection proposed to the Lake, a focus on pedestrian access and parking will be undertaken at the time of engineering design.

Considerations for building design and landscaping can be discussed in more detail after Draft Plan approval has been granted and the design and layout is formally “locked in”.

Section 8 – Natural Heritage

Schedule C of the Town of Fort Erie Official Plan shows the subject lands as containing a Locally Significant Area, Environmental Corridor and Woodland over 2 Hectares in size. A cropped image of Schedule C is provided below in **Figure 9**.

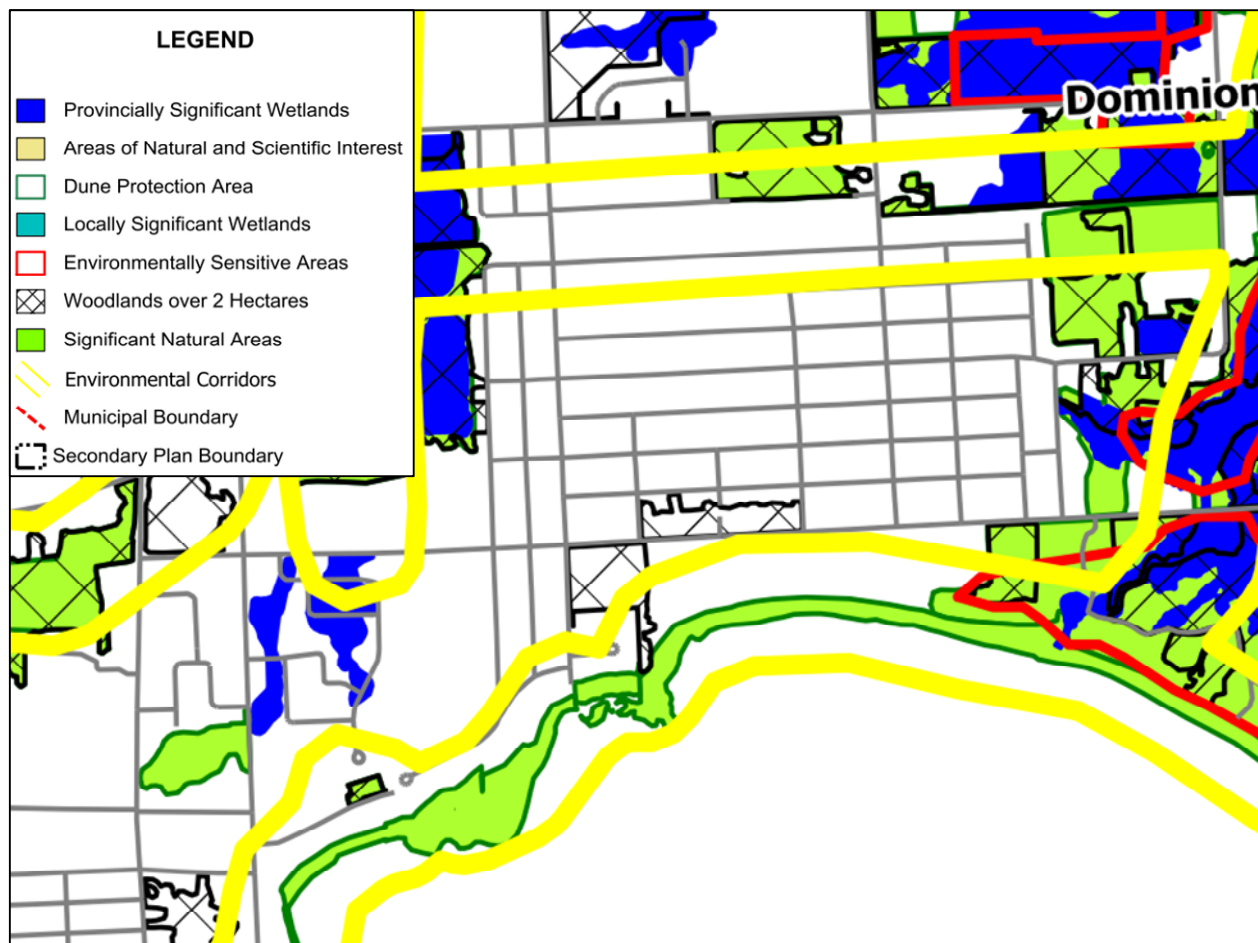


Figure 9 - Schedule C - Natural Heritage Features - Town of Fort Erie Official Plan

Schedule C1 of the Official Plan shows the general location of Natural Hazards and Fish Habitat in the Town. As shown on **Figure 10**, the subject lands contain a Natural Hazard including Floodplain along the lake shore and an unclassified type of Fish Habitat.



Figure 10 - Schedule C1 - Natural Hazards & Fish Habitat - Town of Fort Erie Official Plan

Section 8.2 – Environmental Protection Areas

Environmental Protection Areas in the Town include Provincially Significant Wetland Areas, Areas of Natural and Scientific Interest, the Habitat of Threatened and Endangered Species, Species of Special Concern and Natural Hazard areas.

The EIS completed by Beacon Environmental Ltd. has confirmed the presence of an endangered Butternut Tree, potential habitat for the endangered Fowlers Toad, and shoreline flood and erosion hazards related to Lake Erie.

The habitat of endangered and threatened species and shoreline will remain unaffected by development and site alteration, thus upholding the requirements of the Environmental Protection Area policies of the Plan. Furthermore, the Blocks containing these Features (Blocks 43 & 44) will be appropriately zoned and transferred into the ownership of the Town of Fort Erie through registration. The applications will have no negative impact on these Environmental Protection Area features and the applications are considered to conform to Section 8.2 of the Official Plan.

Section 8.3 – Environmental Conservation Areas

Environmental Conservation Areas in the Town include Locally Significant Natural Areas, Locally Significant Wetlands, Woodlands, in some cases Valleylands, Meadows, and Rehabilitation Areas, which include corridor and linkages.

The EIS completed by Beacon Environmental Ltd. has confirmed the presence of Type 3 Marginal Fish Habitat in an existing watercourse. No other Environmental Conservation Areas features are present on the subject lands.

The Lake Erie Shoreline is shown on Schedule C of the Official Plan (see **Figure 9**) as an Environmental corridor. This designation identified areas within the Town where environmental features or conditions are likely prevalent. The EIS findings confirm this assumption, as the waterfront contains natural hazards and is identified as a potential habitat for the endangered Fowlers Toad.

Fish Habitat policies are contained within Section 8.3.5 of the Official Plan and are similar to those found in Section 7 of the Regional Official Plan. The EIS has stated that the on-site watercourse is ephemeral and was not observed to contain any fish, and therefore is considered to be Type 3 Marginal Fish Habitat. Town Policies require a minimum buffer of 15 metres from Type 3 Fish Habitat which may be reduced based on the findings of the EIS. As outlined in the EIS a setback of 10 metres from the watercourse has been recommended which will be provided within Block 42.

The applications conform to the Environmental Conservation Area policies of the Town's Official Plan.

Section 11 – Cultural Heritage

Section 11.4 of the Town's Official Plan provides policy direction for Archaeological Resources. Schedule D of the Official Plan is the screening tool used by the municipality to confirm if archaeological investigation is needed for development applications.

As noted in this report, the subject lands are not within an Archaeological potential area and do not require study.

Despite this exemption from study, a Stage 1-2 Archaeological Assessment was completed in 2019 by Detritus Consulting Ltd. As noted in a previous section of this Report, these investigations yielded no resources and no further study was recommended or undertaken. The report was submitted for review to the Ministry of Heritage, Sport, Tourism and Cultural Industries. Ministerial approval was provided on July 3, 2020.

Section 12 – Servicing and Utilities

The Official Plan requires that development within Urban Areas be provided with full municipal water and sanitary services.

As indicated in the Functional Servicing Report prepared by Upper Canada Consultants, the development will be connected to existing municipal watermain and sanitary sewer. Extensions of these networks will be needed through proposed Street A and will be completed at the cost of the developer. No extensions of water or sanitary services to the subject lands are required to facilitate development.

The development will require an ~400 metre extension of a municipal storm sewer along Thunder Bay Road. This improvement will also be at the cost of the developer.

Existing collector roadways (Thunder Bay Road, Burleigh Road South) provide access to the subject lands, currently. To facilitate development, a new local road (Street A) will be constructed that connects both roadways and aligns with Gordon Avenue to the north. The right-of-way will be 20 metres in width, as per municipal requirements set out in Policy 12.7.3 of the Official Plan. This new street will afford enough room for sidewalks, on-street parking and streetscape elements such as boulevard trees and plantings.

The Town of Fort Erie indicated through pre-consultation that a 1.45 metre road widening is required along Thunder Bay Road. This widening, as well as a 7.5 metre x 7.5 metre daylighting

triangle at the corner of Burleigh Road South and Thunder Bay Road are shown as Blocks 46 & 47 on the Draft Plan. These lands will be conveyed to the Town at the time of registration.

Section 13 – Implementation

13.5 Subdivision Control

Policies under Section 13.5 of the Official Plan outline the manner in which Plans of Subdivision will be considered by the Town. Integral to this process is the clear demonstration of conformity with the Town's Official Plan and Secondary Plans. It is further specified that Council will only consider the approval of applications that conform to the Official Plan, have adequate servicing, are able to be serviced without undue expenses to the Town and that the plan is not premature and is in the public interest.

The applications conform to the Town of Fort Erie Official Plan and the subject lands are able to be serviced by existing municipal infrastructure. All improvements and extensions of servicing for this development will be at the cost of the developer, thus limiting any undue expenses for the Town. The applications are considered to be in the public interest as they balance residential growth and environmental preservation interests, while at the same time facilitating new opportunities for public recreation, shoreline access and multimodal transportation – all of which are goals of the municipality.

13.7 Amendments to the Land Use Plan, Schedule "A"

Policy 13.7 III of the Official Plan contains criteria that Council must consider when making amendments to the Town's Official Plan or Zoning By-law. As a Zoning By-law Amendment is proposed concurrently with the Draft Plan of Subdivision, this policy is applicable to the applications. An evaluation of how these criteria are satisfied is provided in the following section.

a. The need for the proposed use;

The Town of Fort Erie is obligated under Provincial and Regional policy to accommodate forecasted growth and development to the planning horizon. The Town is also obligated to achieve a minimum of 15% annual residential intensification each year.

To meet these obligations, development must occur within the Urban Area. The subject lands represent a readily developable parcel of urban land with existing residential development permissions. The proposed R2 zoning is appropriate for the developable portion of the lands

and facilitates a development form and scale that is compatible with existing, adjacent developments. In addition to the residential portion of the proposed plan and zoning amendment, the long term protection of natural heritage features and natural hazards is proposed through the retention of the Hazard (H) Zone on Block 44 and the application of an Environmental Protection (EP) Zone to Block 42.

