

Planning Justification Report

Shayne Avenue Subdivision

Fort Erie, ON

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PREFACE

Upper Canada Consultants respectfully submits this Planning Justification Brief pertaining to an Application for Draft Plan of Subdivision for lands situated on the west and east side of the untravelled portion of Shayne Avenue, south of Evelyn Avenue and north of Edgewood Avenue in Fort Erie, within the Regional Municipality of Niagara.

The landowner (2842777 Ontario Ltd.) is proposing a Plan of Subdivision containing twenty-three (23) residential lots to be developed with single detached dwellings.

This Planning Justification Report provides an analysis of how the application satisfies the requirements of the Planning Act, is consistent with the Provincial Policy Statement (2020), and conforms 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
- Preliminary Functional Servicing Report prepared by Upper Canada Consultants
- Natural Heritage Constraints Analysis prepared by Colville Consulting Inc.

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The Draft Plan of Subdivision application pertains to the lands known legally as Part of Lot 6, Concession 4, Township of Bertie, Town of Fort Erie, Regional Municipality of Niagara. The subject lands do not have any municipal addresses

The subject lands consist of four blocks of land, cumulatively representing 1.55 hectares of land area within the established Crescent Park neighbourhood in the Town of Fort Erie, as shown in **Figure 1**, below.

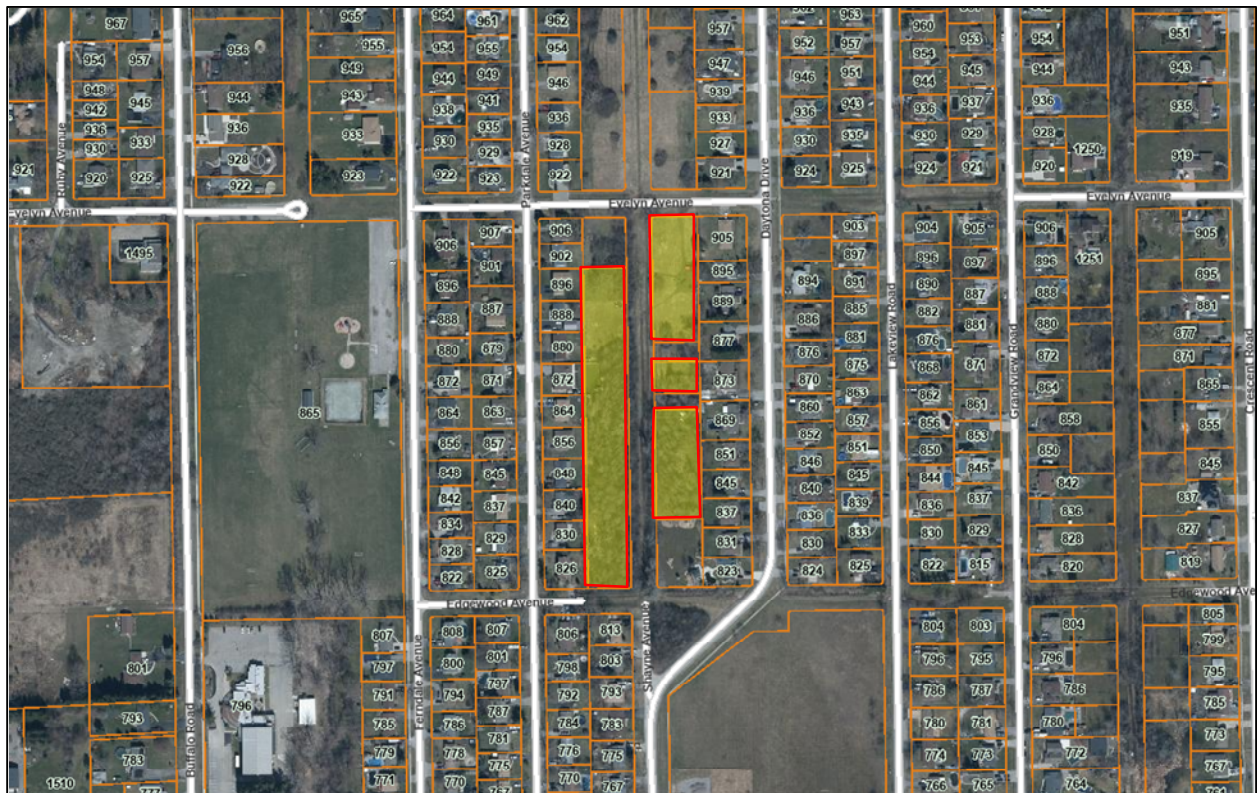


Figure 1 - Subject Lands – Shayne Avenue, Fort Erie

The subject lands have frontage along the opened, but not constructed municipal road known as Shayne Avenue, as well as flankage along the unconstructed portion of Edgewood Avenue. The subject lands are abutted by existing low-density residential land uses on all sides.

Vegetated Area

Aerial imagery and site photography reveal the presence of some vegetation on the subject lands. This vegetated area was reviewed by Colville Consulting Inc. in 2020 through field work and the completion of a Natural Heritage Constraints Analysis. The Colville report concluded the following about the natural heritage condition of the subject lands:

- No portion of the site has been mapped/designated in the Regional or Town Official Plan as Environmental Protection Area (EPA) or Environmental Conservation Area (ECA)
- Based on assessment, the subject lands contain no features that would constitute an EPA or ECA feature.
- That there are no natural heritage constraints to development on the subject lands.

Upon completion, the Colville Report was provided to staff from the Regional Municipality of Niagara for review and approval. A letter of comment from the Regional Municipality of Niagara dated January 6, 2021 confirming review report and acceptable of the conclusions within the report was provided to the Town of Fort Erie. A copy of this Regional letter has been provided with the application submission.

Road and Infrastructure

The subject lands are located along Shayne Avenue, which is a local road. The road allowance is open, but the road has not yet been constructed. To support this development, the roadway will be required to be constructed. The extension and construction of Edgewood Avenue between Shayne Avenue and Parkdale Avenue will also be required to facilitate access from the southern portion of the lands.

The extension/looping of municipal services will also occur to facilitate the development of the Subdivision.

THE PROPOSED DEVELOPMENT

The Draft Plan of Subdivision application proposes twenty (23) lots for single detached dwellings, as shown on the Draft Plan of Subdivision provided as **Appendix I** to this report.

The proposed lots will range in size from 633.6 square metres to 861.6 square metres of lot area with frontages ranging between 18.9 metres to 24.3 metres. The sizing of the lots conforms to the applicable Residential 1 Zone (R1) zoning provisions and been set out in a manner that attempts to evenly divide the development blocks along the street. As the proposed lots conform to the Zoning By-law, no additional planning approvals outside the Draft Plan of Subdivision application are required.

