

Planning Justification Report

436-440 Ridge Road North

Fort Erie, ON

Revised January 2024

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UCC File No. 21113

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PREFACE

Upper Canada Consultants respectfully submits this Planning Justification Report in conjunction with an application for combined **Official Plan and Zoning By-law Amendments** for the property located at 436-440 Ridge Road North and in the Town of Fort Erie, Regional Municipality of Niagara.

The property owner is seeking to develop the portion of the site currently addressed as 440 Ridge Road North as a 4-storey residential apartment building with a total of 91 units as well as 12 semi-detached dwelling units all fronting on a private road. A 3-storey mixed use building containing ground floor commercial and a total of 15 residential apartments is proposed on the portion of the property with the municipal address 0-8481 Ridge Road North, referred to as 436 Ridge Road North.

This Report has been prepared in accordance with the Town of Fort Erie's Guidelines for the Preparation of Planning Justification Reports and Planning Justification Briefs. The intent of this Report is to provide an overview of the property and the proposal, to evaluate the applications against applicable Provincial, Regional and local land use policy and to demonstrate how the applications represent good planning.

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

Site Context

The subject lands are an assembly of properties with frontage on Ridge Road North in Ridgeway at the north end of the downtown. In this area there is a mixture of residential, commercial and mixed-use buildings fronting on Ridge Road North with primarily low-density residential uses east and west of properties fronting Ridge Road North. The commercial district of Downtown Ridgeway is located south of Dominion Road approximately 150 m to the south.

The site is located in Fort Erie's Urban Boundary in the Ridgeway Neighbourhood on the east side of Ridge Road North. Single detached dwellings fronting on Prospect Point Road North are located to the east, Ridge Road North and single detached dwellings are located to the west. A former public works yard owned by the Town and designated for medium density residential development is located to the south. Single detached dwellings are located to the north. See **Figure 1** for an aerial view of the subject property.

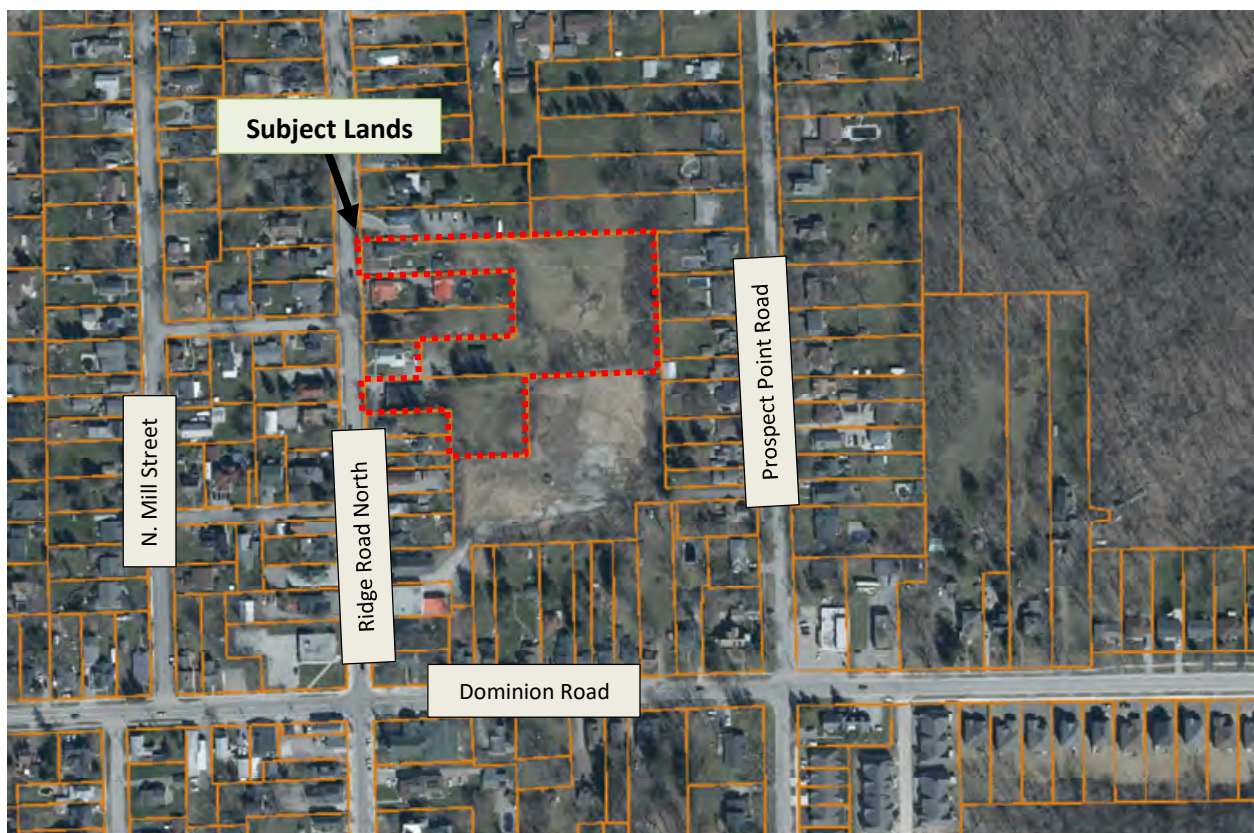


Figure 1 - Aerial View of the Subject Lands (Niagara Navigator Imagery)

Existing Conditions

The portion of the subject lands where the apartment is proposed was historically used for residential purposes and was occupied by two detached dwellings and two detached garages. The dwelling and detached garage are addressed 462 Ridge Road North and remain on the site. The second detached dwelling, addressed as 440 Ridge Road North, was located east of the dwelling addressed 442 Ridge Road North and was accessed from a driveway shared with 442 Ridge Road North. It was demolished in January 2022 as part of the conditions for a boundary adjustment on the subject lands. A second detached garage addressed as 0-8481 Ridge Road North (or 436 Ridge Road North) is located south of the dwelling addressed as 442 Ridge Road North and is also accessed from a driveway shared with 442 Ridge Road North.

The portion of the subject lands where the 3-storey mixed commercial and residential building is proposed has historically been used for commercial purposes. Most recently this property was used as an automotive repair business. The site currently contains the vacant commercial building where the automotive repair business had formerly operated. A small portion of the area where parking is proposed was historically part of 440 Ridge Road north and was used in association with this residential use. This portion of land is part of a concurrent Boundary Adjustment (B18/22 & B20/22) from 440 Ridge Road North to be added to 0-8481 (436 Ridge Road North).

The portion of the site where semi-detached dwellings are proposed was recently approved for a boundary adjustment from 436 Ridge Road North as part of the concurrent Boundary Adjustment (B18/22 & B20/22) and was historically a residential use. The single detached dwelling was demolished around 2015 and the parcel has remained vacant since.

The Niagara Official Plan (2022) identifies that the subject lands are within the Provincially-determined Urban Built-Up Area.

The Town's Official Plan designates the subject lands as Core Mixed Use in part, Low Density Residential in part and Medium Density Residential in part. The existing Official Plan designations are shown on **Figure 2**.

The subject property does not contain any Provincially, Regionally, or locally-regulated natural heritage features or areas, or any features regulated by the Conservation Authority (NPCA).

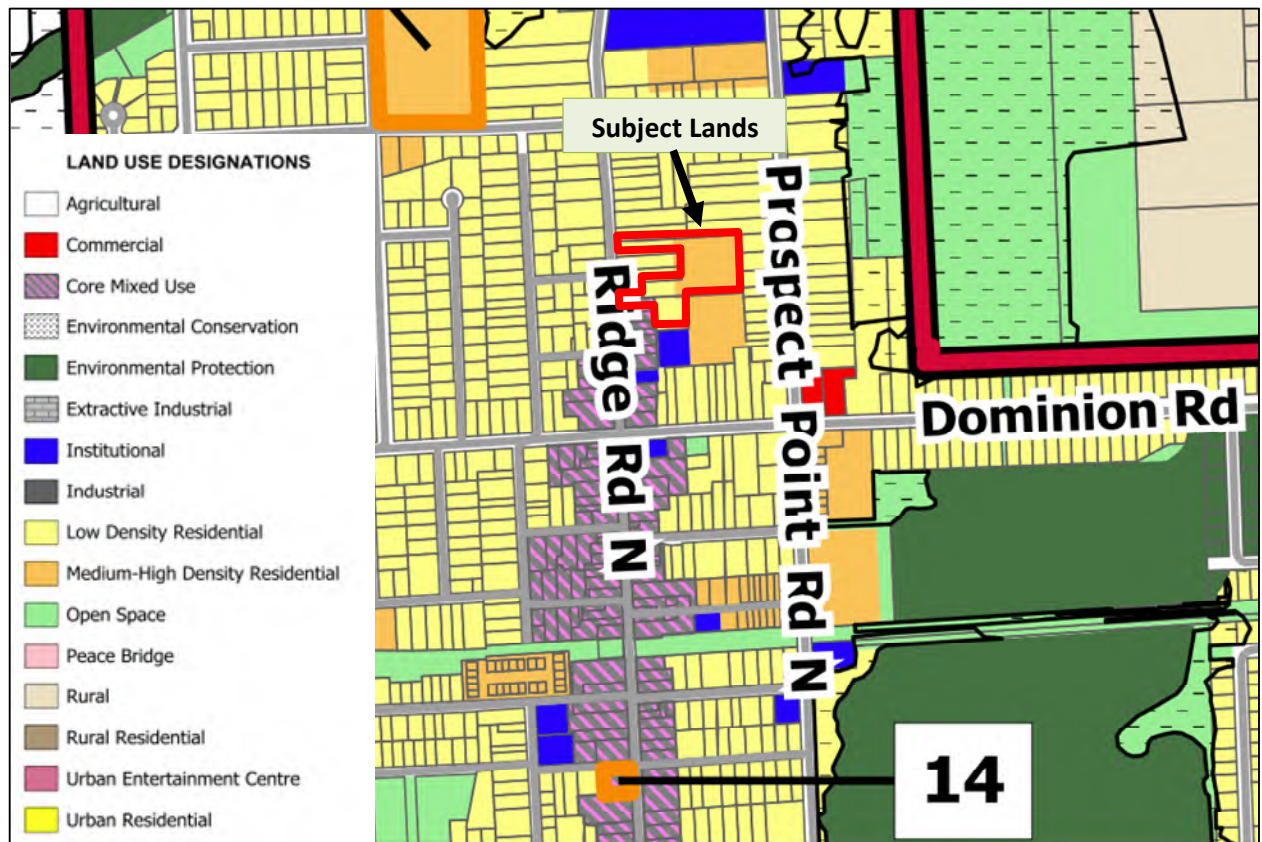


Figure 2 - Subject Lands Existing Land Use Designations (Excerpt from Fort Erie Official Plan Schedule A – Land Use Plan)

Apartment Building

Preliminary elevations, floor plans, and renderings of the proposed apartment building are provided in **Figures 4-8**.

As shown in the preliminary building designs, an “L” shaped, 4-storey (13.9 meter) apartment building, containing 91 dwelling units is proposed. The dwelling units range in size from 67 square meters (722 square feet) to 117.8 square meters (1268 square feet).

A total of 123 parking spaces are provided for the apartment building, inclusive of 3 accessible spaces. Ninety-one spaces are located in a covered parking structure at the rear of the building, providing for one covered space for each dwelling unit. The remaining 32 spaces are located in open parking areas in front of the building and parallel to the private entrance.

The first floor contains 13 dwelling units in addition to a lobby, common room, fitness room and mechanical / servicing rooms. The preliminary first floor plan is shown in **Figure 5**. The upper 3 floors each contain 26 units each and include mechanical / garbage rooms. The typical upper floor plan (floors 2-4) is shown in **Figure 6**.

For private amenity space, each of the ground floor dwelling units have access to an outdoor patio space and the upper floor units each have a private balcony. The roof of the parking structure is proposed to function as a common rooftop terrace.



Figure 4 - Preliminary Front Elevation (ACK Architects)

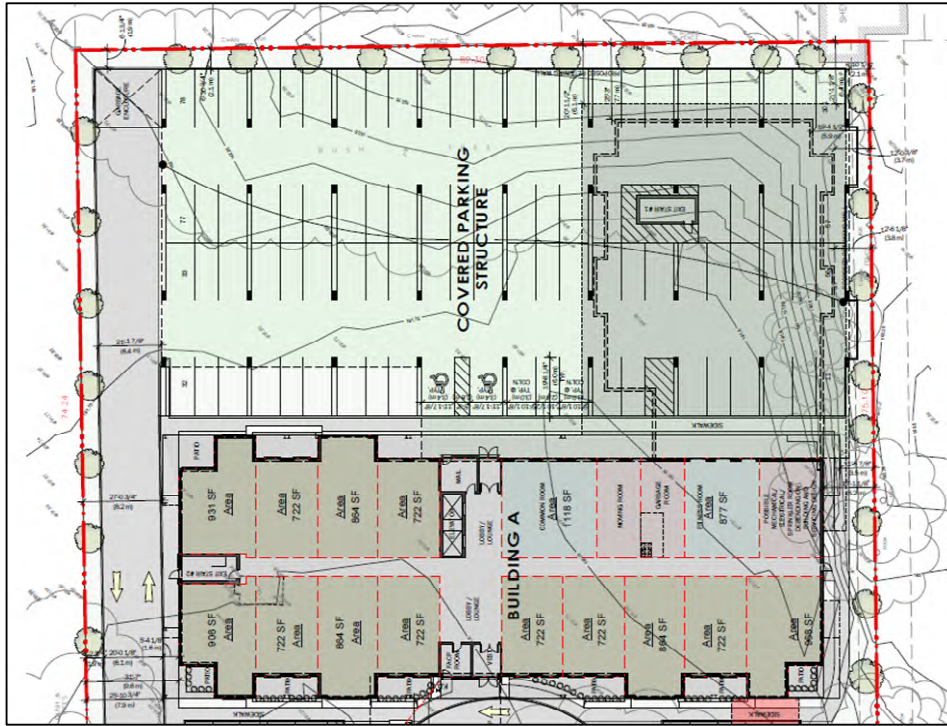


Figure 5 - Preliminary Ground Floor Plan (ACK Architects)



Figure 6 - Preliminary Typical Floor Plan - Levels 2-4 (ACK Architects)



Figure 7 - Preliminary Front Rendering - Looking South-East (ACK Architects)



Figure 8 - Preliminary Front Rendering - Looking North-East (ACK Architects)

Semi-detached Dwellings

A total of 6 semi-detached blocks containing 12 dwelling units are proposed. Four of the blocks are proposed to be 3-storey units with the remaining 2 blocks being 2-storey units (see **Figure 9**). Elevations of the proposed semi-detached typologies are provided in **Figures 10** and **11**.

Both types of townhouses are proposed to be just under 11 meters (36 feet) in height. The three-storey townhouses utilize a flat roof to accommodate the additional floor of living space whereas the 2-storey units have a peaked roof.

The 3-storey units have 169.5 square meters (1825 square feet) of living space and the 2-storey units have 167.2 square meters (1800 square feet) of living space. For parking, each dwelling unit has an attached garage and a private driveway. For amenity space, each dwelling unit will have a private “rear yard” amenity area as well as a rear 2nd level terrace and a covered front porch. The 3-storey units also have second and third floor balconies.



Figure 9 - Conceptual Rendering of Semi-detached Dwellings (ACK Architects)



Figure 10 - Preliminary 2-storey Townhouse Front Elevation



Figure 10 - Preliminary 3-Storey Townhouse Front Elevation

Mixed Use Building

A preliminary Site Plan for the mixed-use building is provided in **Figure 12**. The building is proposed to be 3 storeys in height and contains 3 ground floor commercial units and 12 dwelling units.

The commercial units are located in the portion of the building facing Ridge Road North and contribute to the commercial character of downtown Ridgeway. The commercial units range in size from approximately 49.80 to 55.37 square meters (536-596 square feet). The ground floor also contains two barrier-free dwelling units. One unit has 3 bedrooms and is 95.3 square meters (1,025 square feet). The other ground floor unit has 2 bedrooms and is 84 square meters (904 square feet). The ground floor plan is shown in **Figure 13**.

The second and third levels contain 5 dwelling units each and are a mix of one, and two and three-bedroom units. These units also range in size from 55.1 to 95.3 square meters (593 – 1,025 square feet). The upper floor plan is shown in **Figure 14**.

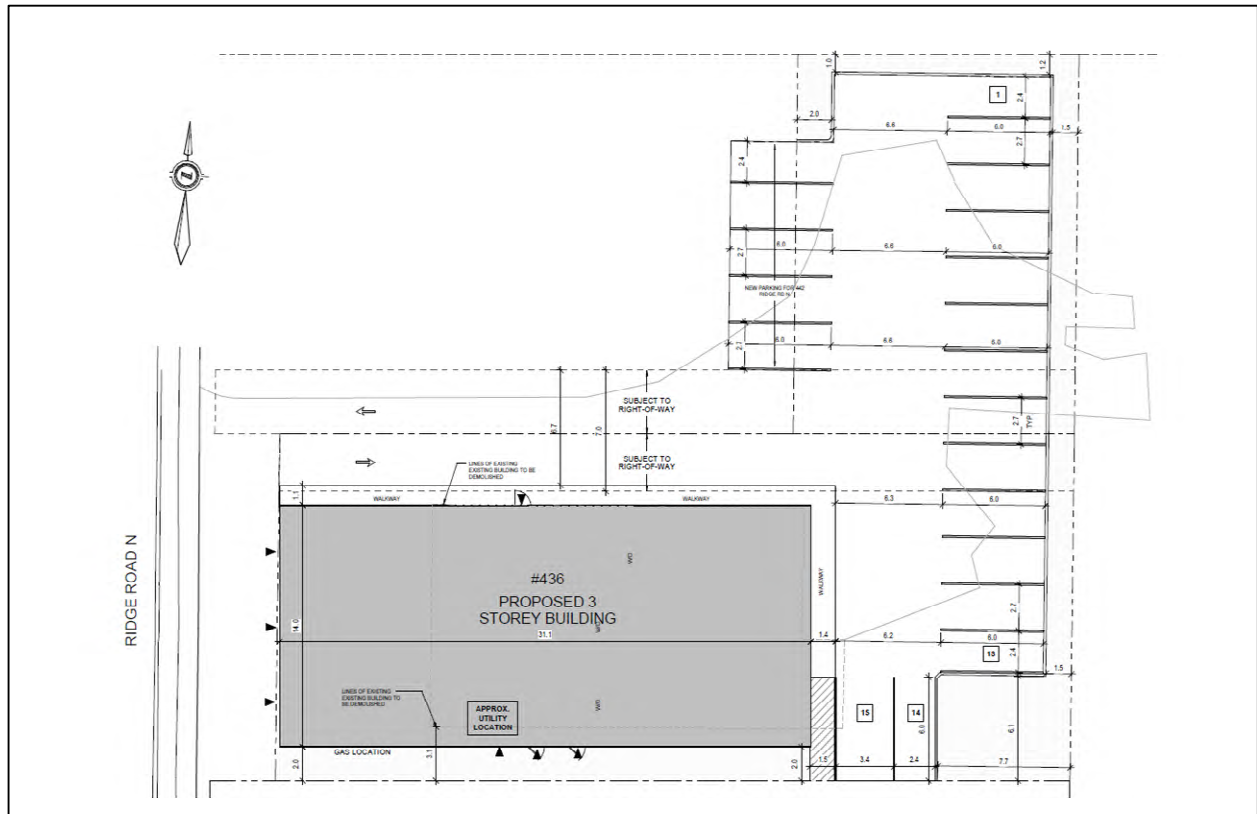


Figure 11 - Preliminary Mixed-use Building Site Plan (Jason Pizzicarola Design - Architects Inc.)

A total of 12 parking spaces are provided for the mixed-use building and are located at the rear of the building. The driveway access to the parking spaces will be located in a shared easement with 442 Ridge Road North.

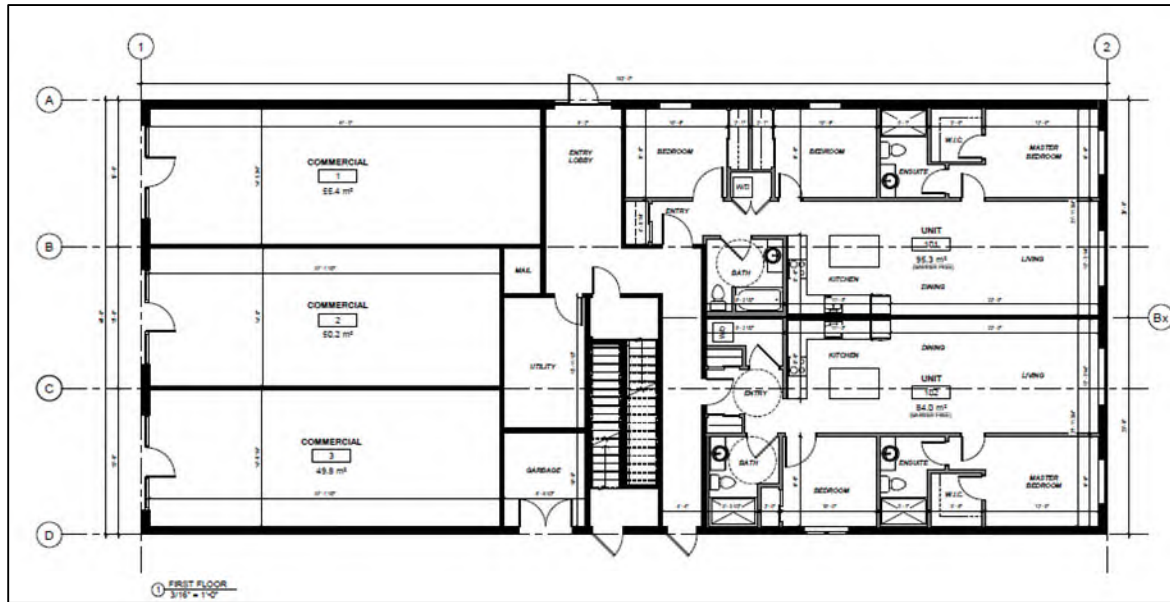


Figure 12 - Preliminary Mixed-use Building First Floor Plan (Jason Pizziccola Design - Architects Inc.)

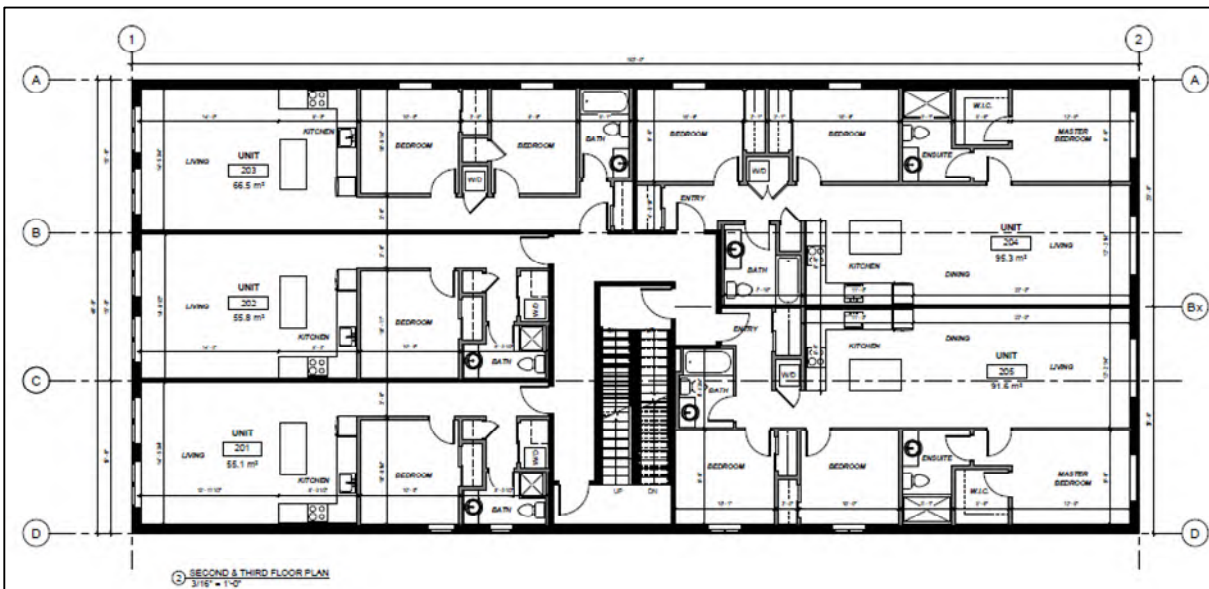


Figure 13 - Preliminary Mixed-use Building Second Floor Plan (Jason Pizziccola Design - Architects Inc.)

