



The Municipal Corporation of the Town of Fort Erie

By-law No. 41-2019

**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. 42
Susan and Joseph Passero (Owners)
Craig Rohe, Upper Canada Consultants (Agent)
2651 Nigh Road**

350302-0110

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. 42 to the Official Plan for the Town of Fort Erie consisting of the attached explanatory text is hereby 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 of Fort Erie 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 18th day of March, 2019.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true copy of By-law No. 41-2019 of the said Town. Given under my hand and the seal of the said Corporation this ____ day of _____, 20__

AMENDMENT NO. 42

TO THE

OFFICIAL PLAN

FOR THE

CORPORATION OF THE TOWN OF FORT ERIE

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. 42 to the Official Plan adopted by By-law No. 150-06 of 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. 42 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 amend the infilling policy in Section 4.6.3 (a) of the Town's Official Plan as it applies to the lands shown in Schedule A and limit the development of the lands shown on Schedule "A" to permit a maximum of three dwelling units or lots in accordance with the Growth Plan for the Greater Golden Horseshoe.

SECTION 3

LOCATION OF THIS AMENDMENT

The lands, which are the subject of this amendment, are located at 2651 Nigh Road 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 subject lands are designated Rural in the Town's Official Plan and residential dwellings are permitted. The proposal is to create two new building lots and retain the balance of the property with the existing single detached dwelling and garage. The owner of the property does not farm the property and wishes to sell the lands to enable the construction of two new single detached dwellings. The two new lots are needed to accommodate the needs of those people wishing to construct a single detached dwelling on a rural lot in Fort Erie.

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

The subject land contains an existing dwelling. Rural Residential subdivisions and dwellings are located to the northwest and west. There are a number of rural dwellings to the east and to the south beyond the Provincially Significant Wetland.

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 existing home will be situated on a large 12.6 ha lot which is more than adequate to accommodate the existing dwelling, accessory structure and septic system. The two proposed lots will be 1 hectare in size which is consistent with the MOE procedural guideline D-5-4 for individual on-site sewage systems.

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 property fronts on Nigh Road which is a paved and maintained municipal road. The proposed development will not generate any significant traffic volumes. The existing and

proposed dwellings can be adequately serviced with private water systems. The Region has confirmed that the severed and retained lots are adequately sized to accommodate the private sewage systems and will ensure the adequacy of lot sizes for future lots through the requirement for a septic system design to be submitted for each lot at the consent stage.

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

The retained parcel is 12.6 ha in size and contains an existing single detached dwelling and detached garage, which is well separated from abutting uses. The proposed lots will both be 1.0 ha and size and will be well separated from adjacent uses. Adjacent uses consist of rural residential uses and natural heritage features which are compatible with the existing and proposed uses of the subject property.

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:

There is no evidence to suggest that the introduction of two additional lots into the area will depreciate adjoining properties.

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

The proposed redesignation of the subject property will not negatively affect the financial position of the municipality as all the works associated with the proposed development are the responsibility of the developer. The proposed residential development will provide the municipality with additional tax base and development charges.

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

None.

SECTION 5

IMPLEMENTATION AND INTERPRETATION

The 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.