Access to the proposed lots will be provided from Shayne Avenue, which is a road allowance but does not constructed municipal roadway between Evelyn Avenue and Edgewood Avenue. The roadway and necessary municipal services will be constructed/extended at the developers cost as a condition of the approval of this subdivision.

The proposed orientation of the lots is consistent with the existing overall land use pattern in Crescent Park and will provide new dwellings and a new vehicular/pedestrian connection through the neighbourhood.

Although it would have been preferable from a comprehensive development perspective for the applicant to have acquired the other vacant parcels of land within this development blocks, multiple attempts to do so have been unsuccessful. From a development and growth perspective, this application is considered to be a catalyst to support the future development of those additional parcels of land along Shayne Avenue.

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
- Natural Heritage Constraints Analysis
- Tree Preservation Plan
- Functional Servicing Report / Stormwater Management Plan

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

Draft Plan of Subdivision

Twenty-three (23) lots for single detached dwellings are proposed through the Draft Plan application. These lots are sized in conformity with the provisions of the Residential 1 Zone (R1)

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

RELATED STUDIES AND REPORTS

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

Natural Heritage Constraints Analysis prepared by Colville Consulting Inc.

The Report was submitted to the Regional Municipality of Niagara for review and comment by the applicant in 2020. As outlined in the letter dated January 6, 2021 from Regional staff, the conclusions of the natural heritage report stating that there are no significant or regulated features on the subject lands have been accepted.

Accordingly, no additional natural heritage review was required in support of development applications.

A Tree Preservation Plan was also identified as a submission requirement with Pre-consultation. This work is intended to be completed as a Condition of Approval, in tandem with detailed engineering and lot grading design.

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.

As outlined in the report, the subject lands will be serviced by an extension of the existing 150 mm watermain along Shayne Avenue and Daytona Drive. This watermain will provide both domestic and fire protection service to the proposed lots.

Sanitary servicing will be provided through an extension of an existing 200 mm sanitary sewer located on Daytona Drive. Based on preliminary calculations, the sanitary sewer has been determined to have sufficient capacity to support the development.

Stormwater management methods for this development have been reviewed with regard for the Crescent Park Master Storm Servicing Plan. A new storm sewer will be developed between Evelyn Avenue and Edgewood Avenue to support this development. Flows collected will be discharged eastward to a control orifice which will manage stormwater quantity through temporary detention in a dry pond between Orchard Avenue and Evelyn Avenue. This pond will be constructed at the cost of the developer. After detention, stormwater will be released and treated through an oil grit separator prior to being directed to the existing stormwater outlet.

Major overland flows from the subject lands will be directed from the roadway to Daytona Drive.

Based on the findings and recommendations of the Functional Servicing Report, the subject lands are considered to be fit for development.

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 f), h), j) and p) are considered to be relevant to these applications.

The Subdivision Plan will 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 developer's 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. The built-form proposed is orderly, and consistent with the adjacent lotting fabric of the neighbourhood.

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 and in-effect R1 Zoning.

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 and can be connected to municipal servicing.

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 f), h), j) and p) of Section 2 of the Planning Act.

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

The Draft Plan effectively provides an opportunity for the development of underutilized urban lands that are free from development constraints.

The subject lands are designated and zoned for residential development purposes and do not require any additional land use planning approvals except for Draft Plan of Subdivision to create the lots.

Accordingly, the development of the lands is not premature. The development of he properties for additional housing is in the public interest.

- 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 as the plan proposes compatible urban development on municipal services within a designated residential area.

A detailed analysis of this conformity is included in this report.

- 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 able to be connected to municipal services 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 subject lands have frontage along Shayne Avenue, which is an open but not constructed municipal roadway. In order to develop the properties, the developer will be responsible for the design and construction of Shayne Avenue.

The surrounding road network that Shayne Avenue will connect to provides access through the municipality and to Regional and Provincial roadways (i.e. Highway 3)

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

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

The proposed lots adhere to the zoning provisions of the applicable Residential 1 Zone (R1).

- 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;

There are no restrictions to the development of the subject lands.

- h) conservation of natural resources and flood control;

The subject lands do not contain any natural resources or floodplains.

- 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 nearby existing watermain and sanitary sewer. Additionally, stormwater management infrastructure can be provided to sufficiently manage flows generated by development.

Utility connections including gas, hydro and telecommunications are also available.

- j) the adequacy of school sites;

The subject lands are located within approximately 85 metres of an elementary school.

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;

No land dedications have been requested of this development for public 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 Fort Erie 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, 23 new residential lots will be supported by existing municipal infrastructure.

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, the Town of Fort Erie 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 detached 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 subject lands are located approximately 120 metres from the Bertie Centennial Park, which contains sports fields and play equipment. This large scale park is a focal point in the neighbourhood and serves as a preferred and well utilized location for outdoor recreation.

The proposed lots will benefit from close proximity to this recreational resource.

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, Sanitary and Stormwater Management

The proposed development will extend existing municipal water and sanitary services through the Shayne Avenue road allowance to service the subject lands. 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 management methods for this development have been reviewed with regard for the Crescent Park Master Storm Servicing Plan. A new storm sewer will be developed between Evelyn Avenue and Edgewood Avenue to support this development. Flows collected will be discharged eastward to a control orifice which will manage stormwater quantity through temporary detention in a dry pond between Orchard Avenue and Evelyn Avenue. This pond will be constructed at the cost of the developer. After detention, stormwater will be released and treated through an oil grit separator prior to being directed to the existing stormwater outlet.

Major overland flows from the subject lands will be directed from the roadway to Daytona Drive.

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 along the open, but unconstructed Shayne Avenue road allowance. To facilitate development, the developer will be responsible for the construction of the roadway and underlying municipal services.

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 municipal 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.

A Natural Heritage Constraints Analysis pertaining to the subject lands was completed by Colville Consulting Inc. in 2020. As set out in the report, and verified and approved through Regional review, the site does not contain any natural heritage features outlined in Section 2.1 of the PPS. Therefore, the application is considered to be consistent with the 2020 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 applicable R1 Zone. Single detached dwellings are a 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 slightly in size due to site geometry but will 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.

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 has a Master Storm Servicing Plan for the Crescent Park community. The subject lands are located within this neighbourhood.

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.

Stormwater management methods for this development have been reviewed with regard for the Crescent Park Master Storm Servicing Plan. A new storm sewer will be developed between Evelyn Avenue and Edgewood Avenue to support this development. Flows collected will be discharged eastward to a control orifice which will manage stormwater quantity through temporary detention in a dry pond between Orchard Avenue and Evelyn Avenue. This pond will be constructed at the cost of the developer. After detention, stormwater will be released and treated through an oil grit separator prior to being directed to the existing stormwater outlet.

Major overland flows from the subject lands will be directed from the roadway to Daytona Drive.