REQUIRED APPLICATIONS

The following *Planning Act* applications required to facilitate the proposed development were identified at the April 14, 2022 and August 17, 2023 pre-consultation meetings:

Official Plan Amendment

The Town's Official Plan designates the subject lands as Core Mixed Use in part, Low Density Residential in part and Medium Density Residential in part. An Official Plan Amendment is required to reconfigure the existing land use boundaries to reflect the layout of the proposed development, as well as to permit the proposed density.

Details of the proposed amendment are provided under the Official Plan Section of this Report. A Draft Official Plan Amendment is included as **Appendix III**.

Zoning By-law Amendment

In reflection of the existing Official Plan land use designations, the subject lands are zoned as Core Mixed-Use 4 in the Core Mixed Use area, Residential 1 (R1) in the Low-Density Residential area and Site Specific Residential Multiple 1 (RM1-260) in the Medium Density Residential Area.

The lands will be rezoned to establish the necessary built-form permissions to facilitate the proposed development. The Core Mixed-Use 4 designation will be retained in the existing location for the proposed mixed-use building and will be expanded to capture the parking area for this building. Residential Multiple 2 Zoning is requested to implement the development of the proposed apartment building and semi-detached dwellings.

The proposed Zoning By-law Amendment is detailed further under the Zoning By-law Section of this report. A Draft Zoning By-law Amendment is included as **Appendix IV**.

SUPPORTING STUDIES AND REPORTS

The following reports and studies have been completed in support of the applications per the requirements for a complete application identified through the pre-consultation process. A summary of the findings of each report is provided below for reference. The reports themselves should be consulted directly for complete information.

Archeological Assessment

A Stage 1-2 Archeological Assessment of the subject lands was completed by Detritus Consulting. The Stage 1 Assessment consists of a background study and property inspection to determine whether there is potential for archeological sites on the property. The Stage 2 Assessment involves digging test pits on the subject lands at 5m intervals to determine if any artifacts exist on the property.

The Archeological Assessments on the subject lands did not result in the identification of any archeological resources and no further Assessment was recommended. The report was forwarded to the Ontario Ministry of Tourism, Culture and Sport for clearance.

Functional Servicing / Stormwater Management Report

A Functional Servicing Report was prepared by Robert E. Dale Limited Consulting Engineers which details how the proposed development will be serviced with sanitary, stormwater and water systems and to analyze servicing capacity for the proposed development.

Stormwater Management

Stormwater quantity controls for the proposed development will be provided by an orifice plate and pipe storage under the parking lot. These systems will control stormwater quantity to the 100-year storm.

An oil-grit separator is proposed to provide stormwater quality controls to a minimum 80% TSS removal rate.

Sanitary Servicing

The development will be serviced with a 200mm diameter sanitary sewer which will connect to the municipal 450mm sanitary sewer in Ridge Road North. The Functional Servicing Report

confirms that the proposed private sewer and the existing municipal sewer have capacity to service the proposed development.

Water Servicing

Water services for the development will be connected to the existing 200mm diameter watermain in Ridge Road North. The Functional Servicing report confirms sufficient capacity exists to serve the domestic and fire protection needs of the development.

Traffic Impact Assessment

A Traffic Impact Assessment was prepared by Paradigm Transportation Solutions Limited to determine the impacts of the development traffic on the surrounding road network, and to identify the recommended improvements to accommodate the site-generated traffic.

The Report provides the following summary of key findings:

- The study area intersections are operating at acceptable levels of service and all movements are well within capacity during the weekday AM and PM peak hours. No critical movements are noted.
- The sites concept includes 13 townhouse units and 72 apartment units (yields are based on a previous development concept). Vehicle access to the site is proposed by a private driveway to Ridge Road North located approximately 160 meters south of Hazel Street. Build-out of the site is anticipated to occur by the year 2027 which is subject to change pending market conditions.
- The site's trip generation is estimated to be approximately 47 AM peak hour vehicle trips and 54 PM peak hour vehicle trips.
- The Site driveway is forecast to operate in the LOS A range with a v/c ration of 0.05 or less during the weekday AM and PM peak hours. Queues on Ridge Road North approaches to the site driveway are forecast to be one vehicle or less during the AM and PM peak hours.
- No changes to the existing land configurations or traffic control are recommended to support the development of the subject site.

The Report provides the following recommendation:

- It is recommended that the site driveway approach to Ridge Road North operates as a stop control. A stop sign should be placed on the driveway approach to Ridge Road North in accordance with the Ontario Traffic Manuals.

Traffic Impact Addendum

A Traffic Impact Addendum was prepared to update the trip generation and analysis per the increased unit yield for the updated development concept, as well as to provide a rationale for the proposed parking reduction.

With respect to trip generation, the addendum finds that the additional traffic generated from the added units does not impact the findings of the original report.

The addendum also found that the parking demand for the apartment building is less than the proposed parking supply.

Environmental Site Assessment and Record of Site Condition

Phase 1 and 2 Environmental Site Assessments of the property were undertaken by Hallex Environmental Ltd.

The Phase 1 (desktop) assessment identified 4 Potentially Contaminating Activities on the site as a result of the previous uses of the property.

The Phase 2 (site) assessment identified soil exceedances to MECP 2011 Table 6 for Residential Land Use in shallow soils, in a Potable Ground Water Situation, fine texture soil for target contaminant group Metals and PAH at borehole and test pit locations of the Phase 2 site. The removal of approximately 70.1m³ of contaminated soil was recommended to achieve compliance with MECP requirements.

The contaminated soil has been removed from the Site and Record of Site Condition (RSC) has been filed with the Ministry of Environment, Conservation and Parks for the property.

Heritage Impact Assessment

A Heritage Impact Assessment (HIA) was completed by Parslow Heritage Consultancy to evaluate any impacts of the proposed development on the adjacent heritage-designated structure at 402 Ridge Road North.

The property at 402 Ridge Road North contains the former Bertie Township Hall which was originally constructed in 1874. The building now houses the Fort Erie Historical Museum.

The property containing the building was designated in 1988 under By-law 1988-114 as being of historic value.

The HIA found that the proposed development did not pose any direct impact to the heritage attributes of 402 Ridge Road. A vibration assessment was recommended as a mitigation

measure for potential indirect impacts during construction. The municipality has the ability to request a vibration assessment through the Site Plan Approval process required to implement the development.

Tree Inventory and Preservation Plan

A Tree Inventory and Preservation Plan (TIPP) was prepared by Jackson Arboriculture Inc. The TIPP identifies and categorizes 148 trees and 1 tree polygon on the subject lands. None of the existing trees are rare, threatened or endangered species.

The removal of 93 trees and 1 tree polygon are required to facilitate the proposed development. The remaining trees are proposed to be retained through the use of appropriate preservation measures during the construction phase.

Shadow Study

Shadow Diagrams are included as part of the architectural drawings prepared by ACK Architects. The diagrams show that shadows from the proposed development will not negatively impact existing, adjacent uses.

POLICY ANALYSIS

PLANNING ACT

Section 2 – Matters of Provincial Interest

Section 2 of the Planning Act addresses matters of Provincial interest and requires municipal Councils to have regard to the following when considering applications under *the Act*:

- 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 of features and management of natural resources;*
- e) *The efficient use and conservation of energy and water;*
- f) *The adequate provision and efficient use of transportation, sewage & water services and waste management systems;*
- g) *The minimization of waste;*
- h) *The orderly development of safe and healthy communities;*
- j) *The adequate provision of a full range of housing, including affordable housing;*
- l) *The protection of the financial and economic well-being of the Province and its municipalities;*
- 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, support public transit and to be oriented to pedestrians;*
- r) *The promotion of built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- s) *The mitigation of greenhouse gas emissions and adaption to a changing climate.*

The proposal has regard for the adequate provision and efficient use of transportation, sewage and water services, and waste management systems (item f), the orderly development of safe and healthy communities (item h), the adequate provision of a full range of housing (item j), and the appropriate location of growth and development (item p).

Section 22 – Official Plan Amendments

Amendments to a local Official Plan are permitted pursuant to the specific requirements under Section 22 of the *Planning Act*. The submitted applications have been made pursuant to the applicable requirements under the *Act*. The applications are further subject to public consultation as required in Section 22(1)(b).

Section 34 – Zoning By-laws

Section 34 of the Planning Act grants the municipality the authority to pass Zoning By-laws. Amendments to Zoning By-laws are permitted pursuant to Section 34(10) of the *Planning Act*.

The submitted Zoning By-law Amendment application has been made pursuant to the applicable requirements under the *Act*. The Zoning By-law Amendment is also subject to public consultation as required in Section 34(10.0.1).

PROVINCIAL PLANS

Land use planning applications within the Town of Fort Erie Settlement Area are subject to the policies of the 2020 Provincial Policy Statement (PPS) and the 2019 Growth Plan for the Greater Golden Horseshoe (Growth Plan/ PTG).

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, municipalities “shall be consistent with the policy statements” and “shall conform to the Provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.”

The following sections of this report demonstrate how the approval of the Official Plan and Zoning By-law Amendments constitute consistency with Provincial Policy Statement and conformity with the Growth Plan.

PROVINCIAL POLICY STATEMENT

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

The policy direction under Section 1.1 of the Provincial Policy Statement (2020) (PPS) provides the overall planning framework for the development of healthy, livable and safe communities. In accordance with these objectives, the proposed development achieves a compact and efficient development pattern that optimizes efficient infrastructure use and minimizes land consumption, while accommodating a mix of commercial residential land uses and a mix of dwelling typologies that caters to a range of housing need.

Section 1.1.3 outlines the policy direction for the Province’s Settlement Areas. The subject lands are within a Settlement Area as defined by the PPS, as they are located within Fort Erie’s Urban Area. Policy 1.1.3.1 of the PPS directs that growth and development to Settlement Areas. The applications are therefore consistent with the PPS in providing growth and development to the appropriate area. The proposed development is also consistent with the intended land use

patterns for Settlement Areas as outlined under Policy 1.1.3.2, particularly in making efficient use of land and resources, being appropriate for and efficiently using infrastructure and public services, and promoting active transportation options.

Overall, the proposed development supports the Province's growth management strategy as outlined in Section 1.1 of the PPS in providing a mix of land uses and housing options through the compact and efficient development of underutilized urban lands.

Coordination (PPS 1.2)

The development of these lands has been subject to three pre-consultation meetings with Town and agency staff.

Through this process, the planning authority and other review agencies 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, local and public interest are identified. Identified matters have been addressed through the submission of required studies and materials. The latest pre-consultation agreement (from August 17, 2023) is attached to this Report as **Appendix II**.

Housing (PPS 1.4)

The policy direction under Section 1.4 of the PPS mandates that a full range and mix of housing types and densities that meet current and future housing needs be provided to achieve complete communities and meet prescribed growth targets.

Consistent with this policy direction, the proposed development includes a mix of apartment and semi-detached dwellings which will improve housing choice in the Ridgeway community.

Infrastructure and Public Service Facilities (PPS 1.6)

In general, Section 1.6 of the PPS requires that infrastructure and public service facilities are to be provided in a coordinated and efficient manner while accommodating projected needs so as to reduce the cost of servicing growth.

Sewage, Water and Wastewater (PPS 1.6.6)

Section 1.6.6 particularly considers sewage, water and stormwater servicing requirements. A Functional Servicing Report has been prepared by Robert E. Dale Limited Consulting Engineers and submitted with the subject applications, which details how the proposed development will

be serviced for sewage, and water. Site services will be connected to existing public infrastructure, which is readily available, and which has sufficient capacity to accommodate the development. The proposed development is therefore appropriate for, and makes efficient use of, existing public sewage, water and stormwater services in accordance with the PPS.

Transportation (PPS 1.6.7)

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.

A Traffic Impact Assessment, and Traffic Impact Addendum have been prepared by Paradigm Transportation Solutions Limited, both of which confirm that the anticipated traffic flows from the development will not negatively impact the service levels of the existing transportation network. The Traffic Impact Assessment recommends the provision of a stop control on the driveway entrance where it connects to Ridge Road North.

Cultural Heritage and Archaeology (PPS 2.6)

Policy 2.6.1 requires that, “[s]ignificant built heritage resources and significant cultural heritage landscapes shall be conserved.” The adjacent property at 402 Ridge Road contains the former Bertie Township Hall, which is designated under the *Ontario Heritage Act*, and therefore considered to be a significant built heritage resource. In order to ensure the conservation of this resource, a Heritage Impact Assessment (HIA) was completed by Parslow Heritage Consultancy. The HIA concludes that the proposed development does not pose any direct impact to the heritage attributes of 402 Ridge Road. A vibration assessment was recommended as a mitigation measure for potential indirect impacts during construction.

Policy 2.6.2 directs that development and site alteration shall not be permitted on land containing archaeological resources or areas of archeological potential unless resources have been conserved. A Stage 1-2 Archeological Assessment of the subject lands has been completed which did not result in the discovery of archeological resources. The proposed development therefore has no impact on the conservation of archeological resources as required by the Provincial Policy Statement.

Human Made Hazards (PPS 3.2)

Policy 3.2.2 requires that sites with contaminants in land and water should be remediated as necessary prior to any activity on the site associated with the proposed uses such that there will

be no adverse effects. The lands were subject to a Phase 1-2 Environmental Site Assessment which identified approximately 70.1m³ of contaminated soil that needed to be removed to meet MECP criteria for residential land uses. The site has been remediated and a Record of Site Condition has been filed for the subject property confirming that the lands are suitable for the proposed residential development.

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2019)

Managing Growth (PTG 2.2.1)

Policy 2.2.1.2 of the Growth Plan directs that a vast majority of growth is to occur generally within the Settlement Area and specifically in locations where municipal water and wastewater systems are available.

The subject lands are located in Fort Erie's Urban Area and are therefore within the Settlement Area as defined in the Growth Plan. The lands also have access to existing municipal infrastructure and services. The subject lands are therefore an appropriate location for development in accordance with Section 2.2.1 of the Growth Plan.

Policy 2.2.1.4 states that the policies of the Growth Plan support the achievement of complete communities. The proposed development aligns with this goal as it is compact in nature and accommodates a mix of land uses and contributes to the provision of a full range of housing.

Delineated Built-up Areas (PTG 2.2.2)

Policy 2.2.2.1 of the Growth Plan dictates that a minimum of 50% of all residential development occurring annually within the Niagara Region is to be accommodated within the existing Built-Up Area. The subject lands are located within the delineated Built-Up Area as identified under the Niagara Official Plan and the proposed development contributes to the achievement of prescribed growth within the Built-Up Area.

Housing (PTG 2.2.6)

The policies under Section 2.2.6 of the Growth Plan support the achievement of complete communities through the provision of a full range of housing options and densities that meet current and future housing needs.

In conformity to this policy direction, the proposed development accommodates a mix of apartment and semi-detached dwellings. The proposed housing mix caters to a wide variety of housing needs and preferences and improves housing choice in the Ridgeway community.

Water and Wastewater Systems (PTG 3.2.6)

Policy 3.2.6.2 of the Growth Plan requires that water and wastewater systems be planned and constructed to maximize functionality and efficient use so as to ensure that the municipality recovers the cost of providing water and wastewater infrastructure. A Functional Servicing Report prepared by Robert E. Dale Consulting Engineers which outlines the proposed servicing strategy has been submitted with the applications. The report confirms that adequate capacity exists to service the proposed development.

Stormwater Management (PTG 3.2.7)

Policy 3.2.7.2 requires that proposals for large-scale development be supported by a stormwater management plan, or equivalent. The Functional Servicing Report prepared by Robert E. Dale Consulting Engineers outlines the required stormwater quality and quantity controls to meet the Town's stormwater requirements.

Cultural Heritage Resources (PTG 4.2.7)

Policy 4.27.1 of the Growth Plan requires that cultural heritage resources are to be conserved. A Stage 1-2 Archeological Assessment of the subject lands has been completed which did not result in the discovery of archeological resources. The proposed development therefore has no impact on the conservation of cultural heritage resources.

NIAGARA OFFICIAL PLAN (2022)

The Niagara Official Plan (2022) outlines the long-term strategic policy planning framework for managing growth in the Region to a planning horizon ending in 2051.

CHAPTER 2 – GROWING REGION

Chapter 2 of the ROP contains the policy framework for the accommodation of the Region's projected population and employment growth.

2.1 – FORECASTED GROWTH

Per Section 2.1, the Region of Niagara is anticipated to have a population of 694,000 people and 272,000 jobs by the year 2051, representing an increase of over 200,000 people and 85,000 jobs from 2021. These population and employment forecasts are further broken down by municipality in Table 2-1, wherein the Town of Fort Erie has a projected population of 48,050 people and 18,430 jobs.

2.2 – REGIONAL STRUCTURE

Section 2.2 establishes the regional land use structure, based on Provincial directives which dictate how the projected growth is to be accommodated. The Niagara Official Plan directs that a majority of growth is to occur within the Settlement Area, where water and wastewater systems exist or are planned, and where a range of transportation options can be accommodated. The Settlement Area is further broken down into the Delineated Built-up Area and the Designated Greenfield Area.

Schedule B of the Regional Plan indicates that the subject lands are the Delineated Built-Up Area (see **Figure 15**, below). The subject lands are also serviced with existing water and wastewater systems, have access to a range of transportation options and are therefore an appropriate location to accommodate prescribed growth.

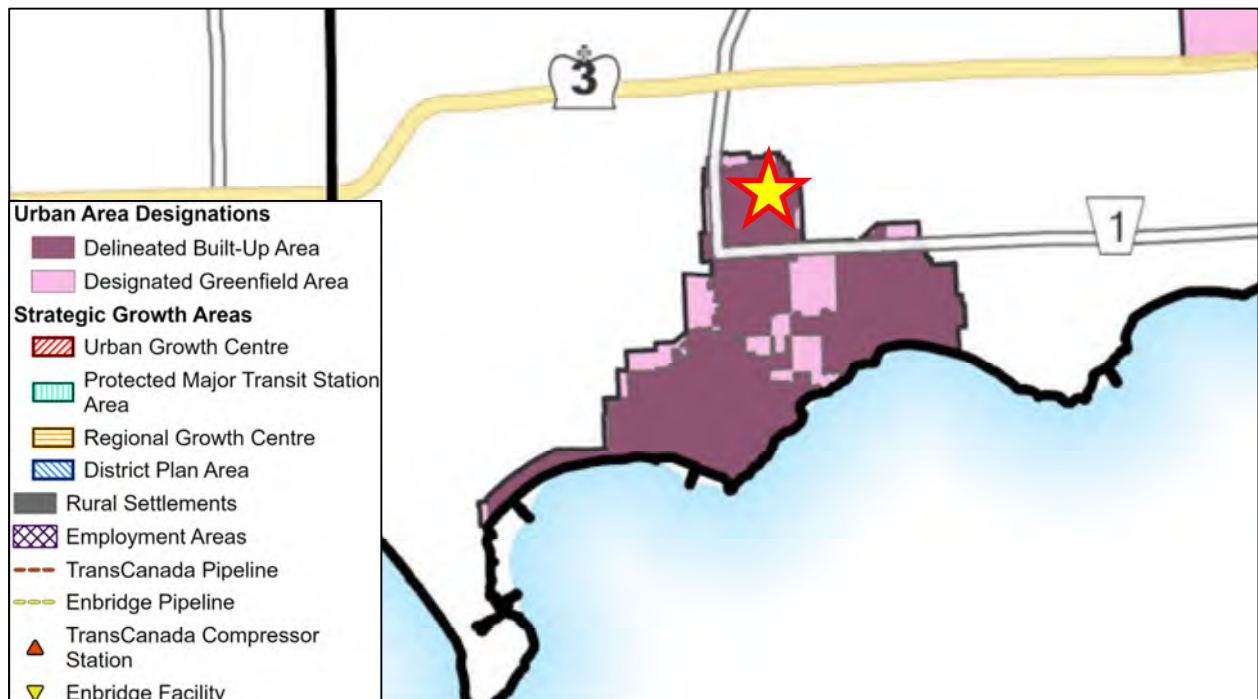


Figure 14 - Excerpt from Region of Niagara Official Plan Schedule B - Regional Structure

2.2.1 – Managing Urban Growth

Per Policy 2.2.1.1 a), development in the Built-Up Area is required to support the achievement of the Region’s intensification target. The Region’s intensification target is 60%, as stipulated in policy 2.2.2.5. Table 2-2 of the NOP further breaks down the intensification target by municipality. The Town of Fort Erie is assigned an intensification target of 50% which means that approximately 3,680 dwelling units are required to be accommodated within the existing Built-up Area by the year 2051. The proposed development contributes positively to the accommodation of prescribed residential growth in the Town’s Built-Up Area.

Policy 2.2.1.1 b) states that development in urban areas should support a compact built-form and a mix of land uses to support the creation of complete communities. The proposed development supports the creation of a complete community through the provision of a mix commercial and residential land use and a mix of housing forms at a compact scale.

Policy 2.2.1.1 c) states that development in urban areas should accommodate a diverse range and mix of housing types, unit sizes and densities to accommodate future and current market-based and affordable housing needs. The proposed development includes a diverse variety of housing forms including apartment dwellings and semi-detached dwellings, with a variety of each typology accommodated. The proposed housing forms cater to a wide range of housing

requirements and improve housing choice within the Ridgeway community and the municipality as a whole.

Policy 2.2.1.1 e) states that development in the urban area should support built-forms, land use patterns and street configurations that minimize land consumption, reduce the cost of municipal water and wastewater systems and services. The subject lands have access to existing water and wastewater services, and the proposed development represents a compact and efficient built-form that optimizes the use of land and infrastructure.

Policy 2.2.1.1 g) states that development in urban areas should support opportunities for intensification including a mix of residential built-forms in appropriate locations to ensure compatibility with established residential areas. The proposed development provides intensified residential development that is compatible with the surrounding area.

2.3 – HOUSING

The objectives of the policy direction under Section 2.3 of the ROP are to provide a mix of housing options to address current and future needs, to provide more affordable and attainable housing options, and to plan to achieve affordable housing targets through land use and financial incentive tools.

2.3.1 – Provide a Mix of Housing Options

Policy 2.3.1.1 directs that a range and mix of densities, lot and unit sizes and housing types should be accommodated in the settlement area to meet housing needs at all stages of life. The proposed development includes a mix of apartment and townhouse dwellings which meet a diverse range of housing needs.

TOWN FORT ERIE OFFICIAL PLAN (2011)

INTRODUCTION

The Town of Fort Erie Official Plan is the long-range planning tool used to guide growth and development in the municipality based on land use designations and policies. Official Plan Schedule A identifies that the subject lands are within the Ridgeway-Thunder Bay Secondary Plan Area and are designated as Core Mixed Use in part, Low Density Residential in part and Medium Density Residential in part (see **Figure 2**).

OFFICIAL PLAN AMENDMENT

An Official Plan Amendment application has been submitted to implement the proposed development. The purpose of the Amendment is to reorganize the existing land use designations to reflect the layout of the proposed development. The Medium Density Residential designation will be applied to the proposed apartment and semi-detached dwellings and the mixed-use building will retain the Core Mixed Use designation. The existing Low-Density Residential designation will not be retained. The Official Plan Amendment will also recognize the proposed development density

The proposed land use designations are shown in **Figure 2**. A copy of the Official Plan Amendment is included as **Appendix III**.

POLICY EVALUATION

Part 2 – Purpose and Goals

The overarching goals and objectives of the Official Plan are established in Section 2.3. In addition to the general goals and objectives, the submitted applications and proposed development help to implement goals and objectives for social and economic needs, communities and neighbourhoods, residential areas, open space, recreation, cultural heritage, and transportation.