PART "B" - THE AMENDMENT

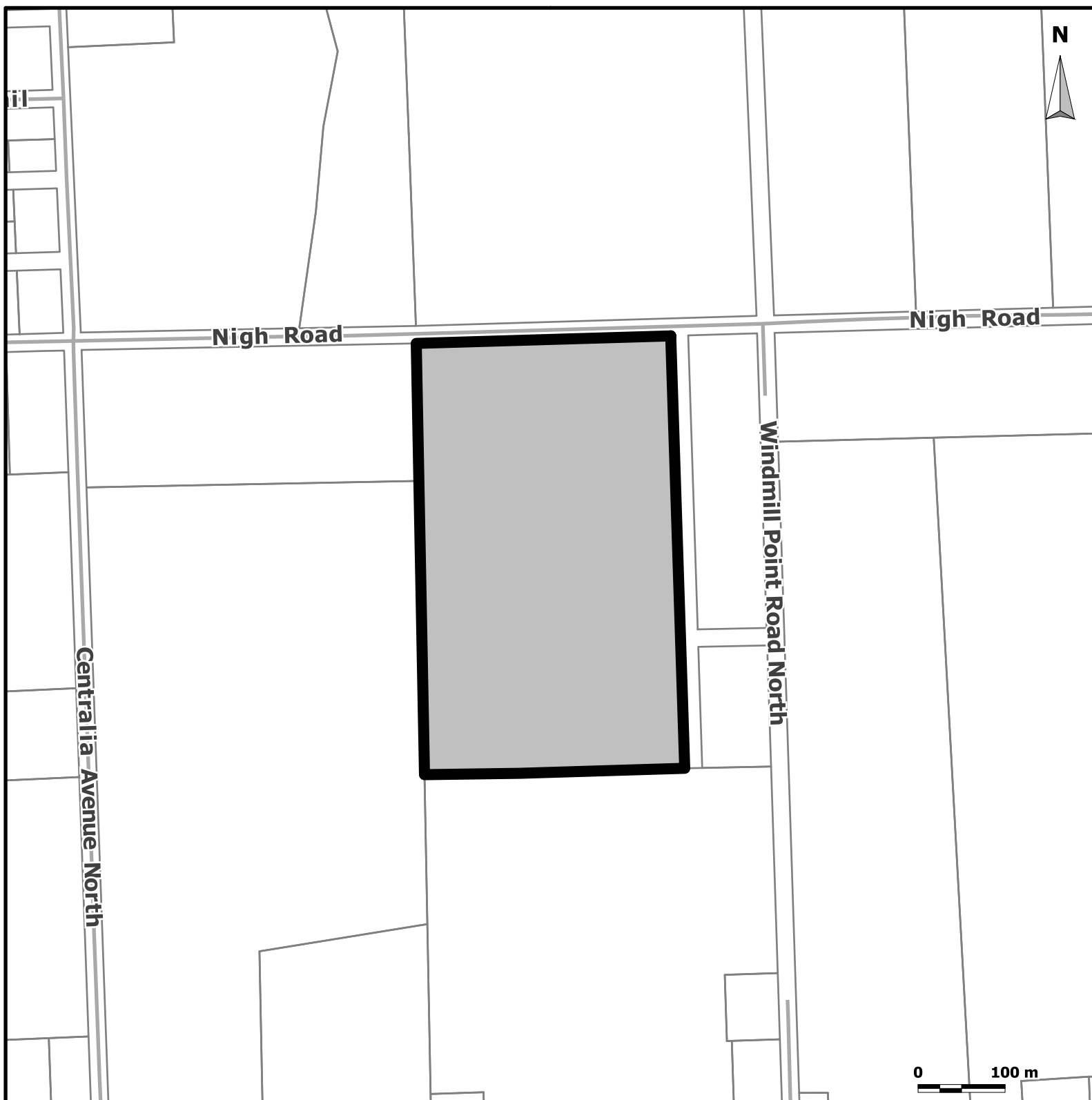
All of this part of the document entitled "Part "B" - "The Amendment" consisting of the following policies and attached maps designated as Schedule "A" (Land Use Plan) constitute Amendment No. 19 to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area. The Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area is hereby amended as follows:

1. Section 4.6.3 CONSENTS TO SEVER, subsection II (a) (b) shall not apply to the lands shown on Schedule "A" attached hereto and development shall be limited to three dwelling units or lots having a minimum lot area of 1 hectare. No further development shall be permitted without an amendment to this Plan

PART “C” - THE APPENDICES

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

SCHEDULE "A"