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.

The subject lands are located approximately 120 metres from the Bertie Centennial Park, which contains sports fields and play equipment. This large scale park is a focal point in the neighbourhood and serves as a preferred and well utilized location for outdoor recreation. To support higher level open space objectives across the municipality, the developer will pay cash-in-lieu of parkland dedication.

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.

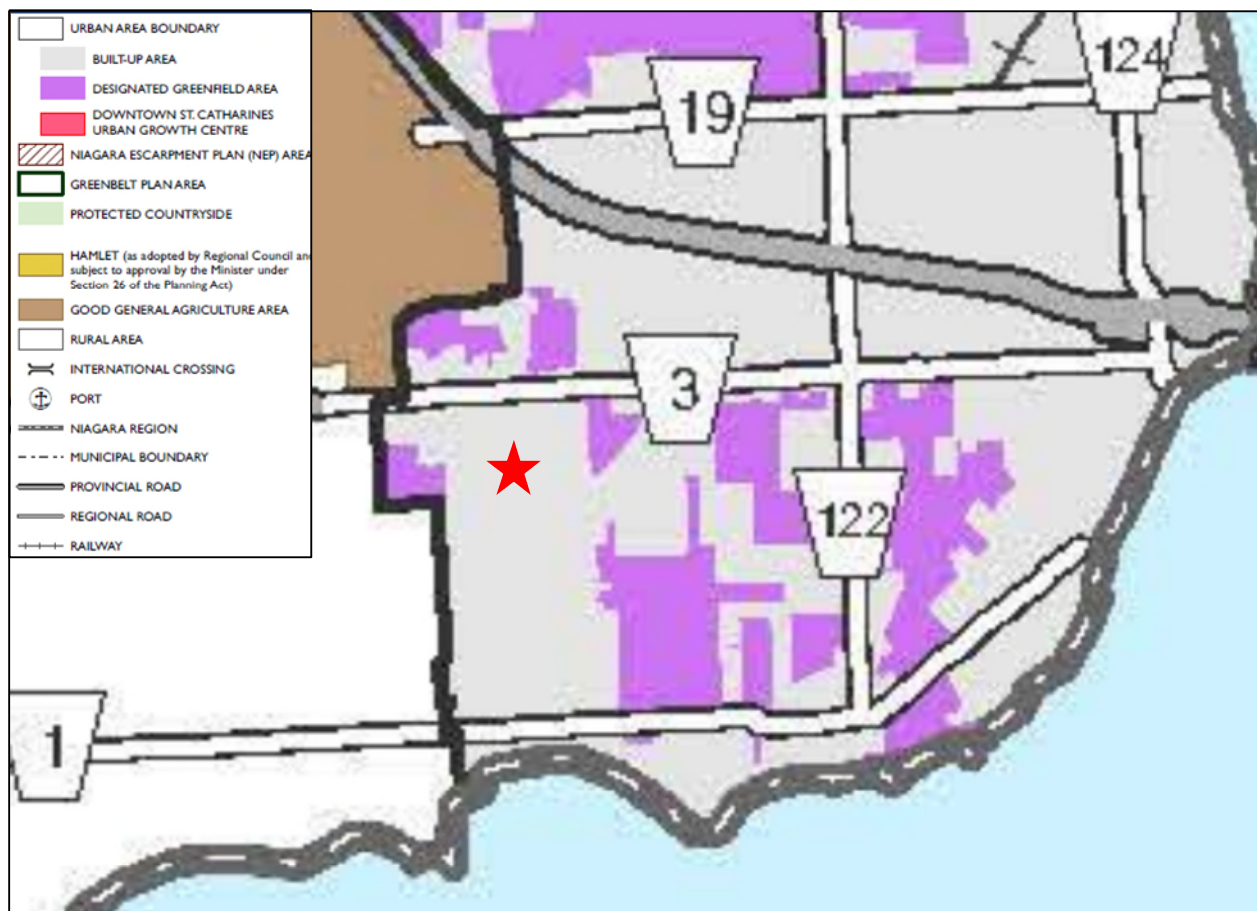


Figure 2 - Schedule A - Regional Official Plan

As shown in **Figure 2** on the previous page, the subject lands are located within the Fort Erie Urban Area and are within the Provincially designated Built-up Area.

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 56 new residents and 3 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 23 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.

As noted in the letter provided by Regional staff, the site is confirmed to contain no natural heritage features, and no further study is required. Accordingly, the development of the lands will not conflict with Regional natural heritage policies.

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 23 new single detached dwellings within the Crescent Park neighbourhood.

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 Official Plan.

Land Use Designations

The subject lands are located within the Urban Boundary and are designated as 'Urban Residential', on Schedule A to the Official Plan, as shown in **Figure 3** below.

