

# The Municipal Corporation of the Town of Fort Erie

## By-law No. 32-2021

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### 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. 49 Royal Ridge Phase 2 Subdivision (613 Ridge Road North) Town of Fort Erie

350302-0046

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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.49 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 22<sup>nd</sup> day of March, 2021**

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Mayor

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Clerk

I, Carol Schofield, Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No.32-2021 of the said Town. Given under my hand and the seal of the said Corporation, this  
day of \_\_\_\_\_, 20

**AMENDMENT NO. 49**

**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. 49 to the Official Plan adopted by By-law No. 150-06 of the Fort Erie Planning Area.

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

Part "B", the Amendment, consisting of the following text and map (designated Schedule "A") constitutes Amendment No. 49 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 from "Residential – Low Density", and "Open Space" to "Medium Density Special Policy Area 24" to permit an apartment building with a maximum density of 122 units/hectare and include semi-detached dwellings, and "Environmental Protection" to permit the protection of the natural heritage feature.

### **SECTION 3**

#### **LOCATION OF THIS AMENDMENT**

The lands, which are the subject of this amendment, are located on the west side of Ridge Road North, north of Hazel Street and south of Nigh Road, as shown on Schedule "A" attached hereto.

### **SECTION 4**

#### **BASIS OF THIS AMENDMENT**

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

**a) The need for the proposed use:**

This amendment for “Special Policy Area 24” will permit an apartment building with a maximum density of 122 units/hectare and include semi-detached dwellings in “Residential- Medium Density” designation whereas the current “Residential – Medium Density” designation permits townhouse and low-rise apartment dwellings only, at a maximum density of 25 units/hectare.

The Ridgeway- Thunder Bay Secondary encourages higher residential densities to minimize land consumption and where existing and proposed infrastructure can support the proposed development. The need for semi-detached dwellings is substantiated by the general objectives of the Ridgeway-Thunder Bay Secondary Plan which requires the Town to provide for a variety of housing alternatives at key locations throughout the neighbourhood with particular focus on intensification.

There is a need for the Environmental Protection designation to protect the Provincially Significant Wetland and buffer area from development.

**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 Ridgeway-Thunder Bay Neighbourhood are predominantly single detached dwellings. The addition of semi-detached dwellings to the housing stock in Ridgeway-Thunder Bay is desirable from a Provincial, Regional and Town Planning perspective.

**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 subject site slopes to the south and west. The soil conditions and relief of the site are suitable for residential development.

An Environmental Impact Study was completed as part of the planning application process. The Environmental Impact Study concluded that there would be no adverse impact to Natural Heritage Features provided a 30 metre buffer is provided. The recommended 30 metre buffer is included in Draft Plan Approval. The Niagara Peninsula Conservation Authority have confirmed that there will be no impact to Natural Heritage Features located on the subject site provided a restrictive Official Plan designation and zoning are applied to the Provincially Significant Wetland and 30m buffer area. The application of the Environmental Protection designation to these lands proposed through this amendment and the associated Zoning By-law Amendment will satisfy this condition.

**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 Ridge Road North which is a municipal road. Access to the proposed development will be from a new municipal road that will be constructed as part of Royal Ridge Phase 1 and will connect to Ridge Road North. The new municipal road will be constructed to a full urban cross-section that meets Town of Fort Erie standards. Ridge Road North provides adequate and convenient vehicular access to the site.

The subject lands can be serviced through the extension of municipal water and sewage disposal from Royal Ridge Phase 1, located north of the subject lands.

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

The subject site is appropriately located within a residential setting. The area is predominately residential. The proposed development will be compatible with the surrounding land uses. An apartment with a maximum building height of 4 storeys will have no adverse impact on the existing low-density uses.

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

There is no evidence to suggest that the redesignation of the subject property to permit higher density and including semi-detached dwellings will depreciate adjoining properties. There will be no change in land use on the area where the Environmental Protection designation is proposed.

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

The proposed redesignation of the subject property will not affect the financial position of the municipality.

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

None.