By-law No. 41-2019

THIS SKETCH FORMS PART OF SCHEDULE "A" TO THE OFFICIAL PLAN
PASSED THIS 18th DAY OF MARCH, 2019



Subject Lands - 2651 Nigh Road

**Notice of Complete Application & Public Meeting
2651 Nigh Road – Combined Official Plan and Zoning By-law
Amendment**

The map displays a network of roads. Highway 5 runs vertically through the center-left, while Highway 69 runs horizontally across the top. A specific parcel, outlined in black, is situated south of Highway 5 and east of Highway 69. This parcel is identified by a callout box as 'Subject Lands 2651 Nigh Road'. To the west of this parcel are several residential streets: Centralia Avenue North, Birch Avenue South, Oakhill, Maple Avenue, Shawnee Trail, Tecumseh Trail, Ozark Trail, Portage Trail, and Nigh Road. To the east of the subject lands are Dominion Road, Cross Street, Kennel Road, Woodhill Point Road North, and Stonehill Road. Further east is Bentwood Avenue. A north arrow points towards the upper right of the map.

For more information about this matter, including information about preserving your appeal rights, contact Matt Kernahan, MCIP, RPP, Senior Development Planner, at mkernahan@forterie.ca or 905-871-1600, ext. 2507.

APPENDIX "2"

Council-in-Committee - 04 Feb 2019 Meeting Minutes

finished, and

6. Since the Regional Authority is dissatisfied with the development conditions, and

7. Since the Conservation Authority is dissatisfied with the development conditions as they are currently,

he believes this public meeting to be premature and proposes and requests at least one more be scheduled.

- (c) Mayor Redekop closed the Public Meeting.
Official Plan and Zoning By-law Amendments

Re: Susan and Joseph Passero (Owners) - Craig Rohe, Upper Canada Consultants (Agent) - 2651 Nigh Road. The applicant is proposing to create two new building lots. The Official Plan Amendment is required as the proposed lots do not meet the definition of infill lots as required to sever a lot in a Rural Area. The proposed rezoning will change the zoning from a Rural Zone to a site specific Rural Zone.

Mayor Redekop announced that this portion of the meeting would be devoted to the holding of a Public Meeting to consider the proposed Official Plan and Zoning By-law Amendment to the Town's Comprehensive Zoning By-law No. 129-90.

Mr. Kernahan, Senior Development Planner, delivered a PowerPoint presentation which is available for viewing on the Town's website.

Mr. Kernahan confirmed the statutory requirements for the Public Meeting were met, summarized the purpose of the meeting and reviewed the related report.

Mayor Redekop enquired as to whether the Agent or the Applicants wished to speak to the proposed amendments.

Mr. Craig Rohe, Senior Planner, Upper Canada Consultants, was present on behalf of the applicants. He stated that Town Planning staff have done a great job summarizing what the application is about so he does not feel the need to go over those issues. They have read through the preliminary staff report and have no objections to any of the analysis. It was brought to their attention that a road widening is required so they have been working with their surveyor to do some site adjustments to ensure that after the road widening is taken a one hectare lot

APPENDIX "2"

Council-in-Committee - 04 Feb 2019 Meeting Minutes

will still be maintained and they will not be needing the zoning requirement. He referred to the aerial and stated they are penned between subplane and Provincially Significant Wetlands which makes the agricultural yield of this land not very feasible. It will mix nicely with some of the existing development in the Oakhill neighbourhood to the north west.

Mayor Redekop enquired if anyone wished to speak in favour of the application.

(a) Ray Daley - 2549 Nigh Road

Mr. Daley advised he lives beside the new proposal and he has nothing against it. He was at the Town meeting on December 12, 2018 and the only concern he has is if they can have a berm, 2 lines of trees, maybe blue spruces along the side, for visual and sound and to keep it a little more secluded.

Mayor Redekop enquired if anyone wished to speak in opposition of the application.

No person(s) came forward.

Mayor Redekop closed the Public Meeting.