The provision of public parkland and public shoreline access is primary goal of the Town of Fort Erie. The Zoning By-law Amendment application will zone the proposed land dedications as Open Space (OS) to facilitate their immediate public use upon registration. These efforts are consistent with both the Town's planning documents and the Fort Erie Waterfront Strategy.

- b. The extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development;

The subject lands are currently zoned Waterfront Residential (WR) and Hazard (H), with an Environmental Conservation (EC) Overlay also on the majority of the property. The portion of the subject lands zoned WR currently contains one detached dwelling and an accessory structure. The existing development density equates to 0.21 units per hectare. This density is considered extremely low and not fitting for serviced residential lands within the Built-up Area. The application of the R2A Zone to the subject lands will facilitate the creation of 41 new detached dwellings on this under utilized parcel of land at a density of 11.9 units per hectare. If the park blocks and road widenings are also removed from the calculation, the developed density becomes 14.5 units per hectare.

- c. The physical suitability of the land for such proposed use, and in the case of lands exhibiting or abutting a Natural Heritage feature, demonstration of compliance with the Natural Heritage policies of this plan;

The subject lands are generally free of encumbrances and are suitable for residential development. As outlined in the analysis of various levels of natural heritage policies, the sensitive areas of the property will be Zoned to ensure their protection and transferred into the ownership of the Town for long-term protection and public benefit. The developable portion of lands south of Thunder Bay Road, east of Burleigh Road South and North of the watercourse contain no natural heritage features and are fit for residential development, as prescribed by the Official Plan and Zoning By-law.

d. The location of the area under consideration with respect to:

- I. the adequacy of the existing and proposed highway system in relation to the development of such proposed areas,
- II. the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto, and
- III. the adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations of the Ministry of the Environment and the Regional Niagara Public Health Department and any other appropriate authority deemed advisable.

The subject lands are currently accessible from Thunder Bay Road and Burleigh Road South which are both local collector roadways. The Draft Plan proposes development along the Thunder Bay Road frontage as well as along a new public roadway which will connect to both abutting streets.

The subject lands are adequately serviced with water and sanitary sewer, but will require an extension of a storm sewer to support the development. This cost will be born by the developer and will not impact the municipality.

e. The compatibility of the proposed use with uses in adjoining areas;

The subject lands are located amongst existing low density residential development. The development of additional single detached dwellings is considered to have no impacts on adjacent land uses and will not create or exacerbate any land use compatibility issues.

f. The effects of such proposed use on the surrounding area in respect of the minimizing of any possible deprecating or deteriorating effect upon adjoining properties;

The development proposal includes a significant public benefit to the surrounding neighbourhood and Town, in general. The provision of park land and shoreline access is anticipated to add value to properties in the area, as such amenities are rare along the lakefront.

g. The potential effect of the proposed use on the financial position of the municipality; and

The proposed development will have no negative financial impact on the municipality.

Through these applications, the Town will receive a road widening, daylighting triangle, two parkland blocks, a watercourse and a portion of the Lake Erie Shoreline for free. These elements are of significant value and benefit to the municipality and typically are not available for purchase. This land dedication will exceed the necessary 5% parkland dedication requirement for residential development. The Town has indicated that it will purchase the balance of the parkland blocks at a rate established through a market appraisal.

All servicing improvements will be at the developers cost.

Based on the Town's 2021 Development Charge rates, each of the 41 lots will each generate \$17,318.00 in development charges for a total of \$710,038.00. Each lot will also be an annual tax generator.

- h. The potential effect of the proposed use in relation to the intent and implementing regulations of the Environmental Protection Act.

The proposed development will require the obtainment of Environmental Compliance Approvals from the Ministry of the Environment, Conservation and Parks for the proposed sanitary sewer and storm sewer. These approvals are issued subject to the regulations that implement the Environmental Protection Act and will be pursued through detailed engineering and design.

13.9 Land for Park Purposes

The Town's policies for Parkland Dedication conform to the requirements of Section 42 of the Planning Act.

For this development, the proposed parkland blocks (Blocks 42 & 44) exceed 5% of the required conveyable land area. In conformity with Policy IX of Section 13.9, the Town has indicated that they will purchase the balance of the lands as they provide a continuous connection through to the shoreline and represent a comprehensive and logical opportunity to acquire and provide parkland and shoreline access.

13.14 Land Acquisition

In accordance with the Planning Act and Municipal Act, and consistent with the policies of Section 13.9 of the Official Plan, the Town has the ability to acquire lands for open spaces, parks, recreational purposes or conservation purposes. As proposed, the Town will be accepting Blocks 43 & 45 for parkland purposes and Blocks 42 & 44 for long-term conservation.

This proposed dedication of lands through the Plan of Subdivision is considered to be in conformity with the Town's Official Plan.

TOWN OF FORT ERIE WATERFRONT STRATEGY (2017)

The Town of Fort Erie Waterfront Strategy provides initiatives and priorities aimed at the protection and enhancement of Fort Erie's waterfront assets. The property is identified to be within the Ridgeway / Thunder Bay area. The Strategy is built on 12 key principles:

1. Support economic growth by using existing sites or identifying new sites on or near the waterfront as a catalyst for appropriately scaled development that serves both residents and visitors (e.g. accommodation, retail, commercial, community use).
2. Expand opportunities for public access to, and enjoyment of the waterfront through the strategic securement/acquisition and development of waterfront properties as they become available.
3. Enhance Waterfront Parks and Waterfront Windows for use and enjoyment of residents and visitors.
4. Identify routes for people with all abilities to get to the waterfront through signage, wayfinding, mapping and site descriptions.
5. Create a sustainable, publicly accessible and interconnected waterfront park system consisting of Waterfront Parks, Waterfront Windows and shoreline walks.
6. Secure the shoreline for public access to the water's edge.
7. Conserve, protect and enhance important natural features and species at risk along Fort Erie's waterfront.
8. Respect, mitigate and manage natural shoreline hazards.
9. Celebrate the culture and heritage of Fort Erie and the Niagara Region in Waterfront Parks and Waterfront Windows.
10. Maintain and enhance vistas from Fort Erie's Waterfront Parks and Waterfront Windows.
11. Focus the Town's marketing and branding on access to the waterfront as one of Fort Erie's unique selling points.
12. Provide mapping, site descriptions and signage that identifies and promotes awareness and use of public land on or near the waterfront.

The approval of the applications will assist the Town in implementing the vision of the Waterfront Strategy for the Ridgeway - Thunder Bay neighbourhood by balancing growth and the protection and enjoyment of Fort Erie's shoreline resources. The location and scale of the proposed development is compatible with the surrounding area and helps to foster economic growth in the Ridgeway / Thunder Bay area. The Waterfront Strategy's goals regarding new development in waterfront neighbourhoods is to provide appropriate development for both residents and visitors and to provide opportunities for public access to the waterfront while protecting and enhancing waterfront features.

Consistent with this goal, the proposal provides a new opportunity for waterfront access and shared enjoyment of the shoreline through the areas intended to be dedicated to the Town of Fort Erie.

TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW (BY-LAW 129-90)

Much of the subject property is zoned as Waterfront Residential (WR) with a portion along the shoreline being zoned as a Hazard Zone (H), as indicated on Schedule 'A' – Map 20 in the Town of Fort Erie Zoning By-law 129-90. Map 20 also indicates that a portion of the property contains Environmental Conservation (EC) Overlay.

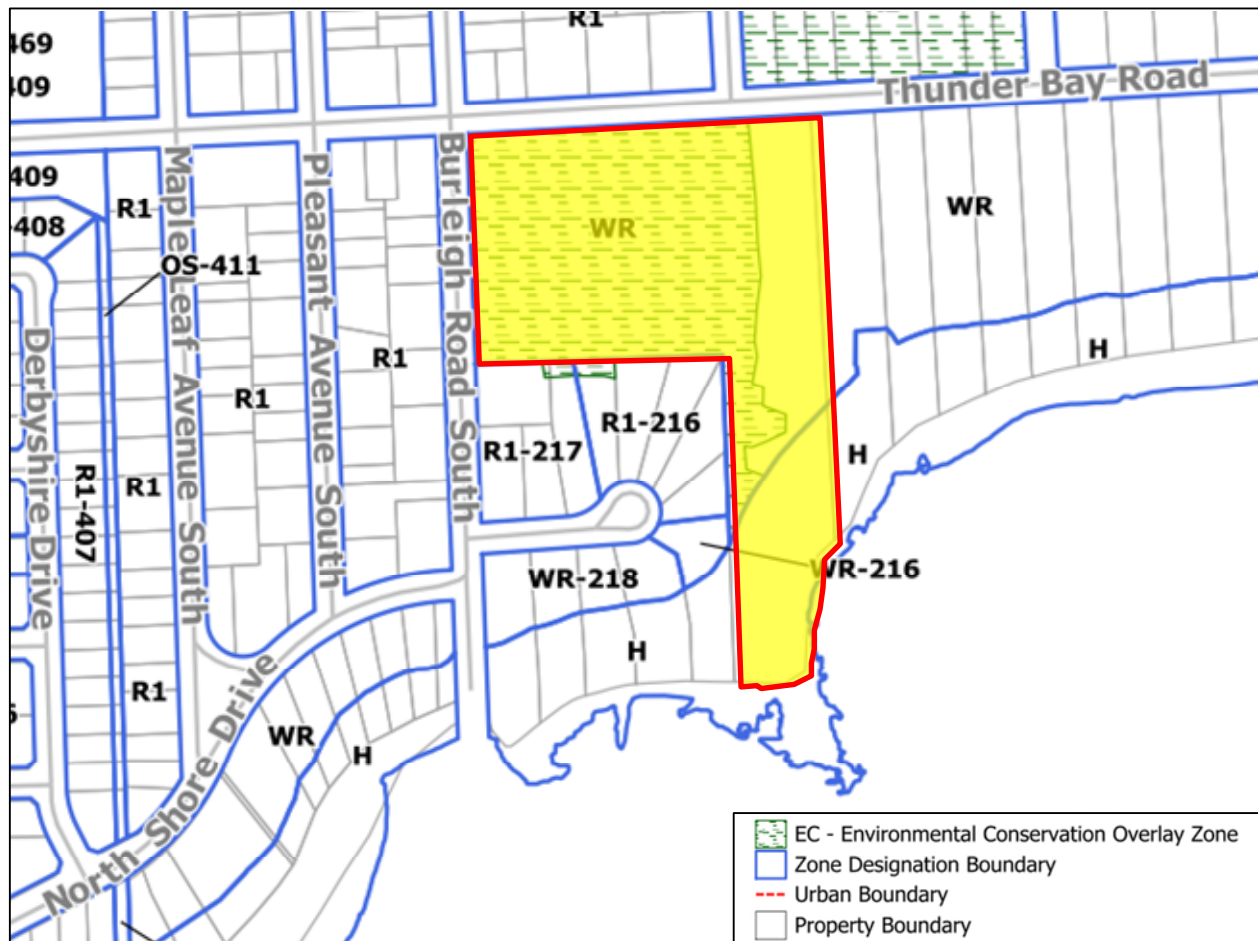


Figure 11 - Town of Fort Erie Zoning By-law - Map 20 (Cropped)

Waterfront Residential (WR) Zone

The Waterfront Residential (WR) Zone currently in effect for the majority of the subject lands permits single detached dwellings on larger lots. As shown on **Figure 11** above, and generally within the Zoning By-law, this zoning is applied to lands that have direct interface with Lake Erie.

