



The Municipal Corporation of the Town of Fort Erie

By-law No.41-2018

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. 41 Harbourtown Village Subdivision South Side of Dominion Road, between Bardol Avenue and Bassett Avenue Town of Fort Erie

350302-0107

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. 41 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 19th day of March, 2018.

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. 41-2017 of the said Town. Given under my hand and the seal of the said Corporation, this____ day of _____, 20____

AMENDMENT NO. 41

TO THE

OFFICIAL PLAN

FOR THE

CORPORATION OF THE TOWN OF FORT ERIE

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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. 41 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. 41 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 change the land use designation of certain lands shown on Schedule A attached hereto to "Policy Area 23 Harbourtown Village" with the following designations: "Residential – High Density" permitting apartments with ground floor commercial uses at a minimum density of 98 units/hectare; "Environmental Protection" to protect the environment and to permit pedestrian paths and "Environmental Conservation" to protect the environment and "Open Space" to permit recreational, passive open space, parking and stormwater management uses.

SECTION 3

LOCATION OF THIS AMENDMENT

The lands, which are the subject of this amendment, are located on the north side of Phipps Street, east of Thompson 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:

This amendment will change certain areas of the site from Urban Residential to Open Space, Environmental Conservation and Environmental Protection. There is a need to reserve the proposed open space areas for stormwater management, habitat enhancement, parking and pedestrian connections. There is a need to redesignate the areas proposed for Environmental Protection to ensure they are maintained in their current state or ecologically enhanced, based on the findings of the Environmental Impact Study. There is a need to redesignate the areas to Environmental Conservation to ensure a treed buffer is maintained for wildlife habitat along Dominion Road.

The proposed amendment from Urban Residential to Residential – High Density will permit the development of this portion of the site at a minimum density of 98 units/hectare. The proposed amendment will ensure that the site on the whole will be developed in a fashion that meets the Regional and Provincial minimum greenfield density target of 50 people and jobs per hectare.

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

Land uses in this area of the Lakeshore Neighbourhood are predominantly single detached dwellings. The proposed development creates a mix of uses in this existing neighbourhood. The development will provide the community with some diversified housing stock which is desirable from a Provincial, Regional and Town Planning perspective.

The proposed redesignation of the open space and environmental protection areas will add to the parks and open space system in the Lakeshore Neighbourhood and complement the existing Waverly Beach Park immediately to the west.

The proposed Environmental Conservation and Environmental Protection areas will protect the significant natural areas which will add to the protected areas to the south along the lakeshore.

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 and slopes slightly towards Lake Erie to the South. There is an area of the site which is impacted by the flooding hazard of Lake Erie. This area is entirely within the proposed Environmental Protection Area and is not proposed for development.

An Environmental Impact Study was completed as part of the planning application process. The Environmental Impact Study identified an area which has minimal or no natural heritage features and development and site alteration is generally permitted and a high constraint area which is proposed to be protected. The recommended mitigation measures are to be incorporated as conditions of Draft Plan Approval.

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 is located on Dominion Road (Regional Road) between Bardol Avenue and Bassett Avenue (municipal roads). Access to residential dwelling units will be via a number of new local streets which connect to the existing transportation network. The new municipal roads will be constructed to a full urban cross section that meets Town of Fort Erie standards. A traffic study was conducted by the applicant and it was determined that the existing road system has sufficient capacity to accommodate the proposed development. Sidewalks will be required along all Town owned roadways.

The subject site has access to full municipal services. The applicant completed a functional servicing study that concluded that adequate capacity is available in the sanitary and water systems. Stormwater will be conveyed to the existing stormwater management pond within the development. The functional servicing study concluded that the pond is adequately sized to accommodate the proposed development and that this will be confirmed through the detailed design process. The Development Coordinator who reviews engineering for Plans of Subdivisions has not identified any servicing issues through the review of the proposal.

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

The subject site is adjacent to an existing residential neighbourhood and open space uses. The proposed redesignation will result in a diversified land use mix that will assist in providing age in place options and a walkable community. The location of the high density block internal to the proposed subdivision improves compatibility by providing a gradation of height away from the existing neighbourhood. The proposed ground floor commercial uses will provide opportunity for local commercial uses to be within walking distance to the new and 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:

There is no evidence to suggest that the redesignation of the subject property to permit the apartment dwelling, open space and environmental protection uses 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.

The Town will assume the maintenance and long term capital replacements of infrastructure like all the other subdivisions in the Town of Fort Erie.

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 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.

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. 41 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 Policy Area 23 Harbourn town on the attached Schedule A are hereby redesignated to:

4.15.25 Policy Area 23 – Harbourn town Village

ENVIRONMENTAL PROTECTION POLICIES

- a) All of the policies of Section 8 shall apply to natural heritage resources within the Environmental Protection Area within Harbourn town.
- b) Notwithstanding the policies in Section 8 these lands may also be used for pedestrian paths.

ENVIRONMENTAL CONSERVATION POLICIES

- a) All of the policies of Section 8.3 shall apply to natural heritage resources within the Environmental Conservation Area of Harbourn town.

RESIDENTIAL – HIGH DENSITY POLICIES

- (a) The lands designated on Schedule "A" as "Residential-High Density" shall be reserved for apartment dwellings and first floor commercial uses, and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7. 4.1.
- (b) A minimum density of 98 units per hectare shall be expected in the Residential – High Density area to ensure a minimum density of 50 people and jobs per hectare for the entire Harbourn town Village Subdivision.

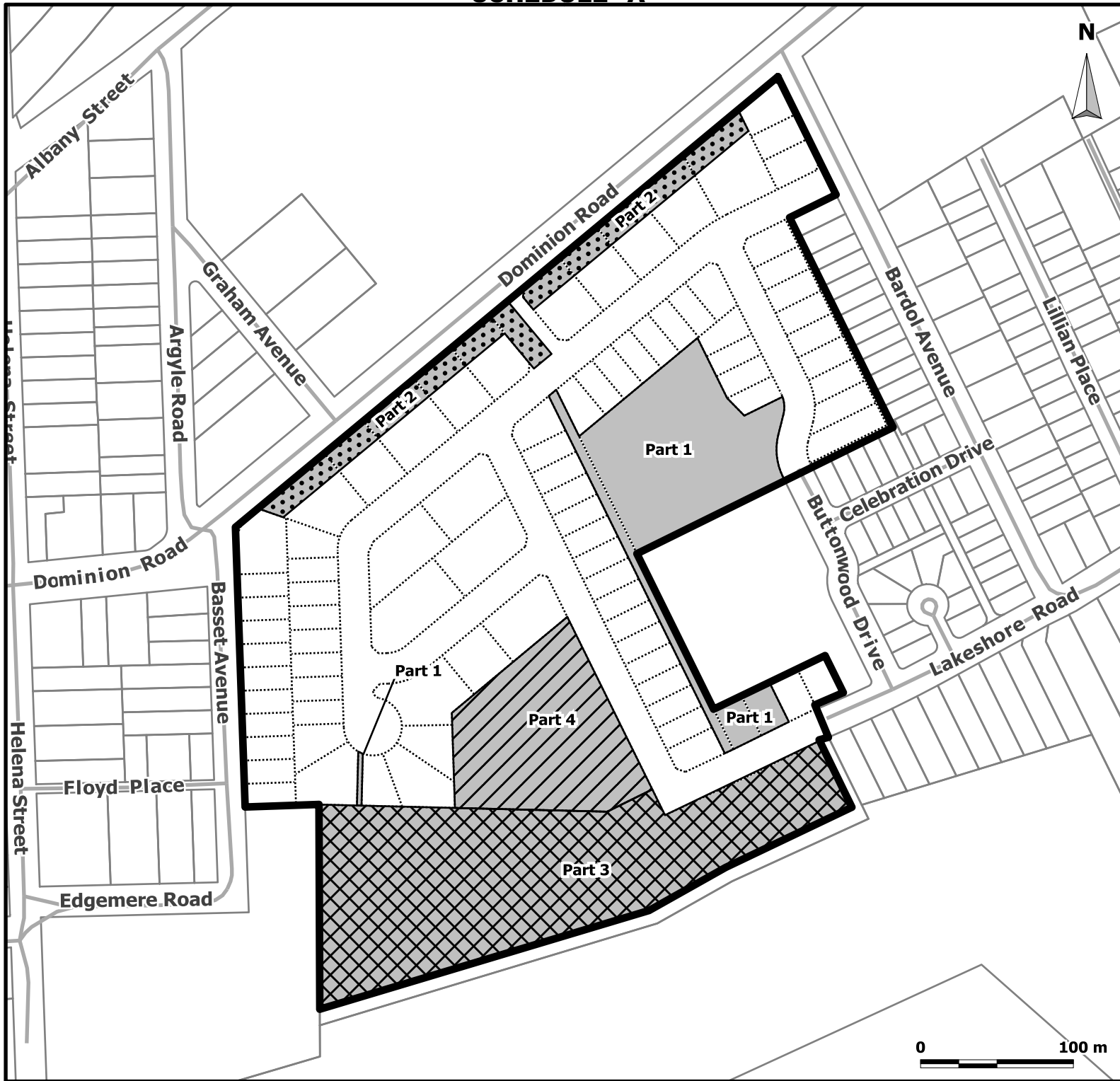
OPEN SPACE POLICIES

- a) The lands designated as "Open Space" on Schedule "A shall be reserved for a variety of active and passive recreational and open space uses as well as parking and stormwater management facilities.

PART "C" - THE APPENDICES






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

SCHEDULE "A"



By-law No. 41-2018

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO THE OFFICIAL PLAN
PASSED THIS 19th DAY OF MARCH, 2018**

-  Subject Lands (Harbourtown Village) - Change to Special Policy Area 23
-  Part 1 - Change from Urban Residential to Open Space
-  Part 2 - Change from Urban Residential to Environmental Conservation
-  Part 3 - Change from Urban Residential and Environmental Protection to Environmental Protection
-  Part 4 - Change from Urban Residential to Residential - High Density

PLAN 356 PT BLK A PLAN 990 991 992 LOT 7 PT LOT 6 S/S VICTORIA ST PT A WOOD LOT PT LAKESHORE RD PT 11 ACRE PCL
RP 59R9523 PT PARTS 1 TO 3 PCL A1 IN THE TOWN OF FORT ERIE, REGIONAL MUNICIPALITY OF NIAGARA

Planning & Development Services
Map created March 13, 2018




FORT ERIE
ONTARIO
Our Focus: Your Future




NOTICE OF COMPLETE **APPLICATION & PUBLIC MEETING** **HARBOURTOWN VILLAGE**

South Side of Dominion Road, between Bardol Avenue and Bassett Avenue
 Owner – 800460 Ontario Ltd. (Fred Costabile)
 Agent – Jennifer Vida, Upper Canada Consultants

DRAFT PLAN OF SUBDIVISION, OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT *(Application # 350302-107, 350309-0453, 350308-0108)*

DATE: MONDAY, FEBRUARY 5, 2018
TIME: 6:00 PM
LOCATION: MUNICIPAL TOWN HALL, COUNCIL CHAMBERS

	<div data-bbox="326 782 547 814" data-label="Section-Header"> <h3> <p><u>SITE LOCATION</u></p> </h3> </div> <div data-bbox="326 854 1162 1628" data-label="Image">  </div>
	<div data-bbox="326 1741 1492 1771" data-label="Section-Header"> <h3> <p>DETAILS OF SUBDIVISION, OFFICIAL PLAN AMENDMENT & ZONING AMENDMENT:</p> </h3> </div> <div data-bbox="375 1811 1528 2510" data-label="List-Group"> <ul style="list-style-type: none"> • The subdivision application proposes the development of the 14 hectare property for a range of residential uses along with areas of open space and environmental protection. The development includes 68 single detached lots, blocks for 61 street townhouse dwellings, one block for a 10 storey apartment to accommodate 110 dwelling units, a block for stormwater management facilities, and a block for environmental protection. • The subject lands are currently designated Urban Residential, Open Space, Environmental Conservation and Environmental Protection in the Official Plan. • The subject lands are currently zoned Neighbourhood Development, Open Space, Environmental Conservation Overlay and Hazard in the Town’s Zoning By-law 129-90. • To amend the Official Plan designation for the areas identified for Open Space from Urban Residential to Open Space. • To amend the Official Plan designation for areas identified by the Environmental Impact Study as significant from Urban Residential to Environmental Protection (2.8 hectare block in south of subdivision) and Environmental Conservation (15 m buffer along Dominion Road). • To amend the Official Plan designation for the block where the apartment dwelling is proposed from Urban Residential to Residential – High Density to </div>

	<p>ensure that Greenfield Density targets are met.</p> <ul style="list-style-type: none">• To rezone the lands identified as developable to a Residential 2, Residential 2A R2A Zone, Residential 3 R3 Zone, Residential Multiple 1 RM1 Zone and Residential Multiple RM2 Zone to permit single detached dwellings, townhouses and apartment dwellings.• To rezone those areas identified for open space uses (i.e. pedestrian accesses within subdivision and pond area) to Open Space OS Zone.• To rezone those areas identified in the Environmental Impact Study as significant to Environmental Conservation EC (15 m buffer along Dominion Road) and Environmental Protection EP Zone (2.8 ha block in south of subdivision).
	<p><u>GETTING MORE INFORMATION</u></p> <p>Input on the proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment is welcome and encouraged. You can provide input by speaking at the public meeting or by making a written submission to the Town. Please note that unless you do one of the above now, you may not be able to appeal the decision later.</p> <p>A copy of the Information Report will be available to the public by 5:00 PM on January 31, 2018.</p> <p>The information report will be available in the Council agenda portion of the Town's Web Site: www.forterie.ca or from the Planning and Development Services Department.</p> <p><u>CONTACT INFORMATION</u></p> <p>Matt Kernahan, MCIP, RPP, Senior Development Planner Planning and Development Services Department, Town Hall, 1 Municipal Centre Drive, Fort Erie, Ontario L2A 2S6 905-871-1600, ext. 2507 Or by e-mailing your comments to: mkernahan@forterie.ca</p> <p><u>PROVIDING YOUR COMMENTS OR REQUESTING NOTICE OF DECISION</u></p> <p>To provide input in writing, or to request written notice of the decision of the Draft Plan of Subdivision, Official Plan amendment or Zoning By-law amendment, please send a letter c/o Carol Schofield, Interim Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to cschofield@forterie.ca</p>
 	<p><u>PLANNING ACT LEGAL NOTICE REQUIREMENTS</u></p> <p>The Town of Fort Erie has not yet made a decision regarding this application.</p> <p>If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie in respect of the proposed Plan of Subdivision, Official Plan amendment or Zoning By-law amendment before the By-law is passed, the person or public body is not entitled to appeal the decision of the Town of Fort Erie to the Ontario Municipal Board.</p> <p>If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie in respect of the proposed Plan of Subdivision, Official Plan amendment or Zoning By-law amendment before the By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board, unless in the opinion of the Board, there are reasonable grounds to do so.</p> <p>If you wish to be notified of the decision of the Town of Fort Erie in respect of the proposed Plan of Subdivision, Official Plan amendment and Zoning by-law amendment, you must make a written request to Carol Schofield, Interim Clerk, and such request should include the name and address to which such notice should be sent.</p>

2018 - General Levy Operating and Capital Budget.