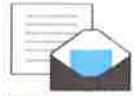
(d) Official Plan and Property Rezoning

Re: David and Christine Watson (Owners) - Michael Sullivan (Agent) - 615 Burleigh Road North. The applicant is proposing to create three new buildings lots. The Official Plan Amendment is required as the proposed lots do not meet the definition of infill lots as required to sever a lot in a Rural Area. The proposed rezoning will change the zoning from a Rural Zone to a site specific Rural Zone.

Mayor Redekop announced that this portion of the meeting would be devoted to the holding of a Public Meeting to consider the proposed Official Plan and Zoning By-law Amendment to the Town's Comprehensive Zoning By-law No. 129-90.

Mr. Kernahan, Senior Development Planner, delivered a PowerPoint presentation which is available for viewing on the Town's website.

APPENDIX "3"



Re: Request for Comments - 2651 Nigh Road 
Ed Melanson to: Matt Kernahan

12/04/2018 06:39 AM

History: This message has been forwarded.

Good morning Matt,

I have reviewed the attachments for 2561 Nigh Road and have no questions or concerns.

Ed Melanson
Fire Chief & CEMC
Fort Erie Fire Department

Office: (905) 871-1600 ext. 2600
Cell: (905) 329-7255



Matt Kernahan

An application has been received from Craig Ro...

12/03/2018 02:09:09 PM

From: Matt Kernahan/FortErie
To: Andrew.Carrigan@Canadapost.ca, circulations@mmm.ca, clampman@npca.ca, kathy.levinski@ncdsb.com, kris.watson@cnpower.com, LandUsePlanning@HydroOne.com, MunicipalPlanning@enbridge.com, planification@csdccc.edu.on.ca, Randy.Leppert@cogeco.com, sue.mabee@dsbn.org, karen.singer@bell.ca, circulations@wsp.com, Chris Millar/FortErie@TownOfFortErie, Signe Hansen/FortErie@TownOfFortErie, Ed Melanson/FortErie@TownOfFortErie, Keegan Gennings/FortErie@TownOfFortErie, Jeremy Korevaar/FortErie@TownOfFortErie, "Deluce, David" <delluce@npca.ca>, erik.acs@niagararegion.ca, executivedirector@fenfc.org, craig.krueger@cogeco.com, esavoia@niagaraparks.com, mr18enquiry@mpac.ca, aazouz@csdccc.edu.on.ca, jthibert@forteriecanada.com, cgrummett@forteriecanada.com, kaudet@forteriecanada.com, scott.whitwell@ncdsb.com, doug.giles@niagararegion.ca, Fawn.Sault@mncfn.ca, pontdj@hotmail.com, clerk@niagararegion.ca, "Quintanilla, Elissa" <Elissa.Quintanilla@niagararegion.ca>
Cc: Matt Kernahan/FortErie@TownOfFortErie
Date: 12/03/2018 02:09 PM
Subject: Request for Comments - 2651 Nigh Road

An application has been received from Craig Rohe, Agent for Susan and Joseph Passero for a Combined Official Plan and Zoning By-law Amendment at 2651 Nigh Road. The purpose of the applications is to permit the creation of two building lots by way of severance from the subject property. The following was submitted with the application package:

1. Application form
2. Site Plan
3. Draft Official Plan and Zoning By-law Amendments
4. Planning Justification Report and addendum related to the Provincial Natural Heritage System
5. Stage 1 and 2 Archaeological Assessment.

Digital copies of the above are attached for your review and comment. Paper copies of other studies are available upon request. If your agency has a review fee it will be sent via courier. Please provide any comments you have on the applications no later than **January 18, 2019**.

Please contact me if you have any questions or require further information.

APPENDIX "3"



Interoffice Memorandum

January 11, 2019
File No. 350309-0465

To: Matt Kernahan, Senior Development Planner
From: Jeremy Korevaar, Coordinator, Development Approvals
Subject: **COMBINED OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW
AMENDMENT APPLICATION 2651 NIGH ROAD - COMMENTS**

On behalf of the Infrastructure Services Department, Engineering Services Division, we have reviewed the above noted Combined Zoning By-law and Official Plan Amendment applications and have no comments or objections.

