

Addendum to the Planning Justification Report

**Proposed Zoning By-law Amendment
Application**

**Northwest Corner of Rebstock Road & Ridge Road South
August 2021**

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1. Introduction

The purpose of this addendum is to discuss the site plan changes with regards to the active application for a Zoning By-law Amendment submitted in May 2021 for the subject lands. The application is to permit six (6) back-to-back stacked townhouse blocks and seeks site-specific provisions for permitted use, minimum lot frontage, minimum rear yard, maximum building height, minimum landscaped area, minimum distance between buildings on the same lot, maximum density, and parking requirements. Since our initial submission in May 2021, there were concerns expressed by Town Staff with regards to the site layout, parking, building height and residential density of the proposed development. This Addendum responds to the concerns heard to date.

The proposed site plan changes will affect the site-specific minimum distance between buildings on the same lot and minimum distance from dwellings to private streets and parking area provision, and it is requested that this Addendum be utilized to revise the Zoning By-law Amendment application. The information in this Addendum should be read in conjunction with the previously submitted Planning Justification Report (“PJR”), prepared by NPG Planning Solutions Inc., dated May 2021. The changes addressed in this Addendum do not impact the policy analysis nor the overall conclusion within the previously prepared PJR.

2. Site Plan Changes

The following table lists Staff comments and proposed changes in response to the comments. Please refer to the revised Site Plan dated July 29th 2021 for more information.

Table 1 – Staff Comments and Design Response

TOWN COMMENT	DESIGN RESPONSE
Reduce Density	<ul style="list-style-type: none"> • 10 units removed from Block A; 2 units removed from Block B; 2 units removed from Block D • Proposed number of units is 154 (previously proposed number of units is 168)
Increase Parking Rate	<ul style="list-style-type: none"> • With the reduction in units from Block A, B & D, the parking rate increased from 1.16 spaces/unit to 1.25 spaces/unit • 20 bicycle parking spaces
Lack of On-site Amenity Area	<ul style="list-style-type: none"> • Amenity space increased at the northwest corner of the site

TOWN COMMENT	DESIGN RESPONSE
	<ul style="list-style-type: none"> • Separation between Blocks A and B is now 5.5 m to accommodate increased amenity area • Units removed from Block A to improve viewshed to the park
Re-configure some of the proposed blocks to align east-west	<ul style="list-style-type: none"> • Blocks E and F are now east/west in their configuration
Break up eastern parking lot	<ul style="list-style-type: none"> • Blocks E and F are reconfigured to include parking and one way drive aisles between them. • Pedestrian walkways added to landscaped area between Blocks E and F • Pedestrian walkways added to break up eastern parking area
Parking Structure – with landscaping and a living wall	<p>A parking structure is not provided for the following reasons:</p> <ul style="list-style-type: none"> • The location would be adjacent to either the single family residential to the south or the east of the site • The parking structure would be two full levels plus an open air third level • The density on the site would need to increase to address costs of the structure
If blocks are proposed adjacent to residents to the east in a north-south configuration there would be a maximum of 2 storeys – if blocks are proposed in an east-west configuration there can be more than 2 storeys if there is adequate setbacks	<p>The design of Blocks B and D has been reconfigured to lower the height of the units to 2 storeys adjacent to the lower density residential homes to the south and east</p>
Re-locate Waste Collection Area	<p>The location for waste collection was not changed for the following reasons:</p> <ul style="list-style-type: none"> • Current location works well when considering regional waste collection requirements • Enhanced landscaping will be provided to reduce odour related concerns

3. Shadow Study

An updated Shadow Study was requested due to changes in the orientation and height of the proposed residential blocks. Through this Addendum, the revised study dated as revised in August 2021 should be utilized where applicable. The study identifies new shadows cast based on the updated site layout, in which the impacts are relatively reduced. As such, revisions to the study do not impact the summary and corresponding analysis in the PJR dated May 2021.