(b) Public Open House

Re: Fort Erie Parks and Open Space Master Plan - Thursday,
February 15, 2018 - 6:00 - 8:00 p.m. - Leisureplex Banquet Hall.

(c) Public Meeting

Re: Zoning By-law Amendment - 672 Edgemere Road -
Tuesday, February 20, 2018 - 6:00 p.m. - Town Hall Council
Chambers. The information report will be available on
Wednesday, February 14, 2018.

6. Public Meetings

(a) Proposed Draft Plan of Subdivision, Official Plan Amendment
and Zoning By-law Amendment

Re: 800460 Ontario Ltd. - Fred Costabile (Owner) - Jennifer
Vida, Upper Canada Consultants (Agent) - Harbourn Village
- south side of Dominion Road, between Bardol Avenue and
Bassett Avenue. The subdivision application proposes the
development of the 14 hectare property for a range of residential
uses and open space and environmental protection including: 68
single detached lots, blocks for 61 street townhouse dwellings,
one block for a 10 storey apartment to accommodate 110
dwelling units, a block for stormwater management facilities and
a block for environmental protection. The subject lands are
currently designated Urban Residential, Open Space,
Environmental Conservation and Environmental Protection in
the Official Plan and currently zoned Neighbourhood
Development, Open Space, Environmental Conservation
Overlay and Hazard; Official Plan designation amendment for
the areas identified for Open Space from Urban Residential to
Open Space; amend areas identified by the Environmental
Impact Study as significant from Urban Residential to
Environmental Protection and Environmental Conservation, for
the block where the apartment dwelling is proposed from Urban
Residential to Residential - High Density to ensure Greenfield
Density targets are met. To rezone lands identified as
developable to a Residential 2, Residential 2A R2A Zone,
Residential 3 R3 Zone, Residential Multiple 1 RM1 Zone and
Residential Multiple RM2 Zone and those areas identified for
open space uses to Open Space OS Zone and those identified
in the Environmental Impact Study as significant to
Environmental Conservation EC and Environmental Protection

EP Zone.

Mayor Redekop announced this is a statutory Public Meeting under the *Planning Act of Ontario*, R.S.O. 1990, Chapter P.13 regarding the proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for Harbourtown Village. He described the meeting process and stated members of the public would be given an opportunity to address Council concerning the proposed amendments.

Matt Kernahan, Senior Development Planner delivered a power point 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 asked if the Agent wished to speak to the proposed amendments.

Tom Richardson, Senior Partner, Sullivan Mahoney explained he is present as part of the development team for 800460 Ontario Limited with respect to an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision for Harbourtown Village. He stated the property owner has gone to great lengths to meet concerns expressed by the residents and Town staff through two public Open Houses. They will present the subdivision which is the result of those discussions and amendments. Ms. Jennifer Vida, a registered professional planner, will provide the planning report and then he will offer concluding remarks. Members of the development team as well as a representative of the owner of the company, Eric Henry, are present. He requested that any questions which arise this evening be referred to staff to receive the appropriate responses from their development team.

Jennifer Vida delivered a power point presentation which is available for viewing on the Town's website.

Ms. Vida advised she is the agent for 800460 Ontario Ltd. She prepared and submitted applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for the lands known as Harbourtown Village. Mr. Kernahan has provided an overview of the applications and the

process undertaken to date. Ms. Vida stated that her presentation will focus on the issues that have arisen through the process and how the issues have been addressed in the plan that is before Council.

Mr. Richardson advised that Ms. Vida has addressed several matters which will require conditions of draft plan approval to be imposed in order to ensure these matters are met before final approval of the plan of subdivision. His client has offered assurances that Block 107 will be conveyed into public ownership which is comprised of 7 1/12 acres and will adjoin the Waverly Beach Park area owned by the Town. Block 107 contains between 70%-80% of existing woodlot and 100% of old growth vegetation. The archaeological assessment concluded there are two sites which have potential for further cultural heritage value or interest and are located within the proposed Environmental Protection Area in Block 107.

They have provided to Mr. Brady a draft condition of draft plan approval which states it will be a condition of final approval of the plan of subdivision that the owner will enter into a legal agreement with a public agency such as the Town or NPCA to convey Block 107 and must be cleared by the Town. His client has offered to provide playground equipment in the open space on the storm water management pond block that will be accessible to the public which will be a condition of draft plan approval. Further, his client proposes to expend over \$100,000 in naturalization of the storm water management block. The Region has requested the draft conditions include a requirement that all archaeological work be completed and receive Ministry approval. They have done Stages 1 and 2 of the assessment and there will be Stages 3 and 4.

He stated that Ms. Vida addressed the proposed 10 storey building will meet the design standards for a bird safe building and it will be a provision in the Site Plan Agreement. The developer has retained LCA Environmental to address bird safety and they have initiated consultation with Fatal Light Awareness Program (FLAP) to provide additional assistance regarding building design measures. With respect to natural heritage, they are waiting for responses from the Town and the NPCA. The Environmental Advisory Committee (EAC) has been requested to comment on the Environmental Impact Study (EIS) and they conducted a site meeting on February 4, 2018 along with LCA Environmental. A supplemental report will be prepared. The proposal does not address Waverly Beach except for Block

107 to be put into public ownership. The Town's Friendship Trail is immediately south of Block 107. They are aware of an online petition to "Save Waverly Beach in Fort Erie." He clarified the proposal before Council does not address Waverly Beach Park which is owned by the Town. The proposal addresses privately-owned lands known as the Erie Beach Amusement Park lands. Their analysis of the petition concluded that 80% of the signatories are from outside of the Town of Fort Erie and 60% are outside of the Region. The recommendation report on March 5, 2018 will address any outstanding issues that have arisen this evening.

Councillor Knutt raised point of order since Members of Council are to ask questions and not make comments.

Members of Council recessed for ten (10) minutes.

Mayor Redekop asked if anyone was present to speak in favour of the application.

(a) Helena Ciccone, 735 Celebration Drive

Ms. Ciccone stated that she supports the plans for the proposed subdivision Harbourtown Village. She referred to the Vision Statement and 4 Core Principles published in the Fort Erie Waterfront Strategy Plan. She believes this development conforms to the Vision Statement and it's designed to contribute to "make Fort Erie a model for other waterfront communities across the Province."

Ms. Ciccone addressed four key points:

- As a major stakeholder in Erie Beach and a resident next door to the proposed development, she believes the developer is respectful of the natural environment and the design plans will enhance the community's unique character.
- By offering the lakefront property southeast of Lakeshore Drive and along the Friendship Trail to become public parkland, the developer will protect the lakeside woodlands.
- This prime real estate comprising of 32 acres which includes a long lakeshore front has been held as private property since the creation of Erie Beach Fairgrounds in the 1890's.
- According to the Canadian Charter of Rights, private

property ownership is afforded protection and rights for use and enjoyment under the Canadian Constitution.

(b) Patrick Guay, 736 Celebration Drive

Mr. Guay stated that he supports the proposed development and is speaking as a resident who will be directly affected as his property will abut part of this new subdivision. He explained the developer listened to their concerns, made concessions by providing buffers, enlarging the Environmental Protection Area adjacent to the Friendship Trail, addressing parking concerns and decreasing the number of lots. The Environmental Protection Block has been expanded to include all three east/west trails and is seven acres in size which is five times the size of the Town's standard for neighbourhood parks. If they do not support this plan, there is a risk of another developer taking over the project who is not supportive of the sensitivity and beautification of the area.

(c) Justin Larsen, 51 Bardol Avenue

Mr. Larsen stated that he supports the plan for the proposed subdivision and that he speaks for and shares the views of many of the residents of the Harbourn town community. He explained the revised plan was presented at an Open House on January 23rd, 2018 and has addressed all of the concerns that were laid out in a letter dated December 4, 2017 sent to the Town and the Developer regarding the following:

- Conveyance of the 3 meter blocks to Bardol Avenue and Celebration Drive properties;
- Commitment to detailed planning and management of current and post-development storm water flows;
- Increased size of the Environmental Protection (EP) Area, decreased density, trails and amusement park.

Mr. Larsen explained they also support the lighted parking lot and children's playground. They would like to advocate that the EP block be publically owned by the NPCA. They applaud the developer for this 14 hectare development proposal that is attentive and sensitively designed. They applaud the Town for their support and collaboration with the developer.

(d) Malcolm Jackson, 740 Celebration Drive

Mr. Jackson stated that he supports the plans for the proposed subdivision Harbourtown Village. After two open houses and the revised subdivision plan, he is pleased the developer has addressed his concerns. He referred to concerned voices regarding the possible loss of birds, wildlife, woodlands and the shoreline of Lake Erie and the Niagara River being a migratory route for many species of birds. He stated it is unreasonable to be overly concerned about losing wildlife and woodlands because the developer is going to maintain as much green space and natural area as possible.

(e) Rob Gabriel, 740 Celebration Drive

Mr. Gabriel advised he is not a long time resident and moved here a couple of years ago. He is in favour of the development with a couple of concerns. He stated the issue is not whether we are going to have a development but the type of development it will be and the quality of the development. Based on what he has seen so far, the quality is good. With respect to density, he is not overly concerned with decent density because if you don't have a dense development you will have urban sprawl. He does not disagree with the Province to have a more compact form of development so we can actually save more of our heritage lands from development if we spread out too much. He does not have a fear of heights but a fear of bad design. He noticed in the report that Planning staff are supportive of design guidelines and stated that design guidelines could be utilized. He asked if they could toughen up their language so the design of the tower will be appropriate because it will become the face of the development and will be visible to the public from Lakeshore Road. If this is a good development or not will be determined when they see that the tower is well designed and it will send off a positive signal. He stated the development is a sign of confidence in the Town of Fort Erie. If you see a developer who is willing to put the effort in to encourage a development, and Mr. Gabriel believes this is a good development, it attests to the fact there is confidence in the development community "we are Fort Erie". We do not want to turn that confidence into "Fort Erie says no."

Mr. Gabriel stated the real issue will be determined at the Site Plan and conditions of approval stage that it is a good form of

development. As with any developer, it always sounds good but it is incumbent upon staff to make sure that with the Site Plan and the conditions of approval, the i's are dotted and the t's are crossed and you will find the development will enhance the whole area and vision for Fort Erie. His last comment is the issue of the storm water improvement area which the attorney said \$100,000 would be put aside. He asked staff if that would happen at the end of development which could be over a long period of time or precede the development because if we wait for that to happen at the end, it could be years. He was wondering if we could encourage the developer to front load some of the improvements at the beginning rather than at the end. Overall he is supportive of this development and thinks it will enhance the area and shows sensitivity to the environmental issues and concerns.

(f) Don Pardoe, 730 Celebration Drive

Mr. Pardoe stated he is in support of the development. He is here to talk about some housekeeping issues that need to be included. As the Town grows it will need to develop policy with respect to new developments. He asked if there was a Construction Management Plan and if that can be included or a policy along those lines. He explained what he and the residents would like to see is that during construction a Construction Management Plan be developed to address:

- Main construction entrances to be located directly off of Dominion Road and Lakeshore Road;
- No construction vehicular traffic on Celebration Drive;
- Dust/mud control on and off-site
- Location of truck loading points and trailer parking and storage on-site;
- Location and height of temporary material storage areas;
- Estimated period of construction;
- Details of piling and shoring activities;
- Control of storm run-off;
- Removal/disposal of excavated materials;
- A parking management plan for employees and construction vehicle parking.