We note to the applicant that when the future Consent to Sever applications are made, we will require a road widening be conveyed to the Town as a conditions of those consent applications. The Town's Official Plan has identified Nigh Road from Rosehill Road to Highway No. 3 as a Collector Road with a desired road allowance width of 23.0m. The current road allowance is 20.1m, therefore the required road widening will be 1.45m.

Jeremy Korevaar, C.E.T.
Coordinator, Development Approvals

APPENDIX "3"



Enbridge Gas Distribution
500 Consumers Road
North York, Ontario M2J 1P8
Canada

December 10, 2018

Matt Kernahan, MCIP, RPP,
Senior Development Planner
Town of Fort Erie
Planning & Development Services
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Matt,

Re: Official Plan Amendment, Zoning By-law Amendment
Joseph and Susan Passero
2651 Nigh Road
Town of Fort Erie

Enbridge Gas Distribution does not object to the proposed application(s).

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Sincerely,

A handwritten signature in black ink that reads 'Alice Coleman'.

Alice Coleman

Municipal Planning Coordinator
Long Range Distribution Planning

ENBRIDGE GAS DISTRIBUTION

TEL: 416-495-5386

MunicipalPlanning@enbridge.com

500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com

Integrity. Safety. Respect.

AC/jh

APPENDIX "3"



December 18, 2018

Matt Kernahan, MCIP, RPP
Senior Development Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario, L2A 2S6

Re: 2651 Nigh Road

Dear Matt:

This development, as described, will receive mail delivery via lot line delivery to a rural mail receptacle supplied by the owner or developer.

Therefore, Canada Post Corporation has no comments or conditions regarding this project.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding this decision, I can be reached at 226-268-5914.

I appreciate the opportunity to comment on this project.

Sincerely yours,

A. Carrigan

Andrew Carrigan
Delivery Services Officer

APPENDIX "3"

Via E-mail Only

January 18, 2019

Files: D.10.01.OPA-18-035
D.18.01.ZA-18-130

Mr. Matt Kernahan, MCIP, RPP
Senior Development Planner
Planning & Development Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario, L2A 2S6

Dear Mr. Kernahan:

**Re: Regional and Provincial Review Comments
Official Plan Amendment and Zoning By-law Amendment
Agent: Upper Canada Consultants (c/o Craig Rohe, MCIP, RPP)
Owner: Joseph and Susan Passero
2651 Nigh Road
Town of Fort Erie**

Regional Planning and Development Services staff has reviewed the above noted applications and supporting materials submitted by Upper Canada Consultants on behalf of Joseph and Susan Passero for an Official Plan Amendment and Zoning By-law Amendment for lands known municipally as 2651 Nigh Road in the Town of Fort Erie. The applicant is proposing the creation of two (2) new lots for residential use by way of a future consent application. The remaining lands would continue as residential use.

A formal pre-consultation meeting was held for this development proposal on April 13, 2018 with Town of Fort Erie and Regional staff in attendance. The applications were received by Regional staff on December 3, 2018, with fees received on December 6, 2018.

As indicated in the submitted Planning Justification Report (PJR) completed by Upper Canada Consultants, dated October 2018, the Official Plan Amendment proposes to permit rural infill given the proposed lots are not located within 90m of adjacent dwellings and therefore not considered infill lots. The concurrent Zoning By-law Amendment proposes site specific provisions to the existing Rural (RU) Zone to permit a reduced minimum lot frontage and minimum lot area.

The following comments are provided from a Regional and Provincial perspective to assist the Town in consideration of these applications.

Regional and Provincial Policies

The subject lands are located outside of the Urban Area Boundary for the Town of Fort Erie, and are within the Rural Area according to the Provincial Policy Statement (PPS) and Regional Official Plan (ROP).

