



Planning and Development Services

Prepared for	Council	Report No.	PDS-56-2020
Agenda Date	November 16, 2020	File No.	350309-0506

Subject	PROPOSED ZONING BY-LAW AMENDMENT 0 BURLEIGH ROAD NORTH ROMAN CATHOLIC EPISCOPAL CORPORATION ST. CATHARINES (OWNER) ALEXIS BANFAI (APPLICANT)
----------------	---

Recommendation	THAT Council receives for information purposes Report No. PDS-56-2020 regarding a proposed Zoning By-law Amendment for 0 Burleigh Road North.
-----------------------	--

Relation to Council's 2018-2022 Corporate Strategic Plan	Priority: Managed Growth through Responsibility, Stewardship and Preservation
---	---

List of Stakeholders	Roman Catholic Episcopal Corporation St Catharines (Owner) Alexis Banfai (Applicant) Residents and Property Owners in the Town of Fort Erie
-----------------------------	---

Prepared by:	Submitted by:	Approved by:
Original Signed Daryl Vander Veen Planning Technician	Original Signed Kira Dolch, MCIP, RPP, CNU-A Director, Planning & Development Services	Original Signed Tom Kuchyt, C.E.T. Chief Administrative Officer
Reviewed by:		
Original Signed Aaron Butler, MCIP, RPP Manager, Development Approvals		

Purpose

Alexis Banfai (the Applicant) has submitted an application for a Zoning By-law amendment for the lands known as 0 Burleigh Road North. The Applicant intends to purchase the property and construct a single detached dwelling on it. The Owner of the property is the Roman Catholic Episcopal Corporation St Catharines. This application is being processed as a major Zoning By-law amendment due to comments received in opposition from area residents.

A location map showing the subject lands is attached as **Appendix “1”**.

The purpose of this report is to provide information on the proposed Zoning By-law amendment in support of the November 16, 2020 Public Meeting for this application. The Public Meeting was originally held on August 31, 2020 and was adjourned. [Report No. PDS-37-2020](#) was received by Council for information purposes at that time.

This Public Meeting is a continuation of the August 31, 2020 meeting. The applicant has revised their proposal since the previous meeting, in response to comments received at that time. A follow-up recommendation report will be prepared by Planning staff and submitted to Council at a future meeting date.

The subject property is currently zoned Residential 1 (R1) Zone in accordance with the Town’s Zoning By-law. The R1 zone permits one single detached dwelling as well as accessory buildings and uses to the dwelling. However, the subject property is considered to be an existing undersized lot of record in the Ridgeway-Thunder Bay neighbourhood that is deficient in lot frontage and lot area. A Zoning By-law amendment is required to develop the parcel. Several site-specific zoning regulations are also requested to permit the Applicant’s revised dwelling design. An updated set of drawings (site plan, floor plans and building elevations) are attached as **Appendix “2”**.

Nature of the Site

The subject property is a corner lot and is located at the corner of Burleigh Road North and Jewell Avenue in the Ridgeway-Thunder Bay neighbourhood of Fort Erie. There are no environmentally significant features on or in the vicinity of the subject property nor is it within an area regulated by the Niagara Peninsula Conservation Authority (NPCA). A location map showing the subject lands is attached as **Appendix “1”**. The following summarizes the surrounding land uses:

North:	Jewell Avenue and single-detached dwellings
South:	Single-detached dwellings
East:	Single-detached dwellings
West:	Burleigh Road North and single-detached dwellings

The subject property was created as part of Plan 94/NP434, a plan of subdivision that - was originally registered in 1924. The Town of Fort Erie deemed the subdivision in 1976, however this parcel remained under separate ownership from adjacent lots and so did not merge in title with adjoining properties. The property is considered an existing non-conforming lot of record from a zoning perspective.

Planning Context

2020 Provincial Policy Statement (PPS)

The subject property is within the existing urban settlement area of Fort Erie. In general, the PPS seeks to focus growth and development into settlement areas and directs planning authorities to identify appropriate locations and promote opportunities for intensification where available.

2019 Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The subject property is within the Greater Golden Horseshoe Growth Plan Area and designated Built-up Area. In general, the Growth Plan directs new residential development within the delineated Built-up Area and encourages opportunities for intensification.

Regional Official Plan (ROP)

The Regional Official Plan identifies 0 Burleigh Road North as Built-up Area. One of the primary objectives of the ROP is to direct growth and development within Niagara's existing Urban Areas in accordance with provincial planning policy and to promote intensification via infill development.

Ridgeway-Thunder Bay Secondary Plan

The subject property is designated Residential - Low Density residential in the Ridgeway-Thunder Bay Secondary Plan. The Secondary Plan states that lands with this land use designation are intended for single detached, semi-detached and duplex dwellings. Subsection 4.18.6 (c) of the Secondary Plan notes that new or redeveloping low density development can be expected to comprise smaller lot area and dimension. This assists with maximizing use of the existing infrastructure in the neighbourhood and provides additional housing variety.

Zoning By-law No. 129-90

The subject property is currently zoned Residential 1 (R1) Zone in accordance with the Town of Fort Erie's Comprehensive Zoning By-law No. 129-1990. The R1 zoning

permits development of a single detached dwelling as well as accessory buildings and uses.

The subject property is an existing undersized lot of record on the original plan of subdivision with lot frontage of 10.50 m (34.45 ft) and a lot area of 409.30 sq m (4,405.67 sq ft). The lot is considered to be non-conforming and undersized as it does not meet the minimum lot frontage of 20.00 m for a corner lot and minimum lot area of 600.0 sq m required by the R1 zoning.

The Zoning By-law does permit development on existing non-conforming lots provided they were created prior to the Zoning By-law coming into force and effect in 1990. In this case, the subject property was registered as part of Plan 94/NP434 in 1924. The lots in the plan of subdivision were deemed by Deeming By-law No. 580-1976; however this parcel remained in separate title from adjacent lots and so remains an existing lot of record. Subsection 6.18 of Section 6 – General Provisions also requires that existing undersized lots have a minimum lot frontage of 12.00 m (39.37 ft) to be developed.

A Zoning By-law amendment is required as the subject lot is less than the required 12.00 m outlined in subsection 6.18. Relief from the Zoning By-law is also requested to recognize the existing deficient lot area and to permit the Applicant's revised design for a single detached dwelling.

The revised proposal meets the R1 zone requirements for maximum lot coverage of a dwelling and front, exterior side and rear yard setbacks. This application is proposing a site-specific R1 zone with the following provisions:

Zoning Regulation	Zoning Requirement	Proposal
Minimum Lot Frontage	12.00 m for an existing non-conforming lot of record	10.50 m
Minimum Lot Area	600.00 sq m	409.30 sq m (recognition of existing lot area)
Minimum Interior Side Yard Setback (two storey dwelling on an infill lot)	2.50 m	2.00 m (previously requesting 1.50 m)
Minimum Distance of a Driveway to an Street Intersection	7.50 m	5.50 m

The previous iteration of the proposal requested relief to the maximum lot coverage provision of 25%, which is now met.

Revised Application

Planning note the following changes in the revised development proposal:

- The floor area of the upper storey has been reduced from 78.86 sq m (848.84 sq ft) to 50.87 sq m (547.56 sq ft). While the proposed dwelling is still considered a two storey dwelling, the current proposal has less massing impacts than the original proposal and the upper storey is less imposing than the original design.
- The total floor area (living area minus garage) of the proposed dwelling has been reduced from 161.96 sq m (1,743.32 sq ft) to 126.14 sq m (1,357.76 sq ft).
- The footprint of the dwelling has been reduced in size. The proposed dwelling now meets the maximum lot coverage of 25% under the R1 zoning and the interior side yard setback to the southern lot line has increased from 1.50 m to 2.00 m.
- Building height has been lowered slightly from 9.00 m (29.53 ft) to 8.71 m (28.56 ft).
- The porch on the north side of the property is no longer covered and is less than 0.50 m in height above grade. Therefore an exception to permit encroachment into the exterior side yard is no longer required.
- The driveway has been tapered slightly to provide an increased setback to the intersection of Jewell Avenue and Burleigh Road North of 5.50 m. This is still less than the 7.50 m required by the Zoning By-law and will require a site-specific provision.

Overall, the Applicant has increased the compatibility of the proposed dwelling with the R1 zoning and reduced its size to lessen massing impacts. Staff note that the side yard setback on the south side now meets the base R1 zone requirements for a two storey dwelling, however a zoning exception is still required as the property is technically considered an infill lot. The R1 zone has increased interior side yard setbacks for dwellings constructed on infill lots. The reduction in floor area on the second floor has reduced the massing of the dwelling considerably (see the comparison between elevation drawings, attached as **Appendix “3”**).

Studies

No studies required.

Financial/Staffing Implications

All costs associated with processing the application and the development of the property is the responsibility of the owner. This application was originally processed as a minor Zoning By-law amendment. However, after receiving comments from the public the application will be processed as a major Zoning By-law amendment.

Policies Affecting Proposal

Notice of the August 31, 2020 Public Meeting was circulated in accordance with the *Planning Act* by placing an advertisement in the August 7, 2020 edition of the *Fort Erie*

Post. In addition, all property owners within 120 metres of the subject lands were mailed a “Notice of Complete Application and Public Meeting” on August 6, 2020.

An information open house meeting for this application was also held on August 4, 2020. Several members of the public attended the meeting. Comments received are summarized in the ‘Comments from Relevant Departments/Community and Corporate Partners’ section of this report.

Following a revision of the application, the adjourned Public Meeting was rescheduled for the Council meeting on November 16, 2020. Notice of this meeting was circulated in accordance with the *Planning Act* by placing an advertisement in the October 22, 2020 edition of the *Fort Erie Post* and all property owners within 120 metres of the subject lands were mailed a “Notice of Revision of Application and Adjourned Public Meeting” on the same date.

Land use policies for the subject lands are contained in the Town’s Official Plan, and applicable Regional and Provincial regulations.

Comments from Relevant Departments/Community and Corporate Partners

A request for comments regarding this Zoning By-law amendment was circulated to relevant Departments/Community and Corporate Partners on August 4, 2020. Comments received to date are summarized below. Agency/Staff comments are attached as **Appendix “4”**. Comments received from the public are attached as **Appendix “5”**.

Agency Comments

Enbridge Gas Distribution

No objection.

Niagara Peninsula Conservation Authority (NPCA)

NPCA staff confirmed in an email that the subject property is not impacted by NPCA regulated features and that the agency does not require further circulation on this application.

Staff Comments

Fort Erie Fire Department

The Fort Erie Fire Department did not submit any objections, but did seek clarification on how close the detached garage on the property to the south was to the subject property.

Planning Response

Planning staff note that the detached garage appears to meet the required 1.00 m setback from the southern lot line of the subject property. Planning staff will follow up with the Town's Fire Department to see if further comment or objection from the Fort Erie Fire Department are submitted^[DVV1].