## **SECTION 5**

### **IMPLEMENTATION AND INTERPRETATION**

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

## **PART "B" - THE AMENDMENT**

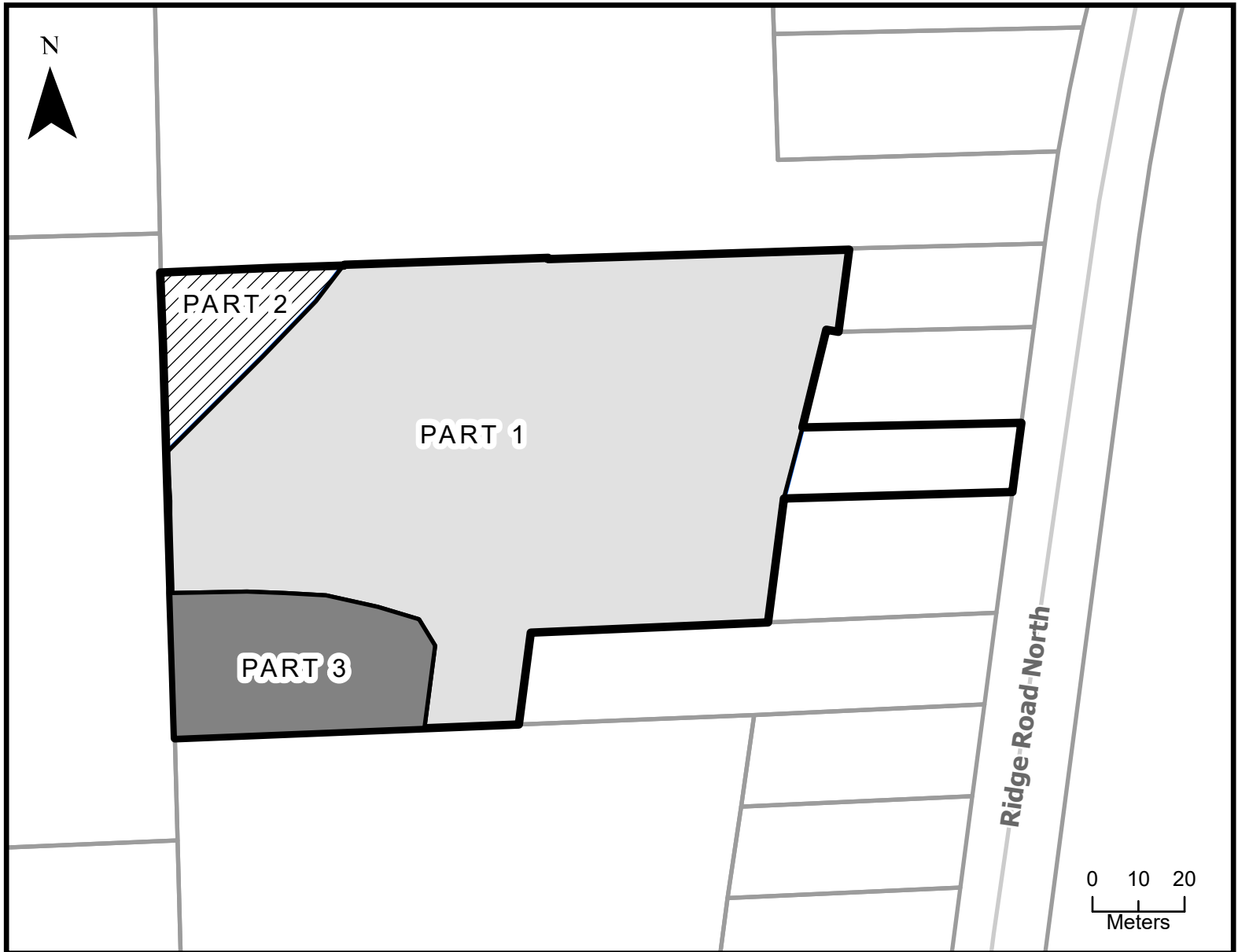
All of this part of the document entitled "Part "B" - "The Amendment" consisting of the following policies and attached maps designated as Schedule "A" (Land Use Plan) constitute Amendment No. 49 to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area. The Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area is hereby amended as follows:

1. The subject lands described as Part 1 on the attached Schedule A are hereby redesignated from "Residential – Low Density" and "Open Space" to "Residential – Medium Density" and to "Site Specific Policy Area 24.". These lands may only be used for an apartment building with a maximum density of 122 units per net hectare and semi-detached dwellings.
2. The subject lands described as Part 2 on the attached Schedule A are hereby redesignated from " Residential- Low Density" and "Open Space" to "Environmental Protection".
3. The subject lands described as Part 3 on the attached Schedule A are hereby redesignated from " Residential- Low Density" and "Open Space" to "Open Space".

## **PART “C” - THE APPENDICES**

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

# SCHEDULE "A"



## By-law No. 32-2021

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO THE OFFICIAL PLAN  
PASSED THIS 22nd DAY OF MARCH, 2021**



Subject Lands - 613 Ridge Road North (Royal Ridge Phase 2 Subdivision)



Part 1 - Change from Residential – Low Density and Open Space to Medium Density Special Policy Area 24



Part 2 - Change from Residential – Low Density to Environmental Protection



Part 3 - Change from Residential – Low Density and Open Space to Open Space



# Appendix "1"

## NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING

Owner: – **Royal Oak Property Developments Ltd. (Brent King  
613 Ridge Road North  
Royal Ridge Phase 2**

**Draft Plan of Subdivision and Combined Official Plan  
and Zoning By-law Amendment Applications**


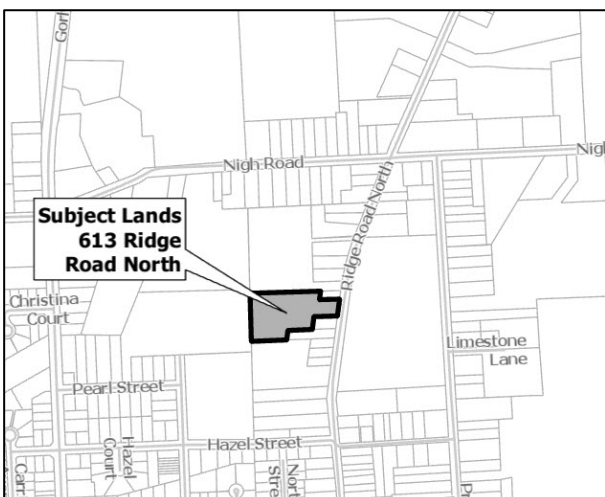

*APPLICATIONS 350308-112, 350302-46, 350309-478*

**DATE:** August 31, 2020  
**TIME:** 6:00 PM  
**LOCATION:** This will be a virtual meeting

Residents can participate in Zoom Council meetings two different ways:

1. Send your comments via e-mail to Anamika Dilwaria, Senior Development Planner ([adilwaria@forterie.ca](mailto:adilwaria@forterie.ca)) who will provide them to Council.
2. Participate in the Zoom meeting (audio/video via web or by telephone) by sending an email to Anamika Dilwaria, Senior Development Planner ([adilwaria@forterie.ca](mailto:adilwaria@forterie.ca)) to receive information on joining the Zoom meeting.

The Town of Fort Erie Council meeting live webcast will be streamed at [www.youtube.com/townofforterie](http://www.youtube.com/townofforterie) or click on the YouTube icon on the home page of the Town's website ([www.forterie.ca](http://www.forterie.ca)).

	<p><b><u>LOCATION OF SUBJECT LANDS</u></b></p> 
	<p><b>WHAT WILL THIS AMENDMENT CHANGE:</b></p> <p>The applicant has submitted an application to subdivide 1.35 hectares of land known as 613 Ridge Road North into a lot for single detached dwelling, three lots for 3 semi-detached dwellings (6 dwelling units), a block for a 4 storey 40 unit apartment building, a block for environmental protection and a block for a park and 0.3 metre reserves.</p>

The applicant has also submitted an application to amend the Official Plan and Zoning By-law No. 129-90.