APPENDIX "3"

Provincial and Regional policy state that settlement areas shall be the focus of growth and development, through a range of uses and opportunities for intensification and redevelopment. The prominent use in Rural Areas shall be agriculture. Provincial policy states that in municipalities without delineated rural settlement areas, limited residential development may be directed to rural lands, provided such development does not adversely affect the protection of agricultural uses, is compatible with the rural landscape, and can be sustained by rural services. ROP policy generally permits some non-farm development, including non-farm residential development in the Rural Area, on individual lots and soil conditions that are suitable for the long term operation of a private waste and water systems. Further, ROP policy speaks to considering the long-term pattern and character of future development when rural residential development is proposed in Rural Areas.

Regional staff note that ROP policy for rural residential lot creation limits such development to three lots or less. For residential development consisting of up to three lots, the minimum lot size is to be 1 hectare unless it is determined through a hydrogeological study that a smaller lot size will adequately accommodate private water and sewage treatment facilities for the long term operation. It is noted that the subject lands are mapped as being located on a Highly Vulnerable Aquifer, however, the lots meet the 1 ha requirements. Should the proposed development proceed to the consent stage, a private septic system design would be required to ensure the proposed lot configurations can accommodate the required septic system, or if an alternative lot fabric is required.

The proposed amendments will facilitate the creation of two new residential lots on a local road, each with a lot area of 1 hectare in size with frontages exceeding 46 metres. Regional staff note that ROP policy permits some non-farm residential development (i.e. limited to 3 lots or less) within rural areas and provides the minimum lot size for the purposes of private water and sewage systems, however, the intent of ROP policy is to **limit** non-farm development within the Rural Areas to mitigate the cumulative impact of continuous introduction of non-farm development outside settlement areas. Regional staff have concerns with the creation of new lots outside the urban area through this type of development.

Core Natural Heritage System

Regional Core Natural Heritage mapping identifies portions of both Environmental Protection Area (EPA) and Environmental Conservation Area (ECA) associated with Provincially Significant Wetlands (PSW) and Significant Woodlands on and adjacent to the subject lands, as well as Important (Type 2) Fish Habitat. Regional Official Plan Policy 7.B.1.11 and Table 7-1, state that any development within 120m of PSW, within 50m of Significant Woodlands, and within 15m of Type 2 Fish Habitat may require the completion of an Environmental Impact Study (EIS) to demonstrate no negative impact on the identified environmental features, including the ecological function, over the long term. However, the Region's EIS Guidelines permit waiving of the EIS requirement provided certain criteria are met. Regional staff waived the requirement for an EIS given that the proposed development is located outside the 30m waiving zone.

The Growth Plan's Provincial Natural Heritage System (NHS) includes both natural heritage features and lands that serve as linkages between features, which together are intended to support a long-term approach to planning for the protection of natural heritage and biodiversity. With some exceptions, Section 4.2.3 of the Growth Plan states that outside settlement areas, development or site alteration is not permitted within in "key natural heritage features" or in "key hydrologic features" that form part of the Provincial NHS. These key features include wetlands, woodlands and watercourses. Given that development is not proposed within the identified key features, Section 4.2.3 of the Growth Plan does not apply. For the subject lands, Section 4.2.4 applies, which refers to development located on adjacent lands (i.e. within 120m of the key

APPENDIX "3"

features). These policies require a Natural Heritage Evaluation be completed to identify a minimum 30m vegetation protection zone (VPZ) and any additional restrictions (i.e., mitigation measures) that may be required to protect the functions of the adjacent feature(s).

In discussion with the applicant prior to submission of the applications, Regional staff agreed that the required natural heritage evaluation could be completed as part of the Planning Justification Report. The Planning Justification Report (dated October 2018) and Addendum (dated November 19, 2018) prepared by Upper Canada Consultants, were reviewed to verify that the findings and recommendations are sufficient to satisfy Provincial and Regional environmental policy. Region staff is satisfied with the evaluation, in principal, provided the required 30m VPZ is planted or allowed to natural revegetate.