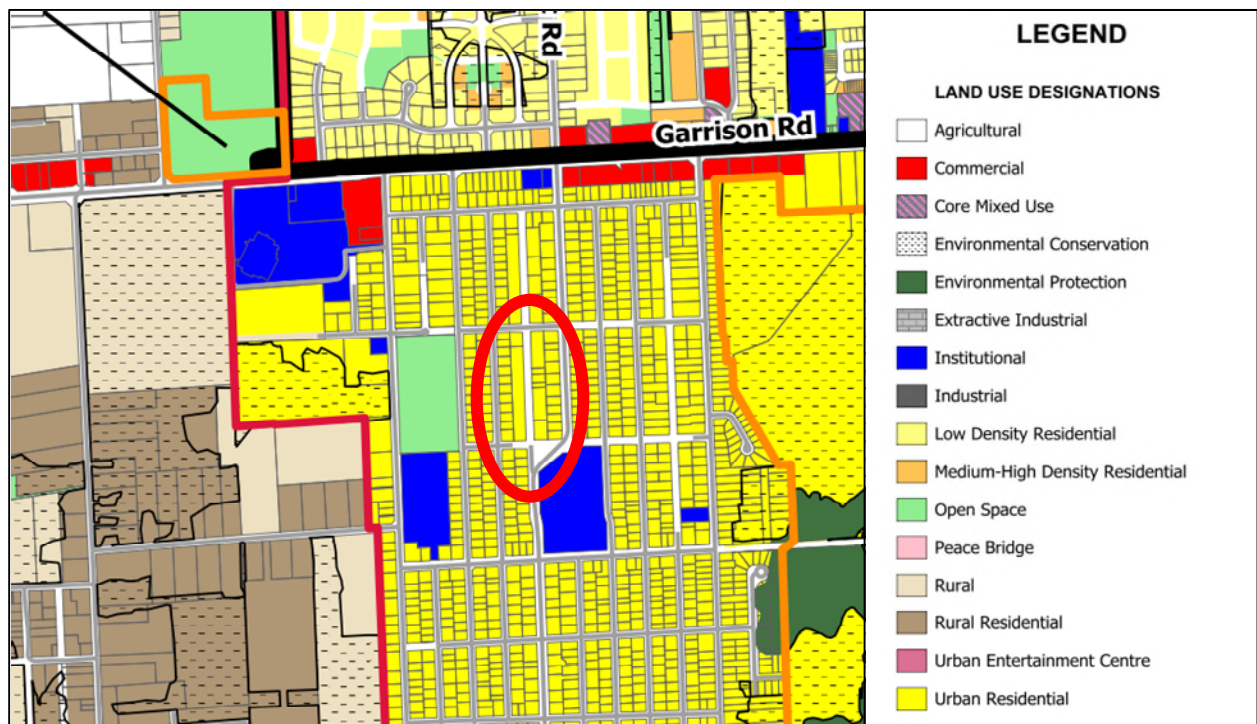


Figure 3 - Schedule A - Town of Fort Erie Official Plan

As per Official Plan Schedule A1 – Neighbourhoods, the subject lands are also located within the Crescent Park Neighbourhood, as shown on **Figure 4**.

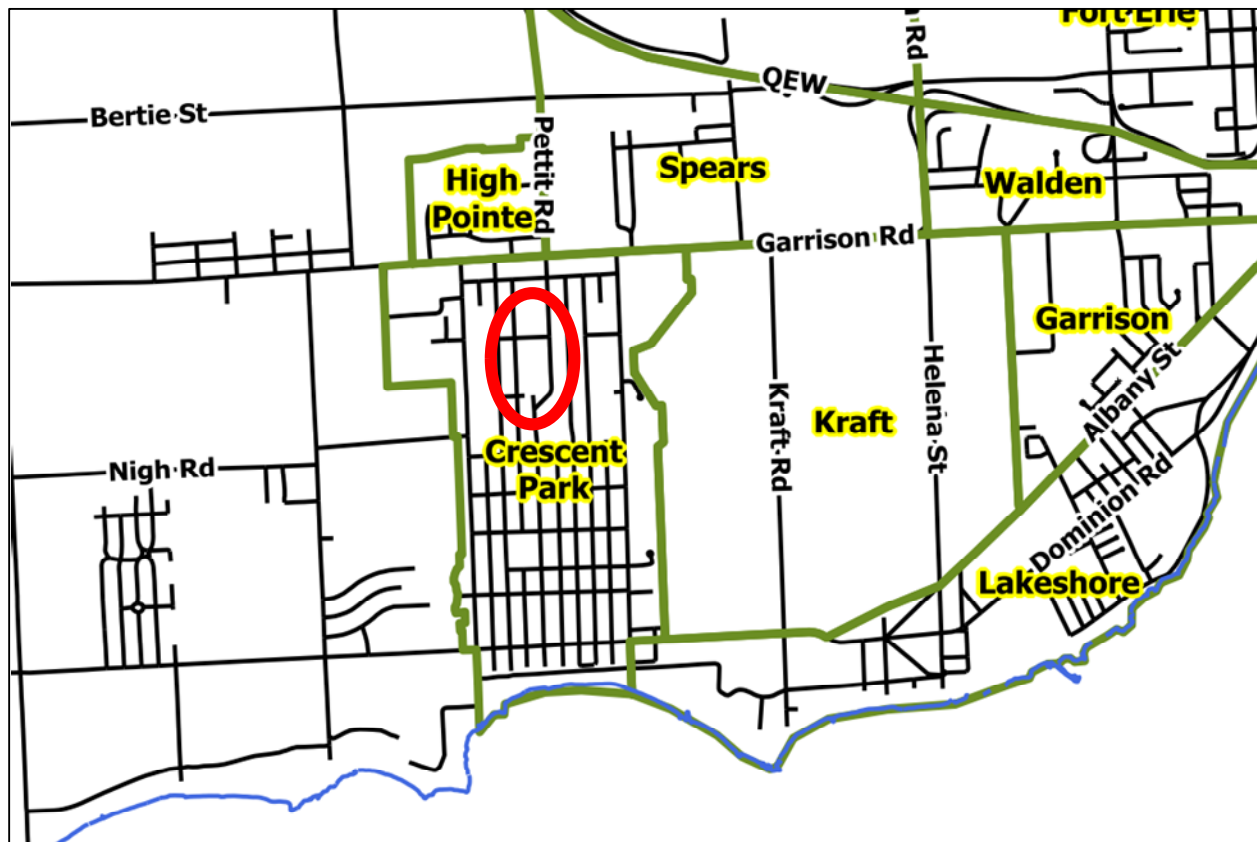


Figure 4 - Schedule A1 – Town of Fort Erie Official Plan

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 2.3.3 (Communities and Neighbourhoods), and Section 2.3.5 (Residential).

An evaluation of the Applications conformity with this Goals and Objectives is provided in the following sections.

Section 2.3.1 – General

Goals

- a. *To maintain the unique character of the Town of Fort Erie as a municipality with many distinct communities and neighbourhoods;*
- b. *To encourage a reasonable balance within the Town of Fort Erie between housing and employment opportunities; and*

- c. To accommodate population growth and future development in an orderly and efficient land use pattern.*

Objectives:

- a. To establish an efficient, integrated land use pattern that will facilitate optimum growth for the Town of Fort Erie;*
- b. 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 23 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, for which the proposed lots conform to in terms of lot area, frontage and permitted use. Furthermore, single detached dwellings are the dominant form of housing in the Crescent Park neighbourhood. The proposed subdivision is considered to use the subject lands efficiently, and create new opportunities for connectivity within the neighbourhood.

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 identify. The proposed lots and housing forms are appropriate for the area and will assist in the achievement of larger municipal and regional growth objectives while also maintaining the established character and “feel” of the Crescent Park neighbourhood.

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 23 detached dwellings within the Fort Erie Urban Area and Provincially delineated Built-up Area. This development will be connected to existing municipal services in

the area and will include the construction of a new portion of Shayne Avenue which will improve connectivity and access through the neighbourhood.

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 as being designated for Urban Residential land uses. Accordingly, the policies of Section 4.7 of the Official Plan are applicable to the application.

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 policies of Section 4.7.4 of the Official Plan apply to lands with an Urban Residential land use designations. “Urban Residential” lands are intended to consist of a variety of housing forms, open space

The Draft Plan of Subdivision application conforms to this requirement and propose 23 lots within a portion of the community that has existing municipal services, roadways and utilities. Based on the existing lot fabric, this portion of the neighbourhood has been intended for residential development for several years. The application will contribute additional housing units into the Town’s housing supply.

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 application satisfies this goal by proposing appropriate residential development in an area that has full municipal services available, is walkable and is in close proximity to key elements within the Town such as recreation, schools and commercial land uses.

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 Shayne Avenue, similar to adjacent streets.