The lands are currently designated Low Density, in part, Environmental Conservation, in part and Open Space in part. The applicant is requesting to re-designate the lands to

Residential – Medium Density, in part, to permit the proposed 4 storey apartment building, Environmental Protection, in part, to protect the existing natural heritage feature on-site and Open Space, in part, to allow the construction of a future park.

The lands are currently zoned Residential 1 (R1) Zone, in part, Environmental Conservation (EC) Overlay Zone, in part, Open Space (OS) Zone, in part and Neighbourhood Development (ND) Zone, in part, in accordance with Zoning By-law No.129-90.

The applicant is requesting to rezone the lands to Residential 2 (2A) Zone, in part, to permit a single detached dwelling, Residential 3 (R3) Zone, to permit 3 semi-detached dwellings (6 dwelling units), Open Space (OS) Zone, to permit the park, Environmental Protection (EP) to protect the natural heritage features and lastly site-specific Residential Multiple 2 (RM2) Zone to permit a 4 storey, 40-unit apartment building. Site specific regulations are requested for a reduction to the minimum lot area per dwelling unit, minimum side yard and minimum landscaped area.

#### **GETTING MORE INFORMATION**

Input on the proposed Draft Plan of Subdivision and combined Official Plan 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.

A copy of the Information Report will be available to the public by 5:00 PM on **August 27<sup>th</sup>, 2020**. The information report will be available in the Council agenda portion of the Town's Web Site: [www.forterie.ca](http://www.forterie.ca) or by contacting Anamika Dilwaria, Senior Development Planner.

#### **CONTACT INFORMATION**


Anamika Dilwaria, 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: [adilwaria@forterie.ca](mailto:adilwaria@forterie.ca)

#### **PROVIDING YOUR COMMENTS OR REQUESTING NOTICE OF DECISION**

To provide input in writing, or to request written notice of the decision of the Draft Plan of Subdivision and combined Official Plan and Zoning By-law Amendment, please send a letter c/o Carol Schofield, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to [cschofield@forterie.ca](mailto:cschofield@forterie.ca)



**HAVE  
YOUR  
SAY**

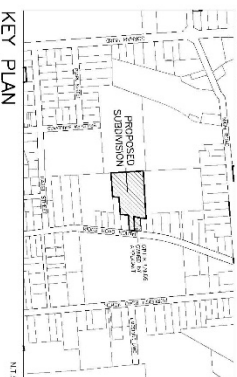
	<p><b><u>PLANNING ACT LEGAL NOTICE REQUIREMENTS</u></b></p> <p>The Town of Fort Erie has not yet made a decision regarding this application. After considering any written comments and the comments from the public meeting, a Recommendation Report will be prepared for a future Council-in-Committee meeting.</p> <p>If a person or public body would otherwise have an ability to appeal the decision of the Town of Fort Erie's Municipal Council to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written statements to the Town of Fort Erie before the by-law is passed, the person or public body is not entitled to appeal the decision.</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 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 Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.</p> <p>For more information about this matter, including information about appeal rights, please send a letter c/o Carol Schofield, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to <a href="mailto:cschofield@forterie.ca">cschofield@forterie.ca</a></p>

## SCHEDULE 1

DRAFT PLAN OF SUBDIVISION  
PART OF LOT 23, CONCESSION 2, LAKE ERIE  
GEOGRAPHIC TOWNSHIP OF BERTIE  
TOWN OF FORT ERIE  
REGIONAL MUNICIPALITY OF NIAGARA  
SCALE 1:750



## DRAFT PLAN T-

SECTION 51, PLANNING ACT,  
ADDITIONAL INFORMATION

- AS SHOWN ON DRAWING A-AN  
AS SHOWN ON DRAWING A-AN  
SEE DRAWING A-AN  
AS SHOWN ON DRAWING A-AN  
AS SHOWN ON DRAWING A-AN  
AS SHOWN ON DRAWING A-AN  
KINDLY NOTE WATER VALVE F AT TOP OF JUMP POINT  
SCHEDULED FOR REPAIR  
SAFETY AND EGRESS ROUTES, GARAGE COLLECTION, FIRE PROTECTION

# SURVEYOR'S CERTIFICATE

SHOWN ON THIS PLAN, AND THEIR NEARLY 50% OF THE ADJACENT LAND ARE ACCURATELY AND CORRECTLY 5-40%.

DATE: JULY 16, 2020

**Topchance**  
DONALD C. CHEVENS, CLE  
CLERKS AND ASSOCIATES  
EASTON, ILL.

# OWNER'S CERTIFICATE

ALHUS, KIM FLENNING PARKERS TOW., 1) 170000-0000 SUBM  
PLAN OF SUBDIVISION TO THE TOWN OF FORT RIF FOR APPROVAL.

ROYAL OAK PROPERTY

DEVELOPMENTS LTD.  
1198 CARRISON ROAD  
SCOTCH LAKE, ONTARIO  
M1S 1C1

## SCHEDULE OF LAND USE

TOTAL AREA OF LAND TO BE SUBDIVIDED = 1.351 AHO. (3,338 EACS)

Blocks for semi-detached dwellings	11 blocks	12 blocks	14 blocks	16 blocks
31.02/25.1-3				

Address	City	State	Zip
911. LOT FIVE - 20 ACRES			
911. LOT FIVE - 20 ACRES			
911. LOT FIVE - 20 ACRES			