The Draft Plan proposes 41 new residential development lots on the northern portion of the subject lands. In addition to residential development, the Plan also contains Blocks to be

dedicated to the Town of Fort Erie conservation uses, parkland and shoreline access. As the developable portion of the site will not abut the waterfront, it is appropriate to consider a site-specific low density residential Zone as well as appropriate zones for the Blocks to be dedicated to the Town.

Hazard (H) Zone

The Hazard (H) Zone generally corresponds with natural hazards found within the municipality. These hazards include the Lake Erie Shoreline, Valleylands and Floodplains. The existing Hazard (H) Zone general corresponds with NPCA Shoreline mapping.

No change to the existing extent of the Hazard (H) Zone is necessary, as the lands remain undevelopable and do contain natural hazard features.

Environmental Conservation Overlay

At the direction of the Town of Fort Erie, the Environmental Conservation Overlay was kept on a portion of the subject lands, despite the removal of trees in 2019. This overlay no longer corresponds with any features grouped under the Environmental Conservation land use designation or Environmental Conservation (EC) Overlay Zone. The EIS prepared by Beacon Environmental addresses this change in site condition and confirms that no woodlot is present. Accordingly, the removal of this overlay zone in favour of the requested zoning categories is considered appropriate.

Residential 2A (R2A) Zone

To facilitate the development of the 41 residential lots, a Zoning By-law Amendment is required to change the applicable zoning for the developable area of the site from Waterfront Residential (WR) to Residential 2A (R2A) Zone. The proposed development meets all applicable regulations of the R2A Zone which is meant for new subdivisions.

The retention of the Waterfront Residential (WR) Zone would require frontages and lot sizes that are unreasonably large for a modern subdivision and would limit the ability to efficiently develop the subject lands as prescribed by Provincial, Regional and local policies.

Similar to the WR Zone, the R2A Zone permits single detached dwellings. The R2 Zone also permits home occupations and Accessory Apartment dwellings.

The application of the R2A Zone is appropriate as it facilitates an efficient development design and dwelling types and lot sizes that are compatible with surrounding properties. The anticipated built form will be similar to that which exists to the west of the subject lands within the Ridgeway Shores Phase 2 / The Oakes development.

TABLE 1 - RESIDENTIAL 2A (R2A) ZONE

PROVISION	REQUIREMENT	PROVIDED
Permitted Uses	<ul style="list-style-type: none"> One single detached dwelling and uses, buildings and structures accessory thereto. Home Occupations Accessory Apartment Dwelling 	Single Detached Dwellings
Minimum Lot Frontage	<p>12 metres 15 metres (Corner Lot)</p>	<p>13.0 metres for Lots 2-9 & 15-22 15 Metres for other Interior Lots 17+ metres for corner lots</p>
Minimum Lot Area	375 square metres	Minimum 510 square metre lots
Maximum Lot Coverage	50%	-
Minimum Front Yard	<p>6 metres to garage 3 metres to other parts of dwelling</p>	-
Minimum Interior Side Yard	<p>1.2 metres for a one-storey dwellings</p> <p>however, on an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres.</p>	-
Minimum Exterior Side Yard	3 metres, except that an attached garage or attached carport which faces an exterior side lot line shall be located no closer than 6 metres to the exterior side lot line	-
Minimum Rear Yard	8 metres	-
Maximum Height of Building	<p>2 storeys 10.5 metres</p>	-

Open Space (OS) Zone

Blocks 43 & 45 are to be dedicated to the Town of Fort Erie as Parkland. Blocks 42 and 44 are also intended to be dedicated to the Town, however as they contain natural heritage features and natural hazard features they cannot be dedicated or zoned as Open Space.

The OS Zone is generally a “parkland” zoning which permits recreational uses,

The proposed OS Zone has lotting criteria. In their current forms the Blocks are each under the required 8000 square metre minimum lot size. Block 44 also cannot satisfy the minimum lot frontage requirement of the Zoning By-law as it is separated from Block 44 by Block 42 which will be zoned as Environmental Protection.

As the municipality will be receiving all of these blocks and that the deficiencies in performance criteria will have no impact on the ability for the lands to be used as Open Space and public access to the Lake Erie Shoreline, the site-specific provisions are considered to be appropriate.

TABLE 2 - OPEN SPACE (OS ZONE)

PROVISION	REQUIREMENT	SITE SPECIFIC REQUEST
Permitted Uses	<p>Recreational uses and uses, buildings and structures accessory thereto</p> <ul style="list-style-type: none">• Residential uses only to the extent necessary for the maintenance and security staff of any principal use set out in Section 33.2 hereof provided such residential uses are located on the same lot as such principal use and provided such staff is employed on the premises; and buildings and structures accessory thereto.• Cemeteries, mausoleums and columbariums, and uses, buildings and structures accessory thereto, excluding crematoriums	

PROVISION	REQUIREMENT	SITE SPECIFIC REQUEST
	<ul style="list-style-type: none"> • Uses permitted under the Niagara Parks Act, R.S.O. 1990 and amendments thereto in any successor legislation, or for Niagara Parks Commission purposes, only on lands under the jurisdiction of The Niagara Parks Commission 	
Minimum Lot Area	8,000 square metres	1,400 square metres (Block 45) 4,550 square metres (Block 43)
Minimum Lot Frontage	15 metres	Block 43 – 0 metres
Maximum Lot Coverage	10 %	-
Minimum Front Yard	7.5 metres	-
Minimum Interior Side Yard	7.5 metres	-
Minimum Exterior Side Yard	7.5 metres	-
Minimum Rear Yard	7.5 metres	-
Maximum Height of Building	3 storeys 12 metres	-

Environmental Protection (EP) Zone

Block 42 contains an existing watercourse that crosses the middle of the property before ultimately outletting to Lake Erie at 3247 Thunder Bar Road. The watercourse was evaluated by Beacon Environmental Ltd. as part of the required Environmental Impact Study process associated with this development proposal.

The EP Zone is an appropriate Zone to place the watercourse into as it is meant to be applied to passive non-structural conservation and resource management uses. The in-effect Waterfront Residential (WR) Zone provides no protection to the feature and permits development subject to an EIS. It is considered prudent and necessary to apply this zone to the evaluated feature to ensure its long-term protection from development.

The EP Zone has no specific lot performance criteria such as minimum frontage or area and therefore no site specific exceptions are required to facilitate the creation of the Block.

PLANNING POSITION

Applications have been submitted to the Town of Fort Erie for a Draft Plan of Subdivision and Zoning By-law Amendment for lands known municipally as 3285 Thunder Bay Road.

The Applications propose a 41 lot residential subdivision and the dedication approximately 1.75 hectares of land for long-term environmental protection and public parkland/ waterfront access purposes. The proposed built-form will include one and two storey dwelling units with a range of lot widths. This form of low density residential development is already permitted by Town planning documents and is considered to be the most appropriate built form for this area.

The subject lands are located within the Settlement Area boundary, and the Built-Up Area. These areas are where development is directed to occur by Provincial, Regional and local policies. The development proposal is consistent with Provincial, Regional and Town policies for growth and intensification, is compact in nature, is located along multi-modal transportation routes, and is readily serviceable through connections to existing municipal infrastructure.

As required, professional studies have been provided in support of the required applications that include an Environmental Impact Study, Archaeological Assessment, Functional Servicing Report and this Planning Justification Report. Through these reports, the proposed development has been demonstrated to present no significant impact to public health and safety, the natural environment, cultural heritage resources or infrastructure capacity. The proposed plan is considered to implement the form and intensity of development prescribed in Town Planning documents.

In my opinion the submitted applications for Draft Plan of Subdivision and Zoning By-law Amendment satisfy the requirements of the Planning Act, are consistent with the 2020 Provincial Policy Statement and conform to the 2019 Growth Plan for the Greater Golden Horseshoe, Regional Official Plan (as amended) and Town of Fort Erie Official Plan (as amended).

The applications are recommended to be supported by the Town of Fort Erie as they balance growth and environmental protection, facilitate a significant recreational waterfront and parkland opportunity, support multi-modal transportation objectives, exhibit compatible built form and overall, are an efficient use of urban lands, represent good planning and are in the public interest.