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 and boulevard plantings.

Section 12 – Servicing and Utilities

12.1 General Policies

As set for in Section 12.1 of the Official Plan, development within the Urban area must occur on full urban services (watermain, sanitary sewer, storm sewer).

The proposed development conforms with this policy requirement and can be serviced through an extension of adjacent infrastructure through the Shayne Avenue road allowance. As the road must be constricted to facilitate development, the installation of these services will occur at the most ideal and efficient time.

Necessary Environmental Compliance Approvals (ECA's) from the Niagara Region/Province of Ontario will be required to allow for the development of the new sewer systems. The Town of Fort Erie will issue the approval for the required water main.

12.7.2 General Road Policies

Policy 12.7.2 of the Official Plan “No development or redevelopment will be permitted that does not front on a public road of an acceptable municipal standard of construction.” Although the subject lands do not have frontage on a constructed roadway, the Draft Plan of Subdivision provides the most appropriate and binding circumstance to have the developer construct the roadway.

The detailed design of the roadway will be undertaken as part of future engineering design works. And will be subject to the approval of the Town.

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.

13.9 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, parkland will be provided in the form of cash-in-lieu.

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

The subject lands are Zoned as Residential 1 Zone (R1) on Schedule 29 of the Town of Fort Zoning By-law, as shown in **Figure 5**, below.

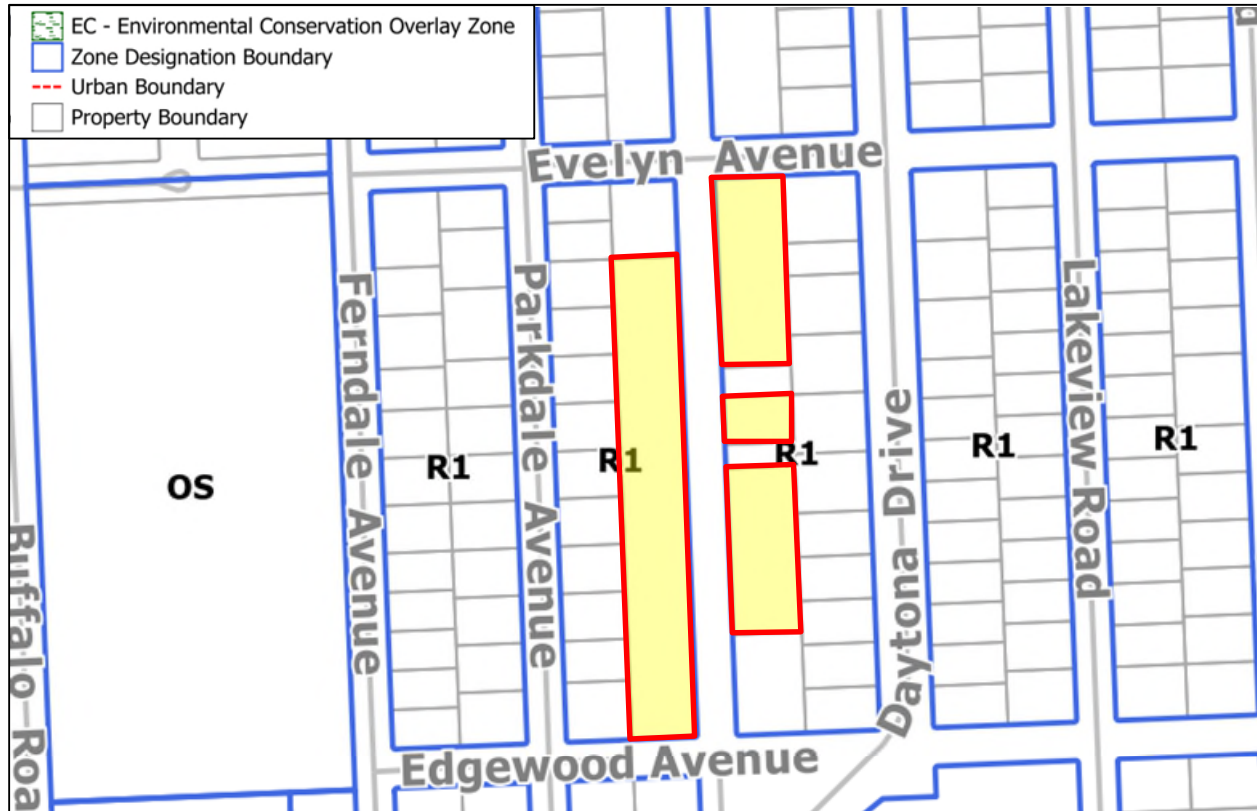


Figure 5 - Town of Fort Erie Zoning By-law - Schedule 29 (Cropped) – Subject Lands shown in Yellow.

Residential 1 Zone (R1)

The proposed plan of Subdivision will create lots that adhere to the applicable provisions of the R1 Zone. As detailed building plans are not yet available, future homes must comply with the provisions of the R1 Zone.

At this stage, conformity with provisions for permitted uses, lot area and lot frontage can be demonstrated. As outlined in **Table 1**, all three provisions are complied with.

TABLE 1 - RESIDENTIAL 1 ZONE (R1)

PROVISION	REQUIREMENT	PROVIDED
Permitted Uses	(a) One single detached dwelling and uses, buildings and structures accessory thereto. (b) Home Occupations (c) Accessory Apartment Dwelling	Single Detached Dwellings
Minimum Lot Frontage	18 metres 20 metres (Corner Lot)	18.9 metres 20 metres for corner lots
Minimum Lot Area	375 square metres	Minimum 510 square metre lots

As demonstrated in **Table 1** and in the Draft Plan included as **Appendix I**, the application conforms to the requirements of the Town's Comprehensive Zoning By-law.

PLANNING POSITION

An application has been submitted to the Town of Fort Erie for a Draft Plan of Subdivision for lands situated on the west and east side of the untravelled portion of Shayne Avenue, south of Evelyn Avenue and north of Edgewood Avenue in Fort Erie, within the Regional Municipality of Niagara.

The application proposes a 23-lot single detached residential subdivision along the open, but not constructed Shayne Avenue road allowance. The subject lands consist of 4 lots/blocks of land on both the east and west side of the road allowance

The subject lands are located within the Fort Erie Settlement Area boundary, and the provincially delineated 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 and is readily serviceable through available connections/extensions to existing municipal infrastructure.

The plan is proposed in a logical location for development within the Crescent Park Neighbourhood. The lotting fabric contemplated complies with the applicable zoning requirements and is similar in scale and orientation to those lots on adjacent streets. The development of the lands and construction of Shayne Avenue between Edgewood Avenue and Evelyn Avenue will provide improved connections and accessibility through the neighbourhood for existing residents and provide new housing opportunities within the Crescent Park neighbourhood. The development will also serve as a catalyst for the development of adjacent lands within the neighbourhood block as roadway access and servicing will now be available.