2.3.1 – General

The general goals of the Official Plan are:

- 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.*

The proposed development as a whole implements the following objectives related to these goals:

- a. To establish an efficient, integrated land use pattern that will facilitate optimum growth for the Town of Fort Erie; and*
- c. 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.*

2.3.3 – Communities and Neighbourhoods

The goal of the Official Plan as it relates to the community is:

- 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.*

The proposed design, layout and mix of land uses implements the following objectives related to this goal:

- a. *To utilize Neighbourhood Plans in achieving strong, liveable and healthy communities comprising interconnected vibrant neighbourhoods; and*
- b. *Incorporating urban design elements to achieve attractive and distinct communities and neighbourhoods.*

2.3.5 – Residential

The Residential goals of the Official Plan are as follows:

- 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.*

The proposed mix of housing implements the following objective related to this goal:

- a. *To ensure that housing is provided in a manner that fully implements the intent of the Provincial and Regional housing policies;*

Part 4 – Land Use Plan and Policies

The submitted Official Plan Amendment seeks to reorganize the existing Core Mixed Use and Medium Density Residential land use designations to reflect the organization of the proposed development, and to recognize the proposed development density. The existing Low-Density Residential land use designation will not be retained.

The following is an evaluation of the proposed land use designations against the applicable Official Plan policies and criteria.

4.7.1 – GENERAL RESIDENTIAL POLICIES

Section 4.7.1. I. of the Official Plan provides general policy guidance for all residential areas in the Town, including those within Secondary Plan Areas. These policies are applicable to the proposed apartment building and semi-detached dwellings.

- I. *New residential development within the urban area should proceed in an orderly phased manner to allow land and infrastructure to be used in an efficient manner. Infrastructure should not be extended through unplanned areas and residential development should be able to integrate with existing planned or developed areas.*
 - (a) *To minimize land consumption higher residential densities are encouraged. Neighbourhood Plans may contain an overall gross density and a minimum net residential density for development; and*
 - (b) *In urban areas the overall neighbourhood housing mix in established residential areas shall contain at least: Low Density 80%, Medium Density 10%, and High Density 10%. Alternatively, within greenfield and significant redevelopment areas the housing mix shall contain at least Low Density 70%, Medium Density 15%, and High Density 15%.*

The subject lands are fully serviced and the proposed development is infilling in nature as the lands are surrounded by existing urban development.

The intended Low-Medium-High Residential Density detailed in this policy is reflected in the Official Plan's Land Use schedules. The proposed development generally aligns with the existing Official Plan land use designations; however, the proposed development minimizes land consumption as encouraged in this policy by replacing the Low-Density Residential area with the Medium Density land use designation.

- II. *To meet the future needs for housing the Town will attempt to maintain a suitable supply of lands for new residential development and intensification. Future growth requirements will be determined through discussions and consultation with the Region and included by Amendment to the Official Plan.*

The proposed development will proceed by way of an Official Plan Amendment.

4.8 – CORE MIXED USE

The Core Mixed Use Policies are found in Section 4.8 of the Official Plan. These policies are applicable to the proposed 3-storey mixed use building.

4.8.1 –General Policies

- II. *Core Mixed Use areas are delineated on Schedule "A" of this Plan. These areas consist of a mixture of residential, commercial and institutional uses. Providing a mixture of uses will increase the resident population supporting other permitted uses, strengthen the live/work relationship and promote a healthier living environment by reducing*

vehicular trips and increasing pedestrian and cycling activity for everyday trips. Core Mixed Use areas will be developed within or around downtown areas.

A mixed commercial / residential building is proposed within the area identified as “Core Mixed Use” on Schedule “A” of the Official Plan. The Official Plan Amendment proposes a modification to the Core Mixed Use Boundary to capture the proposed parking area for the mixed-use building which is currently located in the Low Density Residential Area.

- III. Core Mixed Use areas will be identified through the Neighbourhood Plan process then reflected in the Official Plan. These areas will be developed in accordance with the Neighbourhood Plan policies, implementing Zoning By-law provisions.*

The proposed mixed-use development will also be appropriately Zoned through a Zoning By-law Amendment.

4.8.2 – Policies

- I. The Neighbourhood Plan exercise will identify the appropriateness of permitting stand-alone dwelling units, the appropriateness of bed and breakfast establishments, as well as small scale hotels. The Neighbourhood Plan exercise will also address the appropriate height of buildings.*

The proposal does not call for stand-alone residential units, bed and breakfast establishments or a hotel. The Secondary Plan places a 3 storey (12m) height limit in the Core Mixed-use area. The proposed building conforms with this height limit.

- II. Development in the Core Mixed Use area shall be in accordance with approved urban design guidelines. Unless specified otherwise in the Neighbourhood Plan, buildings shall be orientated towards the street front and parking is to be provided to the rear of buildings and accessed from side streets where possible.*

In accordance with this policy, the proposed building is oriented towards the street with ground floor commercial units occupying the road frontage. The parking is located at the rear of the building. Parking access from a side street is not possible.

- III. Single-detached and semi-detached dwellings will be permitted on stand-alone properties subject to proper separation distances from selected commercial uses such as restaurants and taverns and if identified in the Neighbourhood Plan.*

No single-detached or semi-detached dwellings are proposed in the Core Mixed Use designation.

- IV. *Apartment dwelling units (more than 2 units) will be permitted above a Commercial or Institutional use. The appropriateness of stand-alone multiple attached dwelling units will be determined through the Neighbourhood Plan process.*

The proposed apartment units are located on the ground and upper floors, in accordance with the applicable Official Plan and Zoning By-law requirements.

- V. *Residential development should be situated within an area with good pedestrian access and integration to other developments, as well as within an acceptable proximity to public transit if available.*

The subject lands are in walking distance to Ridgeway's commercial core. There are sidewalks on both sides of Ridge Road North to facilitate pedestrian traffic and Ridge Road North is identified as a Bicycle Route in the Secondary Plan.

- VI. *The Town's Zoning By-law shall implement the more detailed policies of the relevant Neighbourhood Plan and key aspects of the urban design guidelines.*

A Zoning By-law Amendment application has been submitted to apply appropriate zone provisions to regulate the proposed mixed-use development.

4.18 – RIDGEWAY-THUNDER BAY SECONDARY PLAN

The Ridgeway-Thunder Bay Secondary Plan provides the framework to guide the growth and development of the Ridgeway-Thunder Bay community over a 20 year planning horizon. The intent of the Secondary Plan as provided in Sections 4.18.2 and 4.18.3 is to guide the growth of the community while respecting the village character.

Section 4.18.4 sets out the objectives of the Secondary Plan as they relate to the vision and intent. The proposed development implements, or otherwise has regard for the following objectives:

- a) *Encourage new development and re-development that respects the unique history of the neighbourhood and is compatible with the existing built environment. Compatibility does not mean the same as.*

The bulk of the proposed development represents mid-block infilling and does not alter the existing streetscape fabric of the area. A new mixed-use building is proposed along Ridge Road North which is consistent with the character of the area.

- b) *Encourage development that supports long term sustainability and provides livable, renewable environments for its residents and businesses.*

The proposed development represents the efficient use of land and infrastructure and supports the long term viability of the community.

- c) Support the commercial areas of the neighbourhood that provide the surrounding residential population with a variety of goods and services, as well as providing for the needs of tourists traveling through and to our community.*

The proposed development contributes additional commercial opportunities and also provides additional residential density which supports the long-term viability of commercial uses.

- d) Provide for a variety of housing alternatives at key locations throughout the neighbourhood with particular focus on intensification and provision for a full range of housing types in and around the downtown core area, along our primary transportation corridors and in locations that are well suited and served by our natural and open spaces areas, connected with pedestrian/trail networks and in proximity of recreational opportunities.*

The proposed development will accommodate 103 additional Medium Density dwelling units as well as an additional 12 dwelling units in the mixed-use building. The development occurs in proximity to downtown Ridgeway and in proximity to parks and transportation networks.

- e) New housing development and re-development will be integrated with existing built up areas, open spaces and natural heritage features. Previously approved subdivision plans will be acknowledged within the neighbourhood planning context and developers of these plans shall be encouraged to work with the municipality in achieving the objectives of this Plan.*

The proposed development occurs within the Built-up area. The site is not constrained by Natural Heritage features.

- l) Provide a full range of housing choices that are coordinated with land use designations and densities that provide for suitable transition and gradation.*

The proposed development will accommodate appropriate forms of housing in areas contemplated in the Secondary Plan. The development contributes to the provision of a full range of housing types that cater to a range of housing need.

- m) Encourage development forms which are compact, to utilize urban land and services efficiently.*

The proposed development is compact and efficient in nature and efficiently uses land and services.

- q) Provide transit supportive design and density that will encourage and maximize ridership by making it convenient to access transit services.*

The proposed development represents a transit-supportive density that supports the viability of providing transit service.

- s) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public / private utilities are provided to adequately service the residents, businesses and institutions of this area. Promote housing development that will provide opportunities to meet with demographic and socioeconomic needs of the Town. A full spectrum of built form and tenure is encouraged if “age-in-place” practice is to be realized.*

The proposed development is supported by a Functional Servicing Report that confirms that adequate service capacity exists for the proposed development.

4.18.5 – Residential - General

The policies under Section 4.18.5 apply to all residential designations within the Secondary Plan.

- a) Section 4.7 of the Town’s Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections herein.*

Conformity to the policies under Section 4.7 has been evaluated.

- b) Schedule “RTB-2” designates areas of residential land use within the Secondary Plan Area and the policies of the respective residential sections shall apply accordingly.*

The Official Plan Amendment seeks to re-designate all of the residential lands as Medium Density Residential. Conformity to the applicable policies for the Medium Density Residential area is provided under the applicable heading in this Report.

- c) The Plan provides for initial areas of Low and Medium density residential that promotes age-in-place opportunities, meets provincial intensification targets, supports the Downtown village environment and walkable communities. Other locations for increased densities will only be considered by demonstration of land use compatibility and compliance with the criteria provided for under Sections 13.10.2 and 4.18.7d).*

Section 13.10.2 deals with Bonus Zoning which is not proposed for this development. Conformity to Section 4.18.7d) is evaluated under the applicable heading in this report.

- d) *The Secondary Plan anticipates an additional 975 dwelling units with the projected increase in new residential population of approximately 2400 persons in the neighbourhood over the long term. Current population at the end of 2012 is estimated to be 4500 persons.*

The proposed development within the Residential area contains 103 dwelling units and contributes to the accommodation of anticipated growth in the Secondary Plan Area.

- e) *An appropriate level of affordable housing and senior citizen's housing shall be considered by the Town when reviewing development applications proposed within the Plan Area, in keeping with Provincial Policy. Such developments shall be integrated with other forms of housing rather than segregated and isolated in order to provide a more cohesive and inclusive neighbourhood. In doing so, the opportunities for age-in-place are also supported and extended to a broader socio-economic base.*

At this stage, no affordable housing as defined by the Province or senior citizen's housing is proposed. Notwithstanding, the proposed development accommodates housing that is attainable at a range of affordability levels and which caters to individuals at various stages in the life cycle.

- f) *The Town will consult developers regarding intensifying their existing draft approved plans of subdivision, provided the locations are suitable for increase and consistent with locational criteria defined under Section 4.18.7d).*

The subject lands do not have existing draft approval.

- g) *Only through development activity where an EIS has been required will actual development potential be confirmed. Recognition that impacts may affect ultimate unit yield shall be afforded to this Plan and the stated projections may change accordingly.*

The subject lands do not contain any natural heritage features identified under the Town's Official Plan.

4.18.7. Medium Density Residential

- a) *The lands designated on the Schedule "RTB-2" as "Medium Density Residential" shall be reserved for multiple-unit structures (townhomes and apartment dwellings), their accessory uses and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.*

The proposed apartment building and semi-detached dwellings will retain the Medium Density Residential designation. The submitted Official Plan Amendment includes a modification to the

Medium Density boundary. The apartment building is specifically mentioned as a permitted use in the Medium Density Area. While not specifically identified, semi-detached dwellings are a multiple-unit structure and are therefore appropriate for the Medium Density Residential Area.

- b) An overall minimum target of 20% Medium Density residential unit yield shall be anticipated within the Neighbourhood. In effort to achieve this target, medium density dwellings should comprise a minimum of 40% of all new development. Medium Density range of 25 to 75 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.*

The proposed development will assist the municipality in achieving an appropriate amount of Medium-Density residential accommodations while providing for diverse Medium Density residential typologies. The proposed development accommodates 103 dwelling units on 1.194 hectares of Medium Density land representing a density of 86.26 units per hectare. The Official Plan Amendment recognizes the proposed density as it is above the prescribed Medium Density Residential range.

- c) Schedule "RTB-2" provides for approximately 410 new Medium Density units, bringing the total for projected Medium Density units to approximately 610 over the long term.*

The proposed development will contribute 103 new Medium Density Residential dwelling units.

- d) Medium Density development is identified on Schedule RTB-2. Additional areas will also be considered by zoning by-law amendment for areas meeting one or more criteria as outlined below:*

- 1. within walking distance to the Downtown Core Mixed Use;*
- 2. within walking distance to the Gorham Commercial Gateway;*
- 3. preferably along arterial and collector roads within the Plan Area;*
- 4. in close proximity to amenity spaces such as Parks, Open Space/Trails or Natural Feature Areas.*

A portion of the subject lands have already been designated as Medium Density Residential in accordance with these policies. The Official Plan Amendment also seeks to extend the Medium Density residential designation onto lands currently designed as Low Density Residential. This designation is appropriate as the lands are contiguous with the existing Medium Density area, are adjacent to the Downtown Core Mixed Use area, and are located on a collector road (Ridge Road North).

e) The Town shall encourage and may request medium density be included in proposals where, in the opinion of the Town, medium density is appropriate and meets with the identified locations defined in paragraph d) herein.

According to this Policy, the designation of additional Medium Density Residential lands is desirable. The lands proposed to be designated from Low Density to Medium Density Residential meet the criteria as previously evaluated.

f) Developers with existing draft approved plans of subdivision within the Plan Area will be encouraged to consider modifying their plans to incorporate medium density that is in keeping with the locational criteria described in paragraph d) herein.

The subject lands do not have existing draft approval.

g) It is anticipated that the majority of the Medium Density unit yield will be in the form of ground-based dwellings such as street or block townhouse development. Low-rise apartment dwellings will generally be restricted to 4 storeys in height. Medium Density apartment building height beyond 4 storeys will only be allowed by Zoning By-law Amendment with required supporting studies such as a visual impact assessment or shadow study, where in the opinion of the Town such impacts may be realized, demonstration of compatibility and consideration of built heritage for areas adjacent to the downtown Core Mixed Use area.

The proposed Medium Density development consists of ground-based semi-detached dwellings and a low-rise apartment building.

The proposed apartment building is 4-storeys in height. Significant separation is provided between the proposed building and adjacent properties to minimize impacts. A Shadow Analysis has been provided with the applications which shows that the development does not result in negative shadowing impacts on adjacent properties.

h) Areas of Medium Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.18.12.3 of this Plan. Development, redevelopment or expansion to existing use may require further environmental study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.

The subject lands are not impacted by the Environmental Conservation overlay.

i) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.

The development is subject to Site Plan control in accordance with this policy.

Part 5 – Urban Form and Housing

As noted in Section 5.1 of the Official Plan, the policies under Section 5 work in conjunction with the other policy sections to provide for safe and healthy communities through a specific policy stream that promotes community health and wellness. The policies under this Section promote a fulsome approach to the planning process.

Section 5.3 encourages the provision of a mix of housing types on a variety of lot sizes to serve the needs of various sectors and income levels in the community. The proposed development includes a variety of housing forms including apartment and semi-detached dwellings. The proposed housing mix caters to a wide range of housing needs and affordability levels within the community.

Section 5.5 states that a Neighbourhood Plan is to be a general guide for the development or redevelopment of a neighbourhood.

Policy 5.6 encourages that a distinct character for each neighbourhood be established through the road pattern and building height and elements. Schedule A-1 to the Official Plan identifies that the subject lands are located within the Ridgeway-Thunder Bay Neighbourhood. The Ridgeway-Thunder Bay Secondary Plan is the land use document that guides growth and development within the Ridgeway-Thunder Bay Neighbourhood.

Overall, the proposed development conforms to Section 5 of the Official Plan in providing development that is integrated within the existing community, and that accommodates a range of housing options.

Part 12 – Servicing and Utilities

Section 12 of the Official Plan outlines the Town's goals and priorities with respect to public services and utilities. The subject property has access to the public utilities that service the surrounding residential area.

The Official Plan encourages the efficient use of infrastructure where feasible, to minimize undue costs to the municipality in providing and maintaining infrastructure. In order to ensure the appropriate provision and use of utilities, development applications are required to be evaluated to determine the capability of available infrastructure to support the proposed development.

In conformity to the Official Plan, the proposed development will help to optimize the efficient use of existing municipal infrastructure and a Functional Servicing report has been prepared by

Robert E. Dale Limited Consulting Engineers and submitted with the application which outlines the servicing strategy for the proposed development. The Functional Servicing Report confirms that the existing municipal infrastructure has sufficient capacity to accommodate the proposed development.

Part 13 – Implementation

13.7 – Amendments to the Land Use Plan, Schedule “A”

Section 13.7 of the Official Plan states that Council must have due regard for the following criteria when considering amendments to the Official Plan:

a) The need for the proposed use;

The proposed amendment will provide additional commercial and residential accommodations in the Ridgeway downtown area.

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

The proposed development is anticipated by the Secondary Plan and the proposed amendment largely involves modifications to the existing land use designations.

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

The site is not constrained by environmental features and there are no other impediments to the proposed development.

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

i. the adequacy of the existing and proposed highway system in relation to the development of such proposed areas,

The Traffic Impact Assessment and Addendum confirm the adequacy of the existing highway system.

ii. the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto, and

These matters are also considered in the Traffic Impact Assessment and Addendum.

- iii. *the adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations of the Ministry of the Environment and the Regional Niagara Public Health Department and any other appropriate authority deemed advisable.*

These matters are considered in the Functional Servicing Report.

- e) *The compatibility of the proposed use with uses in adjoining areas;*

The development is adjacent to existing commercial and residential uses and is compatible with these existing uses.

- f) *The effects of such proposed use on the surrounding area in respect of the minimizing of any possible depreciating or deteriorating effect upon adjoining properties;*

The proposed development represents the revitalization of vacant lands and no depreciating impacts are anticipated.

- g) *The potential effect of the proposed use on the financial position of the municipality; and*

The development will yield development charges and property taxes for the municipality and also strengthens the downtown Ridgeway area.

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

None.

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

EXISTING ZONING

The subject lands are currently zoned as Core Mixed Use 4 (CMU4) in part, Residential 1 (R1) in part and site specific Residential Multiple 1 (RM1-260(H)) in part (see **Figure 18**). The existing Zoning categories reflect the Core Mixed Use, Low Density Residential and Medium Density Residential Official Plan designations, respectively.

The site-specific RM-1 (RM1-260) Zoning was implemented for a development consisting of 2 single detached dwellings and 19 block townhouse dwellings which was never constructed.

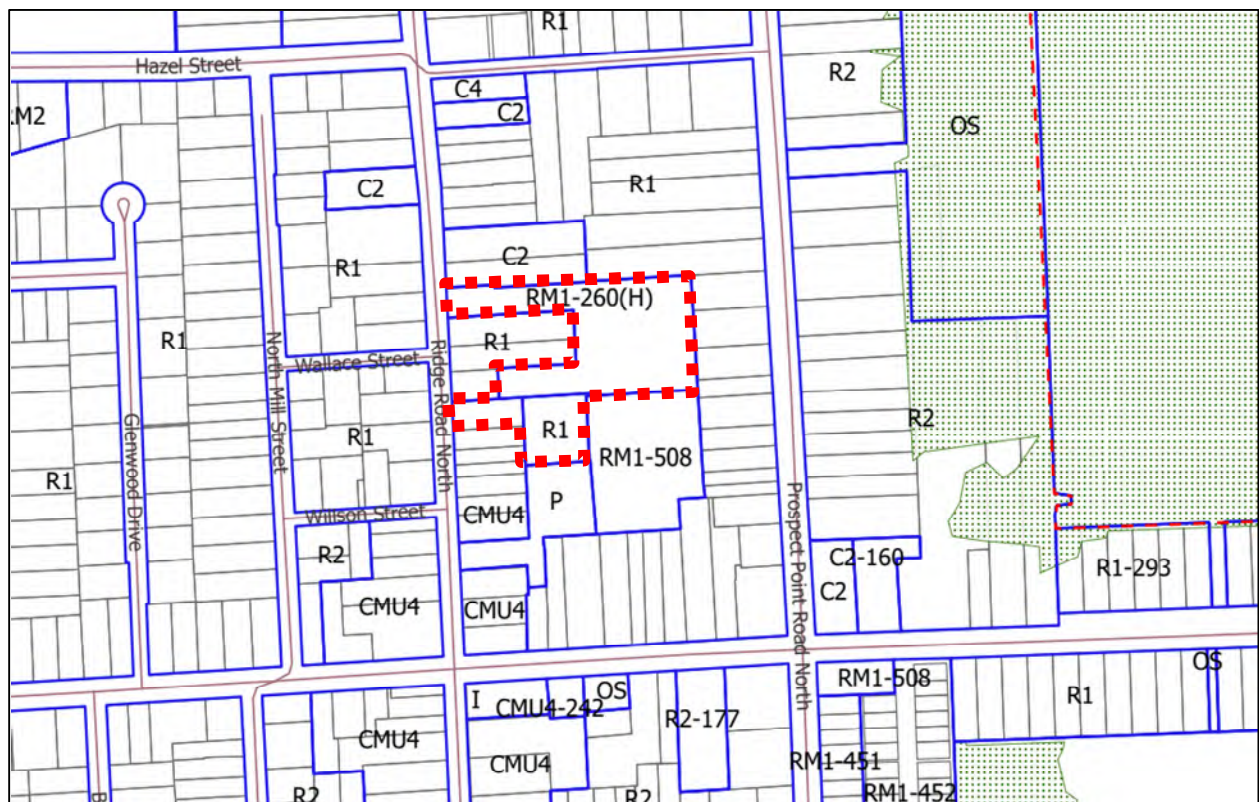


Figure 15 - Existing Zoning Information (Schedule 'A' Map 19, Comprehensive Zoning By-law 129-90)

PROPOSED ZONING

A Zoning By-law Amendment application has been submitted to establish the necessary land use and built-form permissions to facilitate the proposed development.

The Residential Multiple 2 (RM2) Zone is proposed to be applied to the apartment building and semi-detached dwellings. The Core Mixed Use 4 (CMU4) Zone boundary is proposed to be expanded to capture the parking area for the proposed mixed-use building.

The proposed zoning categories are shown in **Figure 17** and are described and evaluated further below.