Respectfully Submitted,

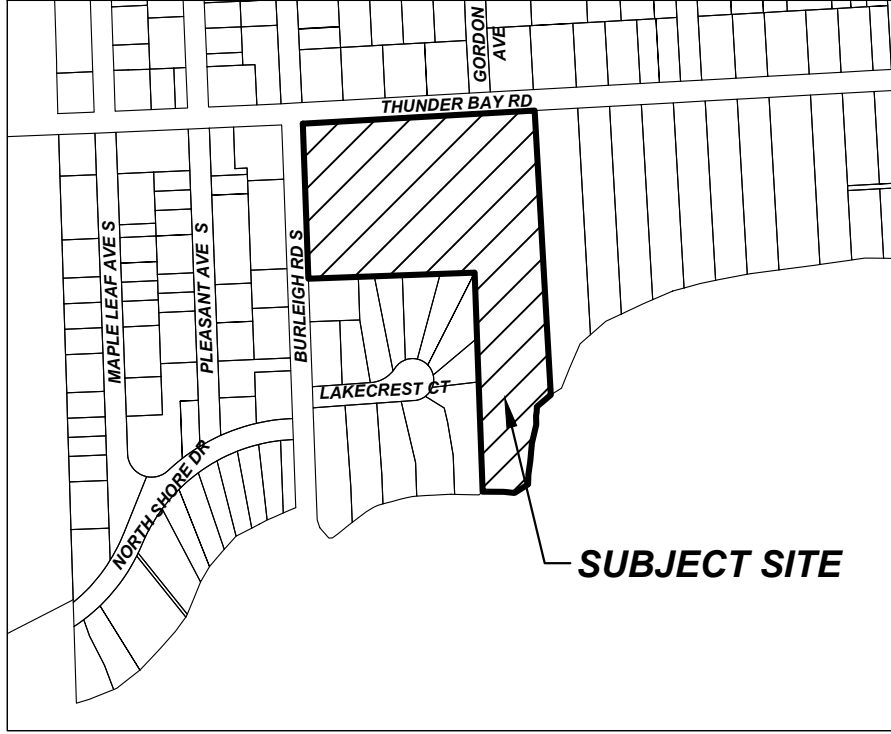
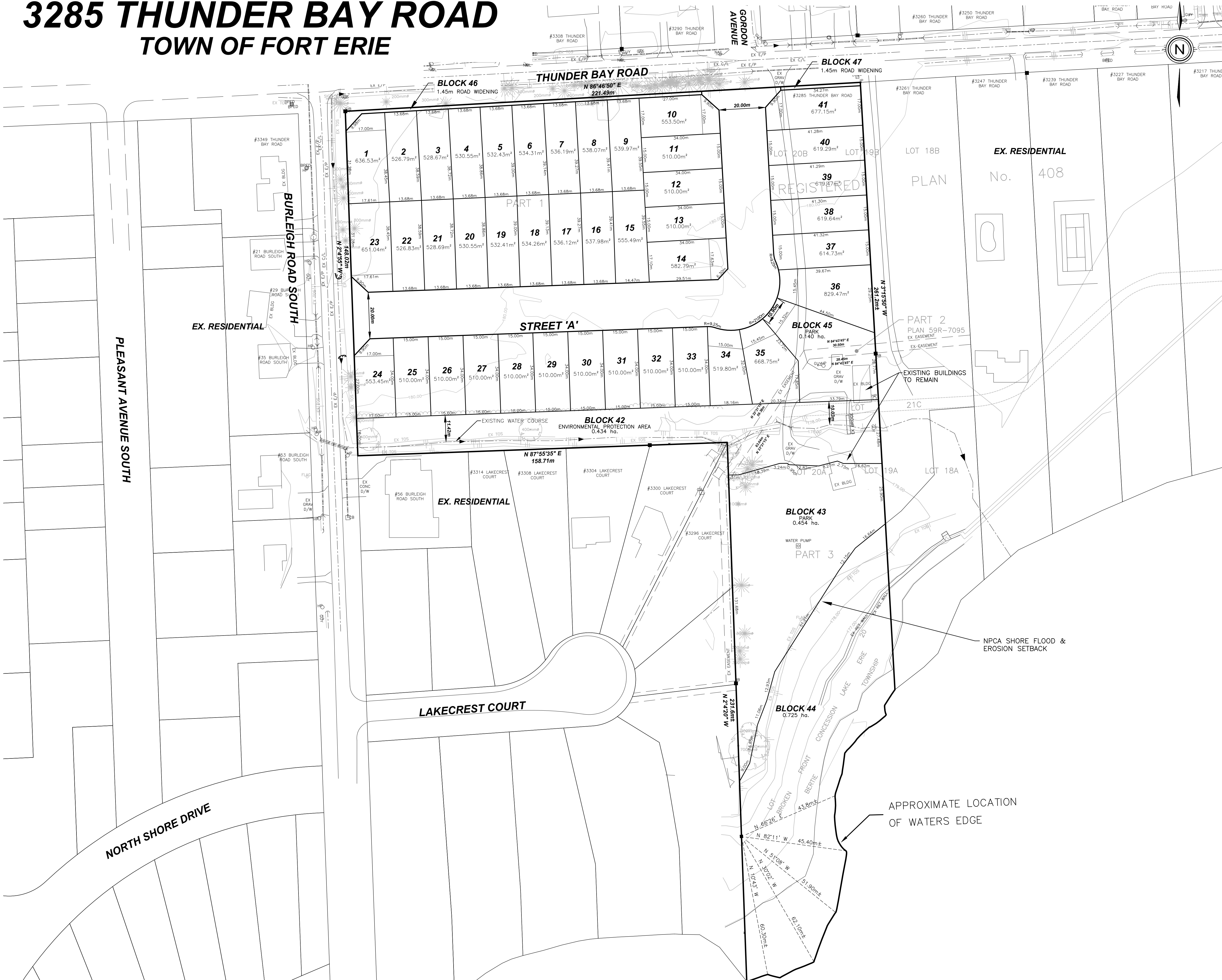
A handwritten signature in blue ink, appearing to read 'Craig Rohe', with a stylized, cursive script.

Craig Rohe M.Pl., MCIP, RPP
Senior Planner
Upper Canada Consultants

APPENDIX I

Draft Plan of Subdivision

3285 THUNDER BAY ROAD
TOWN OF FORT ERIE



KEY PLAN
N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

LOTS 20A, 20B, PART OF LOTS 19A, 19B & 21C
REGISTERED PLAN No. 408 and
PART OF LOT 20, BROKEN FRONT CONCESSION LAKE ERIE
GEOGRAPHIC TOWNSHIP OF BERTIE
TOWN OF FORT ERIE
REGIONAL MUNICIPALITY OF NIAGARA
OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION TO THE TOWN OF FORT ERIE
FOR APPROVAL.

WESTWIND NIAGARA DEVELOPMENTS INC. JUNE 22, 2021
DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

ROY S. KIRKUP, B.Sc., O.L.I.P., Ontario Land Surveyor DATE
KIRKUP MASCOE URE SURVEYING
(a Division of J.D. Barnes Limited)

REQUIREMENTS OF SECTION 51(17)
OF THE PLANNING ACT

- | | | |
|-------------|--------------------|-----------------|
| a) SEE PLAN | e) SEE PLAN | i) SILTY SAND |
| b) SEE PLAN | f) SEE PLAN | j) SEE PLAN |
| c) SEE PLAN | g) SEE PLAN | k) FULL SERVICE |
| d) SEE PLAN | h) MUNICIPAL WATER | l) SEE PLAN |

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	1-41	41	2.2815	49.55
ENVIRONMENTAL PROTECTION	BLOCK 42		0.4343	9.43
PARK	BLOCK 43,45		0.5940	12.90
SHORELINE DEDICATION	BLOCK 44		0.7245	15.74
ROAD WIDENING	BLOCK 46-47		0.0296	0.64
ROADWAY			0.5404	11.74
TOTAL		41	4.6043	100.00
DEVELOPABLE AREA (TOTAL - BLOCK 42 & 44) = 3.4455 ha				
DEVELOPABLE DENSITY = 11.90 units/ha				

1	ISSUED FOR APPROVAL	2021-06-28	M.K
0	ISSUED FOR PRE-CONSULTATION	2020-09-24	MK
#	REVISION	DATE	INIT



30 Hannover Drive, Unit 3
St. Catharines, ON
L2W 1A3
Phone: (905)688-9400
Fax: (905)688-5274

DRAWING TITLE	DRAFTING	MK
DRAFT PLAN OF SUBDIVISION	DATE	JUNE 22, 2021
	PRINTED	JUNE 28, 2021
	SCALE	1:750
	DWG No.	17143-DP
	REV	1

APPENDIX II

Draft Zoning By-law
Amendment



The Municipal Corporation of the Town of Fort Erie

By-law No. XX-2021

Being a By-law to Amend Zoning By-law No. 129-90

3285 Thunder Bay Road

Upper Canada Consultants - Agent

Westwind Niagara Developments Inc. - Owner

350309-0XX

Whereas an application was received from Upper Canada Consultants, (Agent) on behalf of Westwind Niagara Developments Inc. (Applicant) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as 3285 Thunder Bay Road, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on _____, 2021, 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-2021 considered and approved at the Regular Council meeting held on _____, 2021;

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

1. **That** Schedule "A" of By-law No. 129-90 as amended, is further amended by changing the zoning of the lands as described above and shown on the attached Appendix "1" from "Waterfront Residential" (WR) Zone" and "Environmental Conservation (EC) Overlay Zone", to "Residential 2A (R2A) Zone", "Open Space (OS-XXX) Zone" and "Environmental Protection (EP) Zone".
2. **That** By-law No.129-90 as amended, is further amended by adding to "Section 33 – "Open Space (OS) Zone" Subsection – "Exceptions to the Open Space (OS) Zone" the following exception:

"OS-XXX (XX-2021) 3285 Thunder Bay Road

These lands are zoned "Open Space (OS-XXX) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Open Space (OS) Zone" by this by-law shall apply to those lands zoned "Open Space (OS-XXX) Zone" subject to the following special regulations:

a) Notwithstanding the provisions of "Section 33.3 Regulations" that the following provisions apply:

- *Minimum Lot Frontage*

- 0 metres for Block 43

- *Minimum Lot Area*

- 4,550 square metres for Block 43

- 1,400 square metres for Block 45

3. **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 _____, 2021.

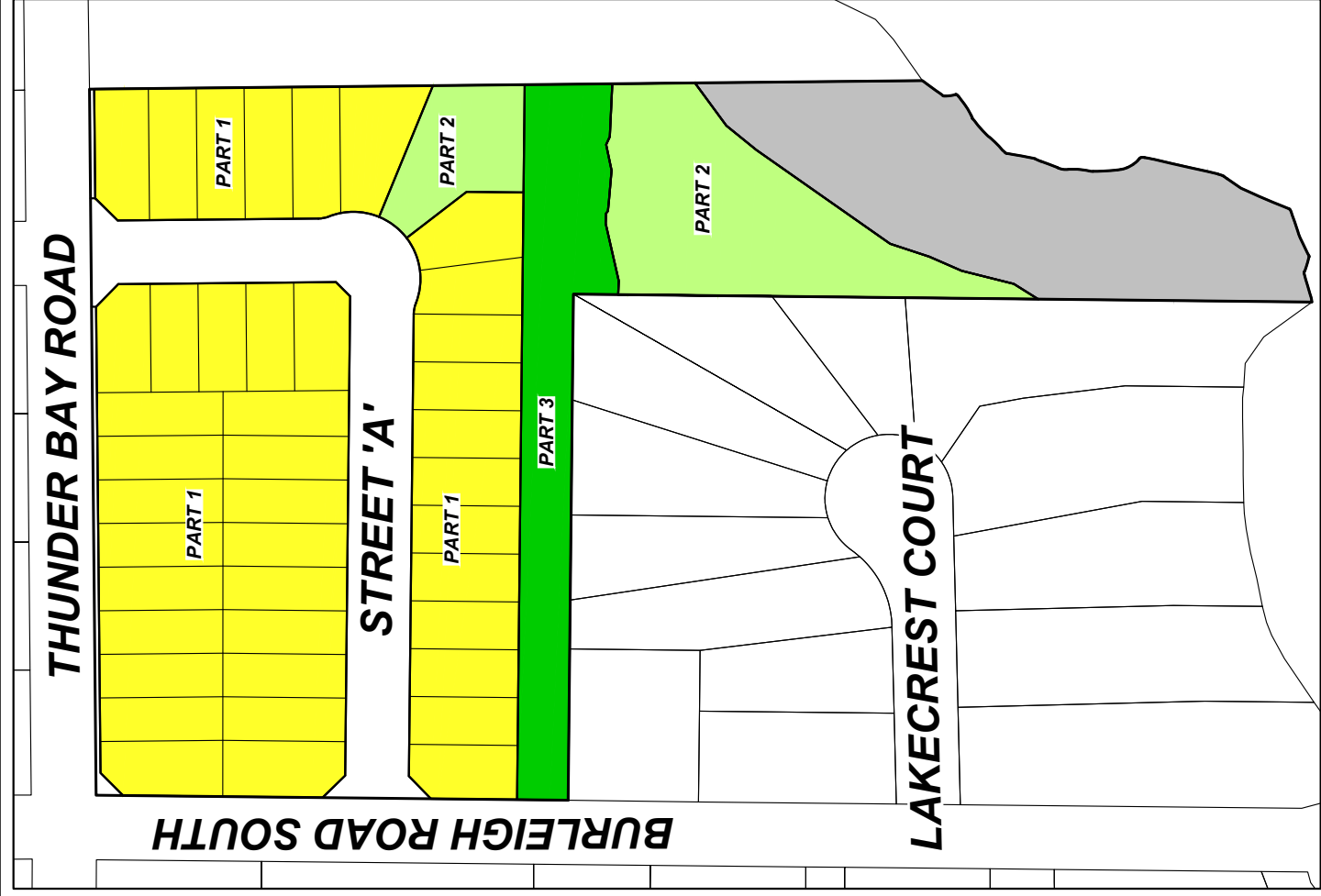
Mayor

Clerk

I, Carol Schofield, Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No.XX -2021 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20