(g) Charles Kautz, 3247 Thunder Bay Road

Mr. Kautz stated he has a large parcel on Lakeshore Drive on the south side of Adelaide Street. It is 9 acres of vacant land and water lot zoned marina and dock use. He is pro-development in Fort Erie. He advised this has been approved

and is a good plan and should have happened many years ago. The woodlot was cut down many years ago when it was first approved so while we hate to see trees cut down, they have been cut down before. He has a couple of concerns. He thanked Councillor Passero for addressing finances. He questioned if the NPCA or Town buys it, there are finances involved and if he did not mention that it would have gone unnoticed. He asked if the NPCA buys it, would the Town be required to get 5% of cash or park in lieu from them. Another option for a public entity, because he does not think the NPCA is a good candidate, would be the Niagara Parks Commission. He noticed on the site plan and air photos there is a water lot and he presumes it is a natural severance with the Friendship Trail but it was not included which he presumes is for financial reasons. He does not want to see that water lot landlocked similar to his property. He has a concern for the land owner that if he has a water lot, it is not landlocked through any vehicle of transfer. The Town would be the desirable transfer for that and it would also fit into the waterfront plan. He is also concerned with respect to the oversized storm water management pond and questioned if there will be a point source discharge into the pond and into Lake Erie which he is concerned there is not.

Mayor Redekop asked if anyone was present to speak in opposition of the application.

(h) Linda McKeller, 2982 Maple Avenue

Ms. McKeller expressed concerns from the historical and archaeological point of view:

- The Niagara Movement in 1905, opposed to racial segregation and disenfranchisement;
- The Erie Beach Amusement Park was a mecca for tourists on both sides of the border;
- Aboriginal history is prevalent throughout Fort Erie;
- The military battle on August 14, 1814 where one group of 1,300 British soldiers and Swiss mercenaries were believed to have assembled in the area of Waverly Woods. Experts believe that 222 died, 12 were missing, 339 wounded leaving 400 killed in an explosion. In the 1930's 150 of these men were found in a mass grave. Another group was found in the 1980's and repatriated to the U.S.

Ms. McKeller advised that back in the era of Mayor Hummel,

only test pitting was done between Garrison Road and Albany Street which is a random, unreliable process compared to an in-depth archaeological survey. She explained that 2,000 died during this August siege and it was the practice of the day to bury them near or where they fell. She stated there was a discrepancy in numbers. There is no government policy for these men who defended our nation and questioned if they will get ploughed under or cemented over. She raised several questions regarding the archaeological survey.

Ms. McKeller stated that the golden horseshoe appears to be rife with developments that are destroying our historic, environmentally and scenic lands. She provided an example of similar fights with a developer that occurred in Niagara-on-the-Lake's historic site of John Butler's home, a United Empire Loyalist.

Ms. McKeller advised the market for Toronto retirees is finite and will not last forever. People will buy for lower taxes expecting the same level of services as Toronto however, we have no hospital, transportation and cinema. She is concerned about the Town's fire service since it is volunteers. She questioned if they could handle a fire in a 10 storey condo. She suggested a professional full time service should be available but questioned who would pay for that.

(i) Marvin Riegle, 780 Ridge Road North

Mr. Riegle stated a controversial beachfront property is under review and discussion for land development of private residences and a high-rise condominium on the edge of Erie-Waverly Beach in Fort Erie. He referred to a 1986 newspaper article with the respect to this land being developed into a marina and housing complex overlooking the lake, known as Buttonwood Development which was never completed. He also referred to the many plaques explaining historical locations at Waverly-Erie Beach. He explained this is the only wooded trail in Fort Erie where you return on a lakeside sidewalk. He questioned what this historic park will look like with 600 residents adjacent to the walking trail. He advised the plan to date does not allow for a 100 meter minimum buffer zone from the northern boundary for future non-residential enhancements. He suggested if a new southern boundary line of the new complex was created it would eliminate the 10 storey high rise and decrease lots from 100

to 30. He questioned why are we creating this type of high density when we have an abundance of land. He referred to the Bay Beach high rise condominium project and questioned if the Waverly-Erie Beach development would end up in a similar manner.

Mr. Riegle urged Council to reconsider this parcel of land as vital to the health of the community and to request a buffer zone of a minimum of 100 meters from any developer before approvals are granted.

(j) Maria Featherston, 996 Parkdale Avenue

Ms. Featherston read a quote from Chief Seattle "We do not inherit the earth from our ancestors, we borrow it from our children." She stated we have a piece of natural heritage at Waverly Beach and it is important to recognize it as a living entity, an ecosystem filled with diversity, a variety of habitats serving wildlife and humans. She referred to the variety trees in the mature old growth forest, a few of which have been identified as being 120-150 year old. With trees come birds during migration and it is a birding hot spot according to the environmental study for this site as well as other migratory species, wildlife and mammals that will all be displaced. She stated that since this property meets the Region's criteria for significant woodlot and the Town's woodland and heritage tree preservation policy, permits should be required before any trees are removed. She also suggested that Fort Erie needs a Bird Safe Policy like those in Markham and Toronto where the height of the building dictates the glass that is used. She stated the death of amphibians, reptiles, mammals and birds will be unavoidable during construction, and with the upheaval of habitat, we will lose species.

Ms. Featherston quoted various nature and wildlife organizations and their statistics regarding natural ecosystems, biodiversity. A variety of reptile, amphibian, frogs, toads and butterflies will be affected with possibly destroying their habitat. Major changes to the woods, thicket and wetland will also affect this biodiverse system. She urged Members of Council to look to their legacy.

(k) Cheryl Schonewille, 4214 Glenspring Road

Ms. Schonewille asked Council to reconsider the zoning changes proposed for the Harbourtown Village Subdivision.

She stated that Waverly Woods and wetland is a sanctuary for wildlife, our community and visitors. It sustains wildlife, nature trails and is a unique natural treasure that must be protected for future generations. The 2017 Regional and Provincial Government Growth Plan Policies consider this land to be Greenfield land which constitutes a "Significant Woodland and Valley Shoreline Buffer." The Town's Planning Report No. PDS-10-2018 indicates that developing this land would result in the loss of habitat and a decrease in woodland biodiversity. She suggested we should develop properties that don't threaten our natural and cultural heritage. According to the principles of intensification, population growth should be accommodated at higher densities within existing urban areas while saving our precious Greenfields from destruction.

Ms. Schonewille explained since moving to Crystal Beach in 2001 she has attended almost every public waterfront initiative meeting at the Federal, Provincial, Regional, Municipal and local levels with the aim to promote and market Eco-Tourism. She spoke to a biologist at the Ministry of Natural Resources about beachfront land development in our community and was told that the Niagara Region is the hotspot in Canada for species at risk. In 2010 she wrote to Dr. David Suzuki about the proposal to develop beachfront who responded "Humans are co-opting more and more land for human use and act as if nature can simply make do with less and less space. This is ultimately sure to force the loss of many species." She urged Members of Council to go for a Better Greener Niagara and protect what we can't manufacture.

(I) June Chipp, 551 Scott Avenue

Ms. Chipp delivered a power point presentation which is available for viewing on the Town's website.

Ms. Chipp provided a brief overview of Erie Beach Amusement Park that was established in 1885 to set up a picnic grove for the public to enjoy. She referred to the Archaeological Assessment for Harbourtown that identified the site is contained within the protected lands and further work is recommended if the protective zoning changes. She compared the amusement park site to the Environmental Protection Zone. She displayed photographs of existing foundations that are delicate and the development work will

damage or shatter them. She explained that Erie Beach Park is an important heritage site.

Ms. Chipp referred to the Harbourtown Environmental Impact Study (EIS) that states "many characteristics of old growth forest were observed in the forested portion of the property including snags, large fallen logs, pit and mound topography and mature mast trees." She stated that this woodland is 87 years old and many trees are likely well over 100 years old. Woodland is uncommon and valuable. According to the EIS 30% of the woods will be lost and we need to save 100% of this woodland. The apartment block is .87 hectares which is 30% of the size of the Environmental Protection Block. The apartment/condo building will be 10 stories high which is approximately 100 feet high and the woodland trees are about 70-80 feet high which means the building will tower above the canopy and have negative impacts. She requested Council to save the heritage artifacts of Erie Beach Amusement Park, save the older growth woodland, disallow or move the apartment building away from the woods, and rezone all park site and woodlot to Environmental Protection Zone.

(m)Marcie Jacklin, 931 Edgemere Road

Ms. Jacklin delivered a power point presentation which is available for viewing on the Town's website.

Ms. Jacklin questioned what is so special about Fort Erie and stated it is a healthy lifestyle community with waterfront, the Friendship Trail offering a balance between nature and human development. She explained Fort Erie could be an Eco-Town/Smart Town by creating and improving wildlife viewing areas, develop a Natural Heritage System to ensure that remaining natural areas are healthy and interconnected; appeal to young families and retirees who could enjoy natural areas, become a Blue Dot community. There are opportunities to apply for funding such as the Smart Cities Challenge. She cited statistics from the 2012 Canadian Nature Survey with respect to awareness, participation and expenditures in nature-based recreation, conservation and subsistence activities. Fort Erie is adjacent to the Niagara River Corridor, an important bird and biodiversity area.

Ms. Jacklin identified the following challenges:

- In Canada 50% of species are in decline;

- Waverly Woods is an important spring migratory stop-over area;
- Endangered and threatened species located in migration at Waverly Woods;
- Special concern species located in migration at Waverly Woods;

Ms. Jacklin read quotes from the Environmental Impact Study (EIS) on the cumulative impacts there will be on resident birds, mammals, reptiles, amphibians and the migratory populations. She cited the benefits would be saving the habitat that migrating birds require; fewer road kills within the designated property; a minimum number of additional street lights; additional mitigation features to any buildings constructed to minimize the impact of nocturnal migratory bird collisions.

(n) Dawn Pierrynowski, 14688 Montrose Road, Welland

Ms. Pierrynowski delivered a power point presentation which is available for viewing on the Town's website.

Ms. Pierrynowski stated she is one of the out of towners who signed the petition. She explained she grew up in Ridgeway and still has family there. She is a volunteer for the Bert Miller Nature Club who has stewardship of the Shagbark Nature Park. It became a park because of donations to the Town by two developers and the Ridgeway Lions Club many years ago. The community now has a passive use park that consists of a remarkable woodlot and meadow. These developers donated the area and no compensation was needed.

Ms. Pierrynowski provided an overview of the land designation, Natural Heritage System set out in the Provincial Policy Statement, Official Plans and Core Natural Heritage Corridors. She explained that encroachment always occurs when residential developments are built next to natural areas. A buffer will be required and the width of it will depend on the type and sensitivity of the feature. She referred to the Ontario Nature's Best Practices Guide to Natural Heritage Systems Planning whose purpose is to assist with policy development as municipalities review and update their Official Plans. It is intended to stimulate and facilitate innovative, systems-based policy development. She displayed a map of a Blanding's Turtle's journey to get a sense of why proper planning for the

size and placement of corridors and buffers is important for wildlife. Habitat fragmentation and destruction from developments pose a major threat to all species. She stated that according to the EIS, if the construction of Harbortown Village is approved, it appears that buffers and corridors will need a lot of tender care to be successful for wildlife. She questioned who will:

- Monitor;
- Make sure all mitigation measures are completed;
- Do the maintenance;
- What happens when there is a problem;
- How successful will this be when good intentions take too long, are ignored or forgotten;
- Who pays.

Ms. Pierrynowski explained that Fort Erie, Ridgeway, Stevensville and Douglastown all have rich, diverse ecosystems. Well planned corridors and buffers is an excellent way to further join our communities together and save our natural heritage. She stated it is time that Official Plans and Statements be used to do what they were intended to do "promote the protection and/or conservation and where appropriate, the restoration and enhancement of Natural Heritage Features within and adjacent to its boundaries."

Recommendation No. 1

Moved by: Councillor Knutt

That: The hour of adjournment is extended from 10:00 p.m. to 11:00 p.m. **(Carried)**

(o) Nancy Bolden, 9 Clarion Court, Williamsville, N.Y.

Ms. Bolden asked Council to not dismiss the voices of non-residents who signed the petition. There are a lot of people from out of the area who care and have spent a lot of time here and she is one of them. She brought up the following issues:

- Is there is a market in the area for this type of housing;
- Is the high rise condominium considered to be senior housing;
- It is not accessible to the services that seniors would be looking for.

Ms. Bolden questioned what the footprint of the 10 storey

building will look like. The parcel looks quite large on the map and she questioned if the building will extend into most of it or will there be green space around it. The placement by the water may be self-promoting by the developer with the hope that the condominium with a waterfront view may sell at a higher price. If it's by the woods, only those on the upper floors will have a view. For anyone living over the third floor their view will be looking into the backyards of all of the other residents in the community.

(p) Lynda Goodridge, 219 Emerick Avenue

Ms. Goodridge delivered a power point presentation which is available for viewing on the Town's website.

Ms. Goodridge advised she was present to express her concerns. She showed a slide of a woman who suffers from anxiety and depression. Instead of prescribing pills her doctor prescribed 30 minutes of nature, 5 days a week. Her physician is part of a growing number of doctors who are turning to "ecotherapy" to treat mental health issues. She did some research on this and provided information from different studies. She stated that clinics and health care centres are starting to look at strategies for making the nature-health connection and she provided information on clinical programs at the Benioff Children's Hospital in Oakland, California.