LOIS FOR SINGLE DETACHED DWELLINGS		1	2	3
201	4	1	1	0.075
206.441 - 1971.441 = 76.2 00.0000				

711, LAM AVE. = 300 SQUARE FEET  
APARTMENT RESIDENTIAL

2000-1	1	70	0.328
SUBTOTAL	1	47	0.767

BLOCK	6	= TRANSITION POINT ON A77A		F.C.M.
BLOCK	7	= INLET		C.I.OI

Block	8-10 - C3+ RESERVE	1
SIGMA	C.002	
SIGMA	C.358	

[illegible]

NOTE - 0.4 METRE RESERVES HAVE BEEN EXONERATED TO 1 WEIR FOR  
ILLUSTRATIVE PURPOSES

PROJECT No. B 2416

PROJECT NO. F-3116  
SCALE 1:750  
JUNE 11, 1964

(3116DE56) X-REF: (3116MAS3 & 3116

**KLM**  
DWG. NO. - 20

**PLANNING PARTNERS INC.**  
64 JARDIN DRIVE - UNIT 118, CONCORD ONTARIO  
TEL: (905) 969-4056 FAX: (905) 969-0097 [design@compuserve.com](mailto:design@compuserve.com)

- *Planning*
- *Design*
- *Development*

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### **3. Announcements/Addenda**

There were no Addenda.

Mayor Redekop made the following announcement:

- Last week he had mentioned that Julia Notebomer was going to be attempting a swim across Lake Erie. She completed the swim yesterday, which was her 14<sup>th</sup> birthday. She is now the youngest person to have swam across Lake Erie. She swam from Sturgeon Point, New York, to Bay Beach, a distance of 20 kilometers, and she did it to raise funds for Make-A-Wish Southwestern, Ontario, and she was supported by Waves for Wishes. Her family was in attendance. There was great cooperation on the Town side from staff and he thanked Al Stouffer for helping put together some loose ends for the Notebomer family, and he also thanked the Fort Erie Fire Department which was also present. It was a fantastic event and a beautiful day. Julia was delayed a couple of hours at the beginning because the winds were around 16 - 17 kilometers per hour, and the waves were a little high. They began to subside and she got in the water about 10:30 a.m. and arrived at Bay Beach around 5:40 p.m. It was a pretty impressive swim and he has asked her if, when we get back to more normal times, if she would grace us with her presence with her family in our Council Chambers, so that we can formally recognize her accomplishment.

### **4. Declarations of Pecuniary Interest**

None.

### **5. Public Meetings**

- (a) Draft Plan of Subdivision and Combined Official Plan and Zoning By-law Amendment (Second Public Meeting)

Re: Royal Ridge Phase 2 - 613 Ridge Road North - Owner - Royal Oak Property Developments Ltd. (Brent King). The applicant is proposing to subdivide 1.35 hectares into a lot for a single detached dwelling, 3 lots for 3 semi-detached dwellings (6 units), a block for a 4 storey 40 unit apartment building, a block for environmental protection and a block for a park. The applicant is requesting zoning and Official Plan Amendments to rezone the lands to Residential 2 (2A) Zone, to permit a single detached dwelling, Residential 3 (R3) Zone, to permit 3 semi-detached dwellings (6 units), Open Space (OS) Zone, to permit the park, Environmental Protection (EP) to protect the natural

## **Appendix"2"**

### **Special Council-in-Committee - 31 Aug 2020 Meeting Minutes**

heritage features and lastly site-specific Residential Multiple 2 (RM2) Zone to permit a 4 story, 40 unit apartment building.

Mayor Redekop announced that this portion of the meeting would be devoted to the holding of a Public Meeting to consider an Application for Draft Plan of Subdivision and Combined Official Plan and a Zoning By-law Amendment by Owner - Royal Oak Property Developments Ltd. (Brent King).

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

Ms. Dilwaria, Senior Development Planner delivered a PowerPoint Presentation which is available for viewing on the Town's website.

Ms. Dilwaria summarized the purpose of the Application, and public comments received.

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

Brent King, Owner, and Robert Lavecchia, and Mark Flowers, KLM Planning Partners Inc., were admitted into the meeting.

Mr. Lavecchia thanked staff for the presentation on the report, which they have read, and they have received the comments. He advised that they continue to work with staff on resolving some of the remaining issues, and they're happy to hear from the public and from Council, and to answer as many questions as they can.

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 Darlene Burger (Petition signed by 14 individuals), Cathy Herbert, Jim McNair, and Brian Docherty, 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.

No members of the public came forward.

## Appendix "2"

### Special Council-in-Committee - 31 Aug 2020 Meeting Minutes

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

(a) John Warkentin, 3713 Nigh Road

Mr. Warkentin advised had questions to ask, and that a predominant breeze comes from the direction of the subject property to their property to the north. He asked, with the 2 Phases that are going to be done, how much dust will there be, and how many years are they going to have to be dealing with dust coming over their house?

Mr. King advised it would be their intention to make that as rapid as possible.

Mr. Warkentin stated that he believed Mr. King had purchased a property on Nigh Road on the north-west corner of Phase 1. His understanding is that this is to run the sewer line up to the Nigh Road sewage. At a previous Council meeting on Phase 1 it was stated that they've already had problems with their sewer with overflow, and they have to pump from the station quite often. He asked if there is going to be any chance that this is going to be an access road to Phase 1 and ultimately possibly Phase 2?

Mr. King advised that it's not about the size. The south portion of the Nigh Road site does not abut directly into the subdivision.

Mr. Warkentin responded that from what he understood, Mr. King also purchased the corner woodlot there too, and asked if that would make it large enough for an access road?

Mayor Redekop advised Mr. Warkentin that to some extent that is beside the point because the property being dealt with is Phase 2. There have already been Public Meetings with respect to Phase 1, and his question is really not pertinent to this evening's presentation or Public Meeting other than there is an issue with respect to access. Mayor Redekop also confirmed with Mr. King that the property referred to is not owned by him or his corporation.

