

February 27, 2023

Anamika Dilwaria
Manager, Development Approvals
Planning and Development Services
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Ms. Dilwaria :

**RE: Draft Plan of Vacant Lot Condominium
3770 Hazel Street, Fort Erie
OUR FILE 1119B**

On behalf of our client, Schout Communities Inc., we are pleased to make this submission for a Vacant Lot Condominium application for the lands municipally addressed as 3770 Hazel Street, Fort Erie (the 'subject lands').

The proposed draft plan of Vacant Land Condominium (VLC) application is required to facilitate the creation of 93 townhouse units. In support of the proposed draft plan application, we have enclosed digital copies of the following:

1. Signed Plan of Condominium Application Form;
2. Draft Plan of Vacant Land Condominium, prepared by MHBC Planning, dated January 11, 2023;
3. Plan of Survey prepared by Chambers and Associates Surveying Ltd., dated March 25, 2020;
4. Concept Site Plan, prepared by MHBC Planning, dated January 11, 2023;
5. Transportation Impact Study, prepared by Paradigm Transportation Solutions Limited, dated February 2023;
6. Environmental Impact Study, prepared by Geoprocess, dated February 21, 2023;
7. Functional Servicing and Stormwater Management Report, prepared by WalterFedy, dated February 10, 2023;
8. Grading and Servicing Plans, prepared by WalterFedy, dated February 10, 2023;
9. The following application fees and deposits:
 - \$7,472, payable to the Town of Fort Erie, representing the required Plan of Condominium Application Fee
 - \$12,705, payable to the Region of Niagara, representing the draft plan review fee, stormwater management review fee and EIS review fee.
10. Summary of Pre-consultation Agreement Comment Summary, dated February 2023; and,
11. Parcel Register for Property Identifier (PIN).

We trust the enclosed is sufficient to satisfy the complete application requirements for the proposed draft plan of VLC application as set out in the Pre-consultation Agreement. Please note that the enclosed concept site plan provided is for reference only. A Site Plan Approval application will be submitted following receipt of circulation comments for this application. In accordance with the Pre-consultation Agreement, elevations for the proposed townhouse units, a landscape plan and a Tree Inventory and Preservation Plan will be provided in support of the future Site Plan Application.

The purpose of this covering letter report is to describe the proposed development and provide an analysis of the application in the context of the Provincial Policy Statement, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Niagara Region Official Plan (ROP), Town of Fort Erie Official Plan and Town of Fort Erie Zoning By-law and Section 51(24) of the *Planning Act*.

OVERVIEW

The subject lands are located at the northwest corner of Belleview Boulevard and Hazel Street in the Ridgeway community of the Town of Fort Erie. The subject lands measure 2.57 hectares in area with 180.09 metres of frontage on Belleview Boulevard and 139.81 metres of frontage on Hazel Street. The subject lands were formerly occupied by the Bertie Public School which closed in 2016 and has since been demolished. Following the closure of the school, Council for the Town of Fort Erie approved amendments to the Official Plan and Zoning By-law to facilitate the redevelopment of the subject lands.

The subject lands are located in a predominantly residential neighbourhood with single detached dwellings located to the west and a mixture of residential uses to the south, including single detached dwellings, townhouses and low rise apartments. To the north of the subject lands are vacant lands. A woodlot is adjacent to the subject lands to the northeast and residential uses are located further east along Ridge Road North.

DRAFT PLAN OF VACANT LAND CONDOMINIUM APPLICATION

A Plan of Condominium is proposed for the subject lands to facilitate the creation of units for townhouse dwellings and common elements. A Site Plan Approval application will also be required and will be submitted following circulation of the Draft Plan of Condominium application.

The proposed draft Plan of Condominium is a Vacant Land Condominium and is required to facilitate the division of land and buildings on the subject lands. The proposed condominium includes:

- 93 units which are intended to comprise individual townhouse dwelling units as well as their respective front and rear yards; and,
- Common Elements which include the private condominium roads, internal sidewalks, all visitor and accessible parking spaces, landscaped areas and the common amenity area.

This draft Plan of VLC has been prepared in accordance with the conceptual site plan which has been included for reference to illustrate the intent of the proposed development. No phasing is proposed.

The proposed development includes 13 townhouse blocks, containing 93 units. The proposed townhouse blocks have been arranged fronting on an internal private road network which has two connections to Hazel Street and one connection to Belleview Boulevard. The driveway connection to Belleview Boulevard has been aligned with Pearl Street. A total of 141 parking spaces are proposed which includes one garage parking spaces for each unit as well as a 48 surface parking spaces. It is noted that each townhouse also has a driveway which can accommodate an additional parking space.

With respect to amenity space, each townhouse unit will have a private amenity space comprised of a 7.5 metre deep rear yard. In addition, common amenity space is provided in a central amenity area which is intended to form part of the Common Elements. The design of the common amenity area will occur through the site plan approval process.