As required, professional studies have been provided in support of the required applications that include a Natural Heritage Constraints Study, 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 or infrastructure capacity. The proposed plan is considered to implement the form and intensity of development prescribed in the Town's Planning documents.

It is my professional opinion the submitted application for Draft Plan of Subdivision satisfies the requirements of the Planning Act, is consistent with the 2020 Provincial Policy Statement and conforms to the 2019 Growth Plan for the Greater Golden Horseshoe, Regional Official Plan (as amended) and Town of Fort Erie Official Plan (as amended).

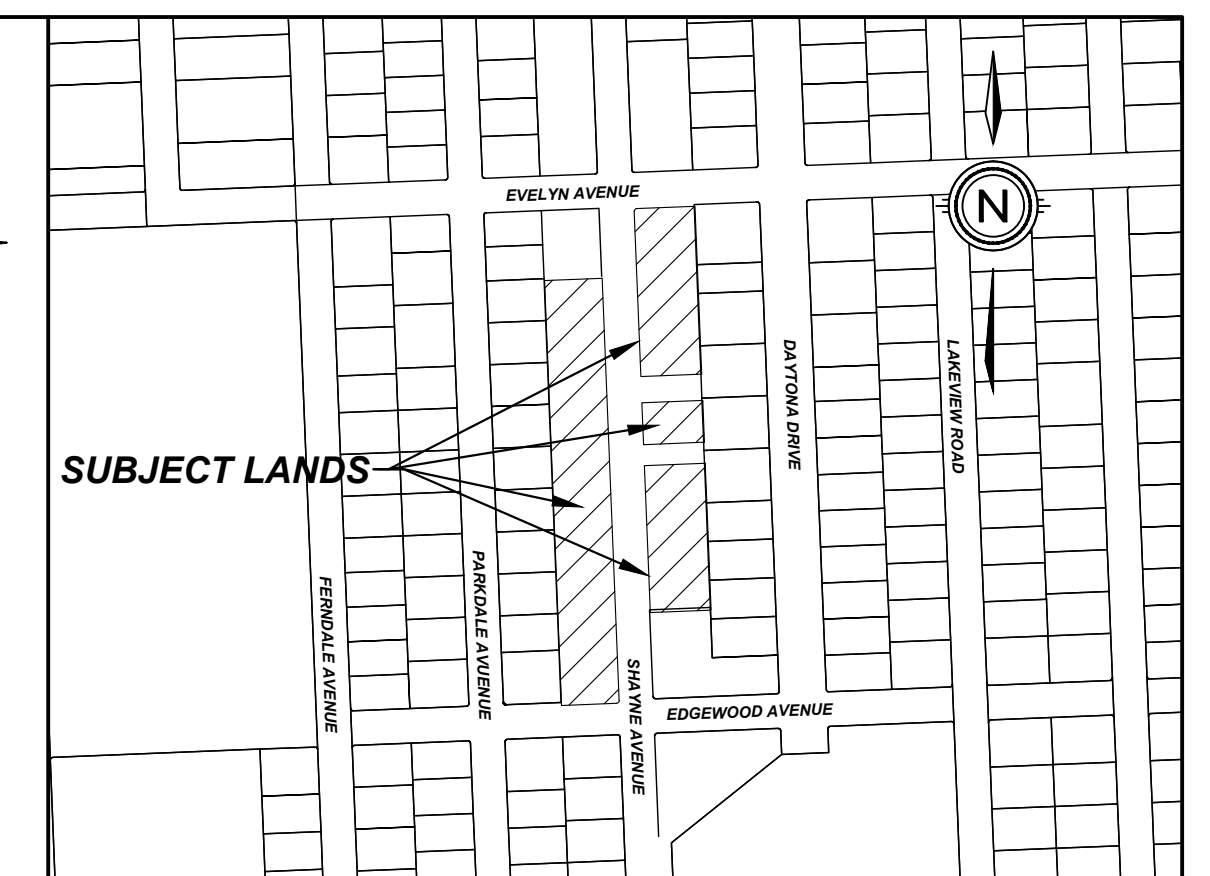
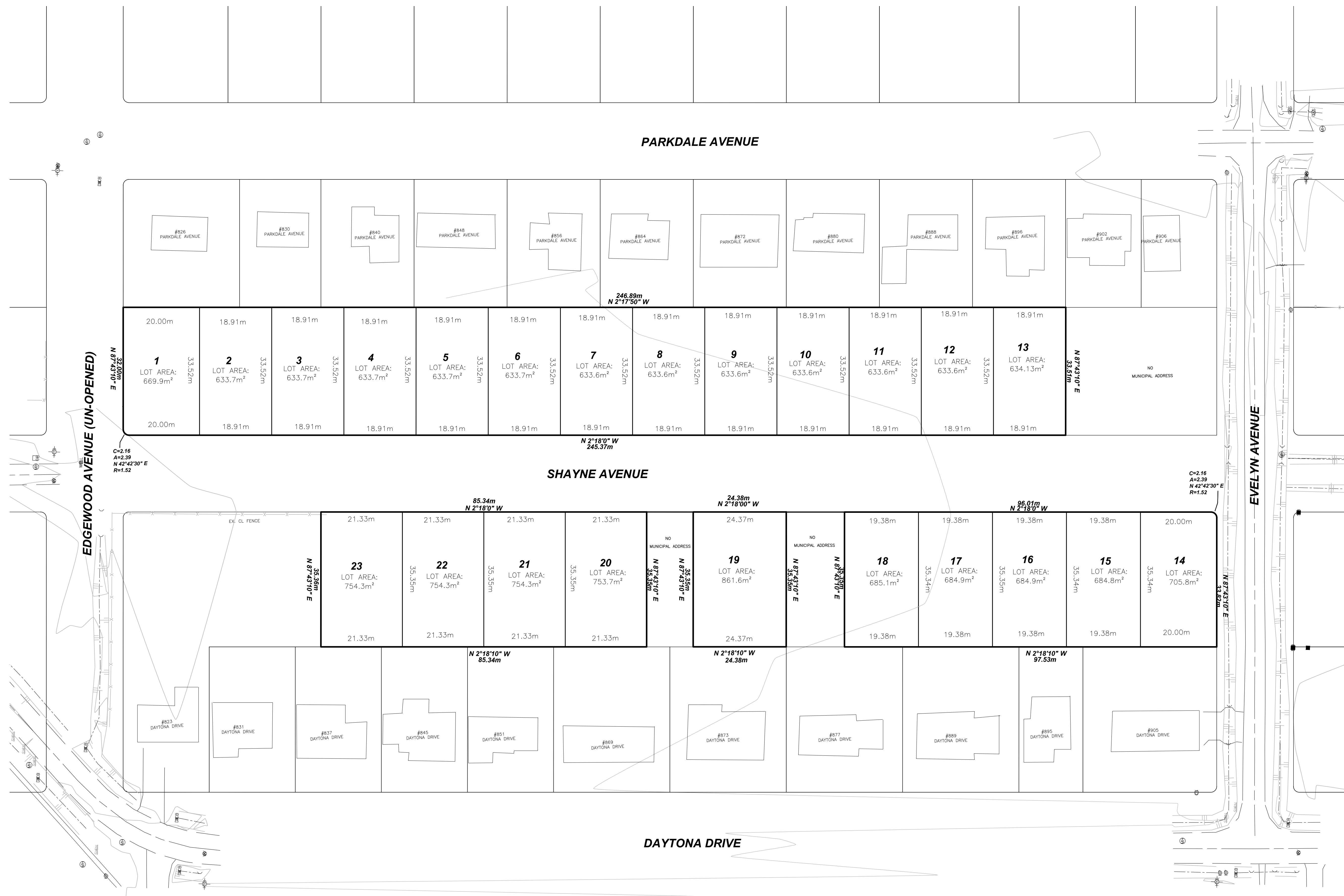
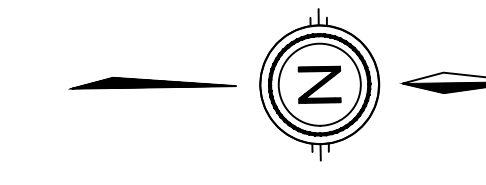
Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Craig Rohe', is positioned above the typed name.