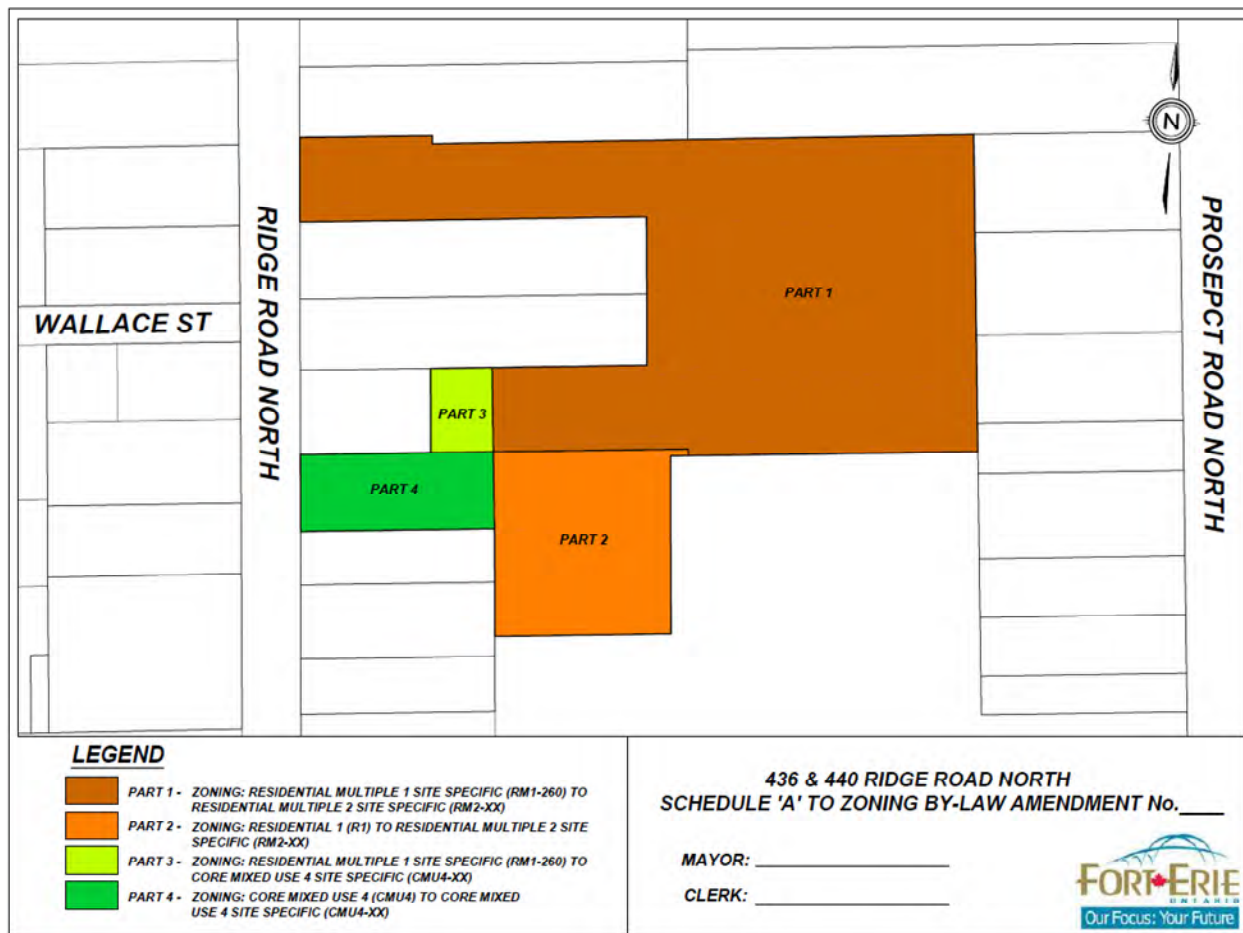


Figure 16 - Proposed Zoning Schedule

Residential Multiple 2 (RM2) Zone

The Residential Multiple 2 (RM2) Zone is the zone category in the Town’s Zoning By-law which permits and regulates apartment buildings. Site-specific provisions are proposed to permit and regulate semi-detached dwellings within the RM2 Zone whereas they are typically contained in the Residential 3 (R3) Zone. The inclusion of the semi-detached dwellings in the RM2 Zone avoids having multiple zones on one lot and allows for the development to be regulated more comprehensively. Site-specific zone provisions are also requested for the apartment building.

Table 1 compares the proposed apartment building and semi-detached dwellings against the applicable zoning regulations. The provisions for semi-detached dwellings contained within the R3 Zone category are included for comparison and are identified accordingly.

An evaluation of the requested site-specific relief is provided below the Table.

By-law 129-90 – Section 15 – Residential Multiple 2 (RM2) Zone				
Provision	Requirement		Provided	Proposed Provision
Minimum Lot Frontage	30m		21.9m (as existing)	20m
Minimum Lot Area	115 sq.m. per unit (115 x 103 units = 1.185 ha)		1.193 ha	No Change
Maximum Lot Coverage	40%		49.86%	50%
Minimum Front Yard	7.5m		107.3m	No Change
Minimum Interior Side Yard	Apartment	½ the building height, or 4m whichever is greater	3.7m to the apartment building 2.1m to the balcony 2.1m to the parking garage	3.5m to the apartment building 2.0m to a balcony 2.0m to the covered parking area
	Semis*	1.2m plus an additional .5m for every storey or part thereof above the ground floor	1.2m	From a side wall: 1.2m From an end wall: 4.6 meters to the main building

				2.3 meters to a covered terrace
Minimum Exterior Side Yard	Apartment	½ the building height, or 6m, whichever is greater	N/A	
	Semis*	3m		
Minimum Rear Yard	Apartment	½ the building height, or 7.5m, whichever is greater	7.7m to the apartment building 6.1m to the balcony 2.0m to the parking structure	7.5m to the main building 6.0m to a balcony 2.0m to a parking structure
	Semis*	6m	N/A	
Minimum Floor Area per Dwelling Unit	Bachelor Unit – 40 sq.m. One-Bedroom Unit – 50 sq.m. Two Bedroom Unit – 60 sq.m. Unit comprising 3 or more bedrooms – 79 sq.m. plus 7 sq.m. for each bedroom in excess of 3		Two Bedroom Unit – 60.0 sq.m.	No Change
Maximum Height	Apartment	9 storeys or 26 meters, whichever is greater	4 storeys – 17 meters	No Change (per RM2 requirement)
	Semis*	2.5 storeys 9m	3 storeys 11 meters	
Landscaped Area	For every lot on which the buildings or structures are situated, there shall be provided and maintained on the lot at least 25 percent of the lot area as a landscaped area unused for access or maneuvering space or parking space or any other purpose other than landscaped area and playground		23.72%	23%
15.4 – Minimum Distance Between Any Abutting Residential Zone And Driving Lanes Or Parking Areas				
No driving lane shall be closer than 3 metres to any lot line abutting any Residential Zone			1.9m	1.9m
No parking area shall be closer than 3.0 metres to any lot line abutting any Residential Zone, except that the regulations governing the location of a driving lane and a parking area in relation to a lot line shall not apply to			3.0m	No Change

prevent the use of a jointly owned driving lane or parking area which serves two row house dwellings on adjoining lots.			
6.20 – Parking Requirements			
Minimum Parking Requirement	Apartment	1.5 spaces per dwelling unit (=137 spaces required)	123 spaces 1.2 spaces per dwelling unit
	Semis	1 space per dwelling unit (=24 spaces required)	24 spaces No Change

* R3 Zone Requirement

Site Specific Relief

Minimum Lot Frontage

The RM2 Zone provisions require a minimum lot frontage of 30 meters. A reduction in lot frontage to 20 meters is requested to recognize the existing property frontage on Ridge Road North. The intent of the minimum lot frontage in the RM2 Zone is to provide sufficient lot width to accommodate apartment buildings and associated development. The subject property has unique geometry and the proposed development is not contained within the lot frontage as anticipated in the Zoning By-law, but rather at the rear of the property where the lot widens and provides a large development envelope which can easily accommodate the apartment building and semi-detached dwellings. The existing road frontage accommodates the driveway entrance with landscaping on each side and is sufficiently wide for this purpose. For these reasons, the reduction in minimum lot frontage is appropriate.

Maximum Lot Coverage

An increase in maximum lot coverage from 40% to 50% is requested for the proposed development. The requested lot coverage value accounts for the combined lot coverage of the apartment building (including the parking garage) and the semi-detached dwellings. Separately, the apartment building occupies 39.8% of the lot area, and the semi-detached dwellings occupy 10.06% of the lot area.

The proposed lot coverage is appropriate as the proposed development effectively balances adequate separations, parking supply, and amenity space to enable the functionality of the development without negatively impacting existing uses.

Furthermore, the increased lot coverage will not result stormwater impacts for adjacent lands as the stormwater management strategy detailed in the Functional Servicing Report (Robert E.

Dale Limited Consulting Engineers) accounts for the proposed coverage and associated site imperviousness.

Minimum Interior Side Yard

Apartment Building

Site-specific minimum interior side yard setback provisions are requested for the proposed apartment building. The requested provisions differentiate between the setback from the apartment building, the balconies and the one-storey parking structure attached to the rear of the building to recognize the difference in scale and massing between these elements.

A minimum interior side yard setback of 3.5 meters is requested for the apartment building. This reflects the setback between the north west corner of the building and the corresponding lot line. This setback is justifiable as the building is located mid-block and is not directly adjacent to the lower-density dwellings located along Ridge Road North and Prospect Point North which may suffer negative impacts from a reduced setback to an apartment building. The building remains appropriately separated from these adjacent uses and additional buffering is proposed including fencing and tree plantings along the property lines.

A minimum interior side yard setback of 2.0 meters is requested for balconies to recognize the fact that the balcony projects past the main wall of the building. The Zoning By-law requires that balconies (above 1.5 meters in height above grade) have the same setback as the main building. This provision affects the balconies on the south side of the building which abut vacant Town-owned land which is identified in the Ridgeway Thunder Bay Secondary Plan as a future parking lot. As such, the proposed balcony setback will not cause negative impacts to sensitive uses. The balconies remain appropriately separated from the property line and the proposed setback maintains enough space to accommodate landscaping.

An interior side yard setback of 2.0 meters is requested for the parking structure. The proposed parking structure is proposed to be 1 storey and 3.7 meters in height with a flat roof, and does not have the same shadowing and massing impacts as the main building. Tree plantings are proposed around the parking structure which will provide an additional layer of separation and buffering to the adjacent residential properties.

Semi-detached Dwellings

A minimum interior side yard setback of 1.2 meters is requested for the semi-detached dwellings. This setback represents the distance between the northernmost semi-detached dwellings and the adjacent lot line. The adjacent property does not contain any structures in the area adjacent to the proposed dwellings and the setback does not negatively impact

existing uses. Furthermore, the provided setback enables access to the rear of the dwelling units as intended by the interior side yard setback. For these reasons, the reduced setback can be considered to be appropriate.

Minimum Rear Yard

The proposed site-specific zoning provisions include a reduction in rear yard setback for the apartment building. These provisions are not applicable to the semi-detached dwellings, as they do not abut the rear lot line and therefore do not have a “rear yard” as defined in the Zoning By-law.

As with the interior side-yard setback provisions requested for the apartment building, different rear yard setbacks are requested for the main building, the balconies, and the parking garage.

A rear yard setback of 7.5 meters to the main building is requested. This allows for the main bulk of the building to be located away from adjacent property lines which reduces visual impacts such as shadowing. As demonstrated by the shadow diagrams, negative shadowing impacts from the apartment building onto adjacent properties is not anticipated, and the placement of the building is therefore appropriate.

A rear yard setback of 6 meters to the balconies is requested. This recognizes the fact that the balcony projects past the main wall of the building. The Zoning By-law otherwise requires balconies to have the same setback as the main building, however it is deemed appropriate to allow balconies to project past the main building wall as they do not have the same bulk and massing impacts as the main building. The proposed 6 meter setback provides appropriate separation to promote privacy from adjacent residential properties while simultaneously providing a functional balcony. Landscape plantings are also proposed along the common property line to provide additional buffering and privacy.

A minimum rear yard setback of 2 meters to the parking structure is proposed. As with the minimum interior side yard setback to the parking structure, a lesser setback is appropriate as the parking structure is 1 storey in height and does not pose the same massing or shadowing impacts as the main building. The proposed landscape plantings along the property line will further help in buffering the parking structure from adjacent properties.

Minimum Distance from a Driving Lane to a Residential Zone

A setback of 1.9 meters from the driving lane to a residential zone is requested whereas the Zoning By-law requires a setback of 3.0 meters be provided. This represents the setback from the driving lane on the south side of the apartment building to the corresponding lot line which abuts a residential zone.

The adjacent property to the south is currently vacant and the reduced setback therefore will not impact any uses here. The requested provision will also recognize the setback between portions of the driving lane on the north side of the subject lands. In these areas, the portions of the driving lane nearest to the adjacent property are the terminus of the driving lane and will not accommodate notable traffic flows. Tree plantings are also proposed along this property line which will enhance the buffering and separation.

Minimum Landscaped Area

A reduction in minimum landscaped area from 25% to 23% is proposed.

This is a minor reduction which does not impact the ability to accommodate appropriate landscape plantings to buffer the proposed development from adjacent uses. Furthermore, the reduced landscaped area will impact the ability to achieve appropriate stormwater quantity and quality controls in accordance with the Functional Servicing Report (Robert E. Dale Limited Consulting Engineers), ensuring that neighbouring properties do not experience stormwater issues associated with the proposed development.

The on-site landscape areas are also supplemented by private outdoor amenity areas. The apartment building includes private balconies and a large rooftop terrace above the parking as common amenity for residents. The rooftop terrace for the apartment building is 1,468m², representing approximately 12% of the total lot area, efficiently leveraging this otherwise underutilized space. The semi-detached dwellings also include balconies and terraces for outdoor amenity. While the Zoning By-law does not allow these areas to be counted as landscaped areas, they provide the same amenity function in allowing for outdoor recreation for residents.

Minimum Parking Requirement

A reduction in minimum parking requirements from 1.5 spaces per apartment unit to 1.2 spaces per apartment unit is proposed. No parking reduction is requested for the semi-detached dwellings.

The proposed parking reduction is justified in the Traffic Impact Addendum (Paradigm Transportation Solutions), which compared the anticipated parking demand for the apartment building and compared it with the proposed parking supply. Based on nationally-recognized trip generation forecasting, the parking demand for the apartment building is 81 parking spaces. The proposed parking supply of 123 spaces therefore represents a surplus of 42 parking spaces above the anticipated demand. The requested parking reduction allows for more efficient land use patterns, while still accommodating the vehicular parking needs for the apartment building.

Mixed-Use Building

The portion of the subject lands containing the mixed use building is already Zoned as Core Mixed Use 4 (CMU4) which permits mixed-use buildings. The CMU4 Zone boundary is also proposed to be extended through the subject Zoning By-law Amendment to capture the parking area for the proposed mixed-use building.

Table 3 provides an overview of conformity to the applicable CMU4 Zone provisions. A single site-specific provision is requested to permit a minor reduction in minimum residential open space. An evaluation of this site-specific provision is provided under the Table.

Table 2 – Zoning Conformity – Mixed Use Building			
By-law 129-90 – Section 26D: Core Mixed Use 4 (CMU4) Zone			
Provision	Requirement	Provided	Proposed Regulation
Section 26-D.3 – Zone Regulations			
Minimum Lot Frontage	0m	20.1m	No Change
Minimum Lot Area	0 sq.m.	1.3ha	No Change
Minimum Front Yard	0m	0m	No Change
Minimum Interior Side Yard	0m except the minimum side yard abutting a residential zone shall be 2.5m	2.0m (abutting CMU4 Zone)	No Change
Minimum Exterior Side Yard	0m	N/A	No Change
Minimum Rear Yard	4.5m except the minimum rear yard abutting a residential zone shall be 10m	15.2m (abutting residential Zone)	No Change
Maximum Building Height	i) 3 storeys ii) 12m	3 storeys 12m	No Change
Minimum Building Height	2 storeys		No Change
Required Parking	Commercial uses within the CMU4 Zone shall be exempted from the parking and loading requirements of this By-law with the exception of buildings containing dwelling units where the provisions of Subsection 26D.4 shall apply.	No Parking provided for the Commercial units	No Change
26D.4 – Regulations for Dwelling Units in a Mixed-Use Building (in accordance with Section 18.3)			

Location	Permitted in the same building as the permitted commercial use(s) and in other than the basement or cellar. Dwelling units shall be permitted to occupy a maximum of 49% of the ground floor area of buildings, provided that no part of such dwelling unit, except for the entranceway has frontage onto a public street	Dwelling units are located in the same building as commercial uses. Dwelling units occupy 42% of the ground floor area. Dwelling units do not front on a public street	No Change
	Not permitted in combination with one or more of the following uses: <ul style="list-style-type: none"> • Car wash • Automobile service station • Public garage • Bingo hall • Taxi establishment • Dry cleaning plants • Motor vehicle sales room and car sales lots 	N/A	No Change
Minimum Floor Area per Dwelling Unit	Bachelor Unit – 40 square meters	N/A	No Change
	One-bedroom unit – 50 square meters	55 sq.m	
	Two-bedroom unit – 60 square meters	66 sq.m	
	Three or more bedrooms – 70 square meters	N/A	
Minimum Parking Requirements	In addition to the minimum number of parking spaces required for the principal use of the lot, a minimum of one parking space per dwelling unit shall be provided on the same lot.	12 parking spaces (1 space per unit)	No Change
Residential Access	Each dwelling unit shall have a separate and private entrance from the outside or a common hallway.	Each dwelling unit has a private entrance from a common hallway	No Change
Residential Open Space	A minimum of 18.5 sq. m. of open area shall be provided on-site for the exclusive use of each dwelling unit. Where the open area is provided by way of private open-air balcony space directly adjoining a residential unit, a minimum of 10.5 sq m per unit shall be provided.	17.33 sq.m (no balconies)	17 sq.m

Site Specific Relief

Residential Open Space

The site-specific zoning for the mixed-use building requests a reduction in residential open space from 18.5 square meters per dwelling unit to 17 square meters per dwelling unit. This is a nominal reduction which does not frustrate the intent of the open space provision as functional outdoor space is being provided on site.

PLANNING POSITION

Combined Official Plan and Zoning By-law Amendment applications have been submitted to facilitate the development of the lands known municipally as 436, 440 and 0-8481 Ridge Road North with a 91-unit, 4-storey apartment building, 12 semi-detached dwellings and a 3-story mixed-use building containing 3 commercial units and 12 dwelling units.

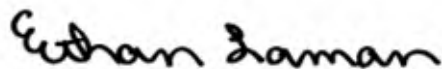
The proposal generally aligns with the existing permissions for the subject lands outlined in the Ridgeway-Thunder Bay Secondary Plan. The proposed Amendments represent minor alterations to these permissions to accommodate the development proposal.

The applications and proposed development are appropriate and desirable from a Provincial and Regional growth management perspective as they will facilitate growth in the Built-up Area by way of intensification, contribute to the provision of a mix of land uses, a full range of housing options, and provide for the efficient use of land and infrastructure.

The proposed development is supported by the necessary professional reports and studies which confirm that the proposed development can be effectively accommodated without negatively impacting existing land uses.

The applications satisfy the requirements under the *Planning Act*, are consistent with the Provincial Policy Statement and conform to the Growth Plan and the Niagara Official Plan and align with the overarching goals and objectives of the Town of Fort Erie Official Plan. The applications represent good planning, and should therefore be supported.

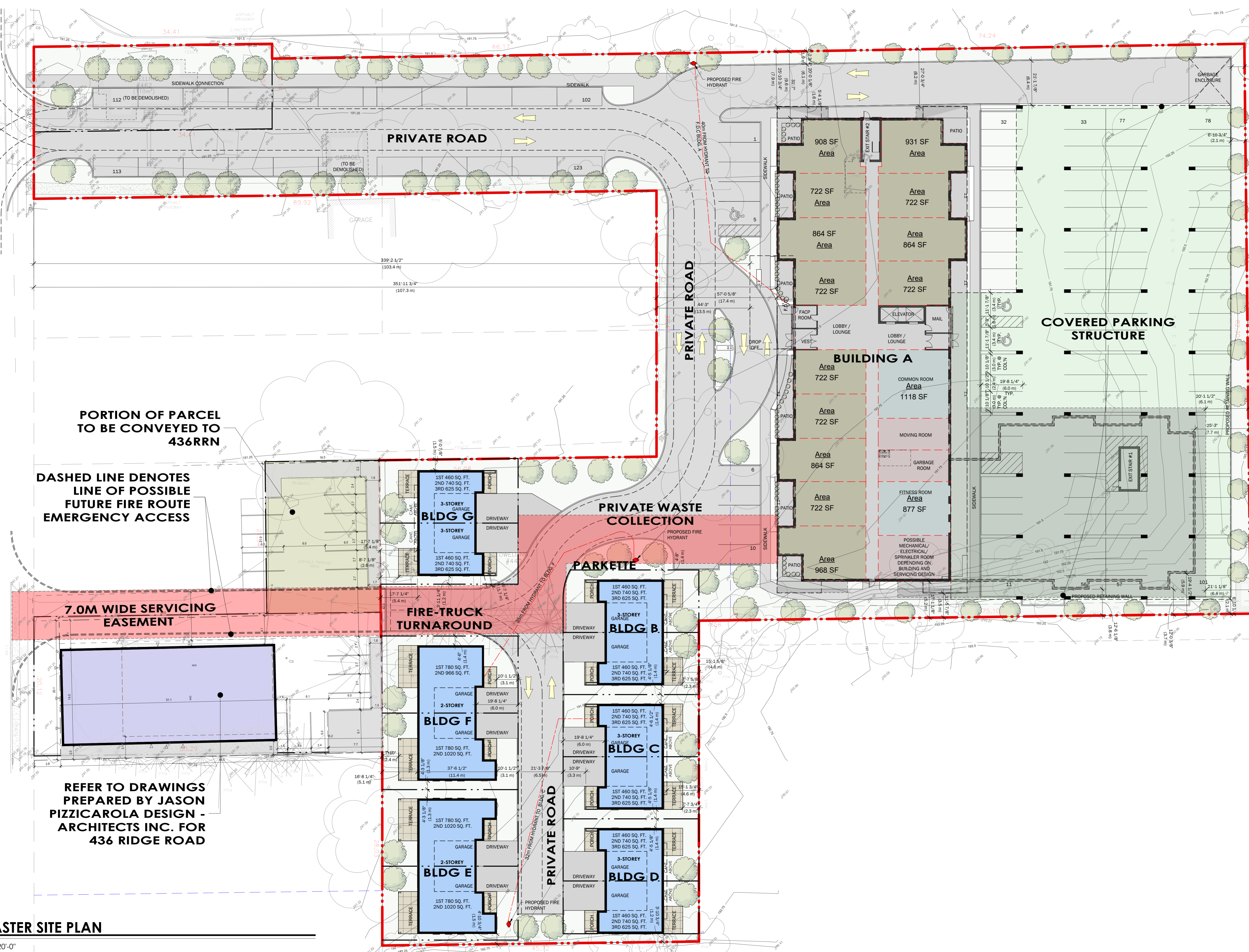
Submitted by,



Ethan Laman, BURPI, MCIP, RPP
Planner
Upper Canada Consultants

Appendix I
Site Plan, Floor Plans, Elevations, Shadow Diagrams

RIDGE ROAD NORTH



PORTION OF PARCEL TO BE CONVEYED TO 436RRN

DASHED LINE DENOTES FUTURE FIRE ROUTE EMERGENCY ACCESS

7.0M WIDE SERVICING EASEMENT

REFER TO DRAWINGS PREPARED BY JASON PIZZICAROLA DESIGN - ARCHITECTS INC. FOR 436 RIDGE ROAD

MASTER SITE PLAN

1" = 20'-0"

UNIT STATISTICS FOR 4-STORY RESIDENTIAL APARTMENT BUILDING (FINAL UNIT COUNTS AND SQUARE FOOTAGES TO BE DETERMINED AT DESIGN DEVELOPMENT STAGE)

1ST FLOOR	13 UNITS
2nd FLOOR	24 UNITS
3rd FLOOR	26 UNITS
4th FLOOR	26 UNITS

TOTAL UNITS: 91 UNITS

ZONING MATRIX AND SITE STATISTICS

Apartment Building		
By-law 129-90 – Section 15 – Residential Multiple 2 (RM2) Zone		
Provision	Requirement	Provided
Section 15.3 – Regulations for Apartment Dwellings		
Minimum Lot Frontage	30m	21.9m
Minimum Lot Area	115 sq.m. per unit (115 x 91 units = 1,047 ha)	1,193 ha
Maximum Lot Coverage	40%	39.8%
Minimum Front Yard	7.5m	107.3m
Minimum Interior Side Yard	1/2 the building height, or 4m whichever is greater	3.7m to the apartment building, 2.1m to a balcony, 2.1m to the parking garage
Minimum Exterior Side Yard	1/2 the building height, or 6m, whichever is greater	N/A
Minimum Rear Yard	1/2 the building height (8.5m), or 7.5m, whichever is greater	7.7m to the apartment building, 6.1m to a balcony, 2.0m to the parking structure
Minimum Floor Area per Dwelling Unit	Bachelor Unit – 40 sq.m. One-Bedroom Unit – 50 sq.m. Two Bedroom Unit – 60 sq.m. Unit comprising 3 or more bedrooms – 79 sq.m. plus 7 sq.m. for each bedroom in excess of 3	Two Bedroom Unit – 60 sq.m.
Maximum Height	9 storeys or 26 meters, whichever is greater	4 storeys – 17 meters
Landscaped Area	For every lot on which the buildings or structures are situated, there shall be provided and maintained on the lot at least 25 percent of the lot area as a landscaped area unused for access or maneuvering space or parking space or any other purpose other than landscaped area and playground	23.72%
Apartment Building		
By-law 129-90 – Section 15 – Residential Multiple 2 (RM2) Zone		
Provision	Requirement	Provided
Section 15.3 – Regulations for Apartment Dwellings		
15.4 – Minimum Distance Between Any Abutting Residential Zone And Drivng Lanes Or Parking Areas		
No driving lane shall be closer than 3 metres to any lot line abutting any Residential Zone		1.9m
6.20 – Parking Requirements		
Minimum Parking Requirement	1.5 spaces per dwelling unit (91 dwelling units x 1.5 spaces = 137 spaces required)	1.26 spaces per dwelling unit (123 parking spaces)

Semi-detached Dwellings

By-law 129-90 – Section 13: Residential Three (R3) Zone		
Provision	Requirement	Provided
Section 13.4 – Regulations for Semi-detached Dwellings		
Minimum Lot Frontage	9.5m	21.9m
Minimum Lot Area	10.5m for a corner lot	21.9m
Maximum Lot Coverage	30% sq.m.	11.93 ha
Minimum Front Yard	40%	10.06%
Minimum Interior Side Yard	6m to garage 3m to other parts of dwelling	6m to garage 3m to other parts of dwelling
Minimum Exterior Side Yard	1.2m plus an additional 0.5m for every storey or part thereof above the ground floor; except where no private garage or carport is provided a side yard of not less than 3.0m on one side of such semi-detached dwelling is required	1.2m
Minimum Rear Yard	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no closer than 6m to the exterior side lot line	N/A
Minimum Rear Yard	6m	N/A
Maximum Height	i) 2.5 storeys ii) 9m	3 storeys 11m
6.40 – Covered or Uncovered Porches, Balconies, Decks and Patios (Above 1.5m above grade)		
Minimum Setback to Interior Side Lot Line	Required Building Setback	1.2m

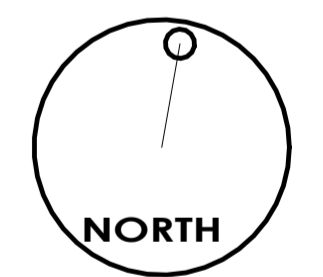
PRELIMINARY FOR DISCUSSION PURPOSES ONLY

All contractors and/or trades shall verify all dimensions, notes, site and report any discrepancies prior to commencement of the work. This drawing not to be scaled, all drawings, prints and related documents are the property of the architect and must be returned upon request. Reproduction of drawings and related documents in part or in whole is strictly forbidden without written consent. Drawings to be for the purpose for which they are issued.