Along Belleview Boulevard a two metre wide landscape strip has been provided to accommodate enhanced landscaping along the street. This landscape strip is intended to form part of the Common Elements such that the condominium will retain ownership and maintenance responsibilities. Further, the townhouses adjacent to Belleview Boulevard will be designed with enhanced rear facades. The additional landscaping, together with the enhanced rear facades, will result in a high quality streetscape along Belleview Avenue. The details of the landscaping and building facades will be determined through the site plan approval process.

A woodlot is located to the northeast of the subject lands. The proposed development accommodates a 10 metre setback to the dripline of the woodlot. The boundaries of all of the units are outside of the 10 metre dripline setback. An Environmental Impact Study ("EIS") has been submitted in support of this application which includes recommendations with respect to plantings within the buffer.

POLICY SUMMARY

This sections confirms that the proposed draft Plan of VLC is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan, Niagara Region Official Plan and the Town of Fort Erie Official Plan and Zoning By-law.

Provincial Policy Statement (2020)

The proposed draft Plan of VLC is consistent with the PPS. The development is located within the Built-up Area and results in the redevelopment of an underutilized, now vacant, property with access to full municipal services. The proposed townhouse units will contribute to the range of mix of residential development within the Town of Fort Erie. The PPS does not contain any policies related to housing tenure.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The proposed draft Plan of VLC conforms to the Growth Plan and will result in the development of an underutilized property within the Delineated Built-Up Area and contribute to a range of housing options in Fort Erie. The Growth Plan does not contain policies with respect to housing tenure.

Niagara Region Official Plan (2020)

Regional Council adopted the Niagara Regional Official Plan (ROP) Official Plan on June 23, 2022 and on November 4, 2022, the Minister of Municipal Affairs and Housing approved the new Niagara Official Plan, with modifications. The ROP contains broader planning objectives that are intended to be implemented by Local Official Plans (LOP).

The subject lands are designated Settlement Areas (Ridgeway) on Schedule A. Lands within Settlement Areas are intended to accommodate the majority of population growth within the Region to the year 2051. The subject lands are designated Delineated Built-Up Area on Schedule B (Regional Structure). Section 2.2.2.5 provides that a minimum of 60 percent of all residential units occurring annually will be within the built-up area. Specific intensification targets for local municipalities are set out at Section 2.2.6 which provides that the intensification target for Fort Erie is 50%. The proposed development will contribute to the Regional and local intensification target through the redevelopment of the subject lands with a townhouse development containing 93 units.

With respect to the provision of housing, Section 2.3.1.1 provides that the development of a range and mix of densities, lot and unit sizes and housing types will be planned for throughout settlement areas to meet housing needs at all stages of life. The proposed development is comprised of townhouses which will contribute to the range of housing types within the community.

The subject lands are adjacent to lands identified as being within the Region's Core Natural Heritage System on Schedule C1. The feature is further identified as Significant Woodlands on Schedule C2. Per Table 3-1 of the Official Plan, adjacent lands for a Significant Woodland are identified as those within 120 metres, which triggers the requirement for an EIS (Policy 3.1.9.7.2).

An EIS has been prepared by Geoprocess Research Associates. This report delineates the extent of the Significant Woodlands adjacent to the site, and determined that a buffer width of 10 metres is sufficient to protect the woodland. The EIS confirms that in the northern buffer minor site changes are proposed, but no negative impacts are anticipated. The buffer will continue to perform its ecologic function after grading and revegetation. Recommendations for plantings within the buffer are set out in the EIS and will be implemented through the landscape plan prepared in support of the site plan application.

The proposed development conforms to the policies of the Niagara Region Official Plan.

Town of Fort Erie Official Plan, 2021

The Town of Fort Erie Official Plan was approved in 2011 and has been amended several times, with the most recent consolidation in 2021.

The subject lands are designated Medium Density Residential and are subject to Site Specific Policy Area 22 (policy 4.14.26 – Bertie Public School) on Schedule A of the Official Plan. Policy 4.14.26 provides that the subject lands shall generally be governed by the Medium Density Residential policies of the Official Plan (Section 4.18.7). Additional site specific policies are provided, including that any removal of the school building and the overall redevelopment of the site should contain at minimum an apartment/condominium block with a minimum of 45 units. The school building has been removed and the proposal includes the comprehensive redevelopment of the subject lands with a Plan of Condominium which includes 93 units thereby satisfying the intent of this policy.

The applicable Medium Density Residential policies of the Ridgeway-Thunder Bay Secondary Plan are set out at Section 4.18.7. These policies provide that lands shall be reserved for multiple-unit structures (townhouses and apartment dwellings). A minimum of 20% medium density residential unit yield shall be anticipated in any neighbourhood. The Medium Density range is set out at 25-75 units per hectare.