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

APPENDIX I
DRAFT PLAN OF
SUBDIVISION

SHAYNE AVENUE TOWN OF FORT ERIE



KEY PLAN
N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART OF LOT 6, CONCESSION 3
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.

[Signature]
2842777 ONTARIO LTD. 02/22/2022
DATE

SURVEYOR'S CERTIFICATE

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

[Signature]
DON CHAMBERS, OLS
CHAMBERS AND ASSOCIATES 02/25/2022
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) CLAY LOAM
- j) SEE PLAN
- k) FULL SERVICE
- l) SEE PLAN

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-23	23	1.5598	100%
TOTAL		23	1.5598	100.00

DEVELOPABLE AREA = 1.5598ha
DEVELOPABLE DENSITY = 14.74 units/ha

#	ISSUED FOR SUBMISSION	2022-02-25	AV
0	ISSUED FOR SUBMISSION	2022-02-25	AV
#	REVISION	DATE	INIT



DRAFT PLAN OF SUBDIVISION	DRAWING TITLE	DRAFTING	AV
		DATE	FEBRUARY 22, 2022
		PRINTED	FEBRUARY 25, 2022
		SCALE	1:500
	DWG No.	2113-DP	REV
			0

APPENDIX II
PRE-CONSULTATION
AGREEMENT

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

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

Meeting Attendance:

- Town Planning Regional Planning Niagara Parks Commission
 Town Infrastructure Regional Public Works NPCA

Other _____

Application type:

- Regional Policy Plan Amendment Vacant Land
 Official Plan Amendment Common Element
 Zoning By-law Amendment Conversion
 Plan of Subdivision Other _____
 Plan of Condominium
 Site Plan
 Consent Application

Pre-Consultation Submission Date: October 28, 2019

Pre-Consultation Meeting Date: November 14, 2019

Site Location/Address: 0-11447, 0-11432, 0-11434, 0-11436 Shayne Avenue

Site Legal Description: PART LOT 6, CONCESSION 3 LAKE ERIE, BERTIE TOWNSHIP

Approximate Land Area (metric): 1.58ha

Owner Contact Information:

Name of Owner: Lisa Duchart

Phone No: 905-894-0303 Email: lduchart@hotmail.com

Principal Contact: Ian Barrett

Phone No: 905-931-4262 Email: ian@colvilleconsultinginc.com

Local Municipal Contact:

Name of Contact: Matt Kernahan

Phone No: 905871-1600 ext 2507 Email: mkernahan@forterie.ca

Brief description of proposed development: _____

Proposed development will include subdividing the existing parcels to create lots suitable for single detached dwellings. The location of existing parcels and approximated dimensions of proposed lots are illustrated in Figure 1. Shayne Avenue will also need to be improved and servicing installed prior to construction.

1. Existing Regional Official Plan Designation. Check all applicable:

Brownfield Greenfield Built-up Niagara Escarpment Greenbelt Rural

Development Charges Regional By-law 62-2012 Local By-law 43-2014

Copy of Current Development Charges Provided? Yes No

Copy of Current Incentive Programs Provided? Yes No

If Yes, what are they? _____

2. Conformity with Regional Official Plan Land Use Designations and Policies?

Yes No Unknown If "no", what is the nature of the amendment needed?

3. Existing Official Plan Designation: Urban Residential

Conformity with the Town's Official Plan Land Use Designation? Yes No

If "no", what is the nature of the amendment needed?

4. Existing Zoning: Residential 1 (R1) Zone

Conformity with the Town's Zoning By-law? Yes No

If "no" what is the proposed zoning? _____

5. Is a Site Plan required? Yes No

6. Servicing:

Water Yes No Size: _____

Sanitary Yes No Size: _____

Storm Yes No Size: _____

Private Well/Cistern Yes No

Private Septic Yes No

7. Parks, Open Space and Recreation Master Plan

Park needed in the subject area? Yes No

Preferred Park Location Identified? Yes No

Bicycle Path Required? Yes No

8. Smart Growth Design

On-site parking is in side or rear yard

Yes No

OR On-site parking is underground

Yes No

If garage faces street, it is behind front face of dwelling

Yes No

Is the parking area visible from the street?

Yes No

Built or cultural heritage resources present on site?

Yes No

9. Additional Agencies to be contacted:

Hydro Pipelines NPC Other _____

10. Additional Concerns/Issues:

Planning:

Applicant should consider intensifying the land use. Planning Staff would support a Zoning By-law Amendment to R2A but may limit dwelling height. Applicant should align east-west lot lines with adjacent properties and attempt to acquire property to make subdivision lots contiguous.

Building: The proposed subdivision would be constructed as a standard serviced road and fire department access would be provided. A master lot grading plan would be required as part of the servicing drawings. It is agreed that based on previous uses and neighboring uses a record of site condition would not be required.

Development Coordinator:

- Watermain shall be constructed from Shayne at Edgewood to Evelyn at Daytona
- The following documents shall accompany the application - Functional Servicing Study and Storm Water Management
- Required to construct road to current Town Urban standard and upgrade Evelyn to urban standard. All costs associated with the development of the lands and provision of services shall be borne by the Developer.

NPCA: No comment.