Chief Building Official

No objection to the proposed amendment, however Building Division notes that the driveway location doesn't meet the required setback from the street line intersection. Building Division requests that this be addressed as part of the application and that there are no hazards due to the reduced setback. A provision for a 5.50 m setback from the intersection to the driveway is now requested as part of the revised Zoning By-law amendment.

Planning Response

Planning staff reviewed the proposal for a 5.50 m setback from the intersection of Burleigh Road North and Jewell Avenue with the Town's Coordinator, Development Approvals. will discuss further with counterparts in the Town's Infrastructure Services department to determine if the setback of the driveway from the intersection as indicated on the site plan (see **Appendix "2"**) will result in adverse impacts on visibility or safety at the intersection. No objections to this portion of the amendment have been received from internal staff to date^[DVV2].

Public Comments

An informal public open house was held by Town staff via Zoom on August 4, 2020 from 5.00 p.m. to 6.00 p.m. All property owners within 120 metres of the subject lands were notified of the informal public open house on July 21, 2020 via mailed notice. The open house meeting was attended by five area residents, all of whom were in opposition to the proposed Zoning By-law amendment. Written comments and discussion from the open house meeting are summarized and addressed by staff below. Most of the submitted comments were also in opposition to the proposal. One comment was in support. Written submissions from the public received to date are attached as **Appendix "5"**.

A Public Meeting was held during a Special Council-in-Committee meeting on August 31, 2020. At this meeting the Applicant, their architect, and one member of the public spoke in favour of the application. Four other members of the public also attended and provided comments in opposition to the proposal. Minutes from the August 31, 2020 meeting are attached as **Appendix "6"** for review.

Concerns with Pedestrian Safety and Traffic Concerns

Several residents were concerned about the impact this proposed development will have on pedestrian and vehicle traffic in the area. Residents pointed out that there are no sidewalks and that the proposed driveway is too close to the intersection of Burleigh Road North and Jewell Avenue.

Planning Response

The proposed dwelling meets the required front yard setback from Burleigh Road North and the exterior side yard setback from Jewell Avenue. Planning staff do not anticipate any visibility issues at the intersection for pedestrians and vehicles traversing the intersection as a result of the dwelling itself as it meets the setback requirements. Similarly, development of one new single detached dwelling will not significantly increase traffic along Burleigh Road North or obstruct the road. The proposed site plan demonstrates that there will be sufficient space on site to accommodate vehicle parking for the dwelling. A parking space is also available in the attached garage.

The proposed driveway has been modified to increase the setback to the intersection of Jewell Avenue and Burleigh Road North to 5.50 m. This setback is an improvement but will require a site-specific provision. Staff will discuss further with Infrastructure Services to help determine if this proposed setback will impose any traffic or safety concerns [DVV3].

Compatibility with the Neighbourhood and Overdevelopment of the Site

Several residents expressed concern with the compatibility of the proposed dwelling with the existing dwellings in the neighbourhood and overdevelopment of the site. While “compatible” does not necessarily mean “the same as”. Planning staff have reviewed the surrounding area of Thunder Bay for similar lots to assist Council and the public in assessing this proposal, and note the following:

- There are at least fourteen similar undersized lots in the Thunder Bay neighbourhood that have less than 12.00 m of lot frontage and appear to be under separate ownership from adjacent lots (i.e. they remain existing undersized parcels that have not merged with adjacent parcels).
- Of these lots, five are vacant and nine have existing dwellings on them.
- Three of the lots with less than 12.00 m of lot frontage are corner lots, with two being vacant and the remainder having an existing dwelling on it.
- The average lot coverage of similarly undersized lots with dwellings on them is 24.75%. The average lot frontage was 10.85 m (35.59 ft).
- A similar proposal was approved by the Town in 2015. Lot 412, Plan 439 was severed from 3009 Evadere Avenue and was rezoned to permit development of a single detached dwelling. Lot 412 has 10.67 m (35.00 ft) of lot frontage. The Zoning By-law amendment and the consent application were both appealed to the Ontario Municipal Board (OMB, now known as the Local Planning Appeal Tribunal or LPAT). The Board dismissed the appeals for both the Zoning By-law

amendment and the consent application and a single detached dwelling was later constructed on the property.

Planning staff note that development on any of the other similarly sized vacant lots will also require a Zoning By-law amendment if they have less than 12.0 m of lot frontage. Based on feedback from the public, the two main concerns are the proposed height of two storeys and overdevelopment of the property. Staff note that the zoning does permit a two storey dwelling and the Applicant has revised their proposal to reduce the floor area of the upper storey thereby reducing the profile of the dwelling and increasing its compatibility with other homes in the area. The proposed dwelling meets the maximum lot coverage and the front yard, exterior side yard and rear yard setbacks of the R1 zoning. The lot coverage of 25% is similar to the average lot coverage to other existing dwellings on parcels with less than 12.00 m of lot frontage in the neighbourhood.

Drainage Concerns

A few residents cited concern with drainage resulting from development of the property.

Planning Response

Submission of a grading plan that demonstrates that there will be no adverse drainage impacts on adjacent landowners will be required as part of any future building permit application. Planning staff will follow up with Infrastructure Services to see if there are any comments on anticipated impacts to existing stormwater drainage in the area via the drainage ditches in the Burleigh Road North and Jewell Avenue road allowances^[DVV4].

Loss of Greenspace

Several residents mentioned concerns with the loss of greenspace in the neighbourhood that will result from development of the subject property.

Planning Response

Planning staff note that the subject property is not designated or zoned as greenspace. It is a privately owned lot that may be cleared and developed provided the necessary approvals are obtained from the Town, including this proposed Zoning By-law amendment. Removal of any vegetation or trees within the road allowance requires permission and approval from the Town of Fort Erie. The property itself is not identified as having any environmental significance and it is not within area regulated by the NPCA.

Alternatives

N/A

Communicating Results

There are no communication requirements at this time.

Conclusion

This report is submitted to Council for information purposes. Staff will prepare a recommendation report to Council on the proposed Zoning By-law Amendment for a future Council meeting.

Attachments

Appendix “1” - Location Plan

Appendix “2” - Revised Site Plan, Floor Plans and Elevation Drawings

Appendix “3” - Comparison of Elevation Drawings

Appendix “4” - Agency and Staff Comments


Appendix “5” - Public Comments

Appendix “6” - Minutes from August 31, 2020 Public Meeting



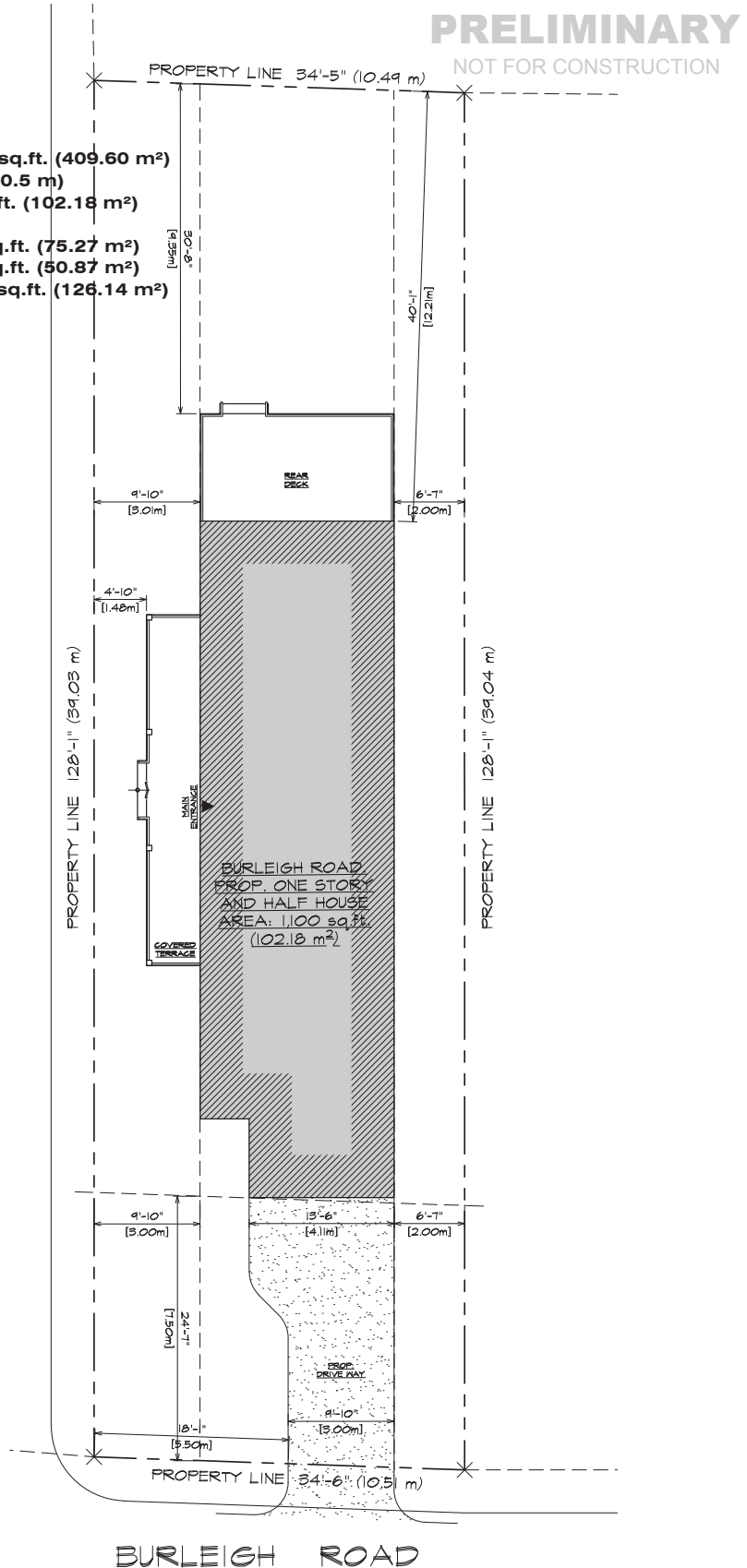
LOCATION PLAN

Zoning By-law Amendment - 0 Burleigh Road North

 Subject Lands - 0 Burleigh Road North

SITE STATISTICS:

LOT AREA: 4,409.44 sq.ft. (409.60 m²)
LOT FRONTAGE: 34.5 ft. (10.5 m)
FOOTPRINT AREA: 1,100 sq.ft. (102.18 m²)
COVERAGE AREA: 24.94%
GROUND FLOOR AREA: 810.34 sq.ft. (75.27 m²)
SECOND FLOOR AREA: 547.65 sq.ft. (50.87 m²)
TOTAL HOUSE AREA: 1,357.99 sq.ft. (126.14 m²)
NOTE: ALL EXISTING GRADES TO REMAIN



NORTH

**SITE PLAN**

SCALE: 1/32"



architect
OSAMA ABO NASSAR
 22 HELLEMS AVE.
 WELLS, ONTARIO
 L3B 3A7
 TEL: 289-407-0701
 E-mail: osanarchitect@rogers.com