(b) Peter & Jennifer Faren – 575 Ridge Road North

Ms. Faren advised that she and her husband are speaking against the proposed development. She stated that, they have 3 points. Based on the presentation tonight, the Neighborhood Plan indicates an intensification of 25 to 75 units per hectare, and the proposal is 121.5 units per hectare, which indicates intensification, which is 80% over the Neighborhood Plan. They find that to be very incompatible on that basis, as 1 reason.

Ms. Faren continued that the other thing that was noted in the presentation was that the developer, in response to some community concerns at the first meeting, decreased the height of the building from 7 stories to 4, but was indicating that the same number of units would still be present, so the height might be lower, but the intensification remains the same. She advised that she understand it is 4 stories with 10 units, which will be 40 properties.

Ms. Faren advised that the 3rd concern is with regard to the fact that they don't believe that the proposal aligns with the community character and they find it incompatible. There are only 2 properties in the neighbourhood that are multi-story non-single-family residential in the area, being at the corners of Hazel Street and Bellevue Avenue, to the south-west of the subject property. One is a 2 storey building at 3769 Hazel Street, which she believes to be about 4 units per floor, for a total of 8 units. The other is at 510 Bellevue Avenue, which is a 3 storey building, which she believes to be about 4 units per floor, for a total of 12 units. The compatible neighborhood, multi-unit properties have under 20 units. This appears to more than double the number of units.

Ms. Faren stated that for a variety of reasons, the intensification concerns do not seem to align with the balance of the neighborhood or the Secondary Plan. They support the letter that was received from the Docherty family. They are their adjacent neighbour and abut the property with the concerns mentioned. She continued that along with the McNair family, they have a grave concern about the access road that is at the ravine. Anyone who's used to traversing Ridge Road sees that gully there, and if that is to be the main access, it not only would take away the ravine, but there's a property that's on the south side of

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

## APPENDIX "3"



Re: Royal Ridge Phase 2 

**Keegan Gennings** to: Anamika Dilwaria

07/28/2020 12:13 PM

From: Keegan Gennings/FortErie

To: Anamika Dilwaria/FortErie@TownOfFortErie



Keegan Gennings



Keegan Gennings



Keegan Gennings

To: ADilwaria@forterie.ca

Hi Anamika,

I have reviewed the plan of subdivision condo application for Royal Ridge Phase 2 and I have no comments.

Regards,

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



## Interoffice Memorandum

July 27, 2020

File Nos. 350308-112, 350302-46 & 350309-478

To: Anamika Dilwaria, Senior Development Planner  
From: Signe Hansen, Manager, Community Planning  
Subject: **Royal Ridge Phase 2 (613 Ridge Road North)**  
**Combined OPA/ZBA/Draft Plan of Subdivision Application**

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I have no comments relative to the application for an Official Plan Amendment and Zoning By-law Amendment for 613 Ridge Road North. Community Planning comments relative to the Draft Plan of Subdivision are provided below.

### Neighbourhood Planning/Urban Design Comments

Additional staff comments can be expected when apartment building and semi-detached layout and building elevations are provided, as well as a more detailed site plan.

Building elevations are particularly important for the building fronting Ridge Road North, as it is effectively infilling on an existing streetscape with adjacent detached residential and compatibility will be of interest to staff, the public and Council. Detailed elevations closely representing the proposed buildings, including renderings will be required when the applications are advanced. Parking in the front yard of this proposed building is not desirable, but rather should be located in the rear of the site.

### Active Transportation

The Town's Active Transportation Master Plan (March 2020) identifies a proposed bike lane on Ridge Road North. The Applicant will be request to contribute to the cost related to the proposed AT facility. Site design should ensure pedestrian connections to the park and Ridge Road North are clearly identified.

### Site Plan and Landscape Works

A Landscape Plan will be required for the entire site, pursuant to requirements of Subdivision and Site Plan Control Guidelines. Pedestrian connections/circulation, amenity space, parking, landscaping, buffering of adjacent properties and streetscaping should all be addressed. The Landscape Plan must be prepared by a Landscape Architect.

Dedication of parkland is required. The Town will purchase any lands that exceed the parkand dedication requirement of 5%, at fair market value. The park will not be developed until the temporary cul-de-sac is removed.

## APPENDIX "3"

A Tree Preservation Plan is required, to be performed by a Certified Arborist, for any trees larger than 100mm DBH. Requirements for a Tree Preservation Plan are outlined in the Site Plan Control Guidelines.

Regards

Signe Hansen, OALA, CSLA, MBA  
Manager, Community Planning  
/sh



## Interoffice Memorandum

July 24, 2020

File No. 350308-0112, 350302-0046 & 350309-0478

To: Anamika Dilwaria, Senior Development Planner  
From: Jeremy Korevaar, Coordinator, Development Approvals  
Subject: **DRAFT PLAN OF SUBDIVISION, OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT APPLICATION – ROYAL RIDGE PHASE 2 – COMMENTS**

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On behalf of the Infrastructure Services Department, Engineering Services Division, we have reviewed the above noted Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications and supporting documents and have the following comments:

- We have no objections to the proposed Official Plan Amendment and Zoning By-law Amendment.
- The comments provided below apply to Streets '1' and '1', Lots 1 to 4 and Block 5 to 7 of the proposed Draft Plan of Subdivision and DO NOT APPLY TO ANY FUTURE DEVELOPMENT OF THE REMNANT PROPERTY CURRENTLY OCCUPIED BY A DWELLING UNIT KNOWN AS 613 RIDGE ROAD NORTH.
- Development of Block 2 is subject to future Pre-Consultation Meeting(s), the number of required meetings will be determined by Town staff once a development proposal is received.
- Temporary turn-around facilities shall be provided in accordance with the Town's Design Standards.
- In accordance with the Official Plan, the Developer is required to convey to the Town of Fort Erie a road widening across the Ridge Road North frontage. Ridge Road from Brunswick Avenue to Bowen Road is identified as a Collector Road with a road allowance width of 23.0m. The current road allowance width is 20.1m therefore a road widening of 1.45m will need to be conveyed to the Town.
- The Traffic Brief prepared by Quartek Group Inc. dated March 2018 has been reviewed and we have the following comments:
  - The Traffic Brief shall be prepared by a traffic consultant.
  - The report should be updated to reflect the Town's classification of the road as an urban collector road.
  - More details should be provided to justify the trip generation numbers and the traffic distribution. Given the addition of 46 units, the peak hour trip generation only results in significantly lower trips per unit (AM Peak – 21 trips and PM Peak – 24 trips) versus that Phase 1 trip generation for 39 units (AM Peak – 24 trips and PM Peak – 28 trips).
- The Functional Servicing Report prepared by Quartek Group Inc. dated November 2018 has been reviewed and we have the following comments:
  - The first paragraph of Section 3.0 says "Looping is not feasible . . ." The watermain must be looped in order for the Town to maintain the water quality standards regulated