Ms. Goodridge indicated the Fort Erie needs to start placing an economic value on our natural areas and recognize the benefits they provide which have been estimated to be worth over \$84 billion annually in southern and eastern Ontario. The Town's recently approved Waterfront Strategy states that "it builds on an 'environment first' framework that recognizes protecting the health and integrity of important natural systems as key to continued public enjoyment of the waterfront for property owners and visitors." In addition to education, available health care and economic growth, a healthy community needs to provide access to natural areas and green spaces. In the rush to build we are losing more and more of these spaces and it is essential we develop a plan to preserve them. This property is unique in that it is the only lakefront property of its size that has not been developed. Although it is privately owned, many members of the community have strong attachments to it and concerns that the intensive development proposed will change the character of the area. It will be a shame to see any part of

this property destroyed but a 10 storey condo located near the woods will be a death knell for wildlife and its peaceful atmosphere. Even the EIS spoke to the issue of bird collisions. Consulting with FLAP may offer a bit of mitigation but will not eliminate the problem. She questioned that wouldn't it be better to address the inappropriateness of this location for the building before we encounter problems.

(q) Lambert Van Geest, 91 Bardol Avenue

Mr. Van Geest stated he is opposed to this development. He was walking down Dominion Road and noticed a culvert and drain going under Dominion Road and it was draining wetlands and goes into an open ditch and into the proposed development. He reread the EIS that states "the lands just north of the subject property contains portions of the EPA Kraft Drain wetland complex however, they are hydrologically isolated from the subject property and the proposed development is not expected to have any impact on the function of the wetland." He has a photograph of the culvert that runs right into the property. He questioned how can they make a statement like that and it made it a few times that there is no water going from the wetlands to the subject area. He questioned why has this not been addressed in the EIS. This is a significant drain that is also a wildlife corridor. It is completely glossed over.

Mr. Van Geest referred to the language in the EIS that is non-committal and uses terms such as "not expected to impact," "there is potential damage to forest and mature trees," "it may decrease." He suggested it is vague and the EIS is incomplete, inaccurate and the language used needs to be more definitive. One could read this report to be in favour or against. He would like assurances that these vague terms be clarified before a decision is made and needs to include this drain and the effects to the area. He questioned how Council is able to make an informed decision when all of the information is not included and the language is so vague.

(r) Roxanne MacKay Burton, 3252 Hyman Avenue

Ms. Burton stated she was present to speak against what appears to be an opportunistic attempt to co-opt one of the Town's unique assets and replace it with another enclave of nondescript housing for rich seniors from out of Town. She suggested that robbing the Fort Erie community of one of its

scarce, easy to access windows to nature is a crime against nature and the Town as a whole. She recalled her time as a kid exploring various parts of Ridgeway, Crystal Beach and discovering the charms of Waverly Beach. She referred to the petitions and suggested that Council not dismiss out of Town signees. They may not have Council's re-election chances in their hands but their local connections do.

Ms. Burton stated she values the connection to Fort Erie's heritage and is a member of the Bertie Historical Society. She believes it is important to not only know where we're going but where we're from. She referred to the Town's Waterfront Strategy Plan that identified two priority properties: Bay Beach and Waverly Beach because they are the only two places where public access to the lake is more than a road allowance. She spoke to Mr. Brady at the last information meeting and has done some research and it appears there may be a demand for condos in Fort Erie. She would argue there is no reason they should have the pride of place claimed by developers. She suggested that Fort Erie needs cheaper housing. If we must have condos she suggested several other sites. She stated that based on her experience as President of MTCC #864 for a couple of years, she warned Council for the future that no matter what assurances you are given from purchasers of the proposed condo being informed about impeded sightlines from the trees that remain in the Environmentally Protected Zone, you will in no time hear from some of them on the first 6 or 7 floors about how they cannot see the lake for the trees and want those trees removed. You may also hear from those further up since the Shumard Oak would appear to be centred directly in the middle of the proposed apartment block.

Ms. Burton stated the environmental study fails to note that these very rare trees which can live for more than 400 years, grow from between 82-115 ft. tall with a mature crown of between 39-59 ft. She read a quote from Wikipedia. She referred again to the Waterfront Strategy and particularly the recommendations with respect to neighbourhoods. She asked what is appropriate scaled development with respect to the Waverly Beach area. The consultants who prepared the plan did not anticipate anything higher than a mid-rise apartment however, the proposed 10-storey condo is not mid-rise.

Ms. Burton referred to Mr. Kernahan's suggestion that the Provincial target of 50 people/hectare is an appropriate density for the property. She would beg to differ and suggested that a lesser density is preferable. She did not think the initial concept was well designed and there were insufficient parking spaces. She questioned if the existing berm will be able to handle the runoff or will the trees in the Environmentally Protected Zone be washed out into the lake. In the event the condo is approved, she asked that fencing be erected and maintained by the condominium at the edge of its property to protect the remaining habitat and the trees. She questioned what happens to the land south of the boardwalk which she understands the developer owns, what are the plans for the remains of the pool and what responsibility does the developer owe to the Town, Region, NPCA regarding the algae situation. She indicated it is premature to decide on this application without further studies and input from Provincial authorities regarding heritage and environmental concerns.

(s) Donna Van Geest, 91 Bardol Avenue

Ms. Van Geest stated she lives at the corner of Dominion Road and Bardol Avenue. She advised the corridor doesn't stop at Dominion Road but crosses it. The property is full of animals and she questioned how do you prevent impact and keep them from being killed. She referred to the petition and asked that she and her husband's name be taken off, Lambert and Donna Van Geest. She stated the woods in Fort Erie are priceless and unique and full of many living things. She could not imagine that any Councillors or the Mayor would entertain the idea of cutting down any of the wooded areas for subdivisions. The zoning was put in the area about 10 years ago and should be revisited in light of how important the environment and natural areas have become. Fort Erie Council has an opportunity to be forward thinkers and leaders in the Niagara Region and set an example for other communities in protecting our woodlands. Once these trees are cut down and the living things are left without suitable habitat they will be gone forever. There are a lot of acres that have already been cleared that would be suitable for subdivisions and apartment buildings. She suggested the developer was speculating when he bought this land and knew that zoning would have to be changed. He wanted to make his money on the woodlands in our community. We do not owe him that. We need to protect our unique Town and

he needs to lose.

(t) Jim Puhl, 3811 Rebstock Road

Mr. Puhl questioned how this property is different than Marcy's Woods. He referred to the former park with abutments that was there and asked if we have to pay for a Brownfields clean-up like Crystal Beach Park. As a taxpayer he does not want to pay for taking those abutments out. He referred to Burleigh Road and Thunder Bay Road where on the south side there is a forest. He suggested this is a test to see if Council lets this go through. He agrees with the Mayor as to where the tower is located and that it does not make sense.

(u) Harry Renshaw, 22 Bardol Road

Mr. Renshaw stated he has lived there for 68 years. He goes down fishing before daylight and watches the deer herds play in the rocks and swim. This is not just the environment at Waverly Beach itself but there are herds from the whole area. When they developed Bardol Avenue someone was concerned for the endangered snake species i.e. garter, rat and milk. The park is a refuge for a lot of remaining things. There are moratoriums of what you can use for your laws and gardens regarding toxins and fertilizers. The new neighbours think that is horrible and go to Buffalo and stock up. A resident on Celebration Drive was upset because she could not use DEET. When he biked around that area he found six dead snakes. Some people think if it's there someone is going to develop it. They came from a place that someone will develop to what they think is best. He referred to the Buttonwood Marina and stated they stopped that project because it was too big and there was not enough parking. Same woods, same problems. It does not need to be developed. They have stopped it before and can do it again. He questioned how much development do you want. When he has to go to the hospital to sit for 3 hours and until the government wants to give us our hospital back and decent medical care, we do not need more development to make it a 6 hour wait.

Mayor Redekop closed the Public Meeting

Members of Council recessed for three (3) minutes..



FW: Harbourtown - Request for Comments- CogecoCraig Krueger to:
 MKernahan@forterie.ca 11/12/2017 01:18 PM
 From: Craig Krueger <Craig.Krueger@cogeco.com>
 To: "MKernahan@forterie.ca" <MKernahan@forterie.ca>

Hi Matt,

I appreciate the notification, Cogeco has no comments or concerns.

We would like to continue to be notified as the planning for this progresses.

Thanks

Craig

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Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Randy Leppert

Sent: Monday, December 11, 2017 11:09 AM

To: Craig Krueger

Subject: FW: Harbourtown - Request for Comments

RANDY LEPPERT

**Planning Lead Hand Niagara/Hamilton
 Network Planning and Design**

T 289-296-6228 | C 905-351-3771

**7170 McLeod Rd
 Niagara Falls, Ontario
 L2G 3H2 Canada
cogeco.ca**



Re: Harbourn - Request for Comments 

Ed Melanson to: Matt Kernahan

Cc: Keegan Gennings

11/12/2017 02:09 PM

Good afternoon Matt,

I reviewed the Functional Servicing Study, Apartment Concept Plan and the Draft Plan of Subdivision carefully. I reviewed the rest at a cursory level. I do not have concerns at this time but would like to review the fire suppression / alarm system plans carefully for the proposed apartment building when they become available.

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 for a Combine...

11/12/2017 10:19:20 AM

From: Matt Kernahan/FortErie
To: Circulation - OPA
Cc: Matt Kernahan/FortErie@TownOfFortErie
Date: 11/12/2017 10:19 AM
Subject: Harbourn - Request for Comments

An application has been received for a Combined Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision for the property south of Dominion Road between Basset Avenue to the west and Bardol Avenue and Buttonwood Drive to the east. The application was received from Jennifer Vida of Upper Canada Consultants (Agent) on behalf of 800460 Ontario Limited (Fred Costabile) owner of the Harbourn at Erie Beach Development. The application is to develop the 14 hectare property for a residential subdivision permitting a range of residential uses along with areas of open space and environmental protection. The development includes 86 single detached lots, blocks for 96 street townhouse dwellings, one block for a 10 storey apartment to accommodate 103 dwelling units, a block for stormwater management facilities, and a block for environmental protection.

The following documents have been submitted in support of the application:

[Harbourn Environmental Impact Assessment](#)
[Functional Servicing Study](#)
[Apartment Concept Plan](#)
[Draft Plan of Subdivision](#)
[Archeological Assessment](#)
[Harbourn Traffic Brief](#)



OPA, ZBLA & Draft Plan of Subdivision - Harbourn Village, Fort Erie
mkernahan 13/12/2017 01:59 PM
From: <circulations@wsp.com>
To: <mkernahan@town.forterie.on.ca>
Please respond to <circulations@wsp.com>

2017-12-13

Matt Kernahan

Fort Erie

, ,

Attention: Matt Kernahan

Re: OPA, ZBLA & Draft Plan of Subdivision - Harbourn Village, Fort Erie; Your File No.
ZBLA, OPA, Draft Plan of Subdiv

Our File No. 81619

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application.

The following paragraph is to be included as a condition of approval:

"The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements".

We hereby advise the Developer to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

As you may be aware, Bell Canada is Ontario's principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is serviced with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).

The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

If the Developer elects not to pay for the above noted connection, then the Developer will be required to demonstrate to the satisfaction of the Municipality that sufficient alternative communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency

Services).

MMM (a WSP company) operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. Please note, however, that **all responses to circulations and other requests, such as requests for clearance, come directly from Bell Canada, and not from MMM.** MMM is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

Yours truly,

Meaghan Palynchuk
 Manager, Municipal Relations
 Access Network Provisioning, Ontario
 Phone: 905-540-7254
 Mobile: 289-527-3953
 Email: Meaghan.Palynchuk@bell.ca

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-LAEmHhHzdJzBITWfa4Hgs7pbKI



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

December 18, 2017

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 Kernahan,

Re: Draft Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment
800460 Ontario Limited
South of Dominion Road between Basset Avenue to the west and Bardol Avenue
& Buttonwood Drive to the east
Town of Fort Erie

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

This response does not constitute a pipe locate or clearance for construction.

The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea80@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.

In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that is within the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact SalesArea80@enbridge.com.

The applicant will grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

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

Sincerely,

A handwritten signature in cursive script 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

January 3rd, 2018

MATT KERNAHAN
TOWN OF FORT ERIE
1 MUNICIPAL CENTRE DRIVE
FORT ERIE, ONTARIO, L2A 2S6

Re: **FILE # 16-16-546 Harbourtown Village Draft Plan of Subdivision**

Dear Matt,

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the town of Fort Erie and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) The owner further agrees to:
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.

- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
 - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

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 these conditions, please contact me.

I appreciate the opportunity to comment on this project.

Regards,

A. Carrigan

Officer, Delivery Planning
(226) 268-5914

Andrew.Carrigan@Canadapost.ca



Re: Harbourtown Village - Revised Plan 
Ed Melanson to: Matt Kernahan

06/01/2018 05:13 PM

Good afternoon Matt,

I do not have any questions or concerns at this time about these revisions and responses.

Ed Melanson
Fire Chief & CEMC
Fort Erie Fire Department

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



Matt Kernahan

Further to the request for comments of Decembe...