LEGEND

- PART 1 - FROM WATERFRONT RESIDENTIAL (WR) ZONE TO RESIDENTIAL 2A (R2A) ZONE
- PART 2 - FROM WATERFRONT RESIDENTIAL (WR) ZONE TO OPEN SPACE (OS-XX) SITE SPECIFIC ZONE
- PART 3 - FROM WATERFRONT RESIDENTIAL (WR) ZONE TO ENVIRONMENTAL PROTECTION (EP) ZONE
- EXISTING HAZARD (H) ZONE TO REMAIN



3285 THUNDER BAY ROAD

SCHEDULE 'A' TO ZONING BY-LAW AMENDMENT No. _____

MAYOR: _____

CLERK: _____



APPENDIX III

Pre-consultation
Agreement

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

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

Meeting Attendance:

- | | | |
|---|--|---|
| <input type="checkbox"/> Town Planning Town | <input type="checkbox"/> Regional Planning | <input type="checkbox"/> Niagara Parks Commission |
| <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Regional Public Works | <input type="checkbox"/> NPCA |

Other _____

Application type:

- | | |
|--|--|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Zoning By-law Amendment | <input type="checkbox"/> Consent Application |
| <input type="checkbox"/> Draft Plan of Subdivision | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Draft Plan of Condominium | |

Pre-Consultation Submission Date: _____

Pre-Consultation Meeting Date: _____

Site Location/Address: _____

Site Legal Description: _____

Approximate Land Area (metric): _____

Owner Contact Information:

Name of Owner: _____

Phone No: _____ Email: _____

Principal Contact: _____

Phone No: _____ Email: _____

Local Municipal Contact:

Name of Contact: _____

Phone No: _____ Email: _____

Brief description of proposed development:

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

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

Property: 3285 Thunder Bay Road

Development Planning: Anamika Dilwaria (adilwaria@forterie.ca or 905-871-1600 ext. 2514)

Official Plan:

The lands are designated Low Density Residential in the Ridgeway-Thunder Bay Secondary Plan

Zoning By-law:

The lands are zoned Waterfront Residential (WR) Zone, in part, Environmental Conservation (EC) Overlay Zone, in part, and Hazard (H) Zone, in part, in accordance with Zoning By-law 129-90

Applicant is required to have further discussion with staff regarding the dedication of land for parkland and the proposed development.

- Since the lands are partially covered with EC Overlay Zone, prior to any development taking place on the site, we would have to bring this proposal to the Town's Environmental Advisory Committee for input
- Please indicate to us the proposed zoning for the site

Servicing: Jeremy Korevaar (jkorevaar@forterie.ca or 905-871-1600 ext. 2505)

- Servicing Brief required to analyze impacts to sanitary sewer system. Applicant shall contact the Town's Sanitary Sewer Modelling Consultant for this analysis - Julien Bell, P.Eng., GM BluePlan Engineering Limited, (519) 748-1440 ext. 4264 or julien.bell@gmblueplan.ca. The Servicing Brief shall also examine fire flows
- Provide a Stormwater Management Plan
- As per Official Plan a road widening of 1.45m across Thunder Bay Road frontage is required to be transferred through the Subdivision Agreement process
- The applicant is reminded of the existing sanitary sewer easement which serves as the sewage outlet for the adjacent Lakecrest Court

Neighbourhood Planning: Signe Hansen (shansen@forterie.ca)

- No comments

Economic Development & Tourism Corporation: Daniel Turner
(dturner@forterie.ca or 905-871-1600 ext. 2252)

- No comments

PRE-CONSULTATION AGREEMENT – COMMENTS

Community Planning: Signe Hansen (shansen@forterie.ca or 905-871-1600 ext. 2506)

- Development Option 4 was presented to the Land Committee for its consideration, in August - relative to its interest in the acquisition of Blocks 2 and 3 for parkland purposes, with the intent that lands exceeding the 5% parkland dedication will be purchased by the Town. The Land Committee was supportive of that concept, and directed that a market appraisal be undertaken. We are currently awaiting the results of the appraisal
- If that option could not be realized, then the Town would be looking for an access corridor through Block 2, to connect Block 1 to the waterfront lands (Block 4), as part of the parkland dedication
- Tree Preservation Plan required, prepared by a Certified Arborist, pursuant to Site Plan Control Guidelines
- Landscape and Streetscape Plans required, pursuant to the Site Plan Control Guidelines

Committee of Adjustment: Cara Raich (craich@forterie.ca or 905-871-1600 ext. 2508)

- No comments

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

- Environmental Conservation overlay applies to the property
- NPCA approval is required
- A development charges credit is available for the house to be demolished

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

- The fire department would need at minimum, one hydrant installed in the proposed subdivision along Street A, preferably near the bend

Niagara Peninsula Conservation Authority (NPCA): Jessica Abrahamse (jabrahamse@npca.ca)

- The proposed subdivision is outside of the NPCA regulated shoreline area of this lot, as such there are no objections. The NPCA would like to be circulated on the grading plan to ensure all development (including septic/stormwater ect.) stays outside of the NPCA regulated area and shows the total limit of development
- \$2,727 Subdivision fee

Canadian Niagara Power (CNP): Jeff Hoover (jeff.hoover@cnpower.com)

- Please contact Jeff Hoover @ CNPI 905-871-0330 ext. 3217 to discuss servicing

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

- No comments

Niagara Region: Lola Emberson (lola.emberson@niagararegion.ca)

Proposal: Proposal for a Zoning By-law Amendment and Draft Plan of Subdivision. The Applicant is proposing a Plan of Subdivision for 40 single-detached dwellings and either a park or residential condominium.

PPS: Settlement Area

GP: Delineated Built Up Area

ROP Designated: Urban Area (Built Up) Area

Policies speak to directing growth to settlement areas and the efficient use of land, infrastructure and public services. Policies generally support redevelopment of underutilized, vacant lands within the Built up area.

Archaeological

In accordance with Ministry criteria, the property is also located within 300 m of a watercourse and known Archaeological sites. However, the property is not identified on the Town's Archaeological Master Plan. Wondering if this is the result of an archaeological assessment previously being completed on the property? If so, please provide copies of the assessments and Ministry letters. Would be looking for warning clauses included in the draft plan.

Noted that there is also existing dwelling, accessory structure and a sanitary main running through property that would have disturbed part of the site.

Environmental

The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of Significant Woodland, Significant Valleyland, and Type 1 Fish Habitat (Lake Erie). Consistent with Regional Official Plan (ROP) policies 7.B.1.11 and 7.B.1.15, an Environmental Impact Study (EIS) is required in support of site alteration and/or development proposed within 50 m of Significant Woodland/Significant Valleyland, and within 30 m of Type 1 Fish Habitat.

The proposed development is proposed within and adjacent to the CNHS. A Terms of Reference for a scoped EIS should be developed consistent with Policy 7.B.2 of the Region's Official Plan. Proximity to Lake there may be Species at Risk (Fowlers Toad).

It should also be noted that depending on the extent and sensitivity of the features, development of the entirety of the property may not be supportable. The EIS will be instrumental in determining the amount of developable space.

Servicing

- Water: 300 D CI (Local) - Thunder Bay Road
- Water: 150 D AC (Local) - Burleigh Road South
- Sanitary: 200 D PVC (Local) - Thunder Bay Road
- Sanitary: 250 D PVC Forcemain (Regional) - Thunder Bay Road
- Sanitary: 525 D Conc. (Regional) - Burleigh Road South
- Since it will be a municipal sewer we encourage a connection to the Regional main on Burleigh, we will need the following:
 - Connection needs to be a manhole or a new manhole installed
 - No internal drop structures will be allowed
 - We will require a letter from the Town, a detail of the connection and a permit fee \$1,250
- Any extension of municipal sewers will require a Ministry of Environment Environmental Compliance Approval

PRE-CONSULTATION AGREEMENT – COMMENTS

- Detailed drawings are to be provided for any crossing of the Regions sewers

Stormwater Management

- a) Niagara Region will require that stormwater runoff from the development be collected and treated to an Enhanced standard prior to discharge from the site, due to the site proximity to Lake Erie
- b) Post-development stormwater peak flows and runoff volume will be significantly increased in comparison with the existing land condition. If the development will outlet to the watercourse at south, Niagara Region would suggest the consultant engineer provide justification to the Town's satisfaction that the development will not have flooding impact on other properties and erosion impact in the creek
- c) Niagara Region will require that a stormwater management report (and the associated \$625 fee) be submitted to this office indicating in details how the above noted requirements will be achieved
- d) Prior to construction, Niagara Region will require that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval

Waste Collection (Low Density Residential)

- Blue/grey –no limit
- Green – no limit
- Waste – (1) container per unit
- **Curbside collection only** - It is highly unlikely collection limits will be met for curbside collection therefore it will be the owners responsibility through a private contractor to provide waste collection which is shown by garbage enclosure on the site plan.
- Condo = Max. 12 containers

2020 Fees:

- Zoning \$1,300.00
- Draft Plan \$5,180.00 base plus \$1,145.00 per ha
- TOR Review \$400.00 to be deducted from the EIS review fee
- EIS Review \$2,245.00
- SWM @ SP \$625.00

PRE-CONSULTATION AGREEMENT – COMMENTS

Application Fees:

Note: please contact the Town for submission details and current fee's when ready to proceed

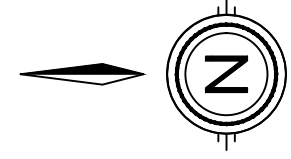
Application	Town of Fort Erie	Niagara Region	NPCA	Other
	ZBA-\$8351.00 Subdivision-\$8415	<ul style="list-style-type: none"> Zoning \$1,300.00 Draft Plan \$5,180.00 base plus \$1,145.00 per ha 	Subdivision \$2727	
Pre-Consultation Fee Deduction	\$2416.00			
Other				
Total	\$16766- \$2416= \$16766.00	<ul style="list-style-type: none"> Zoning \$1,300.00 Draft Plan \$5,180.00 base plus \$1,145.00 per ha 	\$2727	

- Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- Additional fees may be required at a later date based on the fee schedule by-law.
- Separate cheques shall be made payable to each appropriate agency and submitted to the Town with the complete application.
- The applicant should be aware that the information provided is accurate as of the date of the preconsultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, Municipality, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within 1 year, it is advisable that the applicant confirm with the municipality the directives of the original preconsultation meeting.
- The purpose of this agreement is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on the part of the Town staff or the Corporation of the Town of Fort Erie to either support or refuse the application.