CNP: Contact Jeff Hoover (jeff.hoover@cnpower.com, 905-871-0330 ext. 3217 or cell 905-658-7590) for servicing. There are long lead times for material deliveries and CNP will need to look at financing and agreements.

Community Planning:

- Cash-in-lieu of parkland at 5% of appraised value.
- Tree Protection Plan
- Streetscape Plan, pursuant to the Subdivision Control Guidelines

Region: Regional comments attached

11. Is a site walk required as a second part of the pre-consultation meeting? Yes No

If "yes" the site walk is scheduled for (date) _____

12. Have Site Plan Engineering Standards been provided? Yes No

13. Have estimated time lines been provided? Yes No

14. Has the Draft Plan of Subdivision Design Checklist been provided? Yes No

15. If No, why not? _____

16. Have the AODA Requirements been communicated? Yes No

17. Infill lot & Grading Yes No

18. Existing trees on site Yes No

19. Has the applicant been directed to contact Corporate Service regarding potential charges associated with oversize water services? Yes No

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	Regio	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Digital	Paper	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning Justification Report	1	5	Planning Brief. See attached guidelines.
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tree Preservation Plan			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Floodplain and Hazard Lands Boundary Plan			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lot Grading Plan	1	5	Master plan
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Streetscape Plan			Pursuant to the Subdivision Control Guidelines
<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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Functional Servicing Study	1	5	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stormwater Management Plan	1	5	
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	Constraints Analysis	1	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wind Study*			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other*			

Note: A description of the rationale for the required studies is included as Schedule 1 to this form.

Additional Comments

Agency Fees:

Application	Fort Erie	Region of Niagara	NPCA	Other
Regional Policy Plan Amendment				
Official Plan Amendment				
Zoning By-law Amendment				
Plan of Subdivision / Condominium	8,274.00-1,273.00	5,075.00+1,120.00 per hectare		
Consent				
Boundary Adjustment				
Site Plan				
Other		EIS 1,100.00 + SWM 610.00		
TOTAL	7,001.00	9,025.00		

Fee Notes:

- a) Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- b) Additional fees may be required at a later date based on the fee schedule by-law.
- c) Separate cheques shall be made payable and submitted to each appropriate agency.

Pre-consultation Meeting Form

Regional and Provincial Policy Overview

Address: Shayne Avenue between Edgewood Ave and Evelyn Ave

Application Description: Draft Plan of Subdivision for 23 residential lots

Attendees: Matt, Jeremy, Jennifer, Lindsay Earl +

Meeting Date:	November 14, 2019	Local Planner:	
Applicant:	Suzanne Gambin and Lisa Duchart Agent: Ian Barrett	Regional Planner:	Lola Emberson

Regional Comments

Provincial Policies and Plans: Settlement / Delineated Built Up Area

PPS – Settlement Area – intent is that prime ag areas shall be protected for long term use for ag

ROP: Urban Built Up Area Support in principle intensification within the urban area

Lot Area – 1.58 ha

Town OP- Urban Residential

Zoned – R1

Servicing

Servicing - Water **Extension required**

Servicing – Sanitary Sewer **Extension required – MECP ECA for any extension of municipal sewer**

Servicing – Storm Sewer **Extension required – MECP ECA for any extension of municipal sewer.**

Functional Servicing Report Required

SWM Report Required

The following comments are provided by information purposes to assist the applicant with the preparation of a detailed site plan:

1. The Niagara Region will require that stormwater runoff be captured and treated to a Normal Level of protection prior to discharge from the development site.
2. There are no the Region's infrastructures to be directly affected, as such, Niagara Region will not require post-development peak flows be attenuated, and will not review the plan and details regarding flow control.
3. The Niagara Region will require that a stormwater management report (and the associated \$610 fee) be submitted to this office indicating in details how the water quality requirement will be achieved and including a section of inspection and maintenance.
4. Prior to construction, the 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 Residential Use:

Curbside Pickup

- Blue/grey –no limit
- Green – no limit
- Waste – 1 container per Unit

Assuming road will be built from Shayne to Evelyn Road to municipal standards

Land Use

Vacant and Ag land – No orchards (1934, 1954, 1965, 200 Air Photos)

Environmental

There are currently no mapped natural heritage features on the subject property. However, based on aerial imagery available to the Region, it appears that there is a wooded or thicket area located on and adjacent the subject property measuring approximately 1 hectare in size.

As such, environmental planning staff require the completion of a **Constraints Analysis** to determine if the wooded area meets the significance criteria identified in Policy 7.B.1.5 of the Region's Official Plan (e.g., **presence of rare species, evaluation of Significant Wildlife Habitat**). Adam doing site visit tomorrow and confirm and be happy to scope work. (Road allowance and site if permission granted to enter the site).

Depending on the results of the Constraints Analysis (**first step of the EIS**), an impact analysis may also become a requirement of approval. Consistent with ROP policy 7.B.2, a **terms of reference should be developed in consultation with municipal and regional staff.**

Adam Boudens

Senior Environmental Planner/Ecologist

Phone: 905-980-6000 ext. 3770 Toll-free: 1-800-263-7215

Adam.Boudens@niagararegion.ca

Region Review Fees

Application type	
DPS	\$5075.00 +1120.00 per hectare
EIS (Constraints Analysis)	\$1100.00
SWM	\$610.00



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 September 1, 2018 to March 31, 2019

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	\$ 5,462	\$4,432	\$4,021	\$2,473		\$20.51/m ²	\$0.00	
Urban Serviced Area	\$ 6,884	\$5,585	\$5,066	\$3,118		\$41.52/m ²	\$0.00	
TOTALS	\$12,345	\$10,017	\$9,087	\$5,591		\$62.03/m²	\$0.00	

Regional Development Charges effective September 1, 2018 to December 31, 2019

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	\$ 10,855	\$ 7,535	\$4,474	\$7,908	\$4,104	\$6.16	\$2.57	\$4.41	7,640
Wastewater (if available)	\$ 4,788	\$ 3,324	\$1,975	\$3,488	\$1,810	\$3.44	\$1.43	\$2.46	\$0
Water (if available)	\$ 3,390	\$ 2,353	\$1,398	\$2,470	\$1,282	\$2.44	\$1.02	\$1.74	\$0
TOTALS	\$19,033	\$13,212	\$7,847	\$13,866	\$7,196	\$12.04	\$5.02	\$8.61	\$7,640

Effective June 22, 2015	<i>Residential</i> \$/new dwelling unit	<i>Non-residential</i> \$/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: Financial Services Department 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 addresses as part of the policy and planning analysis:

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

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

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

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

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

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

E. Summary and Conclusions

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

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

F. Appendices/Maps/Plans

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

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

Planning Justification Briefs:

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

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

Planning Justification Briefs must include at a minimum:

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



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?