04/01/2018 12:26:40 PM

From: Matt Kernahan/FortErie
To: Circulation - OPA
Cc: Matt Kernahan/FortErie@TownOfFortErie
Date: 04/01/2018 12:26 PM
Subject: Harbourtown Village - Revised Plan

Further to the request for comments of December 11, 2017, please see attached a revised plan and justification of changes to the Harbourtown Village subdivision. Please provide any revised comments you have by January 25, 2018.

Thank you,

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

----- Forwarded by Matt Kernahan/FortErie on 04/01/2018 12:20 PM -----

From: Jennifer Vida <JVida@ucc.com>
To: "'Matt Kernahan (MKernahan@forterie.ca)'" <MKernahan@forterie.ca>
Cc: "'Kira Dolch (KDolch@forterie.ca)'" <KDolch@forterie.ca>, Rick Brady <RBrady@forterie.ca>, Martin Heikoop <MHeikoop@ucc.com>, Eric Henry <awelfa@gmail.com>, 'Fred Costabile' <dh.alfidome@lastmilenet.ca>
Date: 03/01/2018 04:49 PM
Subject: FW: Ltr to Vida re public comments - January 2 2018.pdf



Revised Draft plan of Subdivision (NO FILE ID) - South of Dominion Road, between Basset Avenue, Bardol Avenue and Buttonwood Drive, Niagara circulations to: mkernahan

09/01/2018 08:33 AM

From: <circulations@wsp.com>

To: <mkernahan@town.forterie.on.ca>

Please respond to <circulations@wsp.com>

2018-01-09

Matt Kernahan

Fort Erie

, ,

Attention: Matt Kernahan

Re: Revised Draft plan of Subdivision (NO FILE ID) - South of Dominion Road, between Basset Avenue, Bardol Avenue and Buttonwood Drive, Niagara; Your File No. Revised DP of SBDVSN

Our File No. 81705

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application.

The following paragraph is to be included as a condition of approval:

"The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements".

We hereby advise the Developer to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

As you may be aware, Bell Canada is Ontario's principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is serviced with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).

The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

If the Developer elects not to pay for the above noted connection, then the Developer will be required to demonstrate to the satisfaction of the Municipality that sufficient alternative communication/telecommunication will be provided to enable, at a minimum, the effective delivery of

communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

MMM (a WSP company) operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. Please note, however, that **all responses to circulations and other requests, such as requests for clearance, come directly from Bell Canada, and not from MMM.** MMM is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

Yours truly,

Meaghan Palynchuk
 Manager, Municipal Relations
 Access Network Provisioning, Ontario
 Phone: 905-540-7254
 Mobile: 289-527-3953
 Email: Meaghan.Palynchuk@bell.ca

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-LAEmHhHzdJzBITWfa4Hgs7pbKI



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

January 19, 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 Kernahan,

Re: Draft Plan of Subdivision – Revised
800460 Ontario Limited
Harbourtown Village Subdivision
Town of Fort Erie

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

This response does not constitute a pipe locate or clearance for construction.

The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea80@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

Easement(s) are required to service this development and any future adjacent developments. The applicant will provide all easement(s) to Enbridge Gas Distribution at no cost.

In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact SalesArea80@enbridge.com.

The applicant will grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

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

Sincerely,

A handwritten signature in cursive script 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

January 22, 2018

Files: D.10.01.OPA-17-033
D.18.01.ZA-17-131
D.11.01.SD-17-077

By Email Only

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

Dear Mr. Kernahan:

**RE: Applications for Official Plan and Zoning By-law Amendment and Draft
Plan of Subdivision Approval
Applicant: Upper Canada Consultants
Owner: 800460 Ontario Ltd. (Eric Henry)
Proposal: Harbourtown at Erie Beach
Your Files: 350308-108**

Regional Development Planning staff has reviewed the information circulated with the Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications for lands south of Dominion Road, between Basset Avenue to the west and Bardol Avenue and Buttonwood Drive to the east in the Town of Fort Erie.

The Official Plan Amendment proposed to redesignate portions of the land from Urban Residential to Open Space (the SWM pond), Environmental Conservation (woodlands along Dominion Road), and Environmental Protection (adjacent to Lake Erie). The concurrent zoning amendment application proposes to amend the zoning from Neighbourhood Development/Hazard to:

- Open Space (OS) zone for the SWM block and trail connection;
- Environmental Conservation (EC) zone for the woodlands along Dominion Road;
- Environmental Protection (EP) zone for the woodlands along Lake Erie;
- Residential (R2 and R2A) zone for the single detached dwelling lots;
- Residential (RM1) zone for the townhouse blocks; and,
- Residential (RM2) zone for the apartment block.

These designations are intended to facilitate the lot/block configuration proposed by the draft plan of subdivision, prepared by Upper Canada Consultants (dated January 3, 2018), including the creation of 63 lots for single detached dwellings, 16 blocks for 61 townhouse dwellings, one block for multi storey condominium, one block for the existing SWM facility, one block for trail access, one block for Environmental Protection, 2

blocks for 0.3m reserved, and 2 blocks for daylight triangles and associated roadways on 14.659 hectares of land (the subject lands).

A pre-consultation meeting was held on April 13, 2017, at Town Hall with Town, Regional and Niagara Peninsula Conservation Authority (NPCA) staff, and the proponents/agent in attendance.

Regional staff provides the following detailed comments to execute Regional Council's Strategic Priority to Do Business Differently. By commenting on conformity with Provincial and Regional policy, the Region maintains accountability to the public and improves transparency, and aims to assist the City in their consideration of the applications from a Provincial and Regional perspective.

Provincial and Regional Policies

The subject lands are located within a Settlement Area under the 2014 Provincial Policy Statement (PPS) and designated Greenfield under the 2017 Places to Grow Plan for the Greater Golden Horseshoe (Growth Plan). The PPS directs growth to settlement areas, and encourages the efficient use of land, resources, infrastructure, and public service facilities that are planned or available. The Growth Plan contains policies that call for development in Greenfield areas to be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and sustained viability of transit services. The Growth Plan provides direction for designated Greenfield Areas that differs between upper- and single-tier municipalities in the *outer ring* and *inner ring*. Policy 2.2.7(5) states that "...in the *outer ring* (which includes Niagara), the minimum density target for *designated greenfield areas* contained in the applicable official plan that is approved and in effect as of July 1, 2017 will continue to apply until the next *municipal comprehensive review* is approved and in effect." Therefore, the 2006 Growth Plan target outlined in the Regional Official Plan of 50 residents and jobs per hectare continues to apply until the Region's municipal comprehensive review is finalized. Based on the information outlined on the draft plan of subdivision, the proposed development will yield a density of 50.4 residential and jobs per hectare, which conforms to the Growth Plan target.

The land is designated Urban Area in the Regional Official Plan (ROP). A full range of residential, commercial and industrial uses are permitted generally within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure. The proposed mix of single detached, townhouse and condominium apartment dwelling types will contribute to the variety of housing types in the area. The plan will make more efficient use of urban land, and overall the proposal maintains the intent of the ROP.

Required Revisions to Draft OPA

Section 4 of the draft Official Plan Amendment included in the Planning Justification Report incorrectly characterizes the lands as being within the Built-Up Area of the Town of Fort Erie. Regional staff requires that the amendment be revised to indicate the lands are within the Greenfield Area. The reference to the Regional Policy Plan should also be corrected, as the name of the plan changed to Regional Official Plan as part of ROPA 5-2013 in March 2014. A marked up copy illustrating the amendments is attached to this letter.

Cultural Heritage and Archaeological Resources

The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, the PPS states that "development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved."

Based on Ministry of Tourism, Culture and Sport screening criteria, the subject lands exhibit potential for the discovery of archaeological resources due to their proximity to the Lake Erie shoreline and 2 registered archaeological sites. Proximity to water sources and other registered sites are important indicators for determining archaeological potential. In addition, the subject lands appear to be identified in the Town's Cultural Heritage Zone of Archaeological Potential.

In this regard, a Stage 1-2 Archaeological Assessment, prepared by AMICK Consultants Limited (not dated) was submitted with the applications. The assessment included field work (high intensity test pit methodology at a five-metre interval between individual test pits) and identified eight positive test pits with eleven associated secondary test pits. The assessment indicates that two of these sites (AfGr-78 and AfGr-79) have potential for further cultural heritage value or interest. The assessment recommends further stage 3 assessment if the protective zoning changes (or if any soil disturbance or removal of vegetation will take place within a 20m buffer surrounding the site). The assessment makes a number of additional recommendations to ensure conservation of the sites, including but not limited to protective and monitoring buffers of 20m and 50m respectively. Regional staff requested additional information to confirm the exact locations of the archaeological sites, which are thought to be located within the area proposed for environmental protection; however, the archaeologist advised that the exact limits of the sites are still to be finalized and that it is premature to establish hard lines as buffers in case the site expands as a result of further site examination. Therefore, Region staff requests a standard archaeological condition be included to any draft plan approval, to allow further investigation and work by the archaeologist. A condition is included in the Appendix to this effect.

Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff also recommends the inclusion of a standard archaeological clause in the subdivision agreement relating to deeply buried archaeological materials that may be encountered during grading and construction activities. An additional condition for the archaeological warning clause is also included in the Appendix.

Core Natural Heritage

The Region's Core Natural Heritage Map identifies two Environmental Conservation Areas (ECA) associated with Significant Woodlands and Valley Shoreline Buffer on the subject lands. Further, the Niagara Peninsula Conservation Authority (NPCA), through its work on Drinking Water Source Protection Planning has identified the subject lands as being located within a Highly Vulnerable Aquifer area (HVA).

In this regard, an Environmental Impact Study, prepared by LCA Environmental Consultants (dated October 2017) and Tree Preservation Plan, prepared by Jodi M Liptrot, Landscape Architect (issue date July 28, 2017) were submitted with the applications. In accordance with the Memorandum of Understanding (MOU) and the protocol between the Region and the Niagara Peninsula Conservation Authority (NPCA), the NPCA is responsible for the review and comment related to impacts on the natural environment on all planning applications. The NPCA should be consulted with respect to any impacts on the natural heritage features as a result of the applications. Please refer to comments provided by the NPCA for commentary/requirements to ensure compliance with the Region's environmental policies.

Regional Road 1 (Dominion Road)/Traffic Impact Study

Regional engineering staff has reviewed the Traffic Brief (dated June 28, 2017) and Addendum letter (dated November 2017), both prepared by Paradigm Transportation Solutions Ltd.

It should be noted that Dominion Road (Regional Road 1) is planned for an upcoming capital project. Design will be completed in 2018 and construction in 2019. The Basset Avenue and Dominion Road intersection will be realigned and the informal gravel road that connects these two streets just south of the intersection will be removed.

Reserves/Daylight Triangles

To ensure no entrances are allowed on Dominion Road (Regional Road 1), Regional staff requires that a 0.3 meter reserve is granted to the Region along Dominion Road (Regional Road 1). Niagara Region requests that, for safety purposes, the entrances of Lot 1 and Lot 25 be made as far south on the local roads (Basset Avenue and Bardol

Avenue) as possible. A draft plan condition has been included in the Appendix to address the above comments.

Since the subject property has frontage along Regional Road 1 (Dominion Road), the Region requires the applicant grant 4.5m x 4.5m daylight triangles at the corners of the intersections of Dominion Road with Basset Avenue, Bardol Avenue, and proposed Street D, gratuitously to the Region in accordance with the Regional Official Plan. The submitted draft plan illustrated the daylight triangles at all the required locations; however, they are larger than Regional policy. This is acceptable, but not required. A condition requiring conveyance of the daylight triangles is included in the Appendix.

Regional Permit Requirements

Prior to any construction taking place within a Regional Road Allowance, a Regional Construction Encroachment and/or Entrance Permit shall be obtained from Niagara Region. Applications can be obtained from the Permits Section of the Transportation Services Division, Public Works Department or made through the Region's website using the following link: <http://niagararegion.ca/living/roads/permits/default.aspx>. Please be advised that in order to obtain a permit, a copy of the approved plan from the municipality will be required, along with a copy forwarded to the Planning & Development Services Department. A condition regarding Regional Permits is included in the Appendix.

Complete Streets

Niagara Region wishes to achieve a complete streetscape on Regional Roads, which includes improvements to the roadway and boulevard. Regional staff requests the applicant submit an urban design plan and streetscape plan for the portion of Regional Road 1 adjacent to the subject lands, to address the Region's complete streetscape concerns. A condition of draft plan approval is included in the Appendix.

Trees

Based on the submitted documents, it is unclear whether the applicant wishes to remove any trees from within the Region road right-of-way. If trees are to be removed, no one other than the Regional forestry tree crew shall remove a tree from the Regional boulevard. It is the Region's intent to preserve any healthy trees within the road allowance and the Region may require changes to a proposal in order to preserve any tree(s). Where development proposals require the removal of a tree, the developer is required to replace the tree with two trees at the developer's cost. A condition is included in the Appendix to address trees on the Regional boulevard.

Bicycle Network

For the applicant and Town's information, the subject lands have frontage on a roadway designated as being within the Niagara Region Bicycling Network. If the bicycle route is 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. A condition is included in the Appendix to advise residents accordingly.

Survey Evidence

The proposed subdivision fronts on Regional Road 1 (Dominion Road); therefore, Regional staff requests a standard condition relating to survey evidence as outlined in the Appendix.