No.	Description	Date
01	CONCEPT PACKAGE (WITH ELEVATIONS)	08/11/2022
02	REVISED SITE DESIGN	09/13/2023
03	COORDINATION WITH CIVIL	10/30/2023

PROPOSED RESIDENTIAL DEVELOPMENT

436 RIDGE ROAD NORTH, FORT ERIE, ONTARIO



A · C · K
architects
STUDIO INC.

SITE PLAN

SHEET TITLE

PROJECT NUMBER: 2021-292
DATE: JANUARY 2022
DRAWN BY: JMR/JC
CHECKED BY: MDA
SCALE: AS SHOWN

SP1

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UNIT STATISTICS FOR 4-STOREY RESIDENTIAL APARTMENT BUILDING
 (FINAL UNIT COUNTS AND SQUARE FOOTAGES TO BE DETERMINED AT DESIGN DEVELOPMENT STAGE)

1ST FLOOR	13 UNITS
2nd FLOOR	26 UNITS
3rd FLOOR	26 UNITS
4th FLOOR	26 UNITS

TOTAL UNITS: 91 UNITS

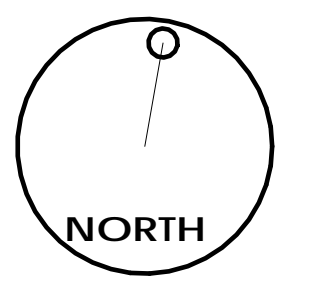
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No.	Description	Date
01	CONCEPT PACKAGE (WITH ELEVATIONS)	08/11/2022
02	REVISED SITE DESIGN	09/13/2023
03	COORDINATION WITH CIVIL	10/30/2023

PROPOSED RESIDENTIAL DEVELOPMENT

436 RIDGE ROAD NORTH, FORT ERIE, ONTARIO



SHEET TITLE

TYPICAL 2ND 4TH FLOOR PLATES

PROJECT NUMBER:	2021-292
DATE:	JANUARY 2022
DRAWN BY:	JMR/IC
CHECKED BY:	MDA
SCALE:	AS SHOWN

A1

2ND - 4TH FLOOR PLATES
 SCALE: 1/8"=1'-0"

2023-1-01 10:10:40 AM



FRONT ELEVATION MULTI RES BUILDING

1/8" = 1'-0"

PRELIMINARY FOR DISCUSSION PURPOSES ONLY

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No.	Description	Date
01	CONCEPT PACKAGE (WITH ELEVATIONS)	08/11/2022
02	REVISED SITE DESIGN	09/13/2023
03	COORDINATION WITH CIVIL	10/30/2023



PROPOSED RESIDENTIAL DEVELOPMENT

436 RIDGE ROAD NORTH, FORT ERIE, ONTARIO

A · C · K
architects
STUDIO INC.

SHEET TITLE
FRONT ELEVATION MULTI RES BUILDING

PROJECT NUMBER: 2021-292
DATE: JANUARY 2022
DRAWN BY: JMR/IC
CHECKED BY: MDA
SCALE: AS SHOWN

A2



FRONT ELEVATION 3-STOREY TOWNES

3/16" = 1'-0"

PRELIMINARY FOR DISCUSSION PURPOSES ONLY

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No.	Description	Date
01	CONCEPT PACKAGE (WITH ELEVATIONS)	08/11/2022
02	REVISED SITE DESIGN	09/13/2023
03	COORDINATION WITH CIVIL	10/30/2023



FRONT ELEVATION 2 STOREY TOWNES

3/16" = 1'-0"

PROPOSED RESIDENTIAL DEVELOPMENT

436 RIDGE ROAD NORTH, FORT ERIE, ONTARIO



SHEET TITLE

TOWNHOUSE STREET ELEVATIONS

PROJECT NUMBER: 2021-292
 DATE: JANUARY 2022
 DRAWN BY: JMR/IC
 CHECKED BY: MDA
 SCALE: AS SHOWN

A3



PRELIMINARY FOR DISCUSSION PURPOSES ONLY

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No.	Description	Date
01	CONCEPT PACKAGE (WITH ELEVATIONS)	08/11/2022
02	REVISED SITE DESIGN	09/13/2023
03	COORDINATION WITH CIVIL	10/30/2023

PROPOSED RESIDENTIAL DEVELOPMENT

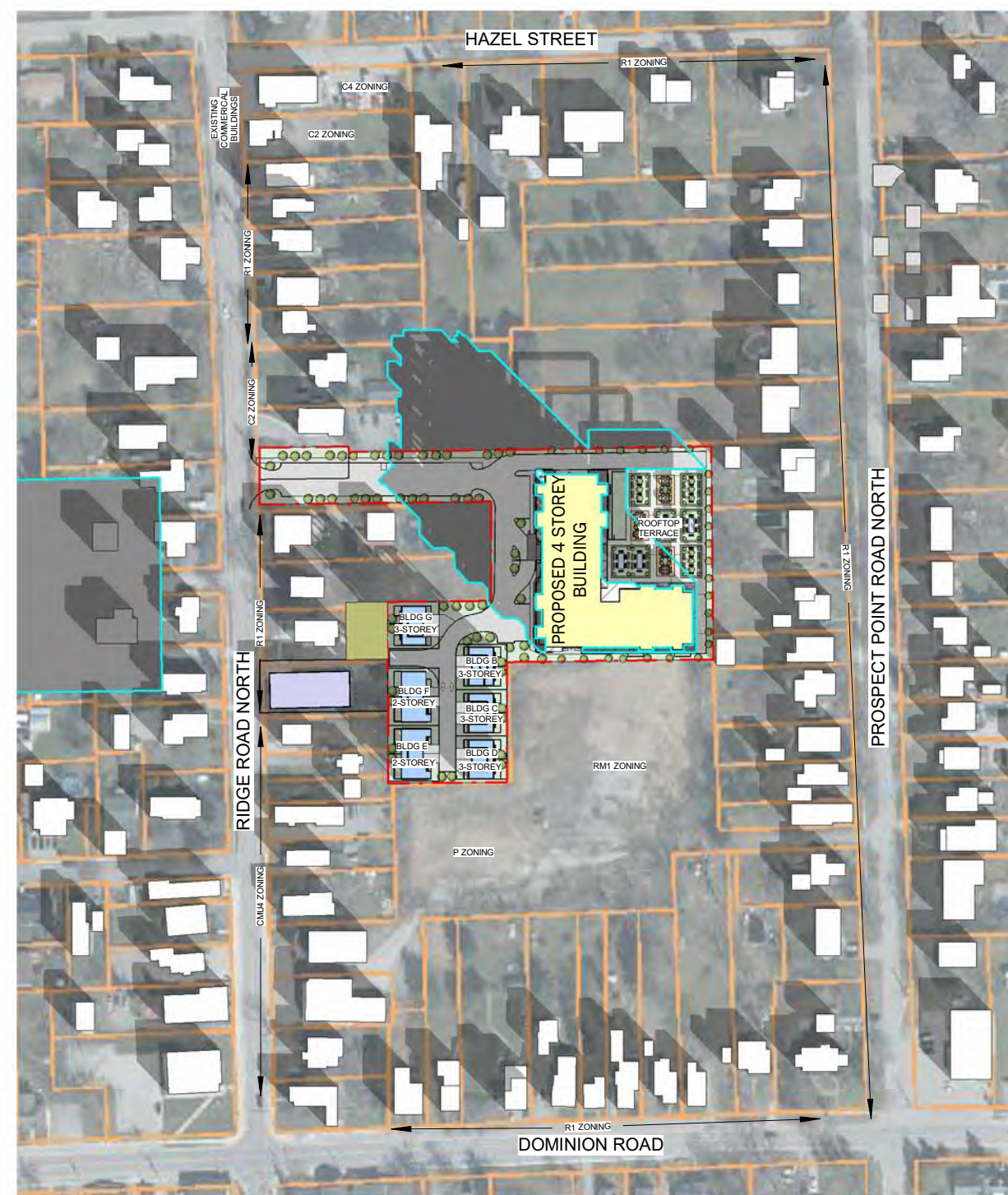
436 RIDGE ROAD NORTH, FORT ERIE, ONTARIO



SHEET TITLE
3D PERSPECTIVES

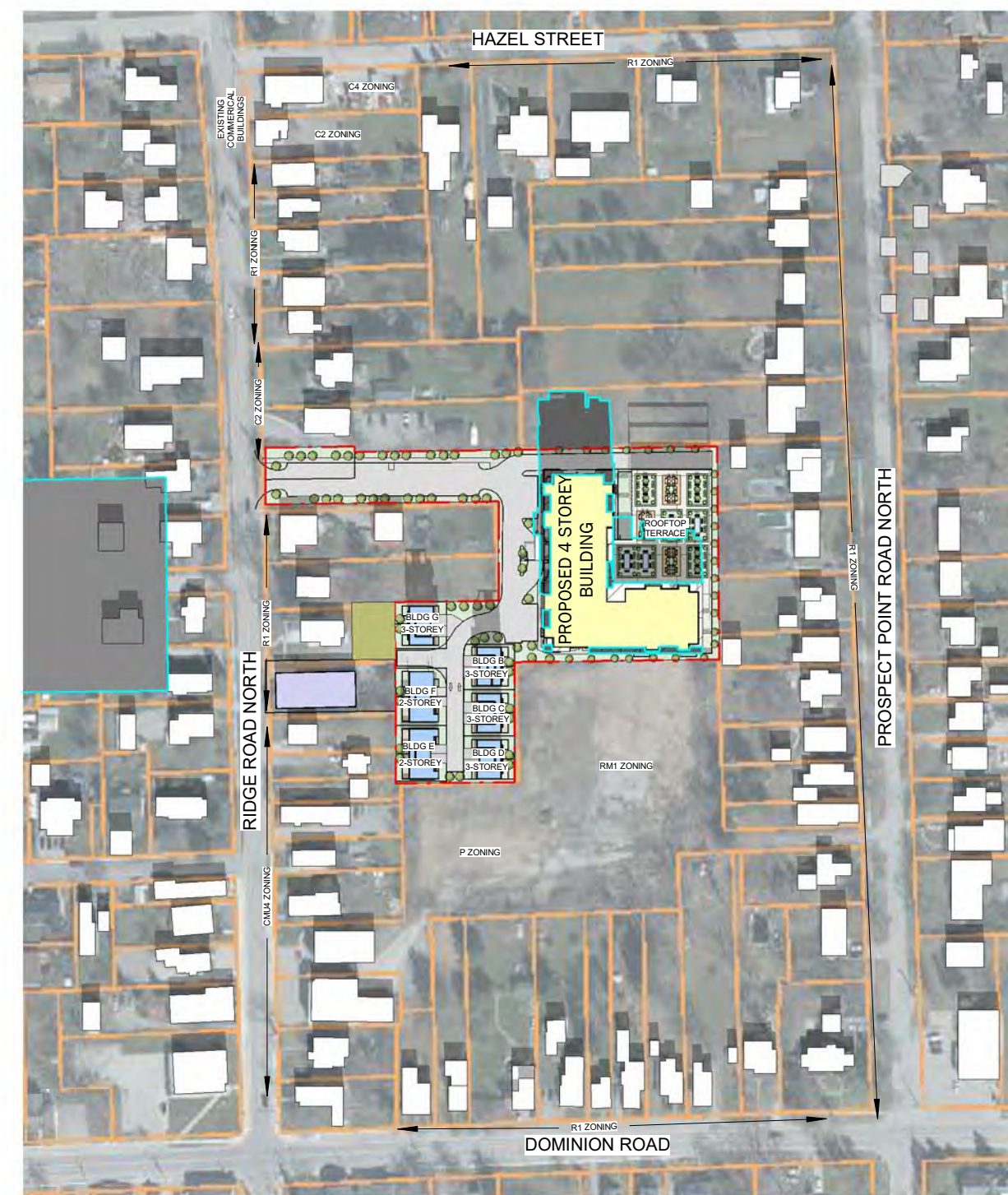
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DATE: JANUARY 2022
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A4



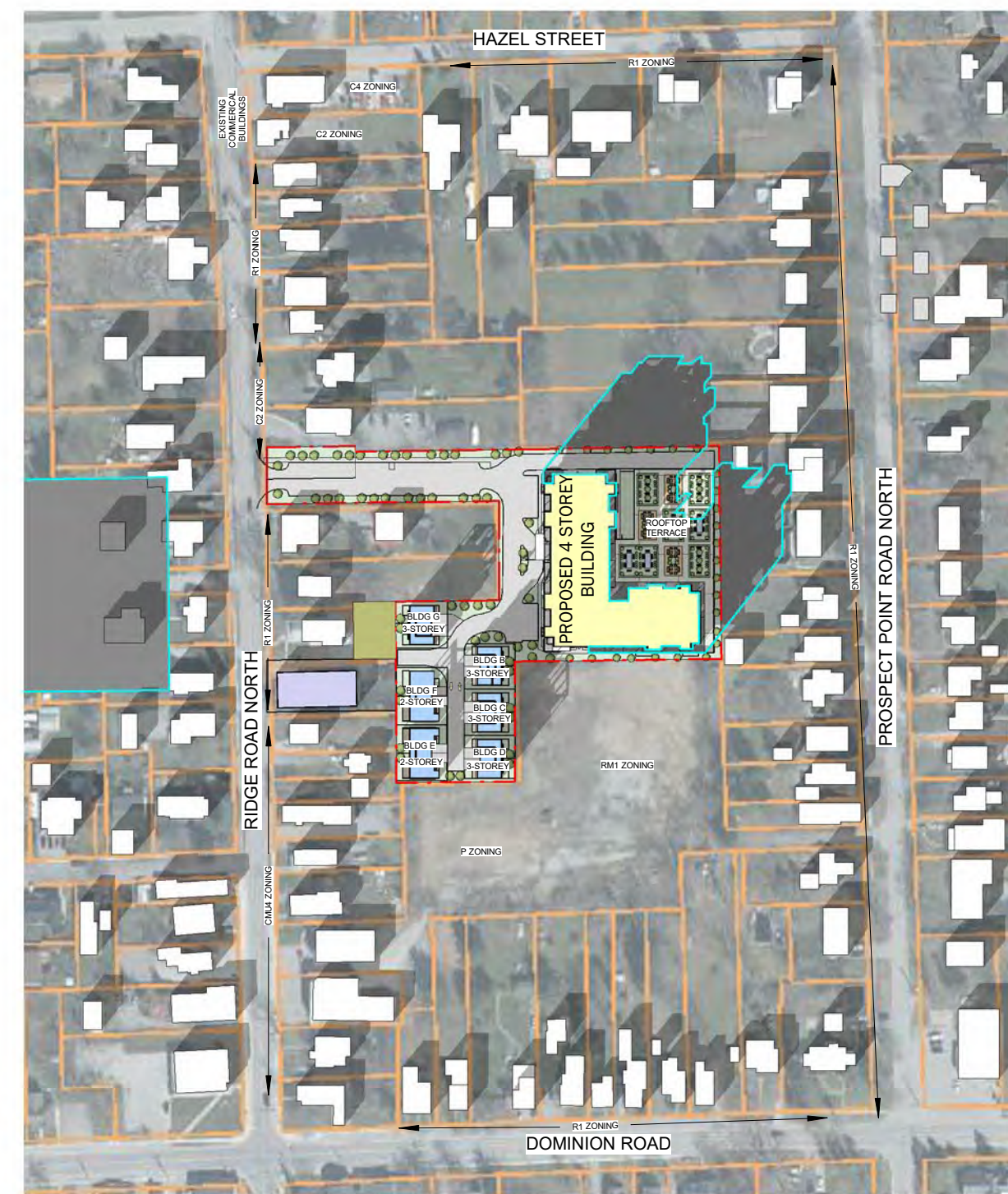
DECEMBER 21, 9AM

1" = 200'-0"



DECEMBER 21, 12PM

1" = 200'-0"



DECEMBER 21, 3PM

1" = 200'-0"

LEGEND

- PROPOSED 4 STORY RESIDENTIAL DEVELOPMENT
- PROPOSED 2 AND 3 STORY TOWNHOMES RESIDENTIAL DEVELOPMENT
- PROPOSED 4 STORY RESIDENTIAL DEVELOPMENT SHADOW
- EXISTING BUILDINGS



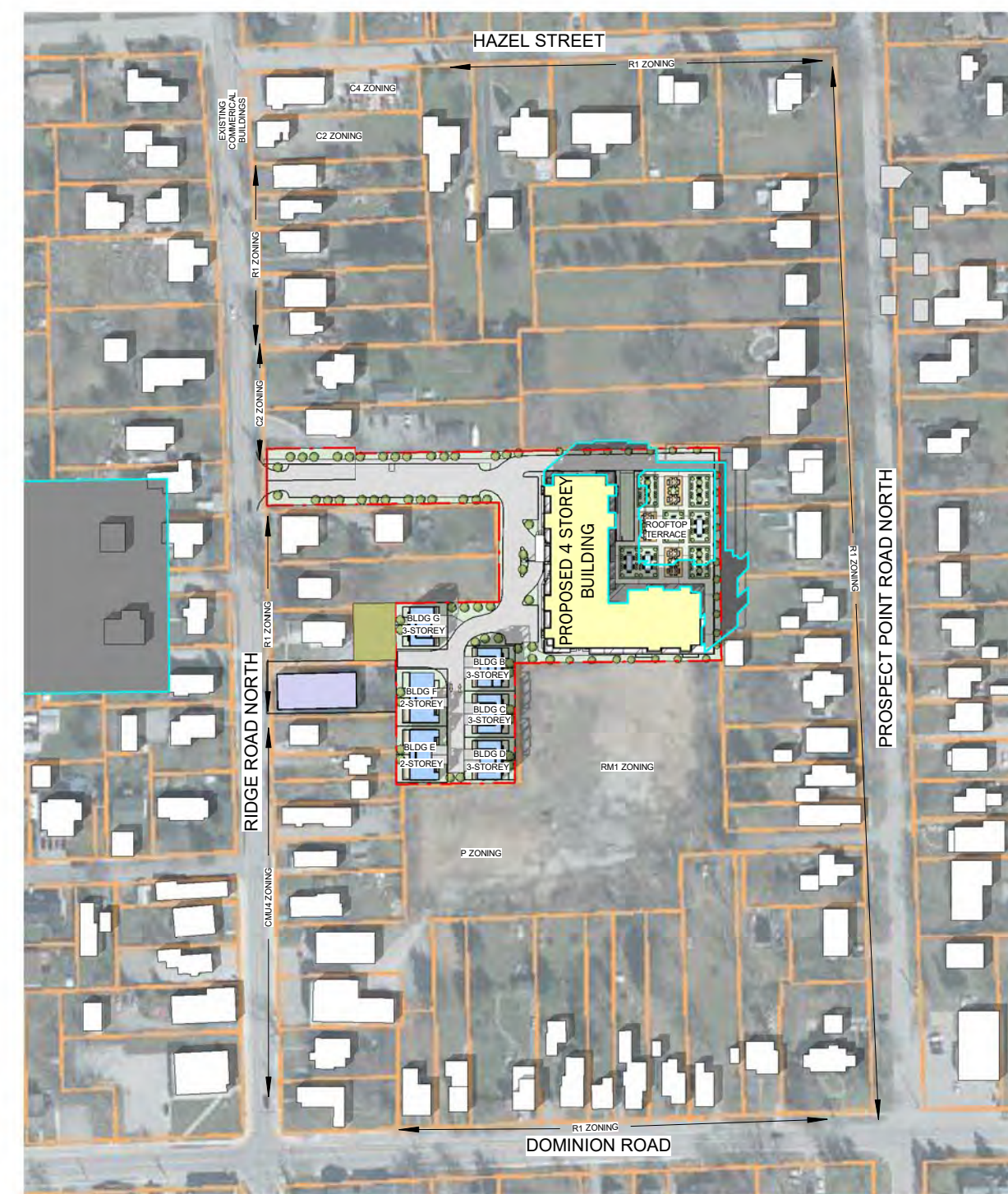
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MARCH 20, 12PM

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MARCH 20, 3PM

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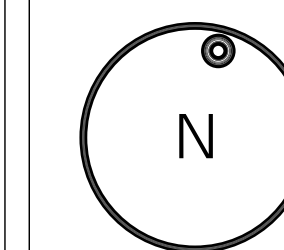
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NO.	DATE:	REVISION:	BY:
1	OCTOBER 17 2023	R4 SHADOW STUDY	IC

COMMISSION:

**PROPOSED
RESIDENTIAL
DEVELOPMENT**

436 RIDGE ROAD NORTH, FORT ERIE, ONTARIO



A · C · K
architects
STUDIO INC.