DRAWING:

SITE PLAN

PROJECT:

BURLEIGH ROAD
RESIDENCE

BURLEIGH RD. FORT ERIE, ONTARIO

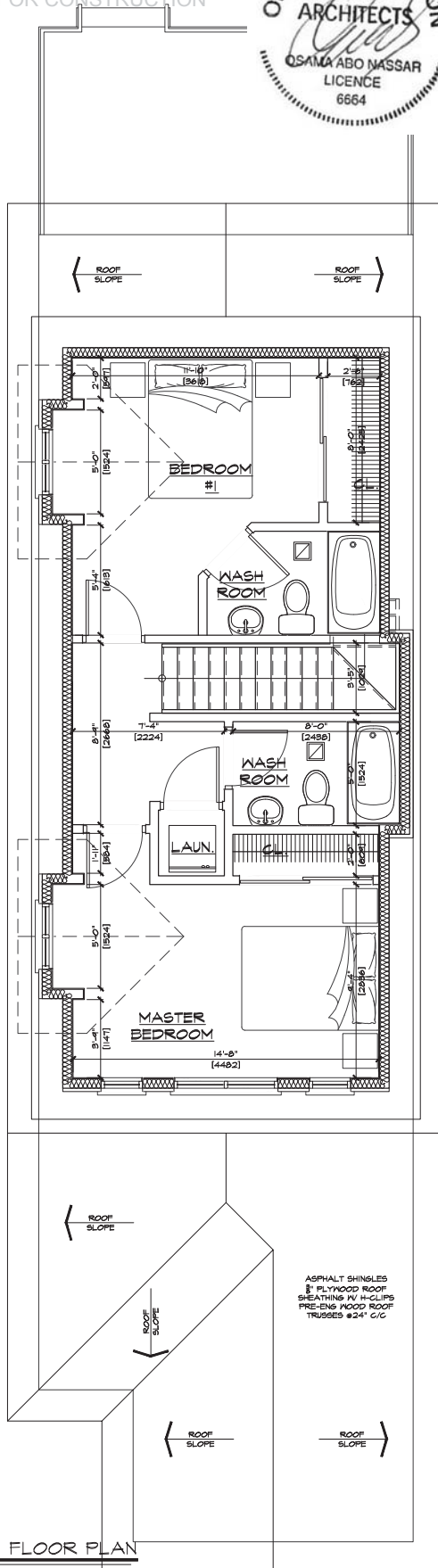
NO	DATE	DESCRIPTIONS
1	FEB 14 2020	ISSUED FOR PERMITTING
2	MARCH 11 2020	ISSUED FOR MINOR VARIANCE
3	APRIL 23 2020	ISSUED FOR MINOR VARIANCE
4	MAY 21 2020	ISSUED FOR MINOR VARIANCE
5	SEP 14 2020	ISSUED FOR MINOR VARIANCE
6	OCT 07 2020	ISSUED FOR MINOR VARIANCE

ALL DRAWINGS ARE PROPERTY OF DESIGNER AND
 MUST BE RETURNED UPON REQUEST DRAWINGS
 ARCHITECT OSAMA ABO NASSAR
 WELLS, ONTARIO, CANADA. REPRODUCTION IN
 WHOLE OR IN PART IS FORBIDDEN WITHOUT
 PERMISSION OF DESIGNER.
 THIS DRAWING IS NOT TO BE USED FOR
 CONSTRUCTION PURPOSES UNTIL COUNTERSIGNED
 OSAMA ABO NASSAR, OAA ARCHITECT.

DATE: FEB 2020
 DESIGN: OAN
 DRAFTING: AB
 ISSUED:
 SCALE: AS NOTED

A-01
 PROJECT No
 20 - XX

PRELIMINARY
NOT FOR CONSTRUCTION

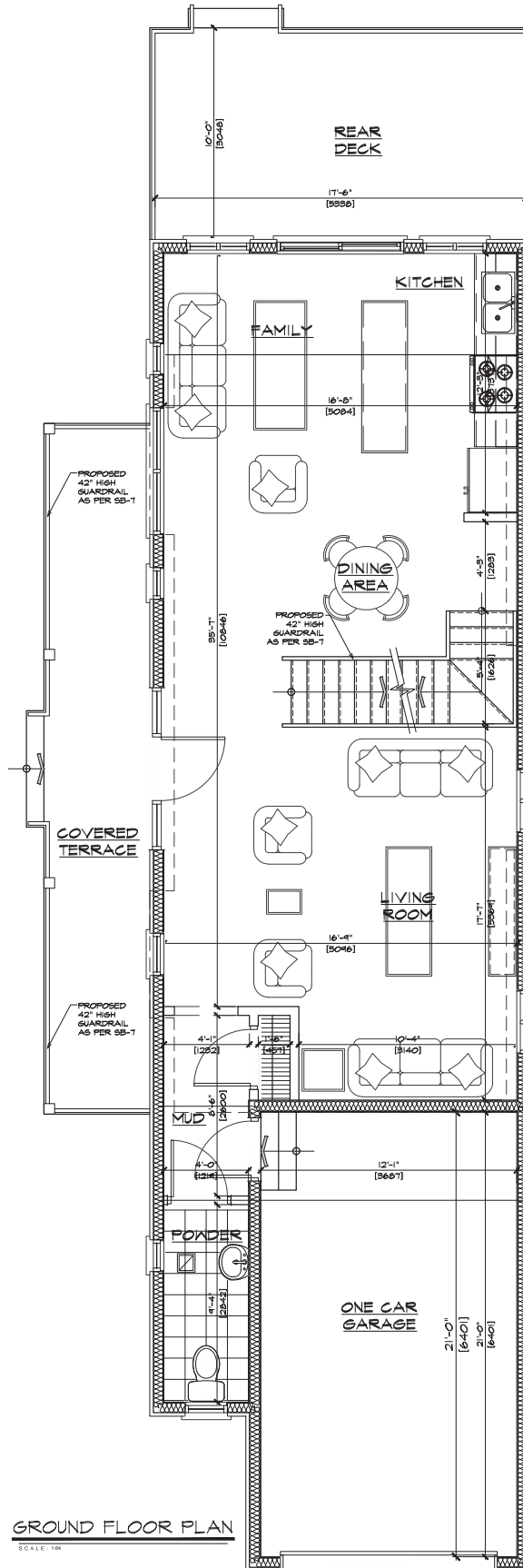


SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

GROUND FLOOR PLAN

SCALE: 1/8" = 1'-0"



architect
OSAMA ABO NASSAR
22 HELLEMS AVE.
WELLAND, ONTARIO
L3B 3A7
TEL: 226-407-0701
E-MAIL: osama@osamaarchitect.com

DRAWING:
**GROUND &
SECOND FLOOR
PLANS**

PROJECT:
**BURLEIGH ROAD
RESIDENCE**
BURLEIGH RD. FORT ERIE, ONTARIO

NO	DATE	DESCRIPTIONS
1	FEB 14 2020	ISSUED FOR MINOR VARIANCE
2	MARCH 11 2020	ISSUED FOR MINOR VARIANCE
3	APRIL 23 2020	ISSUED FOR MINOR VARIANCE
4	MAY 21 2020	ISSUED FOR REWORKING
5	SEP 14 2020	ISSUED FOR MINOR VARIANCE
6	OCT 07 2020	ISSUED FOR MINOR VARIANCE

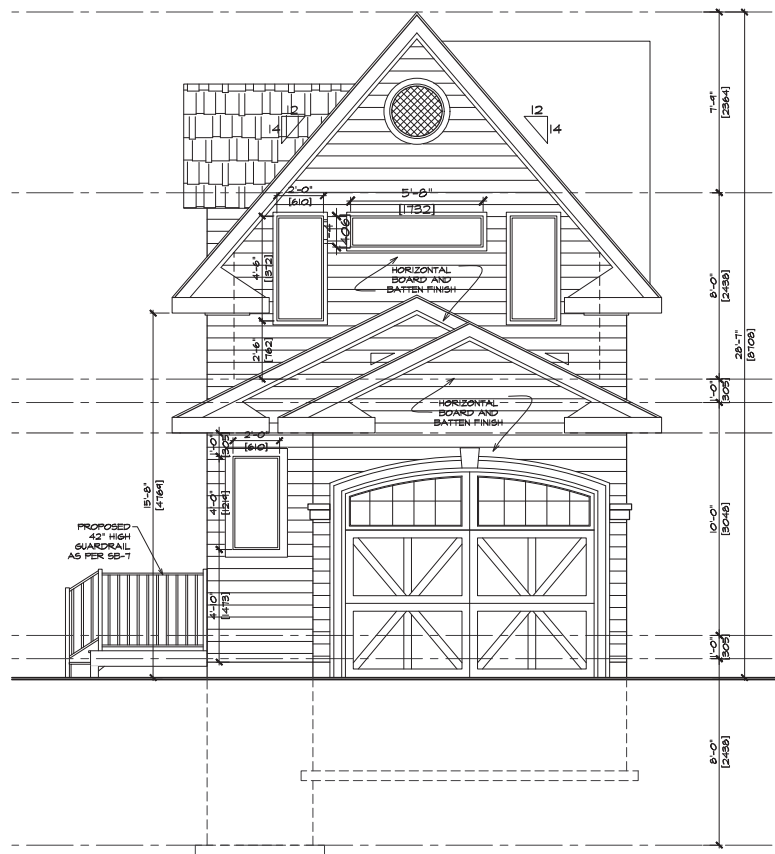
ALL DRAWINGS ARE PROPERTY OF DESIGNER AND
MUST BE RETURNED UPON REQUEST DRAWINGS
ARCHITECT OSAMA ABO NASSAR
WELLAND, ONTARIO CANADA. REPRODUCTION IN
WHOLE OR IN PART IS FORBIDDEN WITHOUT
PERMISSION OF DESIGNER.
THIS DRAWING IS NOT TO BE USED FOR
CONSTRUCTION PURPOSES UNTIL COUNTERSIGNED
OSAMA ABO NASSAR, OAA ARCHITECT

DATE: FEB 2020
DESIGN: OAN
DRAFTING: AB
ISSUED:
SCALE: AS NOTED

A-02
PROJECT No
20 - XX

PRELIMINARY

NOT FOR CONSTRUCTION

**FRONT ELEVATION**

SCALE: 1/8" = 1'-0"



architect
OSAMA ABO NASSAR
 22 HELLEMS AVE.
 WELLAND, ONTARIO
 L3B 3A7
 TEL: 226-407-0701
 E-mail: oanarchitect@rogers.com

DRAWING:

**FRONT
 ELEVATION**

PROJECT:

**BURLEIGH ROAD
 RESIDENCE**

BURLEIGH RD. FORT ERIE, ONTARIO

NO	DATE	DESCRIPTIONS
1	FEB 14 2020	ISSUED FOR MINOR VARIANCE
2	MARCH 11 2020	ISSUED FOR MINOR VARIANCE
3	APRIL 23 2020	ISSUED FOR MINOR VARIANCE
4	MAY 21 2020	ISSUED FOR REWORKING
5	SEP 14 2020	ISSUED FOR MINOR VARIANCE
6	OCT 07 2020	ISSUED FOR MINOR VARIANCE

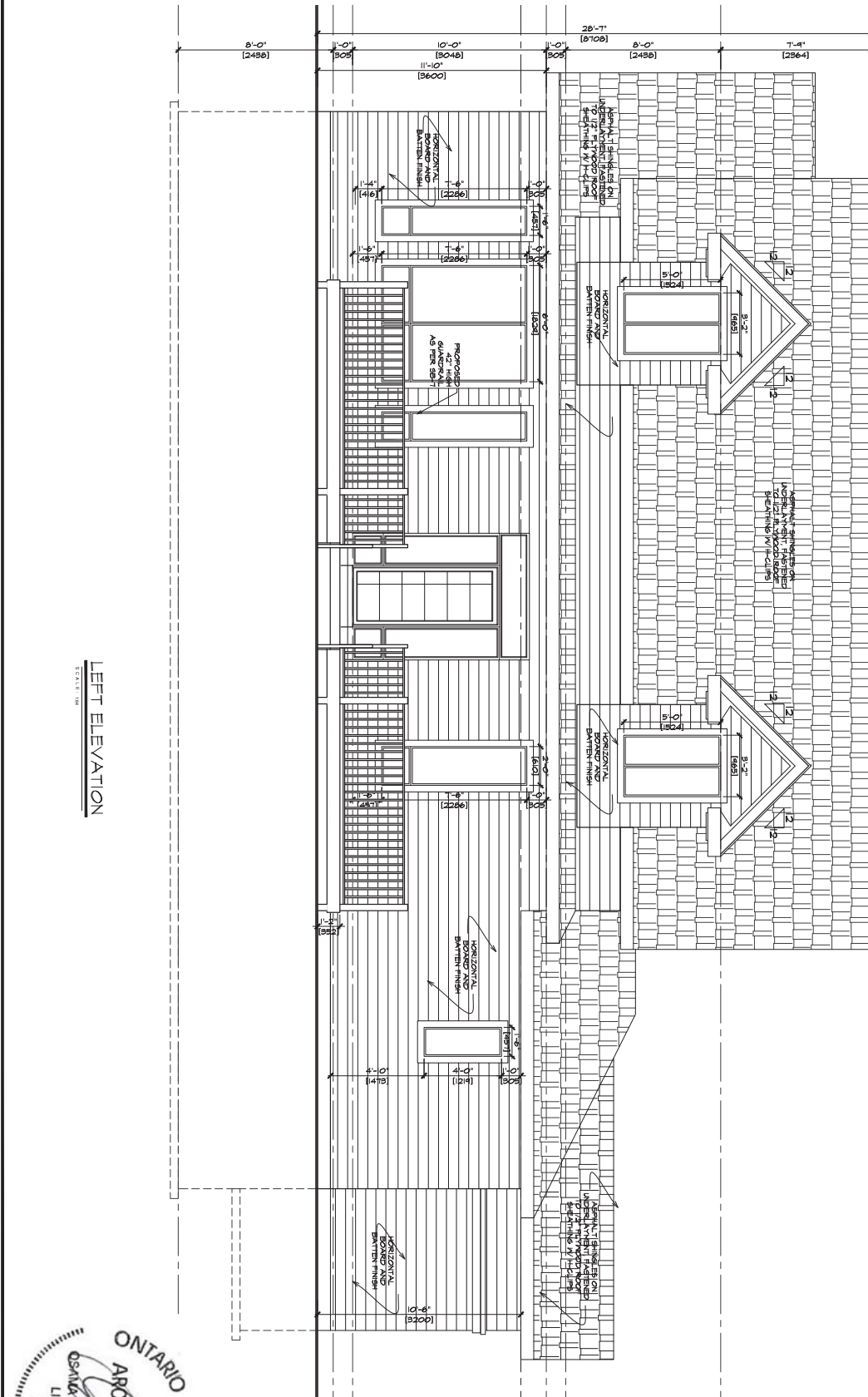
ALL DRAWINGS ARE PROPERTY OF DESIGNER AND
 MUST BE RETURNED UPON REQUEST DRAWINGS
 ARCHITECT OSAMA ABO NASSAR
 WELLAND, ONTARIO, CANADA. REPRODUCTION IN
 WHOLE OR IN PART IS FORBIDDEN WITHOUT
 PERMISSION OF DESIGNER.
 THIS DRAWING IS NOT TO BE USED FOR
 CONSTRUCTION PURPOSES UNTIL COUNTERSIGNED

OSAMA ABO NASSAR, OAA ARCHITECT

DATE: FEB 2020
 DESIGN: OAN
 DRAFTING: AB
 ISSUED:
 SCALE: AS NOTED

A-03
 PROJECT No
 20 - XX

LEFT ELEVATION



PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT NO. 20-XX
A-04
DATE: FEB - 2020
DESIGN: OAN
DRAFTING: AB
ISSUED:
SCALE: AS NOTED

DRAWING:
LEFT ELEVATION

PROJECT:
BURLEIGH ROAD RESIDENCE
BURLEIGH RD. FORT ERIE. ONTARIO

NO	DATE	DESCRIPTIONS
1	APR 23 2020	ISSUED FOR MINOR VARIANCE
2	MAY 14 2020	ISSUED FOR MINOR VARIANCE
3	SEP 14 2020	ISSUED FOR MINOR VARIANCE
4	OCT 07 2020	ISSUED FOR MINOR VARIANCE

ALL DRAWINGS ARE PROPERTY OF DESIGNER AND MUST BE RETURNED UPON REQUEST. DRAWINGS © ARCHITECT OSAMA ABO NASSAR WILLOW, ONTARIO, CANADA. REPRODUCTION IN WHOLE OR IN PART IS FORBIDDEN WITHOUT PERMISSION OF DESIGNER. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNTIL COUNTERSIGNED.

architect
OSAMA ABO NASSAR
22 HELLEMS AVE.
WILLOW, ONTARIO
L3R 3A7
TEL: 289-407-0701 FAX: 905-321-1784
E-mail: oanarchitect@rogers.com



South Elevation - Revised Submission



South Elevation - Original Submission



APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

RE: [External] Request for comments - proposed Zoning By-law amendment (0 Burleigh Road North, Fort Erie)

Municipal Planning to: Daryl Vander Veen 2020-08-04 09:14 PM

From: "Municipal Planning" <MunicipalPlanning@enbridge.com>

To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>

Thank you for your circulation.

Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Alice Coleman

Municipal Planning Analyst

Long Range Distribution Planning

ENBRIDGE GAS INC.

TEL: 416-495-5386

500 Consumers Road, North York, Ontario M2J 1P8

Enbridge.com

Safety. Integrity. Respect.

From: Daryl Vander Veen <DVanderVeen@forterie.ca>

Sent: Tuesday, August 4, 2020 2:58 PM

Subject: [External] Request for comments - proposed Zoning By-law amendment (0 Burleigh Road North, Fort Erie)

EXTERNAL: PLEASE PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Good afternoon,

A complete application for a Zoning By-law amendment has been received from Alexis Banfai for 0 Burleigh Road North, a vacant parcel on the east side of Burleigh Road North in the Ridgeway-Thunder Bay neighbourhood in Fort Erie.

The purpose of the application is to implement site-specific Residential 1 (R1) zoning to permit development of an single detached dwelling on an existing undersized lot of record with deficient lot frontage. The proposed site-specific zoning will also include provisions to recognize the existing deficient lot area, increased maximum lot coverage for a dwelling, a reduced interior side yard setback for a two storey dwelling on an infill lot and increased projection of a covered porch into an exterior side yard.

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

ZBA application

Jessica Abrahamse to: DVanderVeen@forterie.ca 2020-08-05 10:23 AM

Cc: "David Deluce"

From: "Jessica Abrahamse" <jabrahamse@npca.ca>

To: "DVanderVeen@forterie.ca" <DVanderVeen@forterie.ca>

Cc: "David Deluce" <ddeluce@npca.ca>

1 Attachment



0 Burleigh Ave. FE.pdf

Hi Daryl,

The NPCA will not require circulation on this application as it is not impacted by NPCA regulated features.

With Best Regards,

Jessica Abrahamse M.E.S.
Watershed Planner

250 Thorold Road West, 3rd Floor

Welland, On

L3C 3W2

(905) 788-3135 Ext. 235

jabrahamse@npca.ca

www.npca.ca

[NPCA Mapping Tool](#)

Thank you for your email. Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. NPCA enforcement, permitting and planning functions are continuing to operate, however there may be delays in receiving responses to inquiries or complaints due to staff restrictions and remote work locations. Updates with regards to NPCA operations and activities can be found on our website at www.npca.ca/our-voice, the NPCA Facebook page at <https://www.facebook.com/NPCAOntario> and on Twitter at https://twitter.com/NPCA_Ontario.

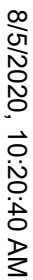
For more information on Permits, Planning and Forestry please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>.

The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.

0 Burleigh Ave. FE



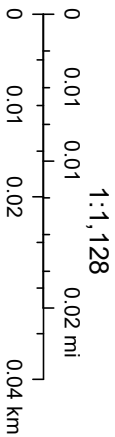
Regulation Wetlands

OWES WETLANDS
Non-Provinci

Non-Provincially Significant Wetland

NPCA, Brian Lee, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL,

Web AppBuilder for ArcGIS



APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020



Re: Request for comments - proposed Zoning By-law amendment (0 Burleigh Road North, Fort Erie) 📎

Keegan Gennings to: Daryl Vander Veen

2020-08-11 10:12 AM

From: Keegan Gennings/FortErie
To: Daryl Vander Veen/FortErie@TownOfFortErie

Hi Daryl,
I have no building department comments but have noted that the driveway location doesn't meet the required setback from the street line intersection. Please ensure that this is addressed as part of the application and there are no hazards due to the reduced setback.

Regards,

Keegan Gennings C.B.C.O
Chief Building Official
Town of Fort Erie
905-871-1600 ext. 2515

Daryl Vander Veen Good afternoon, A complete application for a Zo... 08/04/2020 02:57:54 PM

From: Daryl Vander Veen/FortErie
To:
Date: 08/04/2020 02:57 PM
Subject: Request for comments - proposed Zoning By-law amendment (0 Burleigh Road North, Fort Erie)

Good afternoon,

A complete application for a Zoning By-law amendment has been received from Alexis Banfai for 0 Burleigh Road North, a vacant parcel on the east side of Burleigh Road North in the Ridgeway-Thunder Bay neighbourhood in Fort Erie.

The purpose of the application is to implement site-specific Residential 1 (R1) zoning to permit development of a single detached dwelling on an existing undersized lot of record with deficient lot frontage. The proposed site-specific zoning will also include provisions to recognize the existing deficient lot area, increased maximum lot coverage for a dwelling, a reduced interior side yard setback for a two storey dwelling on an infill lot and increased projection of a covered porch into an exterior side yard.