Servicing and Stormwater Management

Sanitary

The proposed draft plan is within the Bardol Avenue Sewage Pumping Station (SPS) sewershed. The Region has reviewed the recently completed Master Servicing Plan (MSP) and provides the following comments:

- This site falls within the Bardol Avenue SPS sewershed. This sewershed has been allocated growth out to 2041 in consultation and collaboration with the Town of Fort Erie. The study was completed at a high level and did not allocate capacities to individual properties.
- The current operational firm capacity of the Bardol Avenue SPS is 45.0 L/s. The MSP has identified the existing design peak wet weather flow as 12.7 L/s and the projected 2041 design peak wet weather flow as 16.9 L/s. This provides a capacity surplus of 28.1 L/s for the catchment area.
- The MSP can be found at the following link: <http://www.niagararegion.ca/2041/master-servicing-plan/default.aspx>
- The Region requests that the proponent provide Regional staff with the expected sewage flows so that the flow can be added to the current sewer model to determine any affects the additional flow would have. A condition is included in the Appendix.

The Region has reviewed the Functional Servicing Review, prepared by Upper Canada Consultants (dated October 2017), and notes that all servicing connections are planned to be made to Town of Fort Erie gravity sanitary sewers. The Region requires standard conditions related to servicing allocation and extension of services, as outlined in the Appendix.

Storm

Niagara Region has reviewed the Functional Servicing Review and notes that the existing Stormwater Management Facility (SWMF) was designed to provide Quantity and Quality controls for the existing Erie Beach Subdivision plus an additional 32.6 hectares of development lands. Considering the lands north of Dominion Road (Regional Road 1) are identified as a Provincially Significant Wetland (PSW) and protected from development, the existing SWMF has capacity for this development. Therefore, Niagara Region does not require a Stormwater Management Report. Therefore no condition is to be added into the subdivision agreement for stormwater management.

Waste Collection

Niagara Region advises the applicant to refer to the current Corporate Policy and Corporate Procedure for eligibility of Regional waste collection. If this proposed subdivision is to be phased, the Region requests a phasing plan to ensure that there are temporary turn arounds at any dead end street that meet Regional standards for waste collection. A condition regarding waste collection is included in the Appendix.

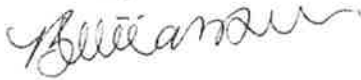
Conclusion

In conclusion, Regional staff have no objection from a Provincial and Regional perspective to the proposed zoning by-law amendment and draft plan of subdivision, subject to the conditions outlined in Appendix 1 and provided any environmental concerns/requirements from the NPCA are addressed and/or incorporated into the conditions of draft plan approval.

The Region has no objection to the Official Plan Amendment, provided the draft OPA is revised as outlined above. Provided it is revised, the application may be exempt from Regional Council approval in accordance with Policy 14.E.7 / 14.E.8 of the Regional Official Plan and the Memorandum of Understanding.

Should you have any questions concerning the above noted comments, or if you would like a hard copy of the comments, please contact the undersigned at 905-685-4225 extension 3518 or Lindsay Earl, MCIP, RPP, Senior Planner, at extension 3387. Please send notice of Council's decision on these applications.

Sincerely,



Britney Williamson, MCIP, RPP
Development Planner

cc: Mrs. Kira Dolch, MCIP, RPP, CNU-A, Associate Director, Planning and Development Services
(Town of Fort Erie)
Mr. David Deluce, MCIP, RPP, Acting Manager, Plan Review & Regulations (NPCA)
Ms. Jennifer Vida, MCIP, RPP, Senior Project Planner (Upper Canada Consultants- Agent)

Encl. Appendix- Conditions of Draft Plan of Subdivision Approval
Regional Comments on Draft OPA

Appendix

Conditions of Draft Plan of Subdivision Approval Harbourtown at Erie Beach Subdivision Town of Fort Erie

1. That the Stage 1-2 Archaeological Assessment, prepared by AMICK Consultants Limited (not dated) be submitted to the Ministry of Tourism, Culture and Sport for review and approval. The report must be accepted by the Ministry, to the satisfaction of Niagara Region, prior to clearance of this condition.

It should be noted that a subsequent Stage 3-4 study may be recommended to mitigate any adverse impacts to significant archaeological resources found on the site through preservation or resource removal and documentation. If the licensed archaeologist/MTCS recommends further Stage 3-4 Study, this report must also be submitted to and accepted by the Ministry, to the satisfaction of the Niagara Region.

If no further study is recommended by the licensed archaeologist/MTCS, the recommendations of the Stage 1-2 Archaeological Assessment, prepared by AMICK Consultants Limited (not dated), shall be implemented by way of clauses in the subdivision agreement/plans illustrating the recommended protective buffer and monitoring buffers.

NOTE: No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry confirming that all archaeological resource concerns have been mitigated and meet licensing and resource conservation requirements.

2. That the following clause be included in the subdivision agreement between the owner and the Town:

Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify the Archaeology Programs Unit of the Ontario Ministry of Tourism, Culture and Sport (MTCS) (416-212-8886) and a licensed archaeologist [owner's archaeology consultant] is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services in Toronto (416-326-8800) must be contacted. In situations where human remains are

associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.

3. That the owner deed 0.3 metre reserves to the Regional Municipality of Niagara along Regional Road 1 (Dominion Road).
4. That the owner dedicate to the Regional Municipality of Niagara, free and clear of mortgages, liens and other encumbrances, and agree to pay for all associated cost related to a 4.50 x 4.50 metre daylighting triangle at the corners of Regional Road 1 and Basset Avenue, Regional Road 1 and Bardol Avenue, and the corner of Regional Road 1 and the proposed Street D.
5. That the owner submit an urban design plan and streetscape for the portion of Regional Road 1 (Dominion Road) that abuts the subject lands, to the Niagara Region and the Town for review and approval illustrating improvements to urbanize the road, entrance or gateway features, and landscaping enhancements.
6. That prior to any construction taking place within the Regional road allowance the owner shall obtain the required Regional Permits (Construction Encroachment, Entrance and Sign Permits).
7. That the following clause be included in the subdivision agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:

"The owner must preserve the trees within the Regional Road allowance. Where the development proposal requires the removal of a tree, only a Regional tree crew shall remove a tree from the Regional Road allowance and the owner is required to replace the tree with two trees at the owner's cost. The Regional tree crew will identify any dead or diseased trees for removal. It is the Regional Municipality of Niagara's intent to preserve any healthy trees within the road allowance and the Region may require changes to a proposal in order to preserve the tree(s)."

8. That the following clause be included in the subdivision agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit with frontage on Dominion Road:

"Purchasers/Tenants are advised that this property has frontage on a roadway designated as being within the Niagara Region's Bicycling Network Plan. If the bicycle route is currently not established and identified with signage, it is the intent of the Region to make provisions for doing so and this may involve additional

pavement width, elimination of on-street parking, etc., if required on this street section."

9. That the subdivision agreement between the owner and the Town contain a provision whereby the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.
10. That the owner provides the expected sewage flows from the development to the Region, to add to the current sewer model to determine any affects from the additional flow.
11. That the owner provides a written acknowledgement to Niagara Region stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
12. That the owner provides a written undertaking to Niagara Region stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the condominium will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town.
13. The prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment Compliance Approval under the Transfer of Review Program.
14. That the owner ensures that all streets and development blocks can provide an access in accordance with the Regional Municipality of Niagara Corporate Policy and Corporate Procedure for Waste Collection, and by-laws relating to the curb side collection of waste.

Notes:

1. Prior to granting final plan approval, the Town must be in receipt of written confirmation that the requirements of each condition have been met and all fees have been paid to the satisfaction of the Niagara Region.
2. Prior to final approval for registration, a copy of the executed subdivision agreement for the proposed development should be submitted to the Niagara

Region for verification that the appropriate clauses pertaining to any of these conditions have been included.

NOTE: The Niagara Region recommends that a copy of the draft agreement also be provided in order to allow for the incorporation of any necessary revision prior to execution.

3. In order to request clearance of the above noted Regional conditions, a letter outlining how the conditions have been satisfied, together with all studies and reports (two hard copies and a PDF digital copy), the applicable review fee, and the draft subdivision agreement shall be submitted to the Niagara Region by the applicant as one complete package, or circulated to the Niagara Region by the Town of Fort Erie.

Regional Comments on Draft OPA

SECTION 4

BASIS OF THIS AMENDMENT

The Official Plan adopted by By-law No. _____ of the Town of Fort Erie Planning Area provides that amendments may be made to the Official Plan. Policies of the plan have been considered in the preparation of this amendment and the following factors:

1. The subject lands are located within the ~~Built-up Greenfield~~ Area of the Town of Fort Erie and are being developed for a range of residential uses. The amendment will address a need for the provision of more residential lands to meet the long-term growth targets of the Town.
2. The proposed use of the lands is compatible with the existing neighborhood and represents appropriate and compatible form of intensification by making efficient use of land and infrastructure.
3. The amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan, the Regional ~~Policy Official~~ Plan and the general intent of the Official Plan.
4. The development will provide for an appropriate range of housing within the existing ~~built-up~~Greenfield area.
5. The proposal will be subject to further approval associated with Draft Plan of Standard Condominium and Site Plan Control for the proposed Apartment building where a more detailed analysis will be undertaken.



RE: Regional Comments- Harbourn town at Erie Beach Williamson, Britney to: Jennifer Vida
 22/01/2018 01:59 PM
 Cc: Eric Henry, "Matt Kernahan (MKernahan@forterie.ca)", "Dunsmore, Susan"
 From: "Williamson, Britney" <Britney.Williamson@niagararegion.ca>
 To: Jennifer Vida <JVida@ucc.com>
 Cc: Eric Henry <awelfa@gmail.com>, "Matt Kernahan (MKernahan@forterie.ca)"
 <MKernahan@forterie.ca>, "Dunsmore, Susan" <Susan.Dunsmore@niagararegion.ca>

Hi Jen,

Thanks for the revised OPA/draft plan. I spoke to Susan and she confirmed the design for Dominion Road hasn't started yet, so we don't have any plans to share at this point. She advised that it's unlikely the grades will change. If the design for this development proceeds in advance of the reconstruction, the Region will take the design of the development into consideration for the design for Dominion Road. In terms of the condition for the urban design/streetscape plan, we just want to confirm any streetscaping works (i.e. trees, sidewalks, entrance signs, etc.) proposed on the Regional road allowance. I understand the Town typically requests a streetscape plan for the proposed local roads, so please show any streetscape improvements proposed on the Regional road allowance on the same streetscape plan and circulate to the Region for review/approval. It appears the 15m buffer is on private property.

Hope this helps, but please let me know if you have any questions.

Thanks,

Britney

From: Jennifer Vida [<mailto:JVida@ucc.com>]
Sent: Monday, January 22, 2018 12:09 PM
To: Williamson, Britney
Cc: Eric Henry; 'Matt Kernahan (MKernahan@forterie.ca)'
Subject: RE: Regional Comments- Harbourn town at Erie Beach

Hi Britney, thank you for the comments and conditions for Harbourn town Village. I have attached the revised Section of the draft OPA for your use. I have also attached a revised draft plan which shows the modified daylighting triangles along Dominion Road as 4.5x4.5. There are reserves shown on the draft plan along Dominion Road that are intended to be transferred to the Region at the time of registration.

A couple of other things, are you able to send over the design for the recon of Dominion Road? We would like to have this to see how the re-design affects the plan layout and so we can see what we need to do in terms of eng. design for connections etc...Hopefully we can coordinate any connections as part of the recon to avoid having to go back and rip up the Region's newly constructed road. Coordination on this would be beneficial.

Also, in order to address the comment/condition about an urban design plan for Dominion Road. There is a 15m buffer that is planned to be maintained in its natural state along the entire frontage of Dominion Road. Can you send us the Region's guidelines or by-laws outlining requirements for urban design so that we can prepare what is required?

Other than that, thank you again for your comments. Let me know if you would like to chat.



RE: Harbourtown - Request for Comments - No Comment - Subdivision Application - Town of Fort Erie - Basset Avenue to the west and Bardol Avenue and Buttonwood Drive to the east
 From: <Paul.Shllaku@HydroOne.com>
 To: <MKernahan@forterie.ca>
 History:
 This message has been forwarded.

Hello,

I was unable to find the File Number.