SHEET TITLE:

**SHADOW STUDY
WINTER SOLSTICE &
SPRING EQUINOX**

Issued for Re-Zoning:

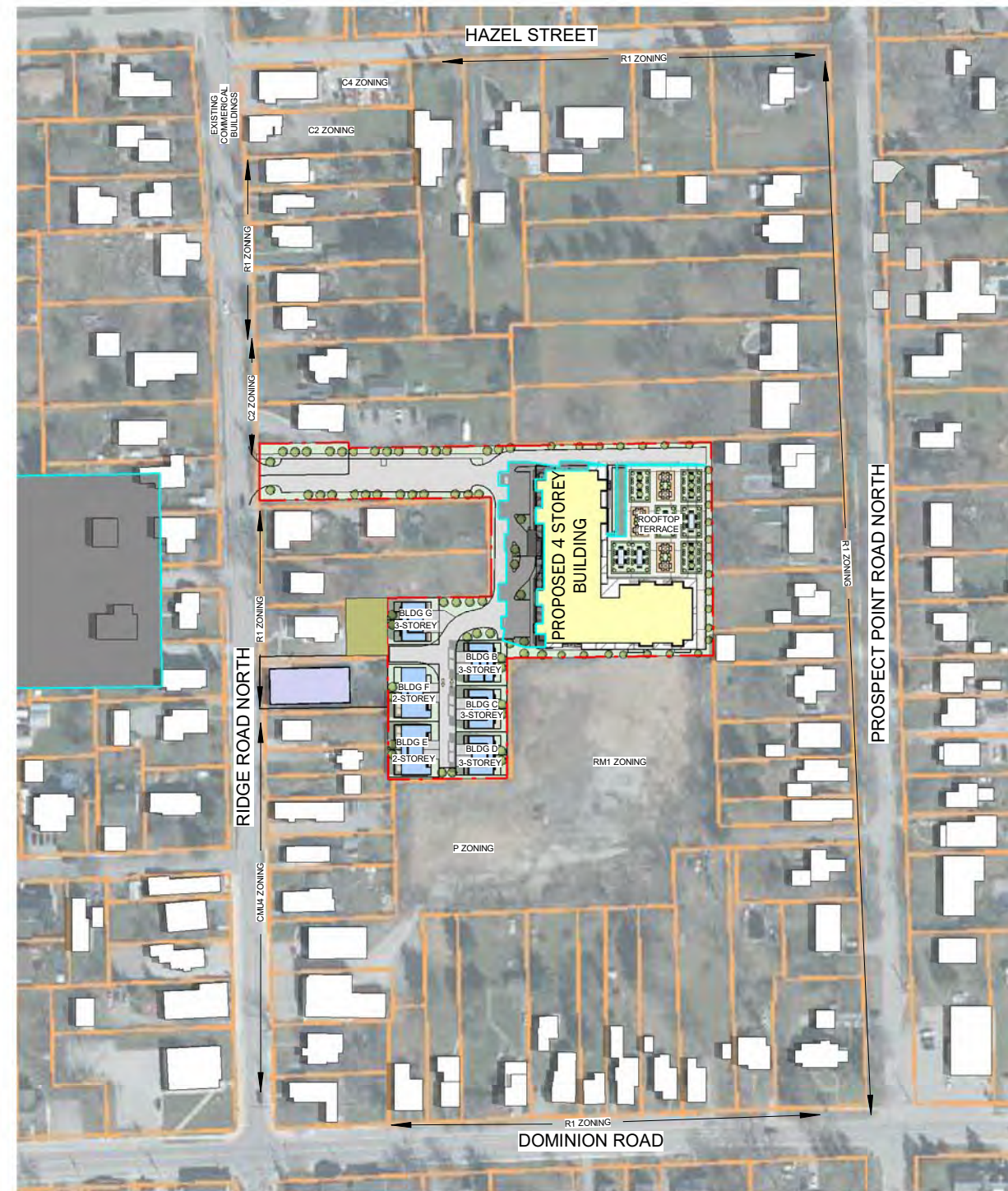
Issued for Site Plan Agreement:

Issued for Permit:

Issued for Tender:

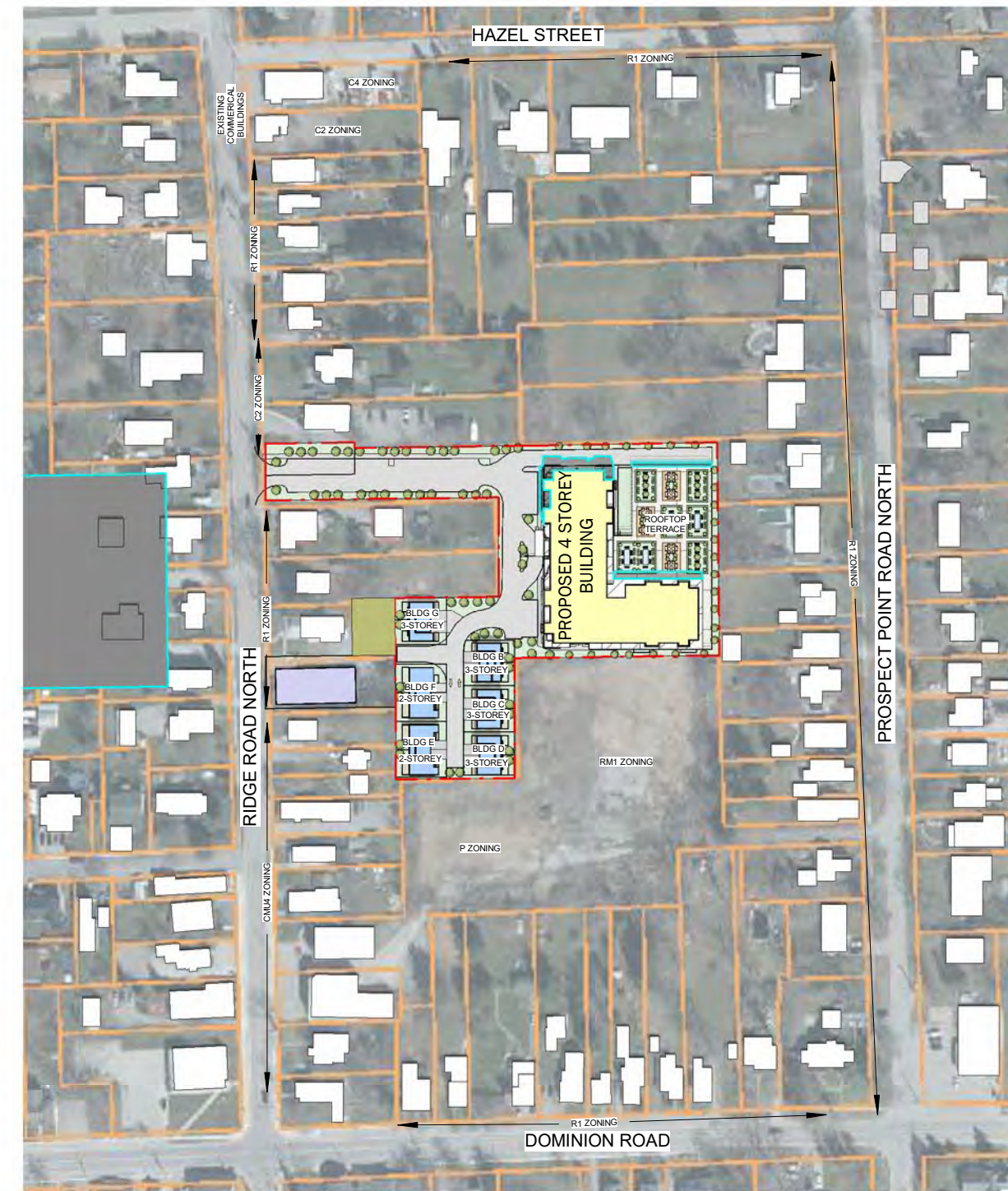
Issued for Construction:

DRAWN BY:	JMR	DWG. No.
CHECKED BY:	MDA	SS1
DATE:	JUNE 2019	
SCALE:	AS SHOWN	
PROJECT No.:	2021-292	



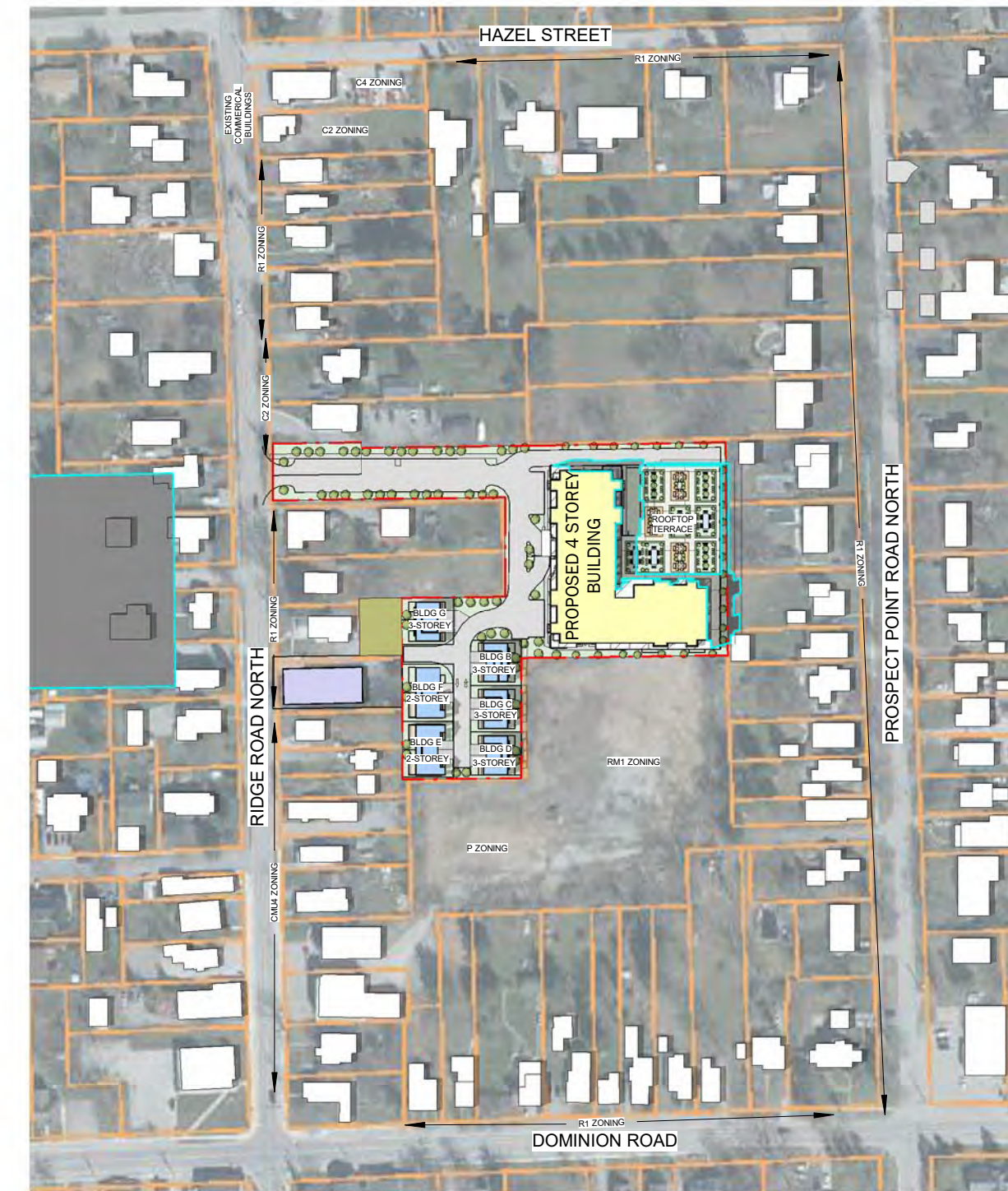
JUNE 21, 9AM

1" = 200'-0"



JUNE 21, 12PM

1" = 200'-0"



JUNE 21, 3PM

1" = 200'-0"

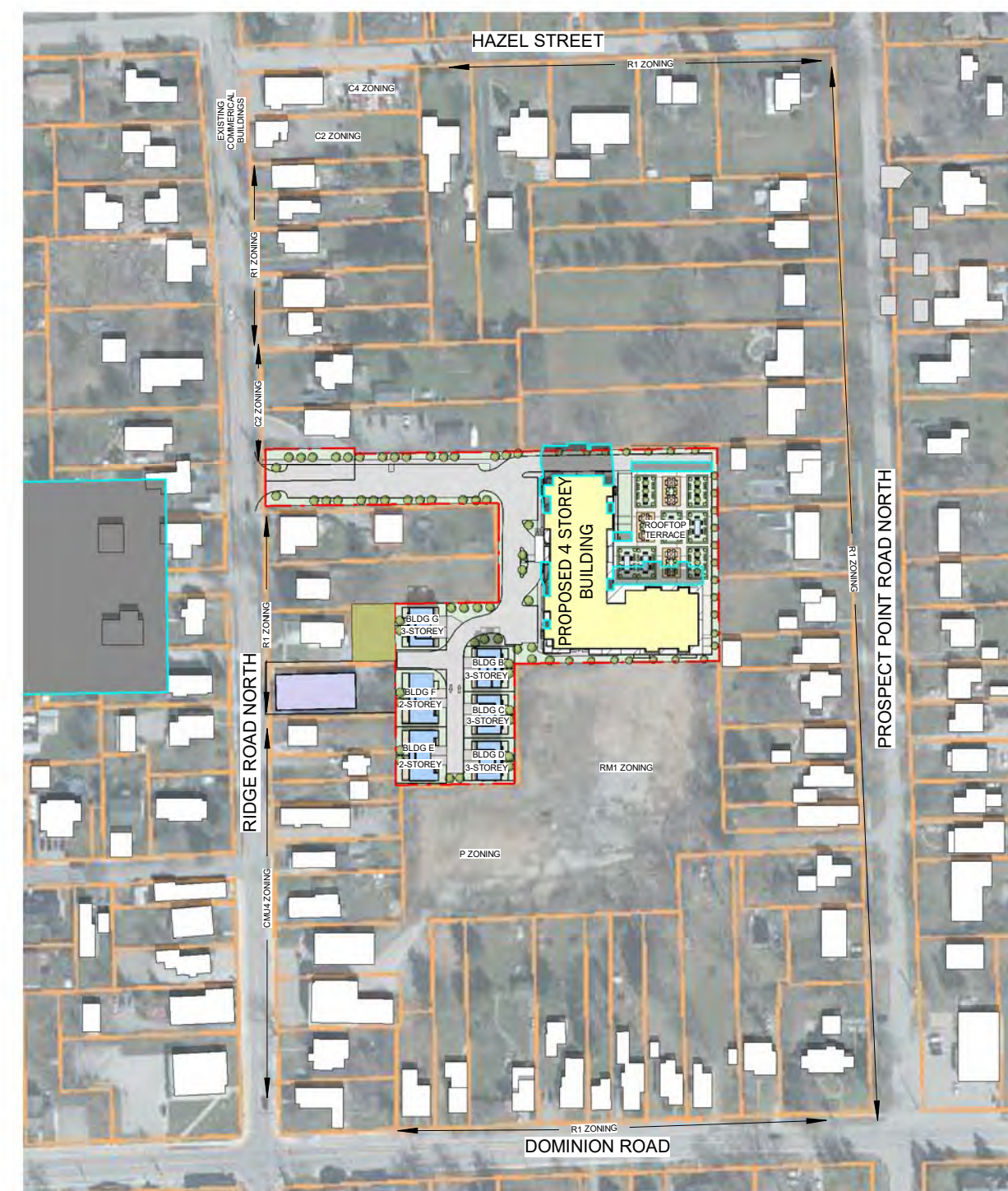
LEGEND

- PROPOSED 4 STORY RESIDENTIAL DEVELOPMENT
- PROPOSED 2 AND 3 STORY TOWNHOMES RESIDENTIAL DEVELOPMENT
- PROPOSED 4 STORY RESIDENTIAL DEVELOPMENT SHADOW
- EXISTING BUILDINGS



SEPTEMBER 23, 9AM

1" = 200'-0"



SEPTEMBER 23, 12PM

1" = 200'-0"



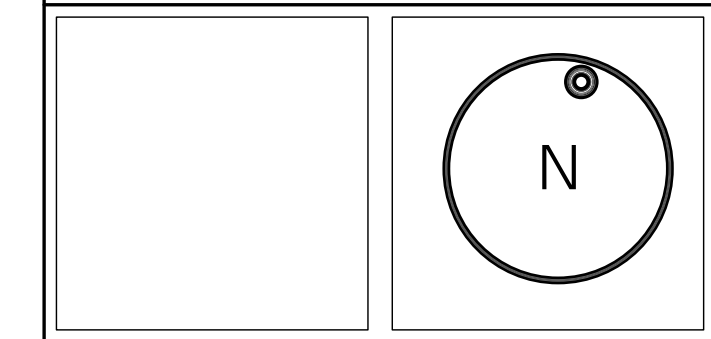
SEPTEMBER 23, 3PM

1" = 200'-0"

All contractors and/or trades shall verify all dimensions, notes, site and report any discrepancies prior to commencement of the work. This drawing not to be scaled, all drawings, prints and related documents are the property of the architect and must be returned upon request. Reproduction of drawings and related documents in part or in whole is strictly forbidden without written consent. Drawings to be for the purpose for which they are issued.

NO.	DATE:	REVISION:	BY:
1	OCTOBER 17, 2023	R4 SHADOW STUDY	IC

COMMISSION:
PROPOSED RESIDENTIAL DEVELOPMENT
436 RIDGE ROAD NORTH, FORT ERIE, ONTARIO

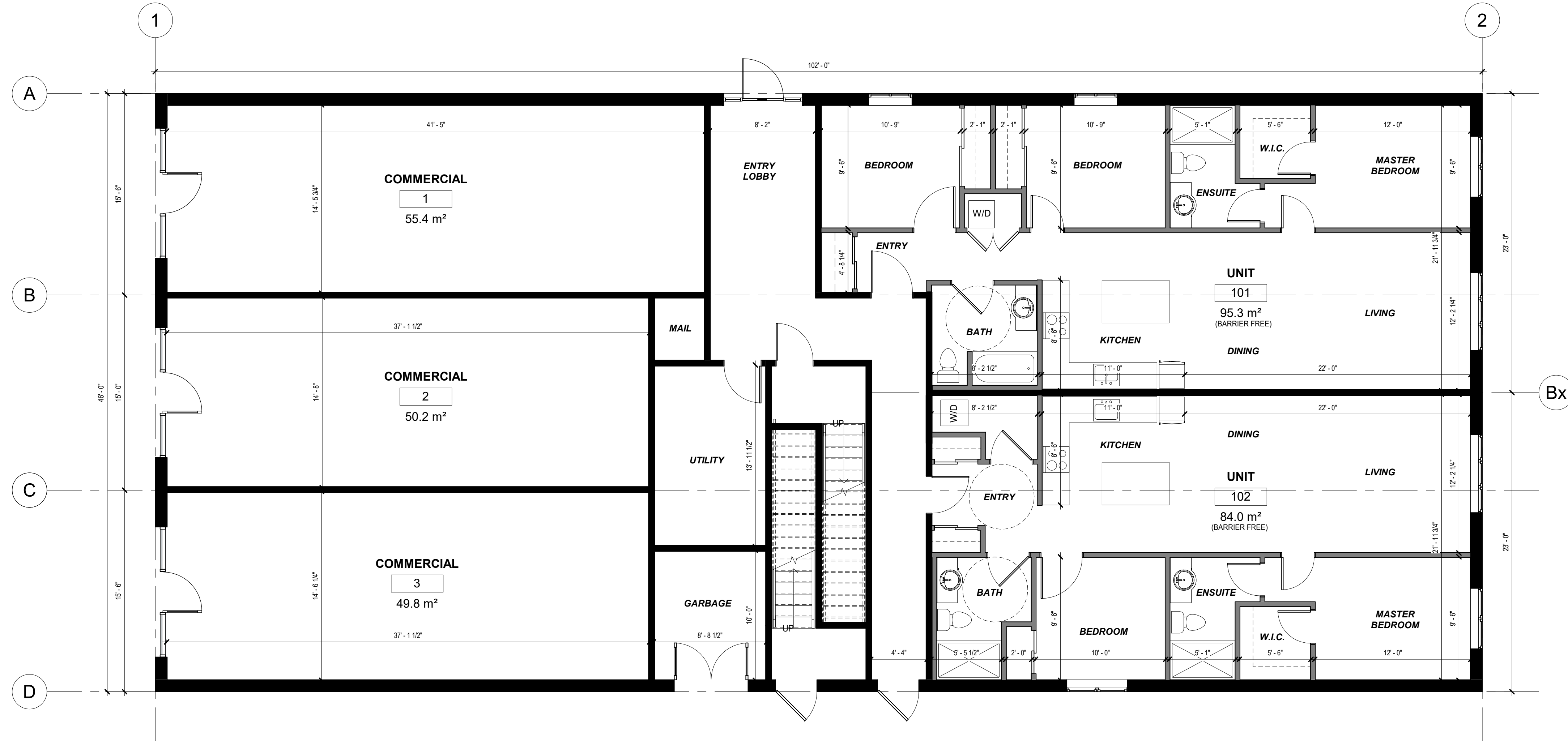


SHEET TITLE:
SHADOW STUDY - SUMMER SOLSTICE & FALL EQUINOX

Issued for Re-Zoning:	
Issued for Site Plan Agreement:	
Issued for Permit:	
Issued for Tender:	
Issued for Construction:	
DRAWN BY: JMR	DWG. No.
CHECKED BY: MDA	SS2
DATE: JUNE 2019	
SCALE: AS SHOWN	
PROJECT No.: 2021-292	



② SECOND & THIRD FLOOR PLAN
3/16" = 1'-0"



① FIRST FLOOR
3/16" = 1'-0"



JASON PIZZICARELLA DESIGN - ARCHITECTS INC.
209 RIDGE ROAD N
RIDGWAY, ONTARIO, L0S 1N0
T. 905-894-8300
e-mail jppizzicarella@jpdesign.ca
CERTIFICATE OF PRACTICE : # 4053

3 STOREY MIXED
USE BUILDING:
MAIN FLOOR
COMMERCIAL & 12
RES. UNITS

0-8481 RIDGE RD N, RIDGWAY,
ON

No.	Description	Date

CONCEPT

SHEET TITLE:
FLOOR PLANS

DRAWN BY: *JP* DATE: 22/09/23
SCALE: 3/16" = 1'-0" JOB #:
SHEET NO. A101

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:

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

Other _____

Application type:

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

Pre-Consultation Submission Date: 17-Aug-2023

Pre-Consultation Meeting Date: 24-Aug-2023

Site Location/Address: 436 & 440 Ridge Road North

Site Legal Description: Various

Approximate Land Area (metric): 1.193 ha

Owner Contact Information:

Name of Owner: Stephen Fischer

Phone No: 905-933-7758 Email: stephen@eprime.ca

Principal Contact: Stephen Fischer

Phone No: 905-933-7758 Email: stephen@eprime.ca

Local Municipal Contact:

Name of Contact: Daryl Vander Veen, Intermediate Development Planner

Phone No: 905 871 1600 ex. 2509 Email: dvanderveen@forterie.ca

Brief description of proposed development:

Proposal for a combined Official Plan & Zoning Amendment for 436 & 440 Ridge Road North. The Applicant is proposing to construct a 3 storey mixed use building, 12 semi-detached dwellings and an apartment building with 70 dwelling units. A covered parking garage with a green roof is also proposed.

Submission Requirements: Required materials are to be submitted with a formal development application. Entries marked with an asterisk may require a peer review at the Developer's cost and the discretion of the Director, Planning and Development Services or their designate.

Local	Region	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Digital	Paper	
X	X		Planning Justification Report / Brief	1		Some updates req'd. See comments from Region.
			Urban Design Brief			
X	X		Consent Sketch / Site Plan	1		Detailed and comprehensive, include the mixed-use building.
			Signed Draft Plan of Subdivision / Condominium			
X	X		Conceptual Building Elevations, Floor Plans, and / or Renderings	1		
X	X		Zoning Matrix	1		
			PIN Map / Parcel Register			
			Draft Regional Policy Plan Amendment			
			Draft Local Official Plan Amendment			
			Neighbourhood Plan			
			Land Use/Market Needs*			
X	X		Landscape Plan	1		
			Streetscape Plan			
X	X		Archaeological Assessment(s)	1		Letter of Acknowledgement.
X			Cultural Heritage Impact Assessment*	1		
			Environmental Impact Study			
			Constraints Analysis			
			Species at Risk Study			
			Environmental Planning Study / Sub-Watershed Study			
X			Tree Inventory and Preservation Plan	1		
			Floodplain and Hazard Lands Boundary Plan			
			Geotechnical Study / Report			
			Slope Stability Report			
			Environmental Site Assessment			
			Land Use Compatibility Study*			
X			Air Quality / Noise / Vibration Study*	1		Noise Study. Required for DPC/Site Plan.
			Agricultural Impact Assessment			
			Farm Operation and Ownership			
			Minimum Distance Separation Formula I and II Analysis			
			Municipal Servicing Study			
	X		Functional Servicing Report*	1		Some updates req'd. See comments from Region.