The proposed development is comprised of townhouse dwellings with a density of 36.1 units per hectare. The proposed development is permitted by the Medium Density Residential designation.

There are no natural heritage features identified on the site or surrounding area on Schedule C (Natural Heritage Features). Further, the site is not identified on Schedule D (Cultural Heritage Archaeological Zones of Potential) as having any archaeological potential.

The proposed development conforms to the policies of the Official Plan and implements Site Specific Policy 22 through the redevelopment of the subject lands with a townhouse development containing 93 units which achieves a density of 36.1 units per hectare. The proposed development will make for the more

efficient use of currently underutilized lands while contributing to the range of housing types in the community.

Town of Fort Erie Zoning By-law No. 129-90

The subject lands are zoned Residential Multiple 1 – 618 (RM1-618). The RM1-618 zone permits a variety of residential built forms (single-detached dwellings, semi-detached dwellings, street and block townhouse dwellings, apartments), limited institutional uses, a public park or a stormwater management facility. Exception 618 limits the height of any apartments located on the subject lands to 4 storeys and requires a minimum lot area of 110m² per unit. The proposed use is permitted by the RM-1 zone.

The proposed development implements the zoning of the subject lands through a redevelopment proposal comprised of townhouse dwelling units. The concept plan has been designed in consideration of the minimum requirements of the Zoning By-law and satisfies the zoning requirements related to setbacks, building height, building separation and parking. Two variances will be required to permit the proposed development, including:

- A minimum density of 36.1 units per hectare (93 units), whereas a maximum of 35 units per hectare are permitted (89.95 units); and,
- A minimum landscaped area of 45%, whereas a minimum landscaped area of 50% is required.

The required minor variance application will be filed following the initial circulation of the proposed Plan of Condominium application.

URBAN DESIGN

The proposal involves the redevelopment of a vacant parcel of land in the Ridgeway community in a manner that represents a more compact built form which supports the efficient use of infrastructure and community investment. The proposed development includes two storey townhouses that provide an appropriate transition and are compatible with adjacent development, which includes a range of dwelling types including single detached dwellings and low rise apartments.

Private rear yard amenity space is provided for each unit. In addition, a centrally located common outdoor amenity space will be provided internal to the site to provide future residents with a central gathering place and opportunities for recreation.

The proposed internal road network will be treated in a similar design manner as that of a public street with connected sidewalks and homes fronting directly on to the private street. The driveway connection to Belleview Boulevard has been appropriately aligned with the terminus of Pearl Street. Parking is accommodated by way of driveway and garage spaces for each unit and a surface parking spaces.

In order to achieve a transition to existing development, the townhouses are proposed as two-storey buildings which is comparable to existing development in terms of height. The proposed units are oriented on a private road. A two metre wide landscape strip is proposed along Belleview Boulevard in order to allow for significant landscaping along the street. In addition, enhanced rear elevations are proposed along Belleview Boulevard. The proposed landscaping and enhanced rear elevations are intended to ensure a high-quality streetscape and an attractive public realm is achieved.

Through the site plan approval process, elevations and a landscape plan will be provided which demonstrate a high quality of architectural and landscape design. The building elevations will be designed to be compatible with the surrounding community, while providing a style reflective of the current time. Landscaping will be designed to enhance the public realm within the site and along the street and will include low-maintenance, drought-tolerant plantings that are appropriate to the local climate.

The proposed development has been designed in consideration of the urban design policies of the Official Plan. The following sections provides an urban design analysis of the proposal in the context of the applicable urban design policies.

General Policies (Section 5.6.1)

- The proposed development will not impact the privacy, comfort or amenity spaces for adjacent development.
- The proposed development accommodates active transportation through sidewalks along the internal private road and logical connections to the existing road network.
- The landscape plan will incorporate native species, as appropriate.
- Elevations will be provided in support of the site plan application which illustrate the exterior design of the proposed buildings.
- There will be no impact on the local road network or lotting pattern.

Streetscapes (Section 5.6.2)

- To address the Belleview streetscape, a two metre wide landscape strip is provided adjacent to Belleview Boulevard and the rear elevations will be enhanced. A high-quality, visually interesting streetscape is intended to be achieved through the combination of landscaping and architectural design.
- Along Hazel Street, the buildings have been oriented to have their exterior side elevations facing the street. A combination of landscaping and high quality design will achieve a visually interesting streetscape along Hazel Street.
- The proposed development will achieve a sense of identity through a cohesive architectural style and a logical pattern of development.
- Through the site plan approval process, utilities will be coordinated with the overall design and integrated into the landscape design, where possible.