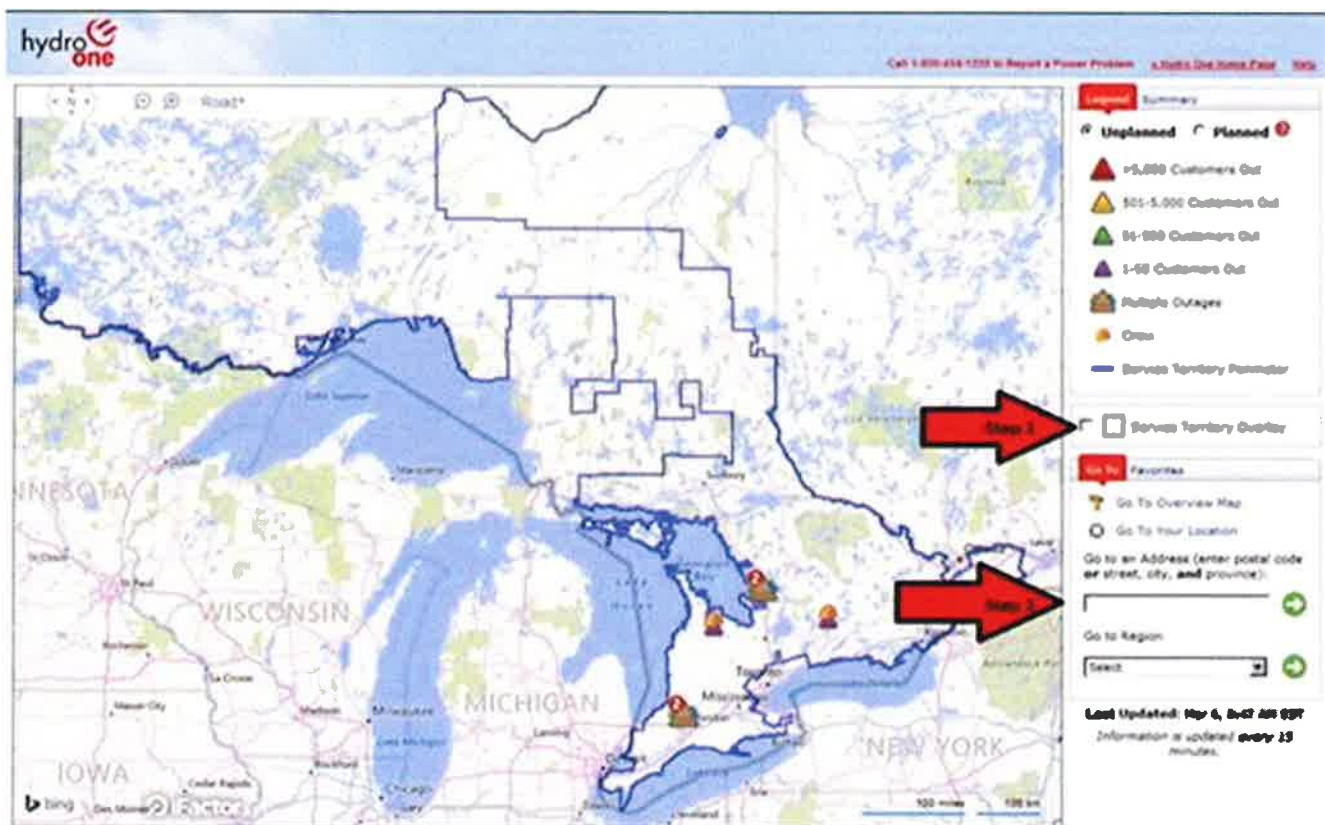
We are in receipt of your Plan of Subdivision application, dated December 11, 2017. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:

<http://www.hydroone.com/StormCenter3/>

Please select "Service Territory Overlay" and locate address in question by entering the address or by zooming in and out of the map



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango
 Specialized Services Team Lead, Real Estate Department
 Hydro One Networks Inc.
 Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

From: Matt Kernahan [<mailto:MKernahan@forterie.ca>]
Sent: Monday, December 11, 2017 10:19 AM
To: Circulation - OPA
Cc: Matt Kernahan
Subject: Harbourtown - Request for Comments

*** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

An application has been received for a Combined Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision for the property south of Dominion Road between Basset Avenue to the west and Bardol Avenue and Buttonwood Drive to the east. The application was received from Jennifer Vida of Upper Canada Consultants (Agent) on behalf of 800460 Ontario Limited (Fred Costabile) owner of the Harbourtown at Erie Beach Development. The application is to develop the 14 hectare property for a residential subdivision permitting a range of residential uses along with areas of open space and environmental protection. The development includes 86 single detached lots, blocks for 96 street townhouse dwellings, one block for a 10 storey apartment to accommodate 103 dwelling units, a block for stormwater management facilities, and a block for environmental protection.

The following documents have been submitted in support of the application:

[Harbourtown Environmental Impact Assessment](#)
[Functional Servicing Study](#)
[Apartment Concept Plan](#)
[Draft Plan of Subdivision](#)
[Archeological Assessment](#)
[Harbourtown Traffic Brief](#)
[Draft Official Plan Amendment Schedule](#)
[Draft Zoning By-law Amendment Schedule](#)
[Draft Zoning By-law](#)
[EIS Tree Preservation Plan](#)
[Revised Justification and Impact Analysis](#)
[Traffic Study Addendum](#)

The blue text above links to digital copies of the corresponding information on the Town's website. Hard copies of documents are available upon request. In order for the Planning and Development Services Department to properly assess the application and prepare our report to Town Council, we would appreciate your comments as they pertain to the scope and jurisdiction of your department or agency in the form of a memorandum or letter. If we do not receive your comments or a request for an extension, staff may interpret this as your approval of the applications as submitted. We would request any comments you have on this application within 45 days (i.e. not later than Thursday, January 25, 2018).

Thank you,

Matt

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

TEL: 1-905-871-1800 ext.2507
 FAX: 1-905-871-6411

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Interoffice Memorandum

January 25, 2018

File No. 350308-0108 & 350309-0453

To: Matt Kernahan, Senior Development Planner
From: Jeremy Korevaar, Coordinator, Development Approvals
Subject: **COMMENTS – ENGINEERING DIVISION**
DRAFT PLAN OF SUBDIVISION, OFFICIAL PLAN AMENDMENT AND
ZONING BY-LAW AMENDMENT – HARBOURTOWN

On behalf of the Infrastructure Services Department, Engineering Division, a review of the above noted Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications has been completed. After a review of the applications and associated documents the following comments and requirements regarding the proposed applications are provided:

General Comments

1. I have no objection to the proposed zoning by-law amendment.
2. The internal lands of this development are not serviced. The developer will be responsible for all associated costs to extend required municipal services into the subject lands. Since the planned lots are within the urban area boundary, they must be serviced by the municipal sanitary sewer system and the municipal water distribution system.
3. The Owner shall retain a qualified Engineer to prepare site engineering, cost estimates and administer servicing work associated with developing the subject lands.
4. All municipal servicing is to be designed and constructed to Ontario Provincial Standards and Town Guidelines and will be subject to the approval of the Town of Fort Erie Director of Infrastructure Services.
5. Prior to installing sewer services, the Owner must obtain Environmental Compliance Approval from the Ministry of Environment for sewer and storm water management works needed to service the proposed development. Prior to installing the watermain to service the proposed development, the Owner must submit Ministry of Environment 'Form 1' Record of Watermain to the Town.
6. The Owner must obtain approved Service Connection Permits from the Town of Fort Erie for residential connections to existing sewers or watermain.
7. A geotechnical study and hydrogeological study is required to confirm sewer pipe design, pipe bedding and backfill and to assess ground water conditions and bedrock elevations.

8. Phasing of the development servicing shall be subject to approval from the Director of Infrastructure Services.
9. The owner will be required to submit additional Planning Act applications to the Town for development of Block 85. The subject development will be permitted one water service and if the water service length measured from the property line to the face of the building is more than 20m, a water meter chamber shall be installed to house the water meter and backflow prevention device, all in accordance with the Town's Water By-law (By-law No. 66-2016).
10. The strip of land for a pathway between lots 14 and 15 shall be a separate Block to be deeded to the Town for a pedestrian walkway and should be no less than 4.0m wide.

Roads Comments

1. All internal roads within this development shall be designed and constructed to a full urban cross section consistent with the Town of Fort Erie typical urban cross section standard, (PW-501 FE), (curb & gutter, storm sewer and sidewalk), Ontario Provincial Standards (OPS) and Transportation Association of Canada (TAC).
2. All proposed roadways within the plan shall be dedicated as public highways.
3. All road intersections and curves shall be designed and constructed in accordance with OPS and TAC requirements. Road allowance widths (20m minimum) must be able to accommodate all turning radii under this requirement.
4. LED Streetlights will be required as per the Town street light policy.
5. At a minimum a 1.5m wide concrete sidewalk shall be provided on one side of all streets. Cross-walks shall be limited to intersections with STOP control as much as practical.
6. The developer is responsible for the construction of the east half of Bassett Avenue to an urban standard. It is the Town's preference that the entire street be reconstructed from Dominion Road to Edgemere Road. The Developer is requested to front-end the reconstruction of the entire road, the details of the reconstruction and funding sources will be finalized in the Subdivision Agreement.
7. The 90 degree turn in Street 'C' shall conform to Town of Fort Erie Standard Drawing PW-504 FE. See **Attachment '1'**.
8. Street 'E' shall be named Buttonwood Drive to continue the name of the connecting street.
9. Street 'A' and Street 'D' shall have the same name for emergency services response.
10. The Developer provided a Transportation Study, dated June 28, 2017 prepared by Paradigm Transportation Solutions as well as two addendum letters dated November 14, 2017 and January 10, 2018. Based on the analysis of existing and proposed traffic

volumes, we have no concerns with the increased traffic on the existing network as all intersections will continue to operate at acceptable levels of service.

Watermain Comments

1. Fire hydrants at the standard spacing must be provided, and hydrant layout is also subject to review and approval by the Town of Fort Erie.
2. In order to effectively provide sufficient watermain connections to development site, connections shall be made to the existing municipal watermain on Bardol Avenue, Dominion Road, Buttonwood Drive and Lakeshore Road.
3. Watermains within the cul-de-sacs shall be designed and constructed in accordance with **Attachment '2'**.

Storm Drainage Comments

1. The developer of these lands must address any downstream impacts of storm water runoff from the proposed development. Downstream impacts can be mitigated with on-site storm management. Storm water management must include a means to control the release of post development storm run off to predevelopment rates for storm events (for the 5-year storm and up to and including the 100-year storm). The difference in pre and post development runoff shall be stored on site and released at a safe controlled rate. The release rate shall not create downstream flows that may increase erosion. If the receiving outlet(storm sewer, ditch or drainage course) has not been designed for the 5-year storm, then site discharge must be controlled to the site pre-development rate discharge for that outlet based on the existing design capacity of the outlet and the downstream system.
2. Storm Water Management (SWM) and the site storm drainage system is to be addressed in accordance with the Town of Fort Erie's Storm Drainage Guidelines, the Town of Fort Erie Lot Grading Policy, Town of Fort Erie Stormwater Management Facility Design, Operation and Maintenance Policy and Standards and Ministry of Environment Best Management Principles. The minor system is to be capable of accommodating the 5-year storm. The major system shall provide unencumbered flow for the major event (100-year storm) to the storm water management facility.
3. The developer must provide a SWM report for all development phases of the subject lands.
4. Rear yard catch basins (RYCB) must also be incorporated into the development drainage system. The rear yard catch basins would provide a means to ensure consistent rear yard drainage, provide outlets for the swale system and provide access to the storm sewer system for flushing maintenance. 3.0m wide easements, in favour of the Town, would be required to allow access to the catch basins and leads for maintenance purposes. RYCB leads shall be offset from lot lines.

5. A Subdivision Grade Control Plan showing existing and proposed grades, overland flow routes and building envelope and basement floor elevations is to be submitted by the Owner for review and approval by the Town.
6. Existing overland drainage patterns must be maintained.
7. The Town would assume responsibility for the maintenance of the storm water management facility, as set out in the subdivision agreement.
8. A land block must be dedicated for a SWM facility and will ultimately be dedicated to the Town. A maintenance pathway, 3.0m wide, may be required around the circumference of the facility. Side slopes on the ponds shall be as per Town guidelines.
9. A 1.50m high black chain link fence shall be provided along (1) the east side of Lots 15, 49 to 64 and 68; (2) the west side of Lots 14, 37 to 40, 48 and 65; (3) the north side of Lots 65 to 68; and (4) the south side of Lots 11, 13 to 15, 37, 43 to 48.
10. The Developer is advised that prior to registration of this plan, the owner shall obtain Ministry of the Environment Environmental Compliance Approvals to the satisfaction of the Director of Infrastructure Services, for the necessary storm sewers and storm water management for this development.