Local	Region	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Digital	Paper	
X	X		Stormwater Management Report / Plan	1		Required at DPC/Site Plan.
X			Lot Grading / Drainage / Servicing Plans	1		Grading & Servicing Plans. Required at DPC/Site Plan.
			Erosion / Sediment Control Plans			
			Waste Collection Plan / Details			
X			Vehicle Turning Templates	1		Required at DPC/Site Plan.
			Phasing Plan			
			Sensitive Land Use Report			
			Photometric Analysis			
			Traffic / Transportation Impact Study / Traffic Brief			
			Parking Demand Analysis			
			Sight Line Analysis			
			Construction Impact Mitigation Study			
			Hydrogeological Study and Private Servicing Plans*			
			Soil Report			
			Financial Impact Assessment*			
			Social Impact Assessment*			
			Housing Issues Report			
			Visual Impact Assessment			
X	X		Sun / Shadow Analysis	1		Shadow study.
			Wind Study (Qualitative or Quantitative) *			
			Shoreline / Dynamic Beach Study			
			Risk Management Study			
			Mineral Aggregate Resources and / or Petroleum Resources Impact Study			
			Gas Well Study / Gas Migration Study			

Property: 440 Ridge Road North – Combined Official Plan Amendment and Zoning By-law Amendment

Development Planning: Daryl Vander Veen (dvanderveen@forterie.ca or 905-871-1600 ext. 2509)

Proposal for a combined Official Plan Amendment and Zoning By-law Amendment to permit a three-storey mixed-use building fronting onto Ridge Road North with commercial on the ground floor and 15 dwelling units on the upper levels. 12 semi-detached dwelling units and a four storey apartment building with 70 dwelling units are proposed in the rear that will front onto private roads. A parking garage is also proposed in the rear area for the apartment building.

The subject property is located in the Ridgeway-Thunder Bay neighbourhood of the Town of Fort Erie. The subject property is designated Core Mixed Use, in part, Residential - Low Density, in part, and Residential - Medium Density, in part. The Official Plan Amendment is proposing to redesignate a portion of the lands from Residential - Low Density to Residential - Medium Density and from Residential - Low Density to Core Mixed Use in order to implement the development plan.

The zoning of the property is currently Core Mixed Use 4 (CMU4) Zone, in part, Residential 1 (R1) Zone, in part, and Residential Multiple 1 Holding (RM1-260(H)) Zone. The Zoning By-law Amendment is proposing to change the zoning to a site-specific Residential Multiple 2 (RM2) Zone to permit the proposed apartment building and semi-detached dwellings and small area to Core Mixed Use 4 (CMU4) Zone to be added to the area proposed for the mixed use building along Ridge Road North.

Since a Zoning By-law Amendment is required, if any zoning deficiencies exist they can be included as part of the amendment.

Comments:

- Generally planning staff support the built form.
- Council has been supportive of a mix of housing types and of apartment dwellings in particular as there is a shortage of rental units.
- The density of the apartment building and semi-detached dwellings is within the density of the proposed Medium-Density Residential land use designation.
- Some of the proposed semi-detached dwellings propose a setback of 0.90 m. The lowest staff will be able to support is 1.20 m.
- A second access into the rear area will likely be required. Perhaps an access through the easement area can be included and used in an emergency.
- More detail is required about the covered parking area and the green roof in terms of height, lot coverage, access, setbacks, green roof composition, etc. It is anticipated that there will be a lot of interest in the green roof as it will serve as landscaped area for the proposal.
- Please review Section 6.20 & 6.21 of the Zoning By-law in relation to the proposal to ensure there are no issues complying with general provisions.

Submission requirements:

- Detailed, comprehensive site plan that includes the mixed-use building.
- Zoning Matrix
- Landscape Plan.
- Tree Preservation Plan.
- Shadow Study for the apartment dwelling.
- Heritage Impact Assessment.

Servicing: Brad Johnston (bjohnston@forterie.ca or 905-871-1600 ext. 2505), Noah Thompson (nthompson@forterie.ca or 905-871-1600 ext. 2517)

440 Ridge Road N Engineering Comments

1. Water service is the Town's – connection permits and fees applicable will be required from the Town.
2. Sanitary pipe is owned by the Region – connection permit and the fees applicable will be required from the Region
3. What is the plan for Stormwater?
4. Ridge Road N is a Town road – HOP permit will be required for site access.
5. Functional Servicing Report - Regional Sewer
6. Grading plan / Stormwater Management Report with stormwater management plan.
7. Site servicing plan.
8. Noise Impact study.
9. Elevations, floor plans.
10. Landscaping plan.
11. Garbage pickup planning – private collection.
12. Turning/truck maneuvering plan – Include radius and turning plan.
13. Include a side walk in from the existing sidewalk along Garrison running along the Eastern side of the parking lot. Please include a curb depression and tactile warning plate entering the accessible aisle to allow for access of wheelchairs.
14. The property will require a wooden fence along the boundary of the property that is subject to the Town's fence by-law.
15. A road widening across the frontage along Ridge road of 3.5m from the surveyed center line of the road.

Community & Neighbourhood Planning: Robin Shugan (rshugan@forterie.ca or 905-871-1600 ext. 2527)

Heritage:

Subject lands about 402 Ridge Road which is the former Township of Bertie Municipal building and is designated heritage property. A Heritage Impact Assessment will be required at the OPA/ ZBA application stage, as certain zoning matters i.e. setbacks

relative to neighbouring properties can have an impact on the heritage. Peer review of the HIA will also be required.

Incentive Programs:

Proposal may be eligible for the Core Area Residential Grant Program.

Affordable Housing:

The proposal may contribute to the Town's affordable housing objectives of the OP.

Parks / Landscape

Cash in Lieu of parkland dedication required as per the Parkland Dedication Bylaw – 69-08 at 5% of the appraised value of the lot.

Neighbourhood Planning:

Located in the Ridgeway-Thunder Bay Secondary Plan Area.

Section for 4.18.3 Goals of secondary plan area are to provide variety of residential densities, form and height, commercial, mixed use and opens spaces and protecting the natural environment.

Section 4.18.4 encourages new development and re-development that respects the unique history of the neighbourhood and is compatible with the exiting built environment. Support commercial areas that surround the residential population. As well as provide a variety of housing alternatives at key locations throughout the neighbourhood with focus on intensification and full range of housing types in and around the downtown core area.

Section 4.18.5- Low and Medium density residential that promotes age in place opportunities, meets provincial intensification targets, supports Downtown Village and walkable communities.

4.18.7- Medium Density Residential is reserved for multiple unit structures such as townhomes and apartments. Medium density range is 25-75 units per hectare.

Environmental Planning: Rachel Daniels (rdaniels@forterie.ca or 905-871-1600 ext. 2510)

A Tree Preservation Plan will be required to ensure retained trees and the trees within the Town's Road allowance will be protected from injury/destruction during construction. A deposit will be required in order to ensure that the Town trees are not injured during construction. Should it be found that the trees are unable to be avoided, the Town strongly suggests that a site visit is scheduled with the Town' Arborist in order to conduct an assessment of the trees.

Written permission is required from the Town, to remove trees on Town property.

PRE-CONSULTATION AGREEMENT – COMMENTS

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

No comments or objections.

Committee of Adjustment: Kimberlyn Smith (ksmith@forterie.ca or 905-871-1600 ext. 2508)

No objections. Applications for easements for the subject lands (file nos. B53-B56 FE) were approved by the Committee of Adjustment on September 14, 2023.

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

- I. Proposed development is located within the Ridgeway CIP area – grants may be available – Region is changing their programs so this may impact the eligibility and funding.
- II. The new servicing laterals required for the site will require service installation permits from the Town's Infrastructure Services department.
- III. All on-site servicing work is private and is to be designed in compliance with the Ontario Building Code. A building permit will be required for the site servicing works.
- IV. Curb depression in sidewalk for ease of access – tactile warning plates required at this location.
- V. Additional comments will be provided when a more detailed site plan drawings are provided.
- VI. The Town's by-laws only permit a single water service and sewer lateral per property. A water meter pit will be required at the property line and is to include a back-flow prevention device.
- VII. Development charge credits are available for the dwellings that have been demolished.
- VIII. The proposed severance will be required to include south elevation and east elevation drawings of the existing house at 442 Ridge road to determine compliance with the spatial separation regulations of the Ontario Building Code, any shortfalls will need to be addressed to the satisfaction of the building department.
- IX. Designer is reminded that not less than 15% of the suites are to have a barrier free path of travel.
- X. Designer is to note that the design is to include Radon Mitigation provisions.
- XI. Additional comments may be provided during the site plan process.

- XII. Is a consent application required to create the servicing easement?
- XIII. Maximum 90m spacing between manholes on the sanitary sewers.
- XIV. The fire hydrant in the parkette area may not be visible due to the trees.

Please note:

The noted comments above apply to the proposal as it was submitted, when changes are proposed additional comments may be applicable.

Any fees and/or charges quoted at the current rates which are subject to change, the fees and charges that are in affect at the time of application processing will be applicable.

The review of this proposal has been completed referencing current regulations, standards and other applicable legislation. If these standards or regulations are revised prior to any approvals the proposal may be subject to these revisions.

Fire Department: Jessica Goodings (jgoodings@forterie.ca or 905-871-1600 ext. 2605)

The private roads must meet the requirements set forth in the Ontario Building Code for fire department access routes.

3.2.5.6. Access Route Design

- (1) A portion of a roadway or yard provided as a required access route for fire department use shall,
- (a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,
 - (b) have a centreline radius not less than 12 m,
 - (c) have an overhead clearance not less than 5 m,
 - (d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,
 - (e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,
 - (f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and
 - (g) be connected with a public thoroughfare.

Provide more information on the measurements for the private roads including the centerline radius.

PRE-CONSULTATION AGREEMENT – COMMENTS

Mississaugas of the Credit First Nation (MCFN): Abby LaForme
(Abby.LaForme@mncfn.ca or 905.768 – 4260)

The Mississaugas of the Credit First Nation (MCFN), Department of Consultation and Accommodation (DOCA) have no comments or concerns at this time.

Thank you for providing the Archaeological and Environmental reports. MCFN DOCA has any comments or concerns regarding those reports MCFN DOCA will submit comments at our earliest convenience.

Niagara Peninsula Conservation Authority (NPCA): Taran Lennard
(tlennard@npca.ca)

No comments or objections.

Canadian Niagara Power Inc. (CNPI): Sheraz Mustafa
(Sheraz.Mustafa@cnpower.com)

CNP has no concerns with this application, but have the developer to reach out to us at their earliest for hydro service and planning.

Niagara Parks Commission (NPC): Rachel Adamsky (radamsky@niagaraparks.com)

No comments or objections.

Niagara Region: Valentina Escobar (Valentina.Escobar@niagararegion.ca)

Site Designation:

Provincial Policy Statement (PPS)- Settlement Area

Provincial Growth Plan- Delineated Built Up Area

Niagara Official Plan (NOP)- Built Up Area

Planning Comments

A full range of residential, institutional, commercial, and industrial uses are permitted within the Built-Up Area across the region, subject to adhering to other policies contained within the NOP.

The proposal will contribute to the Town intensification target of 50% as set out within Table 2-2 of the NOP. Additionally, NOP Policy 2.2.1.1 encourages opportunities for the integration of gentle density and a mixed range of housing options that considers the character of established residential neighborhoods in a way which supports forecasted growth.

“Planning Justification – 436-440 Ridge Road North, Fort Erie, Ontario”, prepared by Upper Canada Consultants (dated June 2023) was reviewed. Staff is requesting clarification of siting of the three-storey building within the site plans provided and through the PJR, as the proposed is shown individually (Figure 12) but is not illustrated as a component of the entire development plan (Figure 3).

Site Condition

Staff has reviewed the Phase Two Environmental Site Assessment (ESA) report, prepared by Hallex Environmental Limited (dated September 30, 2021) and Record of Site Condition (RSC) (filed May 12, 2023). Staff have offered no further requirements with regards to site condition.

Archaeological Potential

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically section 2.6.2 of the PPS and Policy 6.4.2.1 of the NOP state that development and site alteration is not permitted on lands containing archaeological resources or areas of archaeological potential, unless archaeological assessment and requirements from the aforementioned policies have been met. The subject lands are mapped within an Area of Archaeological Potential on Schedule K of the NOP.

The “Stage 1-2 Archaeological Assessment – 436-440 Ridge Road” report, prepared by Detritus Consulting Limited (dated January 11, 2022) has been reviewed. Regional staff requires that a **Letter of Acknowledgment from the Ministry of Citizenship and Multiculturalism (“MCM”)** be submitted to the **Niagara Region**, confirming that the archaeological assessment has been completed in accordance with Ministry standards and guidelines, and that any archaeological concerns have been addressed.

Environmental Comments

The subject parcel is outside the Region’s Natural Environment System and as such Environmental Planning offers no requirements.

Transportation / Roads

- Ridge Road North – Local

Servicing Comments

The proposed servicing for the site shows two new connections to the Regional trunk sewer on Ridge Road North. Regional staff will require the **Functional Servicing Report (FSR) to be updated** to address the following comments prior to supporting new connections to the Regional trunk sewer:

- Would need justification why one connection cannot be used, existing laterals are to be capped in accordance with Regional standards, all new connection are to be at MH1 or will require a MH to be installed.
- If a new connection is required it needs to be at a manhole or a manhole is to be installed, details of disconnections and new connections are to be provided to the Region for review an approval
- Buoyancy calculations will be required to be submitted with the future engineering plans if a new manhole is required
- A reconnection permit will be required which requires a letter from the Town with the approval servicing drawings and fee of \$1,250.
- All services crossing the Regional trunk will require plan and profile drawings to ensure the separation distance is met and the sewer is not disturbed during construction.

Future site plan applications are to include the updated report and drawings to address the Region's trunk sanitary sewer.

Stormwater Management Comments

It is subject to the satisfaction of Town to ensure their storm infrastructure requirements to be adequately addressed.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Corporate Waste Collection Policy. The proposed development is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following curbside limits are met. The site has three distinct areas so the collection limits and comments are divided into three. **Future site plans are to indicate the intention for collection for the sites** and if Regional collection is desired option the limits below will need to be addressed.

4 Storey – 70-unit residential building

- Recycling: No limit blue/grey containers collected weekly;
- Organics: No limit green containers collected weekly; and,
- Garbage: 2 containers per unit to a maximum of 24 /containers Collected Every-Other-Week.
- **Curbside Collection Only.**

The plan shows a garbage enclosure area on the plan, it is unlikely the site will meet the Regional limits therefore waste collection will be the responsibility of the owner through a private contractor.

12 semi-detached units

- Recycling: No limit blue/grey containers collected weekly;
- Organics: No limit green containers collected weekly; and,
- Garbage: 2 containers per unit Every-Other-Week.
- **Curbside Collection Only.**

Currently there is no turnaround area at the end of the proposed units, Regional staff encourage the applicant to provide an area to turn around so collection can be curb side. If a turn-around is not provided – collection pads will have to be located on the private road where the trucks can turn around. Collection pads must be only 100m round trip from the unit. Future applications are to provide the intention for collection of these units.

3 Storey mixed use building

- Recycling: No limit blue/grey containers collected weekly;
- Organics: No limit green containers collected weekly; and,
- Garbage: 8 containers Every-Other-Week.
- **Curbside Collection Only.**
- Future applications are to provide the intention for collection of these units.

Regional Bicycle Network

PRE-CONSULTATION AGREEMENT – COMMENTS

The subject property has frontage on Ridge Road North which is designated as part of the Regional Niagara Bicycling Network. If the bicycle routes are currently not established and identified with signage, it is the intent of the Region to make provisions for doing so when an appropriate opportunity arises. This may involve additional pavement width, elimination of on-street parking, etc.

Required Studies for Regional Review

- Updated PJR/ Site Plan, refer to planning, servicing and waste comment sections regarding required updates
- Updated FSR, refer to servicing comments
- Letters of Acknowledgment from the Ministry of Citizenship and Multiculturalism for the completed archaeological assessments.

Required Fees

The Region's 2023 Fee Schedule is available at:

https://www.niagararegion.ca/business/fpr/forms_fees.aspx

Applications will be subject to the in-effect fee amounts at the time that the Application is submitted.

Development Application Review Type	Fee Amount
Minor Official Plan Amendment review	\$5,525
Zoning By-Law Amendment review	\$1,395
Draft Plan of Condominium review	\$5,525 + \$1,915 (per hectare)
Site Plan review- Waste management only	\$450

Town Comments

- Town requests general clarification to be provided with regards to the green roof system (i.e. access, height).
- Town has requested a secondary access point with regards to fire route.
- Town has requested a Heritage Impact assessment.
- Town requesting a by-law zoning matrix, Site Plan clarification and a shadow study for the 70-unit building be provided with the application re-submission.

Mississauga of the Credit First Nation; Department of Consultation and Accommodation (MNFN-DOCA) Comments

- Request Circulation of the Archaeological Assessment

Application Fees:

Note: Application fees for the OPA/ZBA have already been submitted.

- Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- Additional fees may be required at a later date based on the fee schedule by-law.

PRE-CONSULTATION AGREEMENT – COMMENTS

- c) Separate cheques shall be made payable to each appropriate agency and submitted to the Town with the complete application.
- d) The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, Municipality, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within 1 year, it is advisable that the applicant confirm with the municipality the directives of the original pre-consultation meeting.
- e) The purpose of this agreement is to identify the information required to commence processing a complete application as set out in the Planning Act. Pre-consultation does not imply or suggest any decision whatsoever on the part of the Town staff or the Corporation of the Town of Fort Erie to either support or refuse the application.
- f) An application submitted without the information identified in this Pre-consultation Agreement will not be considered a complete application. If a site walk is required, the application will not be considered complete until it has taken place.
- g) All reports, documents and drawings must be submitted in paper and digital (i.e. PDF) form.
- h) The applicant acknowledges that the Municipality and Region considers the application forms and all supporting materials including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the Municipality and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
- i) It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
- j) If the Municipality or Region does not have sufficient expertise to review and determine that a study is acceptable, the municipality may require a peer review. The Terms of Reference for a peer review is determined by the Municipality or Region and paid for by the applicant.
- k) Some studies may require NPCA review and clearance/approval. In this instance the NPCA review fee shall be paid by the applicant.

Re: Fw: 436-440 Ridge Road- HIA 📄

Alex Herlovitch ^t_o Daryl Vander Veen

2023-10-16 09:49 AM

Cc Robin Shugan, Gerrit Boerema

From Alex Herlovitch/FortErie

To Daryl Vander Veen/FortErie@TownOfFortErie

Cc Robin Shugan/FortErie@TownOfFortErie, Gerrit Boerema/FortErie@TownOfFortErie

Hi Daryl

I am not aware that the Town has its own Terms of Reference for a Heritage Impact Assessment. You should check the Ontario Heritage Tool Kit (a copy available in Robin's workstation on shelf) see Info Sheet #5 for any Provincial standards.

I don't have the Tool Kit here, but my view would be in addition to the Provincial requirements, is that the HIA should:

- contain a detailed description of the physical heritage resources on the adjacent designated property, including description of buildings and structures; setting involving natural elements (man-made & evolved landscape, natural terrain, etc); building set-backs relative to mutual property lines. The designating by-law should be referenced for significant heritage features;
- include reference to archaeological resources, if any;
- outline the proposed development including height, scale, setbacks, landscaping. Identify existing trees, shrubs and natural materials on the lands to be developed which contribute to or augment the natural features of the designated property. Identify shadowing impacts, if any, from the proposed development;
- describe any grade alterations for the proposed development which may affect the designated property, including retaining walls, etc;
- include an assessment of design alternatives for the proposed development including placement of buildings, parking lots, service areas (ie garbage receptacles), etc which may impact the designated property;
- provide mitigation measures to ensure impact on the designated property (building and lands) is avoided or limited, including but not limited to: additional setbacks from side and front lot lines, landscape buffers, sensitive height & massing;
- contain a detailed analysis of how the development minimizes impact on the designated property;
- include a set of design guidelines for the proposed development to ensure compatibility with the designated property including: building materials, architectural form, landscaping, fencing, driveways;
- provide photographic documentation of existing conditions and drawings and renderings to illustrate the proposed development relative to the designated property;
- be completed by a qualified professional.

Robin, we should probably formalize some guidelines for the Town including provincial

standards as well as my suggestions above, present them to MHSC for review and adoption and submit to Council as municipal policy. In this regard, I am copying Gerrit.

Alex

Alex Herlovitch, MCIP, OPPI
Executive Advisor, Planning & Development Services
Town of Fort Erie, 1 Municipal Centre Drive
Fort Erie, ON, L2A 2S6
905-871-1600, extension 2502

Robin Shugan

Hi Alex, We have application for OPA/ZBA for 4...

2023-10-13 02:27:54 PM

From: Robin Shugan/FortErie
To: Alex Herlovitch/FortErie@TownOfFortErie
Cc: Daryl Vander Veen/FortErie@TownOfFortErie
Date: 2023-10-13 02:27 PM
Subject: Fw: 436-440 Ridge Road- HIA

Hi Alex,

We have application for OPA/ZBA for 436-440 Ridge Road, which is abutting a designated Heritage property. The applicant was asking at pre-con if the Town had a Terms of Reference for HIA's. Does the Town have TOR's for HIA's or do we just use the standard one from the Province? I am away Oct 16-18 and back on the 19th. But if you happen to know, Daryl is working on the file and he is just curious on where to point the applicant, and I didn't have answer for him.

Thanks,
Robin

Robin Shugan
Junior Community Planner, Planning and Development Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive,
Fort Erie, Ontario L2A 2S6
Phone: 905-871-1600
Email: rshugan@forterie.ca

----- Forwarded by Robin Shugan/FortErie on 2023-10-13 02:12 PM -----

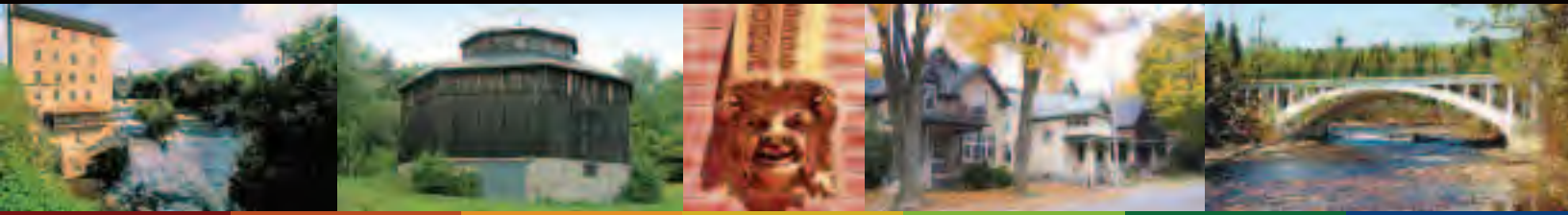
From: Robin Shugan/FortErie
To: Daryl Vander Veen/FortErie@TownOfFortErie
Date: 2023-08-24 04:24 PM
Subject: 436-440 Ridge Road- HIA

Hi Daryl,

Please let the applicant know that an HIA will be required at the OPA/ZBA stage, as certain zoning matters i.e. setbacks relative to neighbouring properties can have an impact on the heritage. Peer review of the HIA will also be required.

I will also provide this in the final comments.

Thanks,



InfoSheet #5

Heritage Impact Assessments and Conservation Plans

Winter 2006

Preserved Goldie Mill Ruins located in the City of Guelph



(Leanne Piper)

Heritage impact assessments and conservation plans as conditions of development and site alteration

With regard to cultural heritage and *archaeological resources*, the Provincial Policy Statement, 2005 issued under the authority of the Planning Act defines “*conserved*” as “the identification, protection, use and/or management of cultural heritage and *archaeological resources* in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.”

To conserve a cultural heritage resource, a municipality or approval authority may require a heritage impact assessment and/or a conservation plan to guide the approval, modification, or denial of a proposed *development* or *site alteration* that affects a cultural heritage resource. To ensure implementation of a conservation plan, a municipality may require an owner to post a letter of credit, bond or certified cheque as part of the *development* approval process.

This applies to all properties or geographic areas containing cultural heritage resources that are *significant* or “valued for the important contribution they make to our understanding of the history of a place, an event, or a people.” (PPS, 2005). Properties and geographic areas include: all listed, inventoried, mapped heritage properties by local, provincial or federal jurisdiction(s); *protected heritage property(s)*; newly identified cultural heritage sites which may need further evaluation; and areas that can be identified as having known archaeological sites or archaeological potential.

Using tools such as heritage impact assessments and conservation plans, municipalities and approval authorities can further enhance their own heritage preservation objectives.

PRINCIPLES IN THE CONSERVATION OF HISTORIC PROPERTIES

Respect for Documentary Evidence

Do not base restoration on conjecture.

Respect for Original Location

Do not move buildings unless there is no other means to save them.

Respect for Historic Material

Repair/conservate rather than replace building materials and finishes, except where absolutely necessary.

Respect for Original Fabric

Repair with like materials.

Respect for the Building's History

Do not restore to one period at the expense of another period.