## APPENDIX "3"

by the Province of Ontario. A layout for efficient watermain looping has been previously provided through the Final Subdivision Approval review for Royal Ridge Phase 1.

- A watermain shall be constructed along Street 'B' and terminating at the property line with a loop for future extension.
- We agree with Quartek Group's assessment that the receiving sanitary sewer has adequate capacity to service the additional units in Phase 2.
- A detailed addendum to the Royal Ridge Phase 1 Stormwater Management Report is required to address design considerations for the addition of Phase 2 lands. The addendum shall consider design criteria for the various housing types and well impervious areas.
- A swale is required to convey overland flows along the south side of Street 'A' in the Royal Ridge Phase 1 subdivision. The proposed road extension will interrupt this flow, therefore accommodations must be made to maintain this overland flow route.
- **The proposed terminus of Street 'B' shows a proposed ground elevation that is approximately 3.0m higher than the existing ground elevation. More detail needs to be provided to justify the proposal to fill the site.**

### **General Comments**

1. 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.
2. The Owner shall retain a qualified Engineer to prepare site engineering, cost estimates and administer servicing work associated with developing the subject lands.
3. 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.
4. Prior to installing sewer services, the Owner must obtain Environmental Compliance Approval from the Ministry of Environment, Conservation and Parks 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.
5. The Owner must obtain approved Service Connection Permits from the Town of Fort Erie for residential connections to existing sewers or watermains.
6. A geotechnical study is required to confirm sewer pipe design, pipe bedding and backfill and to assess ground water conditions and bedrock elevations.
7. Given the small magnitude of the development proposal, phasing of the development servicing will not be permitted.

### **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.

### **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.

### **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 rearyard

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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 will assume responsibility for the maintenance of the storm water management facility, as set out in the subdivision agreement. Since the Phase 2 lands will contribute to the storm water flows for the proposed storm water management facility, the Town will not assume the facility until final assumption of Secondary Services for Phase 2.
8. 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 for this development.

In view of the comments provided above the Infrastructure Services Department – Engineering Division requires **additional information before we can support** the application for Draft Plan of Subdivision.

### Additional Information Required:

- Additional information regarding fill for Street 'B'.

If the Draft Plan is modified as a result of the above comments or comments from other agencies, the modified plan may have an effect on the above comments.

We recommend the following conditions be imposed on the Draft Plan of Subdivision (additional conditions may be requested once the additional information requested above is received and reviewed):

1. That the owner deed Block 3, as shown on the Draft Plan to the Town for parkland purposes, free and clear of any mortgages, liens and encumbrances.
2. That the owner deed to the Town a 1.45m road widening across the frontage of Ridge Road North, 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.

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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 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.
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 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.
11. That the streets be named to the satisfaction of the Town.
12. 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 or to the satisfaction of the Town.
13. 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.
14. 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,

## APPENDIX "3"

### 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.
15. 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 14 above.

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

cc: Tim Marotta, Manager, Engineering Division



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2  
Telephone 905.788.3135 | Facsimile 905.788.1121 | [www.npca.ca](http://www.npca.ca)

February 28, 2019

Via Email Only

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

Our File: PLSUB201900031

Dear Mr. Kernahan

**Re: Niagara Peninsula Conservation Authority (NPCA) Comments  
Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of  
Subdivision  
Royal Ridge Phase 2  
Town of Fort Erie  
Agent: Sullivan Plan  
File Nos.: 350309-478, 350308-0112 and 350302-7OPA46**

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The NPCA has received applications for Official Plan amendment (OPA), Zoning By-law amendment (ZBA), and Draft Plan of Subdivision for the above project. In support of the applications, the NPCA received an environmental impact study (EIS) addendum, prepared by Natural Resource Solutions Inc., dated June 2018 and a functional servicing report (FSR), prepared by Quartek, dated November 2018. The purpose of the applications is to establish a subdivision consisting of 47 residential units, a parkland block, environmental protection block and other blocks for infrastructure. We have reviewed the applications and offer the following comments.

### **NPCA Policies**

The NPCA regulates watercourses, flood plains (up to the 100 year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06 of the Conservation Authorities Act*. The *NPCA Policy Document: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act* (NPCA policies) provides direction for managing NPCA regulated features. The subject lands contain adjacent lands to the Beaver Creek Fort Erie Wetland Complex, which is a provincially significant wetland (PSW).

The PSW was discovered to be on the abutting property to the north during the review of Phase 1 of this development (the Ministry of Natural Resources and Forestry's mapping has not been updated to show the full extent of the PSW). Block 1 has been included on the draft plan to incorporate a 15 metre buffer to the PSW. Through reviewing the EIS addendum, NPCA staff have no objection to the 15 metre setback provided that the area remains in a naturally vegetated state.

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Based on the above, NPCA staff have no objections to the applications as they relate to NPCA policies, subject to rezoning the 15 metre buffer to an Environmental Protection zone category and the recommended Conditions of Draft Plan Approval.

### Conditions of Draft Plan Approval

NPCA staff request the following conditions be incorporated into the Conditions of Draft Plan Approval.