REQUESTED CONDITIONS OF DRAFT PLAN APPROVAL:

1. That the owner deed Block 105, as shown on the Draft Plan to the Town for stormwater management facility, free and clear of any mortgages, liens and encumbrances.
2. That the owner deed Block 106, as shown on the Draft Plan to the Town for a pedestrian walkway, free and clear of any mortgages, liens and encumbrances.
3. That the owner deed any and all easements that may be required for access utility and drainage purposes be granted to the appropriate authorities and utilities.
4. That all roads within the subdivision be designed according to Town of Fort Erie Standards and the lands be conveyed to the Town of Fort Erie as public highways.
5. That the subdivision agreement include a clause requiring that each agreement of purchase and sale state that *"Roof downspouts shall discharge only to ground surface via splash pads to either side or rear yards, with no direct connection to the storm sewer or discharge directed to the driveway or roadway."*
6. That the subdivision agreement include a clause requiring that each agreement of purchase and sale state that *"Public sidewalk installation will be in accordance with the terms of the subdivision agreement and as per the approved plans on file at Town Hall."*

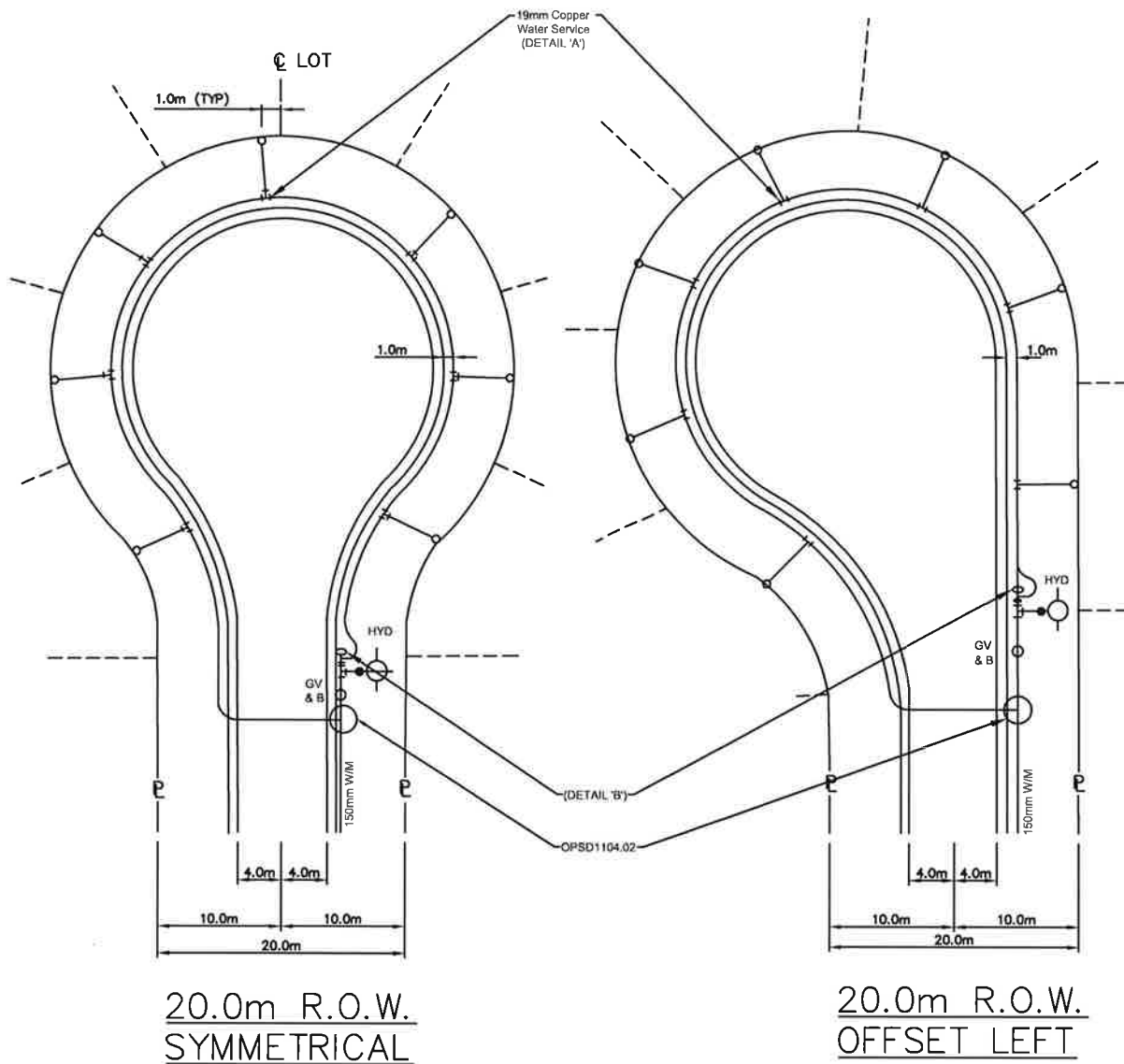
7. That the subdivision agreement include a clause requiring that each agreement of purchase and sale state that *"The owner (developer) shall be responsible for installing paved driveway aprons from curb to the property line or from the curb to the sidewalk."*
8. That prior to receiving Final Approval, the owner shall submit, for review and approval by the Town, a Geotechnical Study and Hydrogeological Study prepared by a qualified engineer, that verifies the soil bearing capacity, assesses bedrock elevations and groundwater conditions, appropriate sewer pipe design, pipe bedding, backfill and roadway designs and appropriate mitigation measures to address groundwater issues encountered. Owner to provide three copies of the final study, once approved by the Town.
9. That the owner prepare a detailed Subdivision Grade Control Plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated across the site be submitted to the Town of Fort Erie.
10. That any phasing of subdivision servicing shall be to the satisfaction of the Town.
11. That the owner shall enter into any agreement as required by utility companies for installation of services, including street lighting, all in accordance with the standards of the Town of Fort Erie. All utilities servicing the subdivision shall be underground. Upon installation and acceptance by the Town, streetlights and streetlight electrical supply system will be added to the Town's inventory.
12. That the streets be named to the satisfaction of the Town.
13. That the owner agrees, at a minimum, to construct 1.5 metre sidewalks on one side of all internal streets within the subdivision to the satisfaction of the Town.
14. That the design drawings for the water, sanitary sewer and storm water drainage systems, including storm water management, to service this development be submitted to the Town of Fort Erie for review and approval.
15. That prior to approval of the final plan or any on-site grading, the owner submit to the Town of Fort Erie for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual", March 2003, and "Stormwater Quality Guidelines for New Development", May 1991, and in accordance with Town of Fort Erie's Storm Drainage Guidelines, the Town of Fort Erie Lot Grading Policy, Town of Fort Erie Stormwater Management Facility Design, Operation and Maintenance Policy and Standards:

- a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b) Detailed sediment and erosion control plans.
16. That the subdivision agreement between the owner and the Town of Fort Erie contain provisions whereby the owner agrees to implement the approved stormwater management plan required in accordance with Condition 15 above.
17. Owner shall provide daylight triangles (4.5m x 4.5m or radius of 4.5m) at all internal street corners free and clear of any mortgages, liens and encumbrances
18. That the owner also design and implement the reconstruction the east half of Bassett Avenue across the frontage of Lots 1 to 11 to an urban standard in accordance with current Town Standards at their expense.
19. That the owner is responsible for the construction of the east half of Bassett Avenue to an urban standard. It is the Town's preference that the entire street be reconstructed from Dominion Road to Edgemere Road. The Developer is required to front-end the reconstruction of the entire road, the details of the reconstruction and funding sources will be finalized in the Subdivision Agreement.

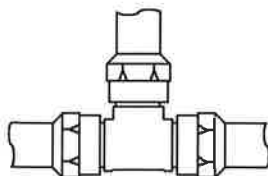
Jeremy Korevaar, C.E.T.
Coordinator, Development Approvals

Attach: Attachment '1' – Standard Drawing PW-504-FE
Attachment '2' – Cul-de-sac Watermain Looping

cc: Jason Marr, Manager, Engineering Division
Kira Dolch, Associate Director, Planning and Development Services



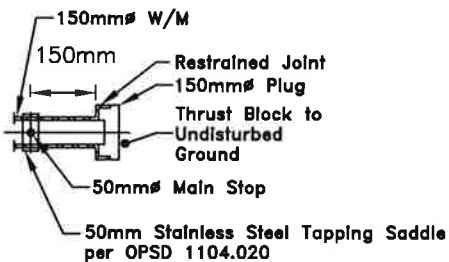
DETAIL A



Brass Service Tee
Compression all Around

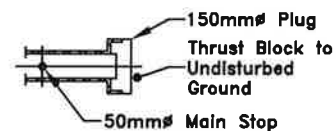
DETAIL B

DUCTILE IRON INSTALLATION



DETAIL B

PVC INSTALLATION



TOWN OF FORT ERIE

50mm WATERMAIN LOOPING IN CUL-DE-SACS
(20.0m R.O.W.)

SCALE NOT TO SCALE

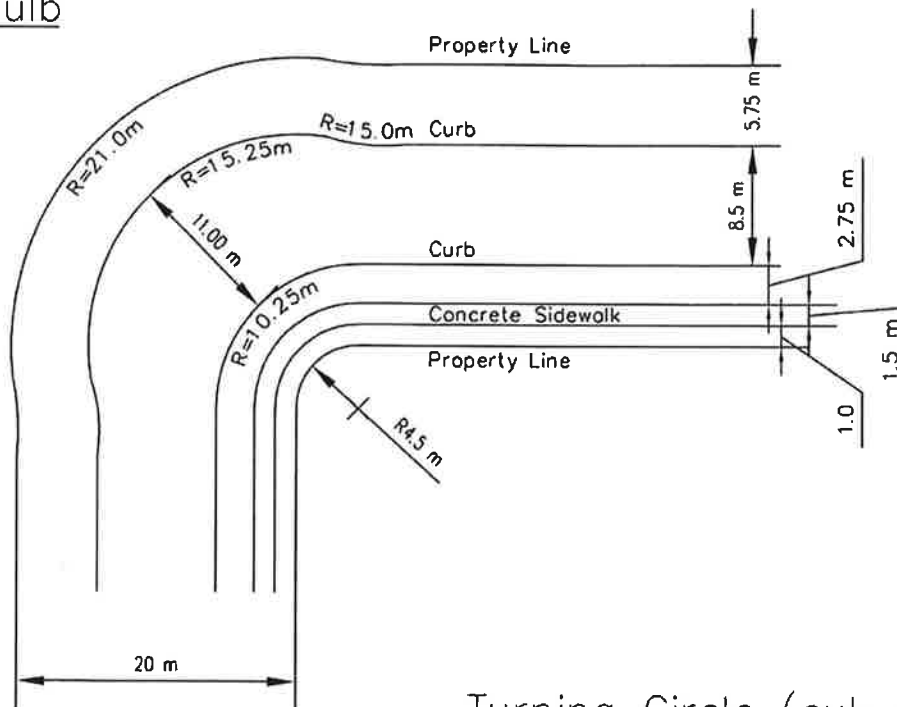
DRAWN BY SLB

DATE NOVEMBER 2017

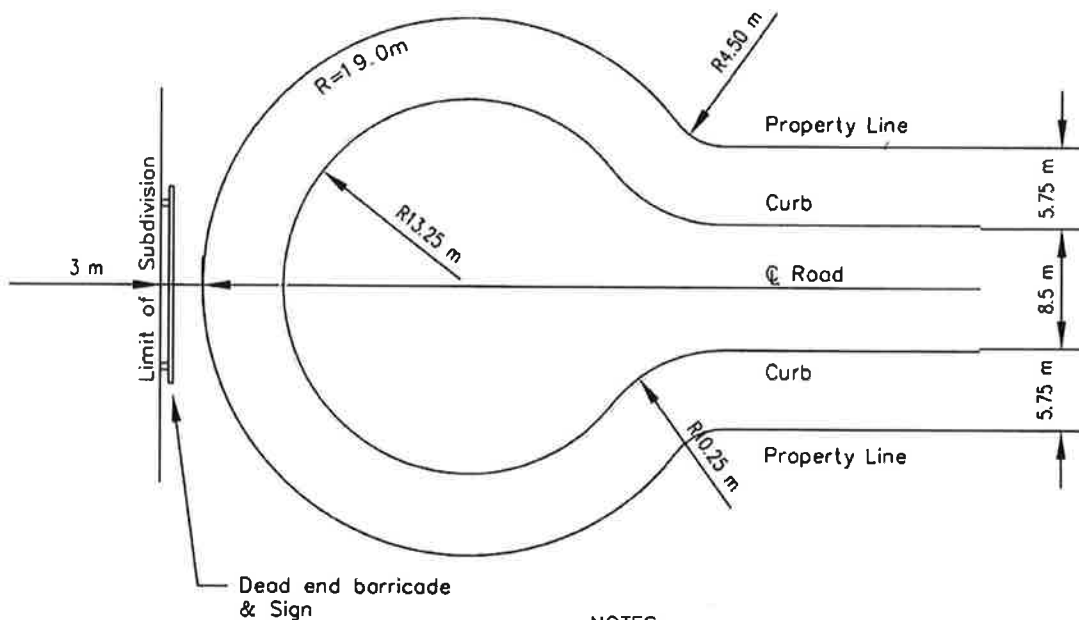
DWG. No.

FIGURE 5-4

Corner Bulb



Turning Circle (cul-de-sac)



NOTES:

1. All dimensions are in metres unless otherwise shown.
2. For typical road cross sections, see Typical Urban Cross section



PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

TOWN OF FORT ERIE

TYPICAL TURNING CIRCLE AND CORNER BULB
20m R.O.W.

SCALE	NOT TO SCALE	DRAWN BY	T.D.
DATE	FEB. 2004	DWG. No.	PW-504 FE



DISTRICT SCHOOL BOARD OF NIAGARA

191 Carlton St. ■ St. Catharines, ON ■ L2R 7P4 ■ 905-641-1550 ■ dsbn.org

February 9, 2018

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

Dear Mr. Kernahan:

**RE: Harbourtown Village
Draft Plan of Subdivision
Official Plan and Zoning By-law Amendment**

Thank you for circulating the District School Board of Niagara (DSBN) the combined Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications for the Harbourtown Village development. The Draft Plan of Subdivision proposes to develop the 14 hectare property 86 single detached lots, blocks for 96 street townhouse dwellings, a block for stormwater management facilities, and a block for environmental protection. The Official Plan Amendment and Zoning Bylaw Amendment applications will redesignate and rezone the lands accordingly to facilitate the proposed development.

DSBN Planning staff has completed its review and has no objections to the application. Board staff request that, as a condition of approval, sidewalks be constructed within the subdivision to facilitate student travel to the school/bus stop locations. Future students from this area would attend Garrison PS PS (Gr. JK-8) and Greater Fort Erie Secondary School (Gr. 9-12).

If you have any questions, feel free to contact me at ext. 54225

Sincerely,

Sue Mabee, MCIP, RPP
Supervisor of Planning