PRE-CONSULTATION AGREEMENT – COMMENTS

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

3285 THUNDER BAY ROAD
TOWN OF FORT ERIE



THUNDER BAY ROAD



THUNDER BAY ROAD



KEY PLAN

N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

LOT #
MUNICIPALITY
REGION

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION TO THE TOWN OF FORT ERIE
FOR APPROVAL.

3285 THUNDER BAY ROAD INC.

DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

KIRKUP MASCOE URE SURVEYING LTD.

DATE

REQUIREMENTS OF SECTION 51(17)
OF THE PLANNING ACT

- a) SEE PLAN
- b) SEE PLAN
- c) SEE PLAN
- d) SEE PLAN
- e) SEE PLAN
- f) SEE PLAN
- g) SEE PLAN
- h) MUNICIPAL WATER
- i) SILTY SAND
- j) SEE PLAN
- k) FULL SERVICE
- l) SEE PLAN

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	1-40	40	2.2634	49.18
ENVIRONMENTAL PROTECTION	BLOCK 1		0.4822	10.48
ROADWAY			0.5363	11.65
PARK / RESIDENTIAL CONDO	BLOCK 2,3		0.6014	13.07
SHORELINE DEDICATION	BLOCK 4		0.7191	15.62
TOTAL		40	4.6024	100.00
DEVELOPABLE AREA (TOTAL - BLOCK 1) = 4.1202 ha				
DEVELOPABLE DENSITY = 9.71 units/ha				

#	REVISION	DATE	INIT
0	ISSUED FOR PRE-CONSULTATION	2020-09-24	MK



UPPER CANADA
CONSULTANTS
ENGINEERS / PLANNERS

30 Hamovner Drive, Unit 3
12th Floor
Toronto, ON
M5E 1A3
Phone: (905) 888-9400
Fax: (905) 888-5274

DRAWING TITLE

DRAFTING

MK

DATE

JULY 6, 2020

DRAFT PLAN OF
SUBDIVISION

PRINTED

SEPTEMBER 24, 2020

SCALE

1:750

DWG No.

17143-DP

REV

0



TOWN OF FORT ERIE DEVELOPMENT CHARGES

By-law No. 43-2014 establishes development charges for new development and redevelopment within the Town. The revenue generated by the development charge ensures that growth related infrastructure can be funded without affecting the Town's existing tax base while meeting growth needs.

Town charges effective March 18, 2020 to December 31, 2020

CATEGORY OF SERVICE	RESIDENTIAL				NON-RESIDENTIAL			
	Singles And Semis	Multiples	Apartments 2 + Bedrooms	Apartments Bachelor or 1 Bedroom	Municipal-Wide Service Area (\$56.52/m ² = \$5.25/sf)			
						Commercial	Industrial	
Municipal-Wide	\$ 9,377	\$ 6,550	\$ 6,161	\$3,986		\$21.08/m ²	\$0.00	
Urban Serviced Area	\$ 8,514	\$ 5,946	\$ 5,593	\$3,619		\$47.47/m ²	\$0.00	
TOTALS	\$17,891	\$12,496	\$11,754	\$7,605		\$68.55/m²	\$0.00	

Regional Development Charges effective January 1, 2020 to December 31, 2020

CATEGORY OF SERVICE	Single/Semi Detached	Apartment 2+ bedrooms	Apartment 1 Bedroom	Other Multiple/ Duplex	Special Care/Special Dwelling	Commercial per sq. ft.	Industrial per sq. ft.	Institutional per sq. ft.	Wind Turbines per sq. ft.
Roads & General Government Services	\$ 11,215	\$ 7,784	\$4,622	\$8,169	\$4,239	\$6.36	\$2.64	\$4.55	7,894
Wastewater (if available)	\$ 4,946	\$ 3,434	\$2,040	\$3,603	\$1,870	\$3.55	\$1.48	\$2.54	\$0
Water (if available)	\$ 3,502	\$ 2,431	\$1,444	\$2,552	\$1,324	\$2.52	\$1.05	\$1.80	\$0
TOTALS	\$19,663	\$13,649	\$8,106	\$14,324	\$7,433	\$12.43	\$5.17	\$8.89	\$7,894

Effective June 22, 2015	Residential \$/new dwelling unit	Non-residential \$/new (sq. ft.) of gross floor area
Niagara Catholic District School Board	\$172	No Charge

The development charge is collected at the time of issuance of a building permit as described above. Charges are not applicable if they have been previously paid on the lot which the development is occurring. The Town and Region Development Charge By-laws provide exceptions in certain cases. Please contact us for more details.

For further information on Town of Fort Erie Development Charges By-law please contact: Planning & Development Services Town of Fort Erie 1 Municipal Centre Drive Fort Erie, Ontario L2A 2S6 (905) 871-1600	For further information on Regional Niagara's Development Charges By-law No. 2017-98 please contact: The Corporate Services Department Regional Municipality of Niagara 2201 St. David's Road, Thorold, ON L2V 4T7 Telephone: (905) 685-1571
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GUIDELINES FOR THE PREPARATION OF PLANNING JUSTIFICATION REPORTS AND PLANNING JUSTIFICATION BRIEFS

PURPOSE:

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

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

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

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

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

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

Planning Justification Reports:

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

A. Introduction

Every report must contain a brief introduction which outlines:

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

B. Site Context

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

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

C. Description of Proposal

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

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

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

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

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

D. Policy and Planning Analysis

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

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

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

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

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

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

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

E. Summary and Conclusions

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

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

F. Appendices/Maps/Plans

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

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

Planning Justification Briefs:

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

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

Planning Justification Briefs must include at a minimum:

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

2020
LOCAL PLANNING CONSULTANT CONTACT LIST

Niagara Planning Consultants

1. QUARTEK GROUP- 91 St. Paul St, St. Catharines - (905) 984-8676
2. UEM CONSULTING- 4701 St. Claire Ave, Niagara Falls - (905) 371-9764
3. UPPER CANADA CONSULTANTS - 30 Hannover Dr, St Catharines - (905) 688-9400
4. BETTER NEIGHBOURHOODS - 190A Ontario St, St. Catharines - (905)-684-8585
5. SUSAN WHEELER & ASSOCIATES - 289 Victoria St, Niagara-On-The-Lake - (905) 650-1275
6. PLW CONSULTANTS - 35 Jarvis St, Fort Erie - 905-658-5314
7. PETER J SMITH AND COMPANY - 715 Lakeshore Rd, Fort Erie - 905-871-2200
8. STEPHEN BEDFORD CONSULTING INC - 122 Glenwood Ave, St. Catharines - 905-688-2610
9. STEVEN RIVERS - Port Colborne - 905-733-8843
10. SULLIVAN PLAN - 707 East Main Welland - 905-325-9096

Hamilton/Halton Planning Consultants

1. A. J. CLARKE AND ASSOCIATES LTD. - 25 Main St W, Hamilton 905-528-8761
2. T. JOHNS CONSULTING - 310 Limeridge Rd W, Hamilton - 905-574-1993
3. ALMOST THERE, INC. - 3310 S Service Rd, Burlington - (416) 460-6650
4. FOTHERGILL PLANNING & DEVELOPMENT INC. - 62 Daffodil Cres, Ancaster - 905-304-6482
5. MCKIBBON WAKEFIELD INC. - 3310 S Service Rd #205, Burlington - 905-631-8489
6. DILLON CONSULTING LIMITED - 1155 North Service Rd W, Oakville - 905-901-2912
7. J. H. STEVENS, PLANNING & DEVELOPMENT CONSULTANTS 905-796-9017
8. RUTH VICTOR AND ASSOCIATES - 191 Main St S, Waterdown - 905-257-3590
9. IBI GROUP, HAMILTON - 360 James St N #200 - 905-546-1010
10. KLM PLANNING PARTNERS INC. - 64 Jardin Dr, Concord - 905-669-4055

DRAFT PLAN OF SUBDIVISION DESIGN CHECKLIST

The questions contained in this checklist provide developers, consultants and the general public with the good urban design criteria which the Town will use to assess the design of a subdivision. This checklist must be submitted with your application. Please check all those that apply:

1.0 LAND USE

- 1.1 Does the plan provide for a mix of uses - for example, mix of residential uses, offices, schools, retail stores, cultural and community spaces, and recreational facilities?

YES ☐ **NO** ☐ If no, why?

- 1.2 Does the plan provide for a range of lot sizes?

YES ☐ **NO** ☐ If no, why?

- 1.3. Are the larger lots 18m or more located on corners or where a secondary access is available, to provide the future ability to create secondary dwelling units in accordance with the Town's Zoning By-law?

YES ☐ **NO** ☐ If no, why?

- 1.4. Are places of residence and work near destinations such as parks, walking paths, trails and waterfront recreation areas?

YES ☐ **NO** ☐ If no, why?

- 1.5. Are residential lands located within 400m of daily living needs (local commercial, recreation, transit etc.)?

YES ☐ **NO** ☐ If no, why?

- 1.6 Are multi-use buildings located near public transit stops or along a transit corridor?

YES ☐ **NO** ☐ If no, why?

- 1.7 Are any rail corridors identified on the subject plan?

YES ☐ **NO** ☐ If no, why?

2.0 DESIGN DETAILS

- 2.1 Are apartment units proposed above commercial uses?

YES ☐ **NO** ☐ If no, why?

- 2.2 Does the design propose any lots fronting onto two streets?

YES ☐ **NO** ☐ If no, why?

- 2.3 Does the design support vistas and termination of views with public spaces, or unique buildings?

YES ☐ **NO** ☐ If no, why?

2.4 Are the open spaces or other public spaces proposed near higher density development?

YES ☐ **NO** ☐ If no, why?

2.5 Does the proposed parkland area(s) front onto two streets?

YES ☐ **NO** ☐ If no, why?