The following is submitted for your review:

1. Application for Zoning By-law Amendment
2. Site Plan
3. Elevation Drawings and Floor Plans
4. Location Map of Subject Property

Digital copies of the all of the above are attached for your review. Please provide any comments you have on the applications no later than **Tuesday, August 24, 2020**.

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

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020



Re: Request for comments - proposed Zoning By-law amendment (0 Burleigh Road North, Fort Erie) 📎

Ed Melanson to: Daryl Vander Veen

2020-08-06 09:58 PM

From: Ed Melanson/FortErie
To: Daryl Vander Veen/FortErie@TownOfFortErie

Good Evening Daryl,

The proposed home is 4.5' from the property line adjacent to 216 Burleigh Road North. How close is the garage at 216 to the property line?

Ed Melanson
Fire Chief & CEMC
Fort Erie Fire Department

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



Daryl Vander Veen

Good afternoon, A complete application for a Z...

2020-08-04 02:57:54 PM

From: Daryl Vander Veen/FortErie
To:
Date: 2020-08-04 02:57 PM
Subject: Request for comments - proposed Zoning By-law amendment (0 Burleigh Road North, Fort Erie)

Good afternoon,

A complete application for a Zoning By-law amendment has been received from Alexis Banfai for 0 Burleigh Road North, a vacant parcel on the east side of Burleigh Road North in the Ridgeway-Thunder Bay neighbourhood in Fort Erie.

The purpose of the application is to implement site-specific Residential 1 (R1) zoning to permit development of a single detached dwelling on an existing undersized lot of record with deficient lot frontage. The proposed site-specific zoning will also include provisions to recognize the existing deficient lot area, increased maximum lot coverage for a dwelling, a reduced interior side yard setback for a two storey dwelling on an infill lot and increased projection of a covered porch into an exterior side yard.

The following is submitted for your review:

1. Application for Zoning By-law Amendment
2. Site Plan
3. Elevation Drawings and Floor Plans
4. Location Map of Subject Property

Digital copies of the all of the above are attached for your review. Please provide any comments you have on the applications no later than **Tuesday, August 24, 2020**.

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

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Proposed Bylaw amendments- 0-7103 Burleigh Road North
Arden Kozak to: dvanderveen@forterie.ca 2020-07-28 03:25 PM

From: [REDACTED]

To: "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>

History:

This message has been replied to.

Dear Daryl,

I am strongly opposed to, and very concerned about, the proposed zoning bylaw amendments. Please change the time of the meeting to 7:00pm or 7:30pm because many of my neighbours work past 5pm.

Kindly send the information on how to participate in the "open house" by phone or ZOOM. We are not computer savvy, so if we fail at Zoom we need another option.

The agent is asking for reduced lot frontage, reduced lot area, increased maximum lot coverage for a dwelling, reduced interior side yard setback for a 2-storey dwelling and increased projection of a covered porch into an exterior side yard.

These requests are not congruent with the spacing of the existing homes. The rear deck would infringe on the privacy of the front yard, of the existing home on Jewel. The front setback is not in line with the existing homes on Burleigh.

I am also very concerned that this will set a precedent for the future size of building lots. I chose to move here because houses are NOT crammed together.

The proposed driveway will be on Burleigh Road. This is a short distance from the traffic "STOP" sign at Jewel and Burleigh. The sightline, of the traffic on Jewel, would be blocked by any vehicles parked in the proposed driveway. Site statistics state "all existing grades are to remain", but Burleigh Road is a few feet higher than the property. Again, this is a sightline/safety issue.

There are inconsistencies in the "Site Statistics"...the ground floor area of 847 sq ft, and the second-floor area of 896.51 sq ft add up to 1943 sq feet. The total house area is 1743.51 sq ft. The numbers don't add up.

Best practice would be to sell the property, at a reasonable price, to the neighbouring property on Burleigh Road North.

Squeezing a home onto this slice of land will ruin the visual appeal of this gorgeous neighbourhood. If built, it will have the look of a size 12 foot, stuffed into a size 5 shoe (not appealing at all).

Please do not allow these zoning bylaw amendments to go through.

Best practice would be to sell the property with its beautiful trees and nature, at a reasonable price, to the neighbouring property on Burleigh Road North.

Thank You,
Arden M. Kozak
[REDACTED]

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020



NOTICE OF COMPLETE APPLICATION

BOB CZERLAU to: dvanderveen 2020-08-11 04:55 PM

From:

To: dvanderveen@forterie.ca

Zoning Application 350309-0506

APPLICANT: Alexis Banfai

Attention: Daryl Vander Veen

We live at 203 Burleigh Road North.

We have no objections regarding the new proposed home and amendments

Bob and Murielle Czerlau.

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020



By law no 129-90
Chris Sims to: dvanderveen

2020-07-25 12:20 PM

From:

To: dvanderveen@forterie.ca

History: This message has been replied to.

Hi I'm emailing because I will be unable to attend meeting because of work commitments!
But I'm voting against a 2 storey dwelling across from my house on Burleigh.
We're losing enough land around here
Our little town is turning into a city like atmosphere very quickly and I'm not in favour of that either!
Thanks Chris

Sent from my iPhone

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Proposed Zoning Bylaw Amendment re: 0-7103 Burleigh Road North, Ridgeway
dan and laurie doherty to: dvanderveen@forterie.ca 2020-07-28 06:00 PM

Cc: "Dave Czerlau"

From: [REDACTED]

To: "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>

Cc: [REDACTED]

History:

This message has been replied to.

Dear Mr. Vander Veen.

Regarding your notice of an Open House to discuss the subject proposal, I am writing to express my concerns. They follow:

- 1) this is a narrow strap of land that will house a disproportionate 2 story structure ie., with a footprint of 847 sq. ft.
- 2) this proposed structure is not in keeping with the surrounding neighborhood. Infills with newer home structures in the past 5 years since we have built are generally bungalow designs on lots with a minimum frontage of 50 feet or more
- 3) your letter does not state why the Roman Catholic Episcopal Corporation of St. Catharines is proposing this amendment and/or construction of such a structure.

For the above reasons, just to name a few, I strongly oppose the proposed amendment and construction of a disproportionate 2 story structure.

Yours truly.

Dan Doherty
3307 Riselay Ave.,
Ridgeway, Ontario
L0S 1N0

p.s. Dave can you forward onto Bob please. Thank you.....

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020



Burleigh Rd north zoning meeting
Savage Gardens to: dvanderveen

2020-07-25 12:13 PM

From:

To: dvanderveen@forterie.ca

History: This message has been replied to.

Hello Daryl,

We received your letter in reference to the development of the undersized lot on the corner of Burleigh and Jewell Ave. We would like to be included in the zoom meeting on August 4. We look forward to more details.

Thank you.

Jesse Savage
3323 Jewell avenue

Sent from my iPhone

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

31 August 2020 - Zoning By-law Amendment 0 Burleigh Road North

The Fiume's to: dvanderveen@forterie.ca 2020-08-15 04:49 PM

From: [REDACTED]

To: "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>

Please respond to "The Fiume's" [REDACTED]

Mr. Vanderveen:

I understand that there will be a meeting to consider a Zoning amendment for the above property on August 31st. The public notice advised that "***The Information Report will be Available by August 26th 5pm" and to contact you for that report.***"

Could you please provide that report when it becomes available as I would appreciate some time to review it to consider it before making any comments on the application.

Could you please advise what the property is zoned now?

Thanks Joe Fiume

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

re 0-7103 Burleigh Rd N

PATTI POKOL to: dvanderveen@forterie.ca 2020-08-04 04:28 PM

From: "PATTI POKOL" [REDACTED]

To: "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>

History:

This message has been replied to.

Hi Daryl

We hope that this email reached you in time for tonight's meeting, regarding the proposed zoning by-law amendment 0-7103 Burleigh Rd N

We just wanted to express our objection to allowing such a large house to be built on this property. We think that it will set a dangerous precedent in our neighborhood. As there are currently several lots that are being developed in this area; allowing this large house, requiring so many variances to the required lot size and distance from the side and back of the house to the property line and the required current set back from the road. Houses in this neighbourhood are sought after because it is Low Density. Allowing this house would set a precedent for other developers to do the same. Currently there are no other 2 story homes in the area, a large 2 story house on such a small piece of land would, in our opinion look very out of place.

Please pass these thoughts on to the council for their consideration.

Patti & Julius Pokol
247 Burleigh RdN
Ridgeway ON

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Proposed Bylaw amendments-0-7103 Burleigh Rd. N.
Ron Honey to: dvanderveen@forterie.ca 2020-07-31 01:42 PM
From: "Ron Honey" [REDACTED]
To: "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>
History:

This message has been replied to.

Daryl; I am opposed and very concerned about this overdevelopment to these proposed zoning bylaw amendments for this small treed lot along Burleigh Rd., N. The lot is undersized compared to the surrounding neighbourhood. It's overdevelopment is demonstrated by the request for reductions in lot area, lot frontage, and setbacks and the increase in lot coverage. It's like trying to back a full size RUV into a garage built for an average size car. Please really consider not allowing these zoning bylaw amendments as it would set a precedent for the size of future building lots. We are presently already losing a lot of green space due to new housing and it was the green space, wild life and small town feel that sold us on moving here in the first place.

Also the time 5pm on Tuesday Aug. 4th. for the meeting does not work, for most of the neighbourhood does not get home from work until 6pm.

Thank You!

Ron Honey
[REDACTED]

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Burleigh Rd Property
Shawn O'Brien to: dvanderveen 2020-07-30 08:57 AM
From: "Shawn O'Brien" [REDACTED]
To: dvanderveen@forterie.ca
History:
This message has been replied to.

Hi Daryl,

I would like to participate in the meeting Tuesday.

In the meantime, could you please send any information that you have for the proposed build? In particular, I would like a list of all deficiencies in the property that the proposed homeowner is asking the town to disregard.

I would also like a list of all R1 corner properties that have been granted building permits in the past 10 years with 10.5m frontage or less with less than 2/3 minimum lot size with homes covering more than the maximum allowed lot coverage.

It would also be helpful to know the number of buildable lots in Fort Erie currently without homes and the average number of building permits issued each year by the town.

Furthermore, what is the Town's policy on obstruction of stop signs?

I appreciate the information.

Kind regards
Shawn

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Re: Burleigh Rd Property
 Shawn O'Brien to: Daryl Vander Veen 2020-07-31 06:19 PM
 From: "Shawn O'Brien" [REDACTED]
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>
 History:

This message has been replied to.

Thank you for the preliminary information. I will submit my comments once I have had an opportunity to review. I, like my neighbors, am adamantly opposed to the proposed build.