1. That the 15 metre buffer to the provincially significant wetland (PSW) be zoned Environmental Protection or other similar zone category that achieves the same level of protection, to the satisfaction of the Niagara Peninsula Conservation Authority.
2. That the Developer provide limit of work/construction fencing along the southeastern boundary of Block 1 to the satisfaction of the Niagara Peninsula Conservation Authority prior to any site alteration beginning on the subject lands. There is to be no site alteration within Block 1 without approval from the Niagara Peninsula Conservation Authority.
3. That the Developer submit to the Niagara Peninsula Conservation Authority for review and approval, detailed grading and construction sediment and erosion control plans.
4. That the Developer provide 1.5 metre high chain link fencing along the southeastern boundary of Block 1 to the satisfaction of the Niagara Peninsula Conservation Authority.
5. That conditions 1 to 4 above be incorporated into the Subdivision Agreement between the Developer and the Town of Fort Erie, to the satisfaction of the Niagara Peninsula Conservation Authority. The Town of Fort Erie shall circulate the draft Subdivision Agreement to the Niagara Peninsula Conservation Authority for its review and approval.

### Conclusion

At this time, NPCA staff have no objections to the applications subject to the above noted rezoning and the Conditions of Draft Plan Approval. I hope this information is helpful. Please send a copy of any staff reports to Committee/Council once they are available. If you have any questions, please let me know.

Regards,



David Deluce, MCIP, RPP  
Senior Manager, Regulations and Compliance (ext. 224)

cc: Mr. Michael Sullivan, MCIP, RPP, Sullivan Plan (email only)  
Ms. Elissa Quintanilla, Niagara Region (email only)  
Ms. Lisa Price, NPCA (email only)

## **Via Email Only**

July 24, 2020

File No.: D.10.01.OPA-19-002, D.18.01.ZA-19-010, D.11.01.SD-19-003

Ms. Anamika Dilwaria, M.Pl., MCIP, RPP  
Senior Development Planner  
Town of Fort Erie  
1 Municipal Centre Drive  
Fort Erie, ON L2A 2S8

Dear Ms. Dilwaria:

**Re: Regional and Provincial Comments  
Applications for Official Plan Amendment, Zoning By-law Amendment and  
Draft Plan of Subdivision  
Royal Ridge Subdivision – Phase 2  
Applicant: Royal Oak Property Developments Ltd. (c/o Brent King)  
613 Ridge Road North  
Town of Fort Erie**

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Regional Development Planning staff previously provided comments on the above noted applications on March 11, 2019. The applicant has submitted revised application forms, revised Draft Plan of Subdivision for Phase 2, revised draft Official Plan Amendment, a draft Zoning By-law Amendment and a conceptual site plan drawing for the proposed apartment block in response to Town, Region and agency comments received.

A Planning Justification Brief prepared by KLM Planning Partners Inc. outlines the proposed changes to the Draft Plan of Subdivision. The Brief states that the proposed land use and number of proposed residential unit remains unchanged and notes the substantive revision to the draft plan relates to the increase in area to the Environmental Protection (EP) Block. The EP Block has been increased from .023 ha to 0.093 ha in order to provide a 30-metre buffer from the wetland boundary that results in a reduction to the adjacent residential apartment block. The Brief also notes that the park block has

been revised as a result of the road alignment and that the temporary turning around easements have been shown.

The Brief states that the revised Official Plan Amendment continues to propose the same designations (Residential – Medium Density and Environmental Protection with the inclusion of site-specific policy to allow for the semi-detached residential use within the Medium Density designation similar to the Official Plan Amendment for Phase 1. The proposed revised Zoning By-law Amendment remains unchanged with the exception being to the maximum height for the apartment block, which has been reduced from seven (7) storeys to four (4) storeys and an exception that reduces the minimum lot area per unit required. Minor zone boundaries have also been made to reflect the proposed changes to the draft plan of subdivision. The Planning Brief also provides an opinion as to further public notice under Section 34 (17) of the Planning Act.

## **Provincial and Regional Policies**

The subject lands are located within a Settlement Area under the 2020 Provincial Policy Statement (PPS) and within the Delineated Built-Up Area under the 2019 Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan direct growth to settlement areas and encourage the efficient use of land, resources, infrastructure and public service facilities through the development of complete communities with a diverse mix of land uses that provide an appropriate range and mix of housing types.

The subject property is located within the urban boundary of the Town of Fort Erie and is designated Built-up Area in the Region Official Plan (ROP). A full range of residential, commercial and industrial uses are permitted within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure. The ROP directs a significant portion of future growth to the Built-up Area through intensification and redevelopment. The ROP promotes higher density development in Urban Areas and supports growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara.

The proposed plan of subdivision provides for a mix of dwelling types including a single detached dwelling unit, semi-detached dwelling units and apartment units. The mix of housing options will provide options to serve a range of incomes and will count towards Fort Erie's annual residential intensification target of 15%. Generally, the proposal represents an efficient use of urban residential land and planned services and provides a mix of residential types aligning with Provincial and Regional policies.

## **Core Natural Heritage System**

Regional Environmental Planning staff were previously unable to support the Draft Plan of Subdivision as development/site alteration was proposed within the confirmed habitat of Blanding's Turtle (i.e., within 30 metres of a Provincially Significant Wetland). Staff have reviewed the updated Draft Plan of Subdivision, prepared by KLM Planning

Partners Inc., dated June 11, 2020, and are satisfied that the EPA block now adequately reflects the recommended 30-metre buffer from Blanding's Turtle Habitat identified in the Environmental Impact Study (EIS), prepared by Natural Resource Solutions Inc., dated June 2018. Previously, Staff provided a list of the mitigation measures identified in the EIS, which have been incorporated into requested conditions and are included in Appendix 1.

## **Servicing**

Comments remain unchanged from Regional comments dated March 11, 2019. Conditions relating to Servicing are requested in Appendix I.