2.6 Is the proposed parkland/open space in one large area rather than dispersed into smaller pieces?

YES ☐ **NO** ☐ If no, why?

2.7 Is a Town square or other focal point proposed?

YES ☐ **NO** ☐ If no, why?

2.8 Are the public spaces linked through the system of streets, sidewalks and pathways?

YES ☐ **NO** ☐ If no, why?

2.9 Are the commercial areas linked through the system of streets, sidewalks and pathways?

YES ☐ **NO** ☐ If no, why?

2.10 Are the public spaces located along major pedestrian thoroughfares?

YES ☐

NO ☐ If no, why?

2.11 Does the subdivision design respect changes in the natural landscape, and protect environmental lands?

YES ☐

NO ☐ If no, why?

2.12 Does the subdivision design preserve wooded areas or existing trees on site?

YES ☐

NO ☐ If no, why?

2.13 Are cultural heritage features preserved?

YES ☐

NO ☐ If no, why?

2.14 Does the development incorporate passive design elements?

YES ☐

NO ☐

If yes please check all those that apply:

- ☐ Site and Orientation design
- ☐ Landscaping considerations
- ☐ Other _____

If no, why?

3.0 TRANSPORTATION

3.1 Does the subdivision design connect to the existing road networks?

YES ☐ **NO** ☐ If no, why?

3.2 Does the subdivision design promote connection to adjacent neighbourhoods?

YES ☐ **NO** ☐ If no, why?

3.3 Is the street layout based on a grid system or modified grid system?

YES ☐ **NO** ☐ If no, why?

3.5 Are pedestrian connections and sidewalk locations illustrated on the plan?

YES ☐ **NO** ☐ If no, why?

3.6 Is a bicycle network plan provided and does it connect to the existing bicycling network?

YES ☐ **NO** ☐ If no, why?

3.7 Have a variety of street forms been incorporated into the design ie. boulevards, lanes etc.

YES ☐ **NO** ☐ If no, why?

13.8 Do the public and private streets in the development include traffic calming features?

YES ☐

NO ☐ If no, why?

4.0 STORMWATER MANAGEMENT

4.1 Has Low Impact Development been incorporated into the development?

YES ☐

NO ☐

If Yes, please check all those that apply:

- ☐ Rain water harvesting
- ☐ Perforated pipes
- ☐ Green roofs
- ☐ Permeable pavement
- ☐ Soak away trenches
- ☐ Bio retention
- ☐ Vegetated filter strips
- ☐ Enhanced grass swales
- ☐ Dry grass swales
- ☐ Other _____

If no, why?

APPENDIX IV

Ridgeway – Thunder Bay Secondary Plan Schedules



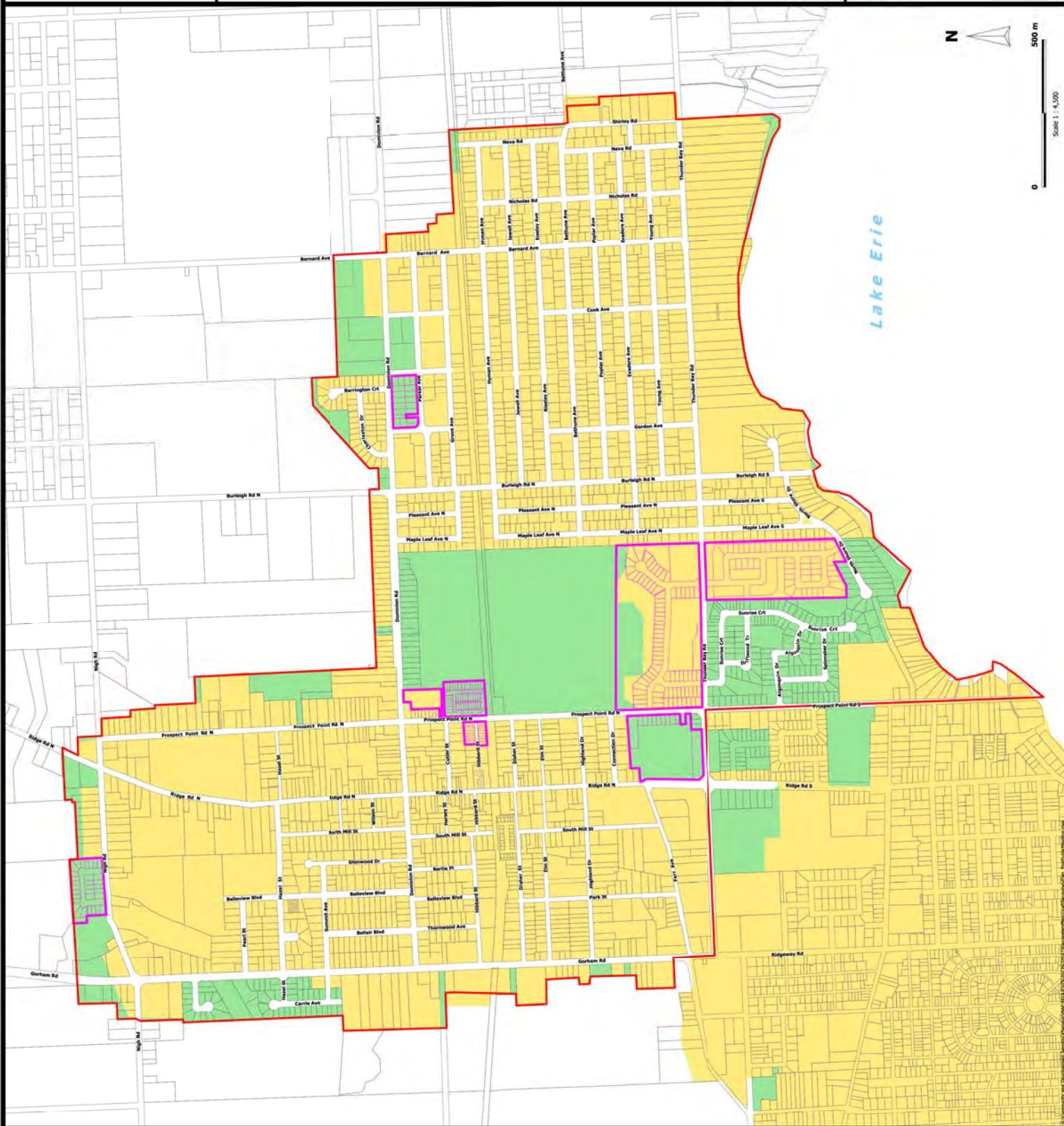
- Schedule RTB-1
Built Boundary
(Places to Grow)**
- Built-Up Area (Places to Grow - Growth Plan for the Greater Golden Horseshoe)
 - Greenfield (Places to Grow - Growth Plan for the Greater Golden Horseshoe)
 - Active Draft Approved Plans of Subdivision
 - Study Area Boundary Line

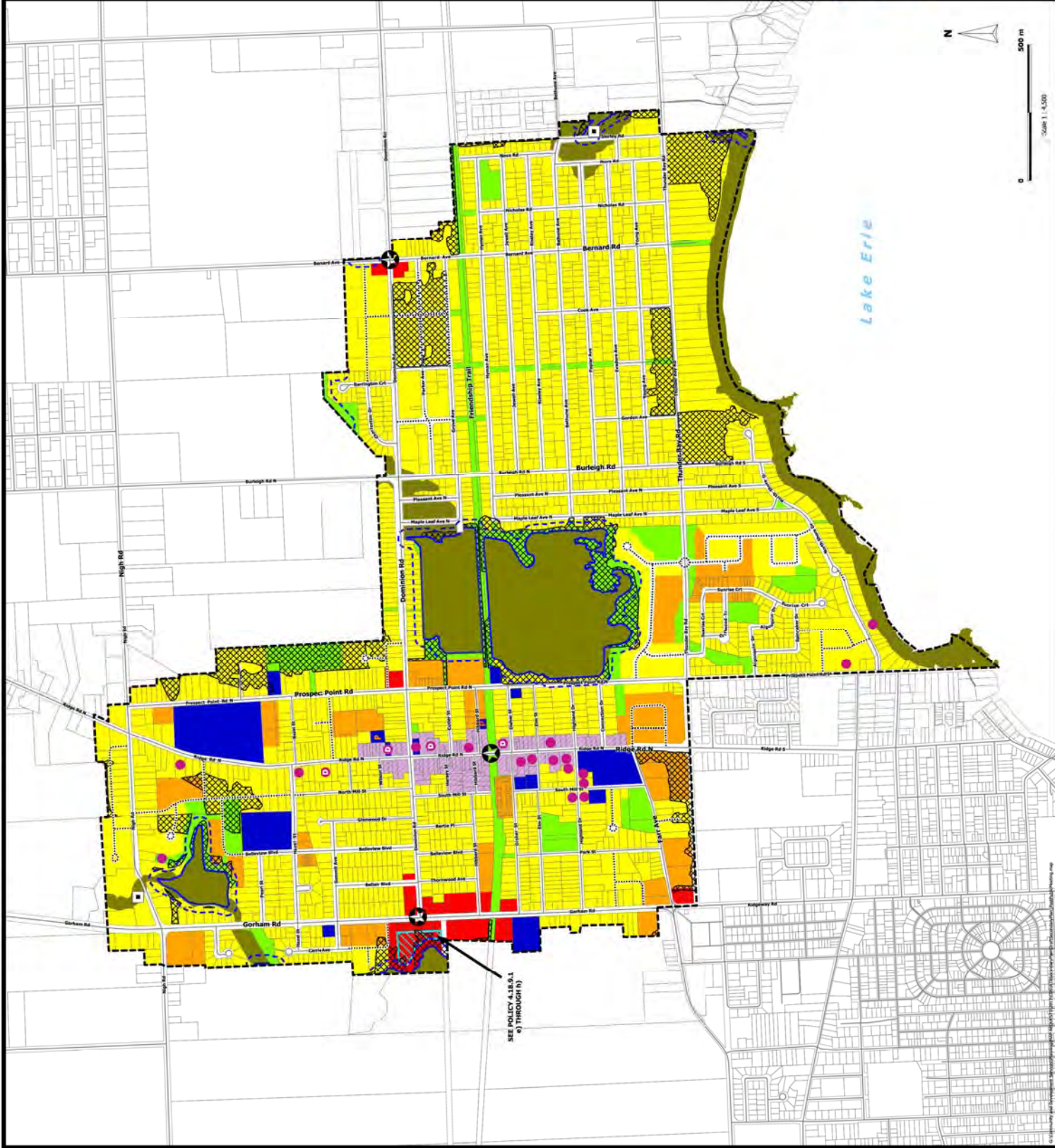
Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15