On Fri, Jul 31, 2020, 4:37 PM Daryl Vander Veen, <DVanderVeen@forterie.ca> wrote:

Good afternoon Shawn,

Thanks for submitting comments. I will include your comments in the information report to Council. Here is an initial response to your questions:

1) If you wish to review the design proposal and site plan, it is available for download here:

<https://www.forterie.ca/resource/eservicesPlanning.xsp?s1=PZAA-ADIA-BQVMVH> I'll send a follow up email with a comparison of the deficiencies versus the zoning regulations, hopefully later today. If not, first thing Tuesday (Monday is a stat holiday).

2) This will take some time and this type of analysis may be included in the information report to Council. In general though, Planning staff always asks for a Zoning By-law amendment for development on an existing lot of record if it is less than the minimum of 12.00 m permitted under Subsection 6.18 (e) of Section 6 - General Provisions. This gives Council the ability to individually review and approve/deny development on undersized lots of record such as this instance. Here's a link to the Zoning By-law:

<https://www.forterie.ca/pages/ZoningInformation>

3) The best way to review this would be to read over our subdivision status report, available here:

<https://forterie.civicweb.net/FileStorage/54B8E0C5A2544F3F93D6648CBC6A08CB-PDS-19-2020%20Q4YE%20PDS%20SBB%20Status%20Report.pdf> Q4 is the latest available, and I believe the 2020 Q1 report is going to Council for the meeting on August 10, 2020.

4) The zoning requires a 7.50 m distance between a driveway and an intersection, and a 3.00 dwelling setback is required in the exterior side yard for visibility purposes. Porches/decks are permitted to encroach into exterior side yards 1.50 m. The porch in this proposal is 1.52 m. We may ask that the driveway be reconfigured to meet the 7.50 m setback once we receive comments from Infrastructure Services on this application.

To join the open house meeting on Tuesday, August 4th, click the first link provided above. One hour before the meeting a link will be provided along with the meeting ID and password. There are also instructions on that page to join via phone as an alternative. The meeting room will be opened at 4:45 pm and planning staff will go through an overview of the proposal via a presentation at 5:00 pm. Following that, you and others will be able to make comments as well as ask questions of staff and the applicant.

A formal public meeting before Council will also be held in accordance with the Planning Act and is scheduled for September 2nd. This meeting will also be Zoom-based and will commence at 6:00 pm. Feel free to attend this meeting as well, you will have an opportunity to speak directly to Council on the matter.

If you have any questions in the meantime, feel free to contact me.

Regards,

Daryl

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Re: Burleigh Rd Property
 Shawn O'Brien to: Daryl Vander Veen 2020-08-04 12:18 PM
 From: "Shawn O'Brien" [REDACTED]
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>

Are they not asking for the driveway to be in an illegal location as well?

I'm not sure how familiar you are with the property, but it will also be impossible to construct the driveway without raising the elevation at least a meter on the west side.

On Tue, Aug 4, 2020, 11:59 AM Daryl Vander Veen, <DVanderVeen@forterie.ca> wrote:
 Hello Shawn,

Here are the requested deficiencies:

Requested Provisions:

Lot frontage: **10.50 m**, 12.00 m minimum required for a non-conforming lot of record

Lot area: **409.60 sq m**, 600.00 sq m required

Lot coverage: **26.58%**, maximum 25%

Minimum infill interior side yard setback for a two storey dwelling: **1.50 m**, 2.50 m required

Encroachment of porch into exterior side yard: **1.52 m**, maximum 1.50 m permitted

Regards,
 Daryl

Daryl Vander Veen, BES
 Planning Technician

Planning & Development Services
 The Corporation of the Town of Fort Erie
 1 Municipal Centre Drive
 Fort Erie, Ontario, L2A 2S6
 Phone: 905-871-1600 ext. 2509
 Email: dvanderveen@forterie.ca

From: [REDACTED]
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>
 Date: 2020-07-31 06:19 PM
 Subject: Re: Burleigh Rd Property

Thank you for the preliminary information. I will submit my comments once I have had an opportunity to review. I, like my neighbors, am adamantly opposed to the proposed build.

On Fri, Jul 31, 2020, 4:37 PM Daryl Vander Veen, <DVanderVeen@forterie.ca> wrote:
 Good afternoon Shawn,

Thanks for submitting comments. I will include your comments in the information report to Council. Here is an initial response to your questions:

1) If you wish to review the design proposal and site plan, it is available for download here:
<https://www.forterie.ca/resource/eservicesPlanning.xsp?s1=PZAA-ADIA-BQVMVH> I'll send a follow up email with a comparison of the deficiencies versus the zoning regulations, hopefully later today. If not, first thing

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Re: Burleigh Rd Property
 Shawn O'Brien to: Daryl Vander Veen 2020-08-04 12:20 PM
 From: "Shawn O'Brien" [REDACTED]
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>
 History:

This message has been replied to.

Have you been able to get the total number of lots in the Town that currently do not have homes?

I'm looking to get an idea of how many years of inventory are available prior to allowing such dangerous and reckless proposals?

On Tue, Aug 4, 2020, 11:59 AM Daryl Vander Veen, <DVanderVeen@forterie.ca> wrote:
 Hello Shawn,

Here are the requested deficiencies:

Requested Provisions:

Lot frontage: 10.50 m, 12.00 m minimum required for a non-conforming lot of record

Lot area: 409.60 sq m, 600.00 sq m required

Lot coverage: 26.58%, maximum 25%

Minimum infill interior side yard setback for a two storey dwelling: 1.50 m, 2.50 m required

Encroachment of porch into exterior side yard: 1.52 m, maximum 1.50 m permitted

Regards,

Daryl

Daryl Vander Veen, BES
 Planning Technician

Planning & Development Services
 The Corporation of the Town of Fort Erie
 1 Municipal Centre Drive
 Fort Erie, Ontario, L2A 2S6
 Phone: 905-871-1600 ext. 2509
 Email: dvanderveen@forterie.ca

From: [REDACTED]
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>
 Date: 2020-07-31 06:19 PM
 Subject: Re: Burleigh Rd Property

Thank you for the preliminary information. I will submit my comments once I have had an opportunity to review. I, like my neighbors, am adamantly opposed to the proposed build.

On Fri, Jul 31, 2020, 4:37 PM Daryl Vander Veen, <DVanderVeen@forterie.ca> wrote:
 Good afternoon Shawn,

Thanks for submitting comments. I will include your comments in the information report to Council. Here is an initial response to your questions:

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Re: Burleigh Rd Property
 Shawn O'Brien to: Daryl Vander Veen 2020-08-04 12:31 PM
 From: "Shawn O'Brien" [REDACTED]
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>

Thanks.

Does the Town take into account that there is an building lot currently available for sale approximately 30m from this piece of property that is not suitable for construction?

On Tue, Aug 4, 2020, 12:29 PM Daryl Vander Veen, <DVanderVeen@forterie.ca> wrote:
 Hello Shawn,

That information is available in the link to the subdivision status report I sent on Friday. It speaks to the amount of inventory remaining towards the end in the attachments.

Regards,

Daryl

Daryl Vander Veen, BES
 Planning Technician

Planning & Development Services
 The Corporation of the Town of Fort Erie
 1 Municipal Centre Drive
 Fort Erie, Ontario, L2A 2S6
 Phone: 905-871-1600 ext. 2509
 Email: dvanderveen@forterie.ca

From: "Shawn O'Brien" [REDACTED]
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>
 Date: 2020-08-04 12:20 PM
 Subject: Re: Burleigh Rd Property

Have you been able to get the total number of lots in the Town that currently do not have homes?

I'm looking to get an idea of how many years of inventory are available prior to allowing such dangerous and reckless proposals?

On Tue, Aug 4, 2020, 11:59 AM Daryl Vander Veen, <DVanderVeen@forterie.ca> wrote:
 Hello Shawn,

Here are the requested deficiencies:

Requested Provisions:

Lot frontage: 10.50 m, 12.00 m minimum required for a non-conforming lot of record

Lot area: 409.60 sq m, 600.00 sq m required

Lot coverage: 26.58%, maximum 25%

Minimum infill interior side yard setback for a two storey dwelling: 1.50 m, 2.50 m required

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

BURLEGH RD

Shawn O'Brien to: Daryl Vander Veen 2020-08-17 12:28 PM

Cc: "Marina Butler"

From: "Shawn O'Brien" [REDACTED]

To: "Daryl Vander Veen" <dvanderveen@forterie.ca>

Cc: "Marina Butler" <MButler@forterie.ca>

History:

This message has been replied to.

Daryl,

I would like to participate in the meeting August 30, 2020.

With COVID restrictions lifted and an in person meeting now an option, I would prefer to have it traditionally (in person) with proper social distancing restrictions.

Who makes the decision on the format?

I've noticed no reference to the driveway not being allowable. Will this be communicated at a later date for input and discussion?

Regards,
Shawn

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020



Questions--0 Burleigh Road North

big veggiedog to: dvanderveen@forterie.ca 2020-08-10 08:45 AM

From: "big veggiedog" [REDACTED]

To: "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>

History:

This message has been replied to.

Hi Daryl,

I would like to get some more specific information about the proposed changes to 0 Burleigh Road North. What is the reduced lot frontage, reduced lot area, increased maximum lot coverage, reduced interior side yard setback, etc, etc.

Please advise.

Thanks,
Sian Jarvis

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

0 Burleigh Road---Public meeting sign???

big veggiedog to: cschofield@forterie.ca, dvanderveen@forterie.ca 2020-08-12 09:02 PM

Cc: "Marina Butler", "Wayne Redekop"

From: "big veggiedog" [REDACTED]

To: "cschofield@forterie.ca" <cschofield@forterie.ca>, "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>

Cc: "Marina Butler" <MButler@forterie.ca>, "Wayne Redekop" <WRedekop@forterie.ca>

Perhaps I am incorrect, but it is my understanding that when there is a public meeting scheduled for a property requesting a zoning by-law amendment, the town is required to post a sign on the said property for a certain period of time before the meeting takes place. As of the time of sending this email there has not been a sign on the property indicated as "0 Burleigh Road North" at any point yet.

I would appreciate some feedback.

Regards,
Sian Jarvis




Re: 0 Burleigh Road---Public meeting sign??? 

Carol Schofield to: big veggiedog

2020-08-13 09:44 AM

Cc: "dvanderveen@forterie.ca", "Marina Butler", "Wayne Redekop"

From: Carol Schofield/FortErie

To: "big veggiedog" 

Cc: "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>, "Marina Butler" <MButler@forterie.ca>, "Wayne Redekop" <WRedekop@forterie.ca>

Good morning,

Signs for Public Meetings are not posted on the property for Zoning By-law Amendments. Public notice is given in the newspaper and written notice to property owners within 120 metres of the subject property. Notice is also posted on the Council Agenda and our website.

Signs are posted for Committee of Adjustment Hearings for minor variances and severances, so perhaps that is what you are thinking of.

If I can be of any further assistance, feel free to contact me.