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

4. Servicing Report

Due to the changes in the site plan layout, revisions to the servicing report and drawings were requested by Staff. The updated Functional Servicing & Stormwater Management Report dated August 2021, and servicing and grading plans, dated August 23, 2021, reflect the reduction in the number of units and its related calculations.

The revised report and drawings should be utilized for the development through this addendum. As such, the revised report does not change the summary and related analysis in the PJR dated May 2021.

5. Proposed Zoning By-law Amendment

The following tabulates the requirements of the parent RM1 zoning, the previously proposed Zoning By-law Amendment provisions, and the proposed setbacks through this Addendum. The changes to the Site Plan mentioned previously are tabulated below:

Table 2. Zoning Comparison Chart

REGULATION	RM1 ZONE & GENERAL PROVISION REQUIREMENTS	PROPOSED PROVISIONS IN PREVIOUS ZBA	PROPOSED PROVISIONS THROUGH THE ADDENDUM	COMPLIANCE
Minimum Landscaped Area	50% including Privacy Areas	34.6%	35.9%	No
Minimum Distance	15 m, except 3m between end	7.3 m between front wall of	More than 15 m between Blocks E &	Yes

REGULATION	RM1 ZONE & GENERAL PROVISION REQUIREMENTS	PROPOSED PROVISIONS IN PREVIOUS ZBA	PROPOSED PROVISIONS THROUGH THE ADDENDUM	COMPLIANCE
Between Buildings on the Same Lot	walls and 9m between an end wall and a rear wall	Block A and end wall of Block C	F, Blocks E & C and Blocks F & D	
Maximum Density	35 units/ha	112 units/ha	103 units/ha	No
Maximum Lot Coverage	Block townhouse: 40%	18.8%	17.5%	Yes
Planting Strips	In accordance with Section 6.21 and 4.5m where it abuts a street, except for points of ingress/egress		3m in accordance with Section 6.21 (b); 4.5 m along Rebstock Road	Yes Yes
Distance From Dwellings To Private Streets And Parking Areas (Section 14.8)	Any side of any dwelling shall be no closer than 1.5m to an internal driveway or parking area.	2.5 m at Block E 2.6 m at Block F	0.9 m at Block E 0.9 m at Block F	No No
Parking Requirements for Block Townhouse Dwellings (Section 6.20 (A))	1.5 parking spaces per dwelling unit (= 252 spaces)	1.16 parking spaces per dwelling unit (= 195 spaces)	1.25 parking spaces per dwelling unit (= 194 spaces)	No
Width of Ingress and Egress	7.5 m (min) 9.0 m (max)	8.5 m	8.6 m	Yes

REGULATION	RM1 ZONE & GENERAL PROVISION REQUIREMENTS	PROPOSED PROVISIONS IN PREVIOUS ZBA	PROPOSED PROVISIONS THROUGH THE ADDENDUM	COMPLIANCE
(Section 6.20 (D) (i))				
Minimum Aisle Width for Internal Driveway (Schedule D & Section 6.20 (D)(i))	6 m for spaces with parking angle "90"; 5 m for spaces with parking angle "Parallel"; 3 m for one-way traffic	6.3 m	6.3 m 7.5 m 4.5 m	Yes
Parking Area Location on Lot for RM1 Zone (Section 6.20 (I))	All yards provided that no part of any parking area, other than a driveway, is located closer than 3.0 m to any street line and any lot line.		3.0 m	Yes
Minimum Landscaping and Planting Strip Width for uses abutting a Residential Zone (Section 6.21 (b))	3.0 m		3.0 m	Yes

Through this Addendum, the revised provisions should be utilized where applicable in the application, PJR and the Draft Zoning By-law Amendment (see **Appendix A** of this Addendum).

Minimum Landscaped Area

The revised site plan increases the landscaped area from 34.6% to 35.9% on the subject lands. This is still a reduction from the Town's Zoning By-law requirement of 50% of the lot area. Please refer to the justification provided in the PJR dated May 2021 in support of the requested variance.