**THIS IS SCHEDULE
RTB-1
TO OFFICIAL PLAN
AMENDMENT 15**

SEPTEMBER 3, 2017





Schedule RTB-2 Future Land Use Plan

- Commercial
- Core Mixed Use
- Institutional
- Open Space
- Residential - Low Density (Up to 25 u/ha)
- Residential - Medium Density (25-75 u/ha)
- Environmental Conservation
- Environmental Protection
- MNR Provincially Significant Wetland
- Wetland 30 m Buffer
- Policy 4.18.9.1 e) - h)
- Potential Heritage Sites
- Designated Heritage Site
- Gateway Feature
- Regional Sanitary Pumping Station
- Conceptual Road
- Existing Travelled Road
- Study Area Boundary Line
- Proposed Public Parking Areas

Notes: 1. This schedule must be read in conjunction with the text of the Secondary Plan, together with all schedules of OPA 15
 2. For areas shown with a Environmental Conservation Overlay please refer to Schedule RTB-3 and Section 4.18.12.3



THIS IS SCHEDULE
RTB-2
 TO OFFICIAL PLAN
 AMENDMENT 15



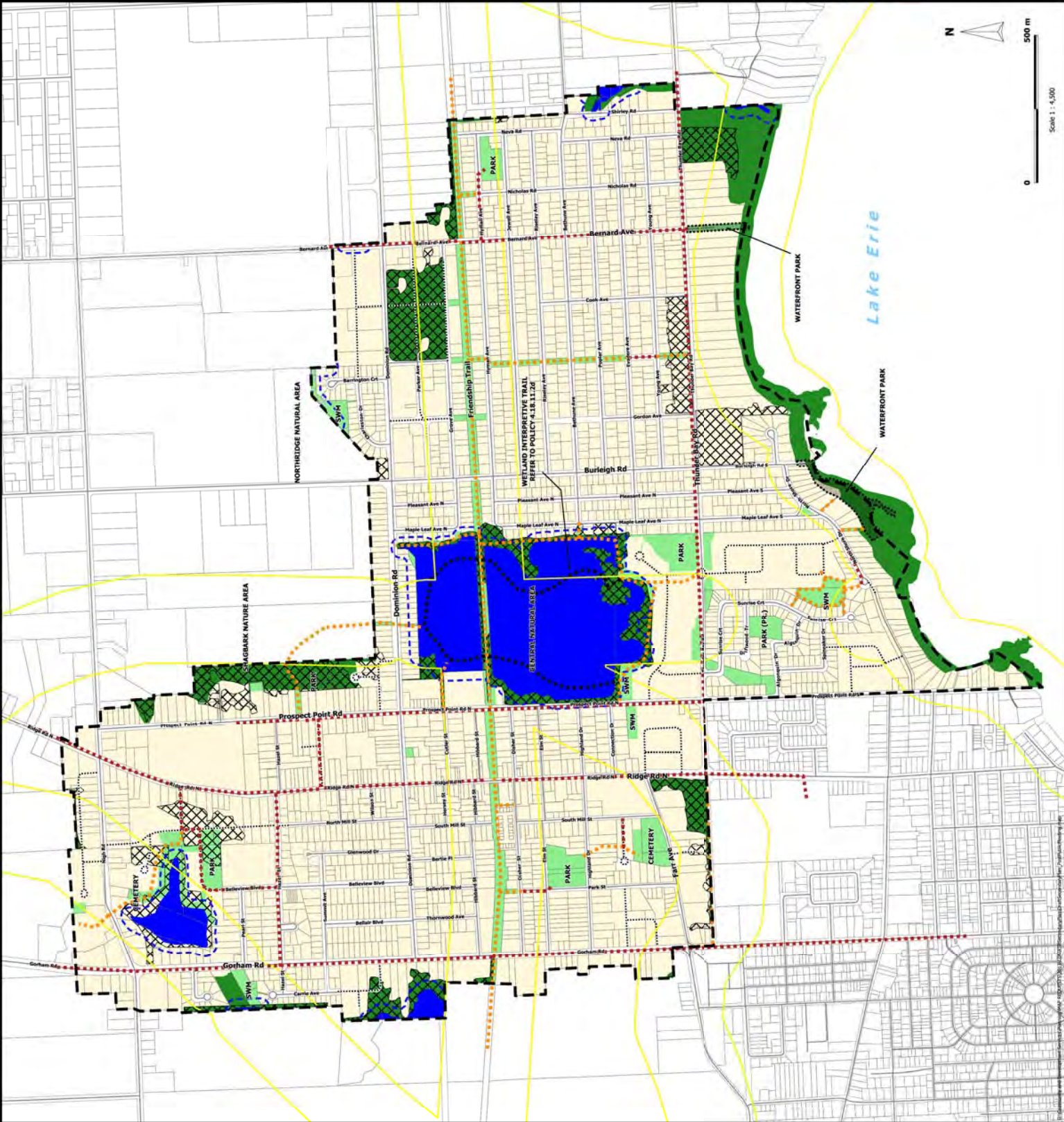
Schedule RTB-3 Open Space and Natural Heritage Plan

- Pedestrian Route and/or Bicycle Route
- Dedicated Off Road Trail System
- Wetland Interpretive Trail
- MNR Provincially Significant Wetland
- Wetland 30 m Buffer
- Locally Significant Natural Area
- Parks/Open Space/Linkage
- Woodlot Over 2 ha
- Environmental Corridors
- Waterfront Park
- Study Area Boundary Line
- Conceptual Road
- Existing Travelled Road

Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15



THIS IS SCHEDULE
RTB-3
TO OFFICIAL PLAN
AMENDMENT 15





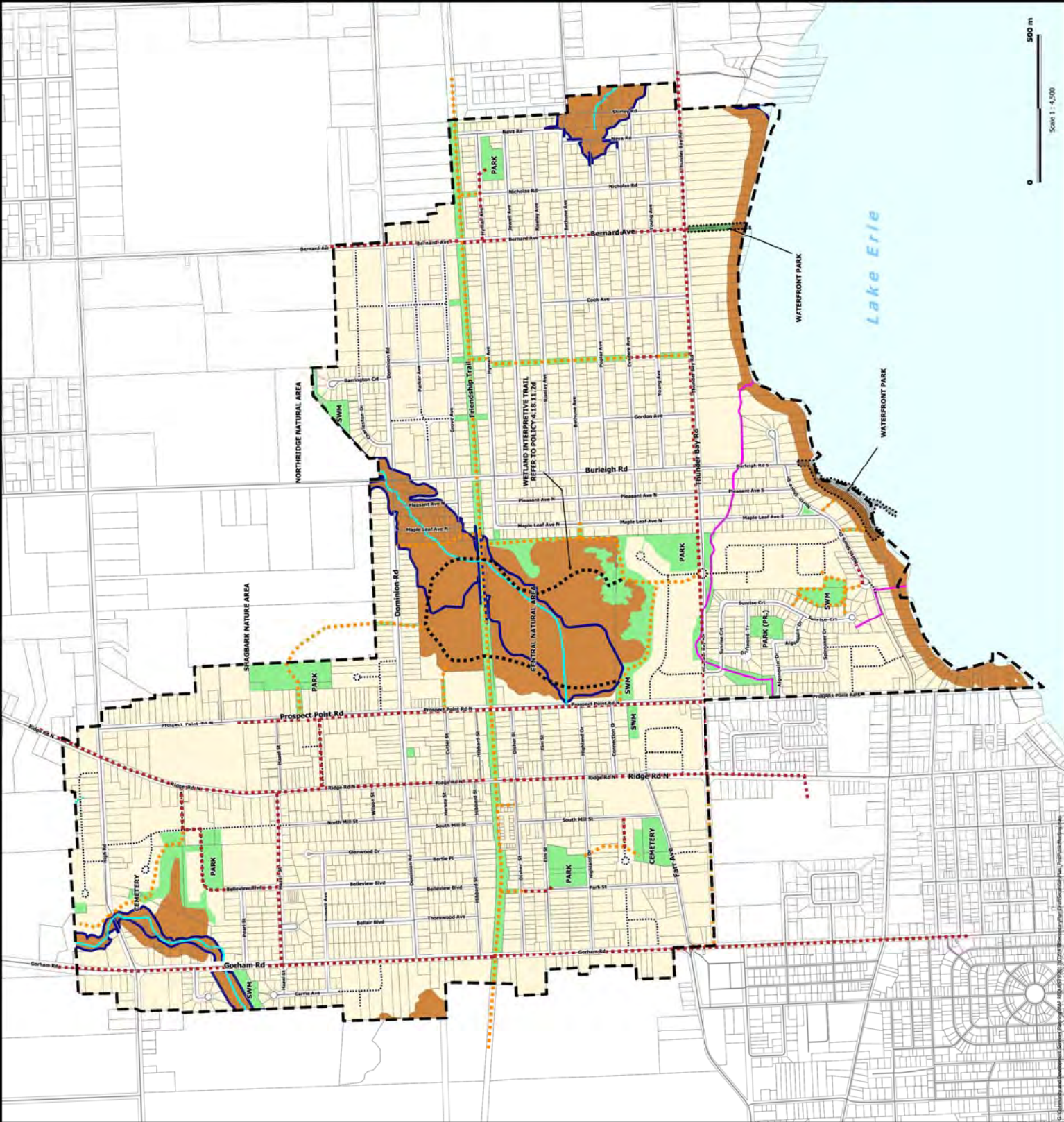
Schedule RTB-3a Open Space, Natural Hazards and Fish Habitat Plan

- Pedestrian Route and/or Bicycle Route
- Dedicated Off Road Trail System
- Wetland Interpretive Trail
- Parks/Open Space/Linkage
- Natural Hazards Including Floodplain
- NPCA Regulated Floodplain
- Waterfront Park
- Lake Habitat
- Study Area Boundary Line
- Existing Travelled Roads
- Conceptual Road
- Stream Fish Habitat - Critical
- Stream Fish Habitat - Other

Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15



THIS IS SCHEDULE
RTB-3a
TO OFFICIAL PLAN
AMENDMENT 15



RIDGEWAY / THUNDER BAY SECONDARY PLAN : Schedule RTB-4 - Transportation Systems Plan



**Schedule RTB-4
Transportation
Systems Plan**

- Arterial Road
- Collector Road
- Existing Local Road
- Conceptual Road
- Pedestrian Route and/or Bicycle Route
- Dedicated Off Road Trail System
- Wetland Interpretive Trail
- NPCA Flood Regulatory Area
- Parks/Open Space/Linkages/
Natural Areas
- Schools
- Core Mixed Use
- Gorham Commercial Gateway
- Future Corridor Improvements
- Future Intersection Improvements
- Existing Fort Erie Transit Route
- Proposed Fort Erie Transit Route
- Gateway Feature
- Waterfront Park
- Study Area Boundary Line

Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15



THIS IS SCHEDULE

RTB-4

TO OFFICIAL PLAN
AMENDMENT 15

SEPTEMBER 3, 2017