Carol Schofield, Dipl.M.A.
Manager, Legislative Services / Clerk
Town of Fort Erie / 1 Municipal Centre Drive
Fort Erie, ON L2A 2S6
 905-871-1600 Ext 2211

Our Focus: Your Future



Please consider the environment before printing this email.

"big veggiedog"

Perhaps I am incorrect, but it is my understandin...

2020-08-12 09:02:52 PM

From: "big veggiedog" 
To: "cschofield@forterie.ca" <cschofield@forterie.ca>, "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>
Cc: "Marina Butler" <MButler@forterie.ca>, "Wayne Redekop" <WRedekop@forterie.ca>
Date: 2020-08-12 09:02 PM
Subject: 0 Burleigh Road---Public meeting sign???

Perhaps I am incorrect, but it is my understanding that when there is a public meeting scheduled for a property requesting a zoning by-law amendment, the town is required to post a sign on the said property for a certain period of time before the meeting takes place. As of the time of sending this email there has not been a sign on the property indicated as "0 Burleigh Road North" at any point yet.

I would appreciate some feedback.

Regards,
Sian Jarvis

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-56-2020 DATED NOVEMBER 16, 2020

Re: Questions--0 Burleigh Road North
 big veggiedog to: Daryl Vander Veen 2020-08-17 07:43 PM
 From: "big veggiedog" [REDACTED]
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>

Hi Daryl,

I would also like to know what the property is currently zoned as. Also, would I be correct in assuming that Burleigh Road is considered a collector road, not a local road?

Thank you,
 Sian Jarvis

From: Daryl Vander Veen <DVanderVeen@forterie.ca>
Sent: August 17, 2020 2:29 PM
To: big veggiedog [REDACTED]
Subject: Re: Questions--0 Burleigh Road North

Hello Sian,

Here are the proposed changes:

Requested Provisions:

Lot frontage: **10.50 m**, 12.00 m minimum required for a non-conforming lot of record

Lot area: **409.60 sq m**, 600.00 sq m required

Lot coverage: **26.58%**, maximum 25%

Minimum infill interior side yard setback for a two storey dwelling: **1.50 m**, 2.50 m required

Encroachment of porch into exterior side yard: **1.52 m**, maximum 1.50 m permitted

Also, they may also require a reduction to the minimum setback of a driveway from an intersection (the Zoning By-law normally requires 7.50 m for a driveway from an intersection). If it is an issue we may recommend that they applicant revise the site plan to accommodate the 7.50 m setback.

If you have any other questions please let me know. I'll also forward a copy of the staff information report for review once it is available.

Regards,
 Daryl

Daryl Vander Veen, BES
 Planning Technician

Planning & Development Services
 The Corporation of the Town of Fort Erie
 1 Municipal Centre Drive
 Fort Erie, Ontario, L2A 2S6
 Phone: 905-871-1600 ext. 2509
 Email: dvanderveen@forterie.ca

From: "big veggiedog" [REDACTED]
 To: "dvanderveen@forterie.ca" <dvanderveen@forterie.ca>
 Date: 2020-08-10 08:45 AM
 Subject: Questions--0 Burleigh Road North



The Municipal Corporation of the
Town of Fort Erie

Special Council-in-Committee Meeting Minutes

Monday, August 31, 2020

Council Chambers via Video Teleconference

Due to the COVID-19 Pandemic and the Closure of Town Hall

All electronic meetings can be viewed at:

Town's Website:

<https://www.forterie.ca/pages/CouncilAgendasandMinutes>

Town's YouTube Channel: www.youtube.com/townofforterie

or click on the YouTube icon on the home page of the Town's website (www.forterie.ca) or Cogeco TV

1. Call to Order

The meeting was called to order by Mayor Redekop at 6:00 p.m.

Mayor Redekop acknowledged the land on which we gather is the traditional territory of the Haudenosaunee, Mississaugas of the New Credit and Anishinaabe people, many of whom continue to reside in this area.

2. Roll Call

Present (In Council Chambers): His Worship Mayor Redekop

Present (Via Zoom Teleconference): Councillors Butler, Dubanow, Lubberts, McDermott, and Noyes

Absent: Councillor Zanko

Staff (Via Zoom Teleconference): A. Butler, K. Dolch, C. Schofield, A. Dilwaria and D. Vander Veen

This meeting was held in compliance with the electronic participation provisions of the Council Rules of Procedure By-law No. 36-2016, as amended.

the ravine that is at a significantly lower elevation than the McNair property. She would be concerned if she was that property owner.

(c) Arden Kozak, 225 Burleigh Road

Ms. Kozak advised that she wanted to express her support of the people who were opposing this development, and she agrees with everything that they're saying and that it is an intensification that she would rather not see. It is a historic area, they live here because it's quiet, and there is a lot of beauty. In closing, she stated that an intensification is in opposition to that.

(d) Jim McNair, 633 Ridge Road

Mr. McNair advised that he joined the meeting because he was sitting with neighbours who live in the house on the other side of the gully from him. They agree with all of the other people that they prefer the neighborhood to remain as much as it is now, as it can. He wanted to speak for his friends Gary and Darlene because their property is the one that will be most adversely affected by the access. One comment that he would like to make is that if someone from the Planning Department has not visited this site to see what the access would look like, there's more than 1 lot there, and it's wider. The whole access would be wider than the ravine is. The 2 lots make up more width than the ravine lot does. The main thing is that he thinks that a dead end for that many units is not a good idea, whether it's for emergency vehicles or snow removal in the winter time, or for many, many other reasons. With the volume of traffic, there is only 1 egress.

Mayor Redekop declared the Public Meeting closed.

(b)

Zoning By-law Amendment

Re: 0 Burleigh Road North - Owner - Roman Catholic Episcopal Corporation St. Catharines - Agent - Alexis Banfai. The applicant is proposing to rezone to a site-specific Residential 1 (R1) Zone to permit development of a single detached dwelling on an existing undersized lot of record in the Ridgeway-Thunder Bay neighbourhood. The rezoning will permit development of a single detached dwelling with site-specific provisions for reduced lot frontage, reduced lot area, increased maximum lot coverage for a dwelling, a reduced interior site yard setback for a 2 storey

dwelling on an infill lot and increased projection of a covered porch into an exterior side yard.

Mayor Redekop announced that this portion of the meeting would be devoted to the holding of a Public Meeting to consider an Application for property rezoning by the Owner - Roman Catholic Episcopal Corporation St. Catharines and Agent - Alexis Banfai.

Mayor Redekop also provided information on electronic participation for members of the public who wished to provide input relative to the Application.

Mr. Vander Veen, Planning Technician delivered a PowerPoint Presentation which is available for viewing on the Town's website.

Mr. Vander Veen summarized the purpose of the Application, and public comments received.

Mayor Redekop requested staff to bring the Applicant or Agent in to participate in the meeting.

Ms. Alexis Banfai, Applicant/Agent, was admitted into the meeting. She advised that she is looking to purchase and build on this property. She stated she wanted to reiterate that she is not a developer. She has full intentions on living in the dwelling on this property and in keeping with the community that's already there, to keep it mature and quiet. Her family has very deep roots in the Crystal Beach area, and she hopes to continue to grow those roots with building her own family there. She is a first time home buyer. It's a hot market and it's very difficult to get in. Ms. Banfai advised that this is probably her best and only chance to get in, starting off with such a small property, but she's more than fine with living in a small dwelling for a few years until she builds her family there.

Mayor Redekop enquired whether the Clerk had received any correspondence to read into the Minutes. The Clerk advised that she had received correspondence subsequent to the staff Report being posted, from Sian Jarvis, Brian Yanik, Joe Fiume, and Jennifer Gabor, which were read into the Minutes. The written presentations are appended to these Minutes.

Mayor Redekop enquired whether there were any members of the public in the waiting room who wish to speak in favour of the Application.

(a) Julius Banfai, 72 Kenmore, St. David's

Mr. Banfai shared his screen to show a photo of the lot, as he stated he wished to allay any issues concerning the sight triangle at the intersection that is of concern. He showed where a car would be in the driveway, and stated that he does not see any obstruction of the intersection, if there was a car in the driveway. The applicant already advised that if she needs to put the house further back, that's not an issue. He advised he fully supports this Applicant. The increase in tax revenue would certainly be more than what the lot is generating right now. It was zoned as a residential lot, it's been that way for many years. The neighbors were offered this property a long time ago and it was for sale for a long time. He stated that he thinks that if they wanted to keep it the way they wanted it, they would have stepped forward and would have purchased it when they had the opportunity, but they chose not to.

In closing, he stated that someone is stepping in to hopefully start a new life here in this beautiful Town. The house is not going to be as big as you see there. It will be a small house fitting in the neighbourhood and it's going to bring the whole area's value up, not diminish it, like some people might be afraid. Also, he reiterated that there are many, many houses of a small nature in that area of Thunder Bay, so this house would not stand out as an eyesore, and it would fit in

(b) Osama Abo Nassar, OAN Architects & Engineering Inc.,

Mr. Nassar advised that he is an architect from Wellend, with OAN Architects & Engineering Inc. and he was hired by Ms. Banfai to design a suitable house for this property. They worked closely with the Planning Department to propose something suitable. The house is 1 ½ stories, not 2 stories. They reduced the height of the building to make it more suitable for the neighborhood. He does not believe there is any control on the houses in the neighborhood in the future if they want to redevelop or to be rebuilt with bigger because they meet all the by-laws

to go bigger in the future. Councillor Lubberts suggested to pull the house back a little bit to the backyard, which he thinks is an excellent suggestion. The house currently is around 1,700 square feet divided in 2 storeys. The ground floor has the garage and kitchen living space, and in the second floor, there are 2 bedrooms and a tiny little reading area, which is because it cannot fit 3. The second floor is narrower than the ground floor because it's not a full story. It is a half story, so practically, they could only fit 2 bedrooms.

Mr. Nassar referred to the concerns about the triangle for the blind spot. He shared his screen to show a yellow line to show the distance, which has almost 11 metres from each side. They propose only to the width of the property, so practically within that 11 meters, there are no obstacles.

Mayor Redekop enquired whether there were any members of the public in the waiting room who wish to speak in opposition of the Application.

(a) Sean O'Brien, 216 Burleigh Road North

Mr. O'Brien advised that he is the owner of Lots 11, 12, 13, and 14 directly to the south, and he is opposed.

Mr. O'Brien stated that he is a lifetime resident of Fort Erie, and never thought he would be forced into the position of asking the Town to protect the friendly, quaint sense of community that Ridgeway offers. He wanted to be clear, he is not against development. On the other hand, he is only in support of responsible, safe development that has the best interests of the community and their families in mind. This particular proposed over-development is dangerous to their children and families. It would be irresponsible and not in the neighborhood's best interests.