Reversibility

Alterations should allow a resource to return to its original conditions.

Legibility

New work to be distinguishable from old.

Maintenance

With continuous care, future restoration will not be necessary.

A **heritage impact assessment (or equivalent study)** is a study to determine if any cultural heritage resources (including those previously identified and those found as part of the site assessment) or in any *areas of archaeological potential*, are impacted by a specific proposed *development* or *site alteration*. It can also demonstrate how the cultural heritage resource will be *conserved* in the context of redevelopment or *site alteration*. Mitigative or avoidance measures or alternative *development* or *site alteration* approaches may be recommended. For archaeological assessments, fieldwork must be undertaken by licensed professional archaeologists in accordance with the Ontario Heritage Act and its regulations. (refer to InfoSheet #3 entitled *Archaeological Resources and Areas of Archaeological Potential*).

A **conservation plan (or equivalent study)** is a document that details how a cultural heritage resource can be *conserved*. The conservation plan may be supplemental to a heritage impact assessment, but it is typically a separate document. The recommendations of the plan should include descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures.

What is the content of a heritage impact assessment?

A heritage impact assessment generally contains, but is not limited to the following information:

1. Historical Research, Site Analysis and Evaluation

If the available identification and description of the significance and *heritage attributes* of the cultural heritage resource are inadequate for the purposes of the heritage impact assessment, or the cultural heritage resource is newly identified, research, site survey and analysis, and evaluation are required. An explanation of the methodology used must accompany a clear statement of the conclusions regarding the significance and *heritage attributes* of the cultural heritage resource.

2. Identification of the Significance and Heritage Attributes of the Cultural Heritage Resource

This is usually a summary of the cultural heritage value or interest and the *heritage attributes* contained in a heritage property municipal designation bylaw, heritage conservation easement agreement, or other listings. This summary should clearly articulate the cultural heritage value or interest and *heritage attributes* of the heritage resource. If the property is not a *protected heritage property* but is listed or is newly identified and may possess heritage significance, statements of cultural heritage value or interest and the *heritage attributes* should still be developed.

3. Description of the Proposed Development or Site Alteration

This description details the rationale and purpose for the *development* or *site alteration*, the proposed works and graphical layout, and how the *development* or *site alteration* fits with the objectives of the municipality or approval authority.

4. Measurement of Development or Site Alteration Impact

Any impact (direct or indirect, physical or aesthetic) of the proposed *development* or *site alteration* on a cultural heritage resource must be identified. The effectiveness of any proposed conservation or mitigative or avoidance measures must be evaluated on the basis of established principles, standards and guidelines for heritage conservation.

5. Consideration of Alternatives, Mitigation and Conservation Methods

Where an impact on a cultural heritage resource is identified, and the proposed conservation or mitigative measures including avoidance, are considered ineffective, other conservation or mitigative measures, or alternative *development* or *site alteration* approaches must be recommended.

6. Implementation and Monitoring

This is a schedule and reporting structure for implementing the recommended conservation or mitigative or avoidance measures, and monitoring the cultural heritage resource as the *development* or *site alteration* progresses.

7. Summary Statement and Conservation Recommendations

This is a description of:

- the significance and *heritage attributes* of the cultural heritage resource;
- the identification of any impact that the proposed *development* will have on the cultural heritage resource;
- an explanation of what conservation or mitigative measures, or alternative *development* or *site alteration* approaches are recommended to minimize or avoid any impact on the cultural heritage resource;
- if applicable, clarification of why some conservation or mitigative measures, or alternative *development* or *site alteration* approaches are not appropriate.

NEGATIVE IMPACTS

Negative impact on a cultural heritage resource include, but are not limited to:

Destruction of any, or part of any, *significant heritage attributes* or features;

Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;

Shadows created that alter the appearance of a *heritage attribute* or change the viability of a natural feature or plantings, such as a garden;

Isolation of a *heritage attribute* from its surrounding environment, context or a *significant* relationship;

Direct or indirect obstruction of *significant* views or vistas within, from, or of built and natural features;

A change in land use such as rezoning a battlefield from open space to residential use, allowing new *development* or *site alteration* to fill in the formerly open spaces;

Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an *archaeological resource*.

MITIGATION OR AVOIDANCE

Methods of minimizing or avoiding a negative impact on a cultural heritage resource include, but are not limited to:

- Alternative *development* approaches
- Isolating *development* and *site alteration* from *significant* built and natural features and vistas
- Design guidelines that harmonize mass, setback, setting, and materials
- Limiting height and density
- Allowing only compatible infill and additions
- Reversible alterations
- Buffer zones, site plan control, and other planning mechanisms

For more information contact:

Ontario Ministry of Culture

400 University Avenue, 4th Floor

Toronto, ON M7A 2R9

General_Info@mcl.gov.on.ca

(416) 212-0644

1 (866) 454-0049

web page:

<http://www.culture.gov.on.ca>

Additional information on the Provincial Policy Statement, 2005 is available on the Ministry of Municipal Affairs and Housing web page:
<http://www.mah.gov.on.ca>

What is the content of a conservation plan?

A Conservation Plan generally contains, but is not limited to the following information:

1. **Identification** of the conservation principles appropriate for the type of cultural heritage resource being *conserved*;
2. **Analysis** of the cultural heritage resource, including documentation of the resource, descriptions of cultural heritage value or interest, assessment of resource conditions and deficiencies, discussion of historical, current and proposed use;
3. **Recommendations** for conservation measures and interventions, short or long term maintenance programs, implementation, and the qualifications for anyone responsible for the conservation work;
4. **Schedule** for conservation work, inspection, maintenance, costing, and phases of rehabilitation or restoration work;
5. **Monitoring** of the cultural heritage resource and the *development* of a long term reporting structure.

Who is qualified to prepare a heritage impact assessment and conservation plan?

Heritage impact assessments and conservation plans for *built heritage resources* and *cultural heritage landscapes* must be prepared by qualified individuals, such as architectural and landscape consultants with knowledge of accepted standards of historical research, identification, evaluation, and methods of conservation and mitigation. For properties containing *archaeological resources* or *areas of archaeological potential*, only licensed professional archaeologists can carry out technical assessments and alter known archaeological sites.

Further information on heritage impact assessments and conservation plans will be available in future technical guides and manuals developed by the Ministry of Culture.

*Note: This InfoSheet was developed to assist participants in the land use planning process and to understand the PPS, 2005 policies related to the conservation planning of cultural heritage and *archaeological resources*. The information in the InfoSheet should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter.

Header photos: Elora Mill (Copyright 2006 Ontario Tourism), Cunnington-Osborne Farm Complex, Caledon (Sally Drummond), Whig-Standard Building, Kingston (Marcus Létourneau), Victoria Park Heritage Conservation District, Kitchener (Ministry of Culture), Black Bay Bridge, Thunder Bay (Ministry of Culture)

Appendix III
Draft Official Plan Amendment





The Municipal Corporation of the Town of Fort Erie

By-law No.XX-2024

**Being A By-law To Enact an Amendment to the Official Plan
Adopted by By-law No. 150-06 for the Town of Fort Erie
Planning Area**

**Amendment No. XX
436, 444 and 0-8481 Ridge Road North,
Town of Fort Erie**

XXXXXX-XXXX

The Municipal Council of The Corporation of the Town of Fort Erie in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O 1990 enacts as follows:

1. **That** amendment No. XX to the Official Plan for the Town of Fort Erie consisting of the attached explanatory text is adopted and approved.
2. **That** this by-law shall come into force and take effect on the day of the final passing thereof.
3. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this DD day of MM, 2024.

Mayor

Clerk

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

AMENDMENT NO. XX

TO THE

OFFICIAL PLAN

FOR THE

CORPORATION OF THE TOWN OF FORT ERIE

DRAFT

CONTENTS

PART "A" - THE PREAMBLE

- Section 1 - Title and Components
- Section 2 - Purpose of Amendment
- Section 3 - Location of this Amendment
- Section 4 - Basis of this Amendment
- Section 5 - Implementation and Interpretation

PART "B" - THE AMENDMENT

Introductory Statement

Details of the Amendment

- Schedule "A" - Land Use Plan

PART "C" - THE APPENDICES

- Appendix 1 - Notice of Public Information Processes
- Appendix 2 - Public Meeting Minutes
- Appendix 3 - Circulation Comments

PART "A" - THE PREAMBLE

SECTION 1

TITLE AND COMPONENTS

This document, when approved in accordance with Sections 17 and 21 of The *Planning Act*, 1990, shall be known as Amendment No. XX to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area.

Part "A", the Preamble does not constitute part of this amendment.

Part "B", the Amendment, consisting of the following text and map (designated Schedule "A") constitutes Amendment No. XX to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area.

Also attached is Part "C", the Appendices, which do not constitute part of this amendment. These Appendices (1 through 3 inclusive) contain the background data, planning considerations and public involvement associated with this amendment.

SECTION 2

PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to allow for the redevelopment of the subject lands.

SECTION 3

LOCATION OF THIS AMENDMENT

The lands that are the subject of this amendment are located on the east side of Ridge Road North, south of Hazel Street and are municipally known as 436, 440 and 0-8481 Ridge Road North, as shown on Schedule "A" attached hereto.

SECTION 4

BASIS OF THIS AMENDMENT

Subsection 13.7(III) of the Official Plan adopted by By-law No. 150-06 of the Fort Erie planning area provides that amendments may be made to the Official Plan. Policies in Subsection 13.7(III) have been considered in the preparation of this amendment and the following factors have been reviewed in supporting this amendment to the Official Plan:

a) The need for the proposed use:

The Amendment will provide additional housing and commercial opportunities in proximity to downtown Ridgeway.

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

The Amendment will more specifically guide the implementation of the Ridgeway-Thunder Bay Secondary Plan in accordance with the proposed development concept.

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

The site is generally flat with no geomorphological impediments to development.

The lands do not contain any Natural Heritage Features.

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

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

The subject site has frontage on a collector Road (Ridge Road North) A Traffic Impact Assessment has been completed which confirm the existing road network is sufficient for the proposed development.

A Functional Servicing Study has been completed and confirms that there is an adequate water supply and sanitary sewer capacity to service the development.

e) The compatibility of the proposed use with uses in adjoining areas:

The subject lands are generally surrounded by commercial and residential uses. The proposed commercial and residential development integrates into the existing neighbourhood.

f) The effects of such proposed use on the surrounding area in respect of the minimizing of any possible depreciating or deteriorating effect upon adjoining properties:

This proposal represents the redevelopment of a vacant lands. The amendment will allow for the efficient use of urban lands as it will intensify the use of an underdeveloped area of Fort Erie. No depreciating or deteriorating impacts on adjoining properties are anticipated.

g) The potential effect of the proposed use on the financial position of the Municipality:

This proposal will improve the financial position of the Town through development charges and the long term benefit of collection of property taxes from the dwellings in the development.

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

None.

DRAFT

SECTION 5

IMPLEMENTATION AND INTERPRETATION

The policies detailed in Part B and any relevant policies of the Official Plan adopted by By-law No. 150-06 of the Fort Erie planning area shall apply to the implementation and interpretation of this Amendment.

DRAFT

PART "B" - THE AMENDMENT

All of this part of the document entitled "Part "B" - "The Amendment" consisting of the following policies and attached maps designated as Schedule "A" (Land Use Plan) constitute Amendment No. XX to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area.

The Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area is hereby amended as follows:

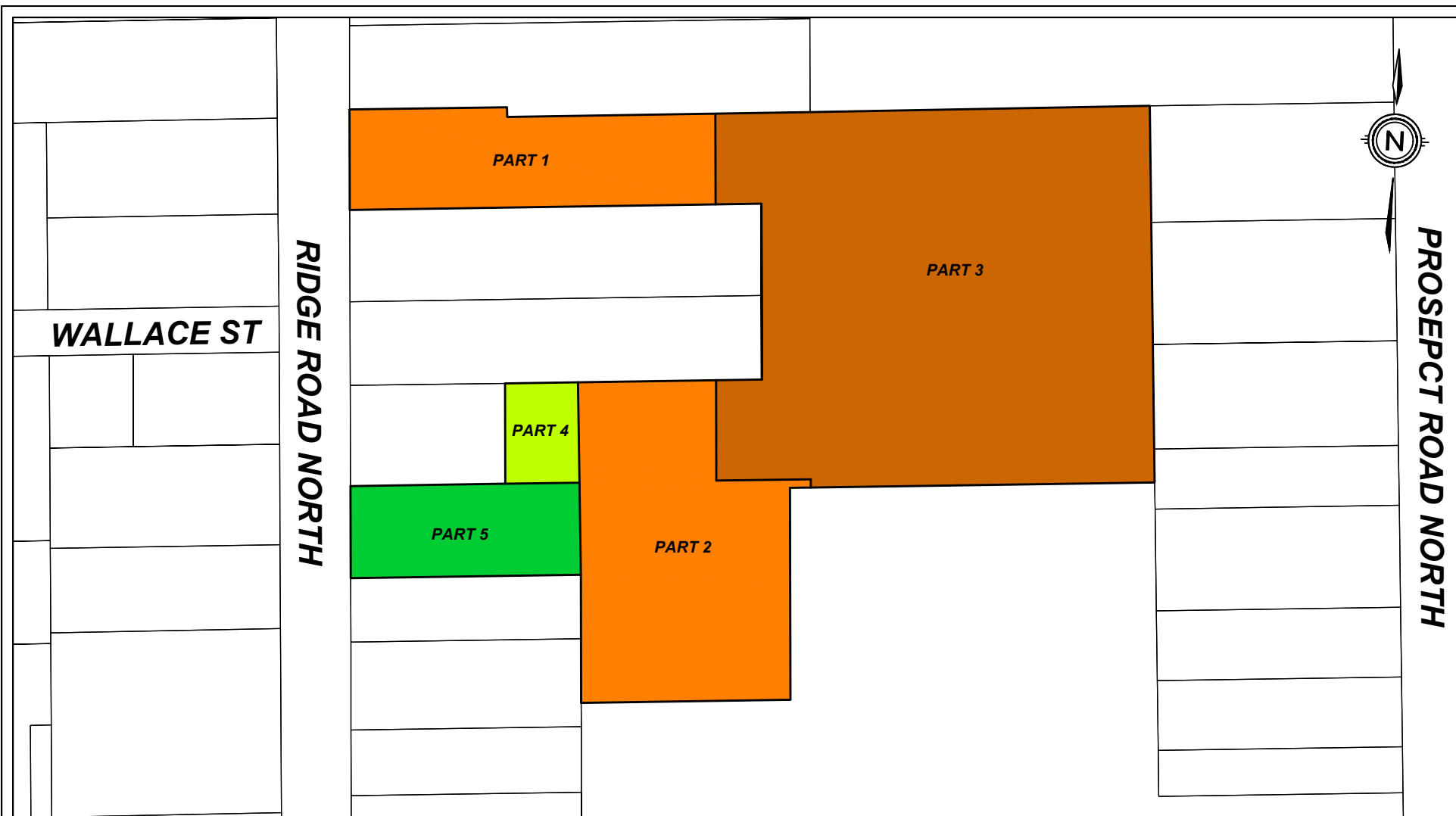
The subject lands described as Special Policy Area XX 436, 440 and 0-8481 Ridge Road North on the attached Schedule A are hereby re-designated as follows:

1. The subject lands described as Part 1 on the attached Schedule A are hereby designated from "Residential – Low Density" to "Residential - Medium Density".
2. The subject lands described as Part 2 on the attached Schedule A are hereby designated from "Residential – Low Density" to "Core Mixed Use"






The Lands Designated as Policy Area XX may be developed with an apartment building and semi-detached dwellings with a maximum density of 87 units per hectare.

PART "C" - THE APPENDICES

- Appendix 1 - Notice of Public Meeting
- Appendix 2 - Public Meeting Minutes
- Appendix 3 - Circulation comments



LEGEND

-  PART 1 - OPA: LOW DENISTY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL SITE SPECIFIC POLICY AREA XX
-  PART 2 - OPA: LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL SITE SPECIFIC POLICY AREA XX
-  PART 3 - OPA: MEDIUM RESIDENTIAL TO MEDIUM DENSITY SITE SPECIFIC POLICY AREA XX
-  PART 4 - OPA: LOW DENSITY RESIDENTIAL TO CORE MIXED USE
-  PART 5 - OPA: REMAINS CORE MIXED USE

436 & 440 RIDGE ROAD NORTH
SCHEDULE 'A' TO OFFICIAL PLAN AMENDMENT No. _____

MAYOR: _____

CLERK: _____



Appendix IV
Draft Zoning By-law Amendment





The Municipal Corporation of the Town of Fort Erie

By-law No. **XX**-2024

**Being a By-law to Amend Zoning By-law No. 129-90
436, 440 and 0-8481 Ridge Road North
ePrime Construction Management – Owner
Upper Canada Consultants (Ethan Laman) - Agent**

XXXX-XXXX

Whereas an application was received from Ethan Laman of Upper Canada Consultants, (Agent) on behalf of ePrime Construction Management (Applicant) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described municipally as 436, 440 and 0-8481 Ridge Road North, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on **MM-DD-YYYY**, 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**-202**X** considered and approved at the Regular Council meeting held on **MM-DD-YYYY**;

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

1. **That** Schedule "A" of By-law No. 129-90 as amended, is further amended by changing the zoning of the lands as described above and shown on the attached Appendix "1" from "Core Mixed-use 4 (CMU4) Zone", "Residential 1 (R1) Zone", and "Residential Multiple 1 Site-specific (RM1-260) Zone, to "Core Mixed-use 4 Site Specific (CMU4-**XX**) Zone", and Residential Multiple 2 Site-specific (RM2-**XX**) Zone"
2. **That** By-law No.129-90 as amended, is further amended by adding to "Section 15 – "Residential Multiple 2 (RM2) Zone" Subsection – "Exceptions to the Residential Multiple 2 (RM2) Zone" the following exception:

"RM2-XXX** (XX-2024) 436 and 440 Ridge Road North"**

These lands are zoned "Residential Multiple 2 (RM2-**XX**) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-**XX**) Zone" subject to the following special regulations:

- a) In addition to the permitted uses set out in Section 15.2, semi-detached dwellings shall be a permitted use.

b) Notwithstanding Sections 15.3 and 15.4, the following regulations shall apply to the permitted uses:

i) Minimum Lot Frontage	20 meters	
ii) Maximum Lot Coverage	50%	
iii) Minimum Interior Side Yard	Apartment Building	Semi-detached Dwellings
	3.5m to the apartment building	From side wall: 1.2 meters
	2.0 meters to a balcony 2.0 meters to the covered parking area	From end wall: 4.6 meters to the main building 2.3m to a covered terrace
iv) Minimum Rear Yard (Apartment Building)	7.5 meters to the main building 6.0 meters to a balcony 2.0 meters to the parking structure	
v) Landscaped Area	23% of the lot area	
vi) Minimum Distance from a Driving Lane to a Residential Zone	1.9 meters	

c) Notwithstanding Section 6.20 – Parking Requirements, the minimum parking requirement for an apartment building shall be 1.2 spaces per dwelling unit.

3. **That** By-law No.129-90 as amended, is further amended by adding to “Section 26D – “Core Mixed Use (CMU4) Zone” Subsection – “Exceptions to the Core Mixed Use (CMU4) Zone” the following exception:

“CMU-XXX (XX-2024) 0-8481 Ridge Road North”

These lands are zoned “Core Mixed Use (CMU4-XX) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Core Mixed Use (CMU4) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use (CMU4-XX) Zone” subject to the following special regulations:

i) Residential Open Space	17 square meters per dwelling unit
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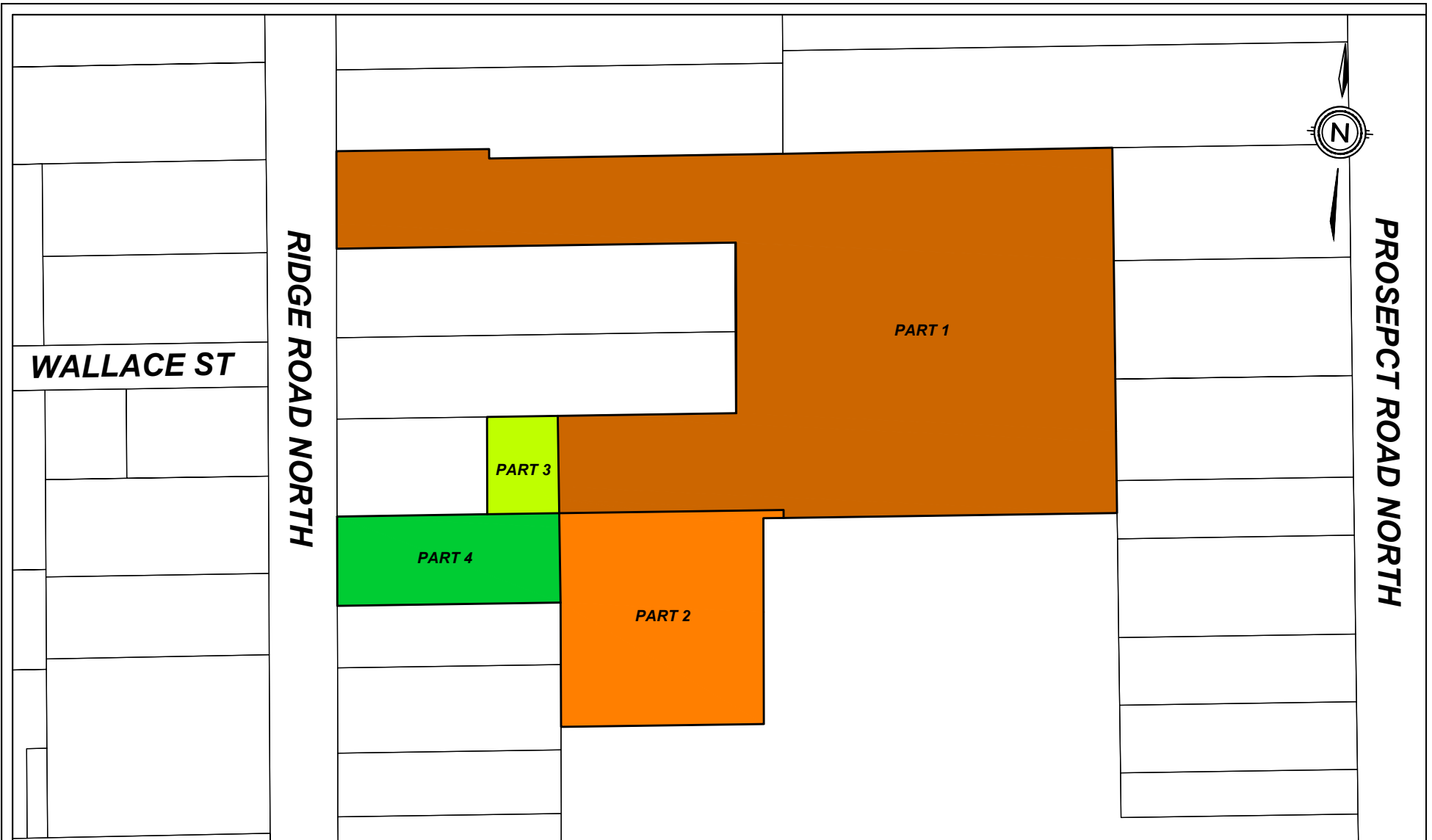
4. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

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





Mayor

Clerk

I, Carol Schofield, Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. XX -2022 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20



LEGEND

-  PART 1 - ZONING: RESIDENTIAL MULTIPLE 1 SITE SPECIFIC (RM1-260) TO RESIDENTIAL MULTIPLE 2 SITE SPECIFIC (RM2-XX)
-  PART 2 - ZONING: RESIDENTIAL 1 (R1) TO RESIDENTIAL MULTIPLE 2 SITE SPECIFIC (RM2-XX)
-  PART 3 - ZONING: RESIDENTIAL MULTIPLE 1 SITE SPECIFIC (RM1-260) TO CORE MIXED USE 4 SITE SPECIFIC (CMU4-XX)
-  PART 4 - ZONING: CORE MIXED USE 4 (CMU4) TO CORE MIXED USE 4 SITE SPECIFIC (CMU4-XX)

**436 & 440 RIDGE ROAD NORTH
SCHEDULE 'A' TO ZONING BY-LAW AMENDMENT No. _____**

MAYOR: _____

CLERK: _____