Buildings and Public Spaces (Section 5.6.3)

- The proposed development has been designed to complement the surrounding community through an appropriate transition to higher density development by incorporating two-storey townhouses and accommodating appropriate setbacks to the adjacent woodland.
- The proposed buildings respect surrounding development in terms of scale as they are two-storeys in height, which is comparable to surrounding development.
- The concept site plan has been designed in consideration of site safety and pedestrian comfort through the provision of sidewalks throughout the development, logically connected to the existing road network and the common amenity space.
- The impact of surface parking has been minimized as each unit has parking in garage and driveway spaces. Surface parking is centrally located and is distributed into several smaller parking areas to reduce the visual impact of large areas of surface parking.
- Bicycle parking can be accommodated within the proposed development. The location of bike parking spaces will be determined through the site plan stage.
- The proposed landscape design will be a cohesive design for the entire site, including streetscape plantings, plantings within the amenity area and plantings along the internal road. A diversity of native plant materials will be provided, as appropriate.
- The landscape design will enhance the entrances to the site at Belleview Boulevard and Hazel Street.

- The landscape plan will implement the recommendations of the EIS with respect to planting within the buffer to the woodlot.
- Landscaping will provide appropriate buffering to the surface parking area visible from Bellevue Boulevard.
- The proposed development has been designed to integrate pedestrian, cycling and vehicular traffic and facilitate safe and efficient movement to and from the existing public road network through appropriate driveway connections to the public road network and the provision of sidewalks. Hazel Street is identified in the Town's Active Transportation Master Plan as containing a proposed signed bike route. The location of the subject lands and direct access to a proposed signed bike route encourages cycling.
- The development has been oriented with to face an internal private road as this orientation was more appropriate from a site servicing and access perspective. To address the streetscape, high quality architectural design and enhanced landscaping will be incorporated.

The proposed design represents an appropriate redevelopment of the subject lands that is sensitive to the surrounding context and provides appropriate design measures to transition from surrounding development. The proposed development achieves the intent of the urban design policies of the Official Plan as it will achieve a high standard of urban design and contribute to a compact urban form which is compatible with surrounding development.

LOT CREATION POLICIES PLANNING ACT

Section 51(24) of the Planning Act sets out the policies for Lot Creation. The following chart describes the criteria required in considering a draft plan of condominium:

Criteria		Response
a)	The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2,	The Plan of Condominium is consistent with the PPS and conforms to the Growth Plan
b)	Whether the proposed subdivision is premature or in the public interest,	The application is in the public interest. The subject lands are located within the Built-Up Area and are currently an underutilized parcel of lands. Residential uses are a permitted use. The development can be serviced by municipal infrastructure. The development represents an infill development within an existing community.
c)	Whether the plan conforms to the Official Plan and adjacent plans of subdivision,	The application conforms to the Regional and City Official Plan.
d)	The suitability of the land for the proposes for which it is to be subdivided,	The subject lands are designated and zoned for residential use.
d.1)	If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing,	Not applicable.
e)	The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them,	No highways are proposed.

f)	The dimensions and shapes of the proposed lots,	The proposed units are suitable for the plan of condominium. The units include the dwelling unit, the front yard and rear yard.
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any on adjoining land,	The proposed development satisfies the site specific regulations of the Zoning By-law. Minor variances will be required to the landscaped open space and density requirements of the zoning by-law.
h)	Conservation of natural resources and flood control,	There are no identified natural resources to protect and the subject lands are not located in a floodplain.
i)	The adequacy of utilities and municipal services,	Municipal water and sanitary services will be provided for the site through connections to existing municipal infrastructure.
j)	The adequacy of school sites,	The surrounding community contains existing schools, the nearest being John Brant Public School, located approximately 1.6km south of the subject lands.
k)	The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes,	Not applicable.
l)	The extent to which the plans design optimizes the available supply, means of supplying, efficient use and conservation of energy.	The proposed infill development results in redevelopment of an underutilized former school site which is located on lands that can be serviced by municipal infrastructure.
m)	The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area	A site plan approval application is forthcoming.

The proposed draft Plan of Vacant Land Condominium adequately addresses the lot creation policies of Section 51(24) of the Planning Act.

CONCLUSION

The proposed Draft Plan of Vacant Land Condominium is required to facilitate the creation of 93 townhouse units. The application is consistent with the Provincial Policy Statement and conforms to A Place to Grow, Niagara Region Official Plan and the Town of Fort Erie Official Plan and the intent of the Town of Fort Erie Zoning By-law.

We trust the above and enclosed is sufficient. Kindly confirm receipt of the application and confirm the application is complete. We thank you for your consideration and look forward to working together.

Yours truly,
MHBC

A handwritten signature in black ink that reads "E Elliott". The signature is fluid and cursive, with the first "E" being particularly large and stylized.

Emily Elliott, BES, MCIP, RPP
Associate

cc. *Mike Schout, Ryan Carey*