Mr. O'Brien advised that he realized that a single grossly undersized lot in Ridgeway isn't as glamorous as a condo development on the beach, however, it's equally important that we make the safety of our families a priority and preserve the identity that we have meticulously cultivated in Ridgeway. He is in opposition to any development whatsoever on the property designated as 0

Burleigh Road North. The property in question is zoned as residential R1. R1 Zoning requires a minimum of 20 meters lot frontage. The subject property has approximately half of the required frontage at just 10.5 meters. Additionally, the property has slightly more than 400 square meters of area. It would require a nearly 50% increase in area to meet the bare minimum of 600 square meters for the neighborhood R1 Zoning. Furthermore, the property's west boundary is approximately 1.5 meters below Burleigh Road North, road level, and cannot be developed without a substantial raise in elevation significantly affecting drainage. Neighbouring properties will be negatively impacted causing dangerous, costly, and unsafe flooding to homeowners. In addition, vehicular travel and its current lack of infrastructure, most importantly sidewalks and lighting, is already dangerous to the families in the neighbourhood. The over-development being requested will only add to the already dangerous situation. He referred to page 56 bullet 0.3 of the Town of Fort Erie's Official Plan that states residential intensification, infill development and redevelopment shall be encouraged in areas that have sufficient existing infrastructure. A lack of infrastructure and lack of safe-foot travel for families in the Thunder Bay neighbourhood, in particular Burleigh Road North, clearly indicates a lack of this requirement for intensification.

Mr. O'Brien advised that the request for rezoning comes from an individual who has not purchased the property. He has concerns about their lack of effort by the proposed developer and their proponent to genuinely listen to the neighbouring homeowners and their concerns. No effort was made to contact any of the neighbouring property owners prior to the submission. After submissions from multiple neighbours about dangerous lack of infrastructure, namely sidewalks, the developer was described as a wonderful person who will be seen outside shoveling our sidewalks for us.

Mr. O'Brien stated that it is clear to him that the proponents simply weren't interested in listening, and this seems to be a reflection of their lack of concern for the neighbourhood families. He doesn't see it changing in the future.

Mr. O'Brien stated he will address the proposal they have in writing. The square footage is 1,802 square feet. Much of the information shared from the proposed developer previously has been misleading at best. For example, sometimes the proposed build is 2 stories, sometimes less; the square footage is sometimes more than 1,700 square feet, sometimes it's 1,200 square feet. The cost of purchasing a building lot 30 meters away has been exaggerated from the asking price of \$189,000 to a misleading cost of \$250,000 to justify this overbuild.

Mr. O'Brien continued that importantly, Council is going to hear again and again how the proposed developer, Ms. Banfai, cannot afford the current housing market or how this home is all she can afford and her attempt to enter the housing market. He advised he can appreciate the difficulty of purchasing a first home, however, he wished to point out that a home that has approximately 60% more square footage than the average surrounding homes requires multiple concessions because it's far too large for the undersized property. It has been described as her father has quoted, the most beautiful home in a 10-block radius and will cost significantly more than the average home in Fort Erie, which does not seem to align with someone struggling to enter the housing market.

He advised there are currently, as of August 31st, 2020, 93 residential listings in Town that are more affordable than the proposed build, and if you take into account how far Ms. Banfai is willing to move from Niagara-on-the-Lake, this jumps exponentially in the hundreds likely thousands of options.

Mayor Redekop advised that it is not appropriate to be questioning the motives of the Applicant.

Mr. O'Brien stated that the proposed build style is not conforming to the neighbourhood and will become an instant eyesore. Although the front yard setback is within the parameters of zoning, it is approximately half that of the neighboring home and will negatively affect the neighbourhood's aesthetic appeal. The proposed driveway is extremely dangerous and does not conform to the minimum setback of 7.5 meters. Other homes on corner lots on Burleigh Road have built their driveways off the side streets. Taking into account the minimum front

yard side back, a second car parked in the driveway would be almost entirely on Town property causing a deadly obstruction for children's standing at the bus stop, vehicles stopped at the stop sign on Jewell Avenue, or families forced to walk on the road just due to lack of infrastructure in the surrounding area. The request for a reduced interior lot setback is problematic. It infringes on the privacy of the property to the south, allows for further requirements of lot coverage to be ignored, and limits the possibility to adequately drain the already low-lying property. Additionally, it imposes unnecessary costs neighbouring property owners through fencing or landscaping.

Mr. O'Brien added that the Fire Department had asked a question about the garage on 216 Burleigh Road North. One thing being considered right now is to move the garage to the northwest corner of the property in order to block the proposed development from the owner's view next door, so he doesn't know if the Fire Department would be interested in that. The request to cover more than allowable area adds to the problem of the undersized lot. It's not conforming to the neighbourhood and would result in over-development of an area lacking significantly in infrastructure. The request to allow further encroachment on the north side of the property is just simply another example of the proposed developer trying to fit 12 pounds of sugar into a five-pound bag.

In closing, the Town of Fort Erie has done a masterful job of balancing home densities within the community. Based on these rules, they choose where they would like to live and raise their families within the Town. Intensification is not always the answer; especially when it results in over-development of an area lacking in safe, meaningful infrastructure for their children and neighbours. The density being proposed is already available within the Town, just a few hundred metres away in Crystal Beach. With a current 17 year supply of building lots available in Fort Erie, now is not the time for the over-development of Ridgeway. He extended an invitation to all members of Council to meet him at the property in order to gain a true sense of what is being requested.

(b) Sian Jarvis, 61 Burleigh Road North

Mr. Jarvis advised he would like to make a comment on the house being 1,800 square feet with a 3 car garage, but there was no indication on how big the lot was. He advised it is significant, as the gentleman is saying something about small houses in Ridgeway and there are bigger houses in Ridgeway, but they're on alot bigger lots.

Mr. Jarvis stated that he thinks this meeting became very misleading because the information packages that the residents got were the ones they were commenting on. Now the Public Meeting is occurring and they are being told that what is in the information package isn't actually what it is. He would like to see the new plans before anything moves on with this proposal. He would also like to make another comment on the fact that Ms. Banfai has not purchased the property yet, so if she wants to build a house, why doesn't she just pick a bigger property elsewhere in the area in order to put a bigger house on, because this isn't a small house at 1,743 square feet.

Mayor Redekop advised that the question doesn't go to the issue, which is whether or not Council should permit the amendments that are being requested on this parcel.

Mr. Jarvis stated that now they are saying that this isn't the house that's going to be built on this parcel. It's not just the issue of the corner triangle, it's the size of the house that is being proposed compared to the size of the lot, and that's part of the issue with the residents, that the house is going to be huge in comparison to a 400 square metre lot. Also, Mr. Banfai said that there are other small houses in the Thunder Bay area that are on small lots, but most of the small houses on small lots in the Thunder Bay area are bungalows, which means they're small. They're 1 floor and maybe 800 square feet. This is going to be a 2 storey house that's going to be possibly 1,200 or 1,700 square feet. He is opposed to it, and advised that he didn't move here that long ago and tried really hard to make himself and his fellow neighbours aware of what's going on in the area.

(c) Ron Honey, 225 Burleigh Road

Mr. Honey advised that he is strongly opposed to the zoning amendments, and that his main reason is that it would create a precedent for smaller lots to be sold and built on creating over-development in a Town as lovely as Ridgeway, where they actually had beautiful lawns, trees, gardens, and a little bit of space. He continued that he is not ready to live on top of another person like in Crystal Beach, where the houses are an arms-length away. He doesn't want to see that happen in Ridgeway.

Mr. Honey advised that he sent Mr. Vander Veen names on a local petition that were opposed to the amendments. He only had time to talk to 44 people at the moment, but of that 44, 2 were in care. The other 42 were strongly against the amendments, which is a big percentage against and if more names are required, he will get them. He stated that looking at the lot size from an overhead view, compared to existing normal lot sizes, it doesn't look right. He questioned why has this Applicant not posted a sign on the property letting others in the neighbourhood know what's going on? Was it not supposed to have been done 14 days prior to the meeting? Mayor Redekop and the Clerk clarified that there is no requirement for zoning Applications, but there is for a severance or minor variance. Mayor Redekop also clarified the difference between minor variances and zoning by-law amendments.

Mr. Honey advised that at the Open House the building was 1,200 square feet, not 1,700 square feet, so it would be nice to get that all straightened out. Also, he doesn't like houses north of Thunder Bay Road being compared to those south of Thunder Bay Road. In closing, he advised that he loves where he lives and it took him a long time to find this place. He hates to see all these small changes that are happening spoil this Town and it's uniqueness.

(d) Arden Kozak, 225 Burleigh Road

The Clerk read Ms. Kozak's written comments into the Minutes, at Ms. Kozak's request. The written presentation is appended to these Minutes.

Ms. Kozak stated that she is opposed to all of the zoning amendments, and if Council insists on letting this go through, perhaps they could think about Jewell Avenue being the entrance for the driveway. Her house is 1,100 square feet and her property is probably 3 times the frontage. In closing, she advised that she finds it extremely depressing that this is even being considered.

Mayor Redekop declared the Public Meeting adjourned to a future date.

Council recessed at 8:41 p.m. for 5 minutes.

6. Planning and Development Services

Chaired by Councillor Dubanow.

6.1 Presentations and Delegations

None.

6.2 Reports

PDS-36-2020 Proposed Draft Plan of Subdivision and Amendment to Town of Fort Erie Official Plan and Zoning By-law No. 129-90 - Royal Ridge Phase 2 - 613 Ridge Road North - Royal Oak Property Developments c/o Brent King (Owner) - KLM Planning Partners Inc. (Agent)

Recommendation No. 1

Moved by: Councillor McDermott

That: Council receives for information purposes Administrative Report No. PDS-36-2020 regarding a proposed Draft Plan of Subdivision and amendment to the Town of Fort Erie Official Plan and Comprehensive Zoning By-law No. 129-90 for the lands known as 613 Ridge Road North. **(Carried)**

PDS-37-2020

Proposed Zoning By-law Amendment - 0
Burleigh Road North - Roman Catholic
Episcopal Corporation St. Catharines (Owner)
Alexis Banfai (Agent)

Recommendation No. 2
Moved by: Mayor Redekop

That: Council receives for information purposes Report No. PDS-37-2020 regarding a proposed Zoning By-law Amendment for 0 Burleigh Road North.

Recommendation No. 3
Moved by: Mayor Redekop

That: Report No. PDS-37-2020 be postponed to the October 5th, 2020 Council-in-Committee meeting to get a clear understanding of what the Applicant is proposing. **(WITHDRAWN)**

Councillor Lubberts made a Point of Order that he believes Council should defer the Report until Council receives exactly what the request is. The Chair ruled against the Point of Order.

Recommendation No. 4
Moved by: Mayor Redekop

That: The hour of adjournment be extended to 10:15 p.m. **(Carried)**

Mayor Redekop called a Point of Order that Councillor Lubberts was incorrect in stating that Council was allowing less setbacks on both sides, as Council is considering an information Report and not allowing anything. The Chair ruled in favour of the Point of Order.

That: Council receives for information purposes Report No. PDS-37-2020 regarding a proposed Zoning By-law Amendment for 0 Burleigh Road North. **(Carried)**