Region staff note that the Niagara Peninsula Conservation Authority (NPCA) continues to be responsible for review and comment on planning applications relative to NPCA regulated features, including the adjacent wetlands and watercourse. As such, if NPCA comments differ from those above, NPCA comments should take precedence.

Archaeological Assessment

Regional staff note that the subject property is within an Archaeological Potential area per Schedule D: Cultural Heritage Archaeological Zones of Potential within the Town of Fort Erie Official Plan. A Stage 1-2 Archaeological Assessment (dated October 19, 2018) was completed by Detritus Consulting Ltd on the lands to be severed. The assessment concludes that no archaeological material was encountered during the Stage 2 investigation, and recommends that no further archaeological assessment of is required. Further, the assessment recommends that if future development is proposed on the remaining lands, a Stage 1 Archaeological Assessment should be conducted. Regional staff recommends that the completed Stage 1-2 Archaeological assessment be submitted to the Ministry of Culture, Tourism and Sport for acknowledgment, and submission of a copy of the ministry letter be a requirements through any future development application.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject lands are eligible to receive Regional curbside waste and recycling collection provided that the waste and recycling is placed curbside on the designated pick up day, and that the following limits are met:

- No limit blue/grey containers;
- No limit green containers; and,
- 1 garbage container per property.

Conclusion

As mentioned above, Regional staff outlined the potential effect of introducing non-farm residential uses outside a settlement area, where the intention is for agricultural uses to dominate. Provincial and Regional policy permits limited non-farm residential development in the rural area and directs intensification to settlement areas. Therefore, Regional staff recommend that consideration should be given to the overall cumulative impact of the creation of new residential parcels in the rural area of Fort Erie.

Regional staff note that the site specific Official Plan Amendment (OPA) is exempt from Regional Council approval in accordance with the Memorandum of Understanding. Please send a copy of

APPENDIX "3"

the staff report and notice of Council's decision on these applications, including a copy of the adopted OPA for our files.

If you would like to discuss these comments, please contact me at extension 3442 or Lindsay Earl, MCIP, RPP, Senior Development Planner at extension 3387.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Elissa Quintanilla', written in a cursive style.

Elissa Quintanilla
Development Planner
Niagara Region

Cc: Ms. Lindsay Earl, MCIP, RPP, Senior Development Planner, Niagara Region



RE: 2651 NighCara Lampman to: Matt Kernahan 01/31/2019 01:51 PM

From: "Cara Lampman" <clampman@npca.ca>
To: "Matt Kernahan" <MKernahan@forterie.ca>
History:

This message has been replied to and forwarded.

Hey Matt,

Sorry for the delay in getting any comments to you.

Please accept this email as confirmation that the NPCA has no objection to the subject application for Official Plan and Zoning Bylaw Amendments at 2651 Nigh Road. The NPCA is satisfied that the proposed future lot creation is to be located outside the Provincially Significant Wetland and associated 30 metre buffer impacting the subject parcel.

**Cara Lampman
Watershed Planner**

Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2
Tel: 905-788-3135 | extension 272
clampman@npca.ca
www.npca.ca

From: Matt Kernahan <MKernahan@forterie.ca>
Sent: Thursday, January 31, 2019 1:34 PM
To: Cara Lampman <clampman@npca.ca>
Subject: 2651 Nigh

Hey Cara,

Were you planning on commenting on this application?

Let me know.

Thanks,

Matt

Matt Kernahan, MCIP, RPP
Senior Development Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario
Canada
L2A 2S6

TEL: 1-905-871-1600 ext.2507

FAX: 1-905-871-6411 The information contained in this communication, including any attachment(s), may be CONFIDENTIAL, is intended only for the use of the recipient(s) named above, and may be legally PRIVILEGED. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, disclosure or copying of this communication, or any of its contents, is STRICTLY PROHIBITED. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.