Minimum Distance Between Buildings on the Same Lot

Revision to the site plan consists of reducing 2 rows of stacked and back-to-back units to accommodate increased on-site amenity space. Due to this change, the front wall of Block A no longer interfaces with the end wall of Block C, and a variance is not required. The Draft Zoning By-law Amendment has been revised accordingly.

Maximum Density

As a result of the site plan revisions, the proposed density on the site reduced from 112 units per hectare to 103 units per hectare, delivering 154 units instead of the previously proposed 168 units. The reduced density continues to require relief from the Town's Zoning By-law requirement of 35 units per hectare.

Notably, the subject lands current designation as Urban Residential under the Town's Official Plan does not have a density restriction. However, the Town is in the process of creating the Crystal Beach Secondary Plan (CBSP), where the lands are designated as Medium Density. This designation allows a maximum of 100 units per hectare (see 4.22.9 b) in Proposed Official Plan Amendment No. 54 (Crystal Beach Secondary Plan), Report No. PDS-47-2021)¹. Although the CBSP is not currently in effect, the reduced density brings the proposal more in line with the requirements of the draft secondary plan.

Distance From Dwellings To Private Streets And Parking Areas

Revised site plan illustrates Blocks E and F re-arranged to an east-west configuration. The resulting layout reduces the distance from Block E & Block F to the nearest parking spot to 0.9 metres. Additional details with regards to window placements and landscape treatments to provide a buffer will be discussed at the site plan stage of the process.

¹ https://ehq-production-canada.s3.ca-central-1.amazonaws.com/88f474a80d5df168352bddd35772e34276078623/original/1624552383/f0e9c0ab0eab1f1fd1286485e100233a_PDS-47-2021_CBSP_Information_Report.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIBJCUK4ZO4WUUA%2F20210729%2Fca-central-1%2Fs3%2Faws4_request&X-Amz-Date=20210729T151722Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=ffa84752cbb5eb0a8f755f2efc7982aa8e1df1f6fdeada9aa2036c924188126f

Parking Requirements for Block Townhouse Dwellings

Parking rate is increased to 1.25 spaces/unit from the previously proposed 1.16 spaces per unit. A variance is still required from the Town's Zoning By-law requirement of 1.5 spaces/unit. The explanation provided in the PJR in support of the reduced parking requirement (under Section 6.0 – Proposed Zoning By-law Amendment of the PJR) continues to be applicable. Based on the previously provided justification, the proposed reduction is supportable. The revised parking rate of 1.25 spaces/unit, providing 194 spaces, should be utilized where applicable in the application form, PJR and the Draft Zoning By-law Amendment (see **Appendix A**) through this addendum.

We appreciate the opportunity to provide this additional information to the original application package. Should you require anything further or have any questions, please do not hesitate to contact the undersigned.

Addendum Prepared By:

Addendum Reviewed By:

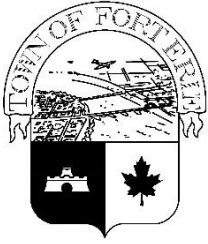
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Appendix A – Draft Zoning By-law Amendment



The Municipal Corporation of the Town of Fort Erie

By-law No. XX-202X

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

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

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

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

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

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

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

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

By-law No. XX-202X

“Residential Multiple 1 (RM1-XXX) Zone” shown as attached Appendix “1” and shall be subject to the following provisions:

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

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

b) Minimum Lot Frontage – 27 m

c) Minimum Rear Yard – 4.5 m

d) Maximum Building Height – 3.5 storeys

e) Minimum Landscaped Area – 35%

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

g) Maximum Density – 103 units/hectare

h) Privacy Area – Not applicable

i) Distance From Dwellings To Private Streets And Parking Areas – 0.9 m

j) Permit 1.25 parking spaces per dwelling unit

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

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

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. XX-202X of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20

Appendix 1