## **Stormwater Management**

The Niagara Region has reviewed the 'Functional Servicing Report – Royal Ridge Subdivision Phase 2, Town of Fort Erie' (dated November, 2018) and the associated engineering drawing set (dated November 21, 2018) all by Quartek Group Inc. The report indicates that the sanitary servicing for the development will be connected to Phase 1 services and Phase 1 services were sized to accommodate Phase 2. For any extension of municipal sanitary or storm sewers ECA will need to be obtained.

The Stormwater Management (SWM) Report (dated December 2017 by Quartek) for Royal Ridge Subdivision Phase 1 (651 Ridge Road North) with Phase 2 (613 Ridge Road North) being included in the Storm Drainage Area plan. The SWM facilities – an oil-grit separator (OGS) and a dry pond that service the entire Royal Ridge Subdivision are located in Phase 1 land. The SWM Report based on an overall 8.62 ha and a weighted imperviousness of 16.6% in sizing the OGS and designated an impervious coverage of 50% for Phase 2 development.

The Region requires a signed and stamped letter from a Professional Engineer to confirm the parameters used in sizing the SWM facilities are still appropriate for the proposed land uses in Phase 2 and if necessary, update the sizing brief and add measures to address the insufficiency. As the dry pond is sized to attenuate the 100-year flow, the Region requires the letter indicating how 100-year flow from Phase 2 will be managed prior to entering the dry pond.

Conditions relating to Stormwater Management are requested in Appendix I.

## **Waste Collection**

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

### **For the apartment**

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- No limit blue/grey containers;
- No limit green containers; and,
- 1 garbage containers per unit to a max of 12.

### **For Lots 1-3**

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

In order to receive curbside collection in the development the proposed South end of Street "A" and west end of Street "B" will require a temporary cul-de-sac or dedicated "T" turn around until roads are extended, in accordance with the Niagara Region's Corporate Policy for Requirements for Commencement of Collection for new and redevelopments (C3.007). Please revise the future engineering drawing to show temporary turn around.

Conditions relating to Regional waste collection is requested in Appendix I.

### **Regional Bicycle Network**

The subject property has frontage on a roadway designated as part of the Regional Niagara 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 requested in Appendix I.

### **Conclusion**

In conclusion, Regional staff has no objection to the proposed Official Plan Amendment, Zoning By-law Amendment or Draft Plan of Subdivision from a Provincial and Regional perspective, subject to the satisfaction of the requested conditions of approval attached in Appendix 1. Please refer to the detailed comments of this letter when preparing final plans for approval.

Should you have any questions concerning the above noted comments, or if you would like a hard copy of the comments, please do not hesitate to contact me at 905-980-6000 extension 3518. Please send notice of Council's decision on this application.

Respectfully,

## APPENDIX "3"

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Lola Emberson, MCIP, RPP

Senior Development Planner

cc: Ms. Susan Dunsmore, P. Eng., Manager, Development Engineering, Niagara Region  
Mr. Matteo Ramundo, Development Technician, Niagara Region  
Mr. Adam Boudens, Senior Environmental Planner/Ecologist, Niagara Region  
Mr. Aaron Butler, MCIP, RPP, Manager of Development Planning, Town of Fort Erie

## **Appendix I**

### **Conditions of Draft Plan of Subdivision Approval**

#### **Royal Ridge Subdivison (Phase 2)**

#### **Town of Fort Erie**

1. That the following clause be included in the condominium agreement:

*Should deeply buried archaeological remains/resources be found on the property during construction activities, the activities impacting the archaeological resources must cease immediately and notify the Archaeology Programs Unit of the Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries (416-212-8886) and a licensed archaeologist 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 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, Ministry of Heritage, Sport, Tourism, and Culture Industries 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.*

2. That the owner provides a written acknowledgement to Niagara Region Planning and Development Services Department 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.
3. That the owner provides a written undertaking to Niagara Region Planning and Development Services Department 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/developer and the Town.
4. That prior to approval of the final plan or any on-site grading, the owner shall submit the design drawings [with calculations] for the new sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment Compliance Approval under the Transfer of Review Program.
5. That the owner provides a written acknowledgement (stamped and signed) from their engineer that the existing facility (Phase 1) will accommodated the proposed development.

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6. That the owner ensure that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
7. That the owner shall comply with Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection prior to Regional curbside waste collection services commencing if limits cannot be met warning clauses will be included in future agreements.

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:

*"Purchasers/Tenants are advised that this property has frontage on a roadway designated as being within the Regional Niagara Bicycling Network Plan. If the bicycle route is currently not established and identified with signage, it is the intent of the Regional Municipality of Niagara 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 contain wording wherein the owner agrees to implement the following mitigation measures as described in the Environmental Impact Study (EIS) prepared by Natural Resource Solutions Inc., dated June 2018, including but not limited to:
  - a) That sediment control and limit of work fencing be shown on the Grading Plan along the boundary of the EPA Block to the satisfaction of the Niagara Region, and that no grading occur beyond this point. Limit of work fencing must be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized. Muddy water shall not be allowed to leave the site.
  - b) That a Landscape Plan be prepared for review and approval by the Niagara Region. The Landscape Plan should incorporate dense plantings of native trees and shrubs within the wetland/Blanding's Turtle habitat buffer, including thorny species to discourage human intrusion into sensitive areas.
  - c) That 1.5-metre high chain link fencing be provided along the boundary of the EPA Block. Staff also recommend implementation of a no-gate bylaw to reduce human encroachment and limit the movement of pets into the adjacent natural areas.
  - d) That the street lighting plan include a note indicating that bird-friendly downward projecting lighting structures will be used to ensure minimization of spill light into adjacent natural areas.
  - e) That tree and vegetation removal be minimized where possible and where grading permits.
  - f) Any required vegetation removal should be conducted in a manner to avoid impacts to nesting birds that may be utilizing habitats on the property. The breeding bird period for this area is generally March 15 to August 31. A

## APPENDIX "3"

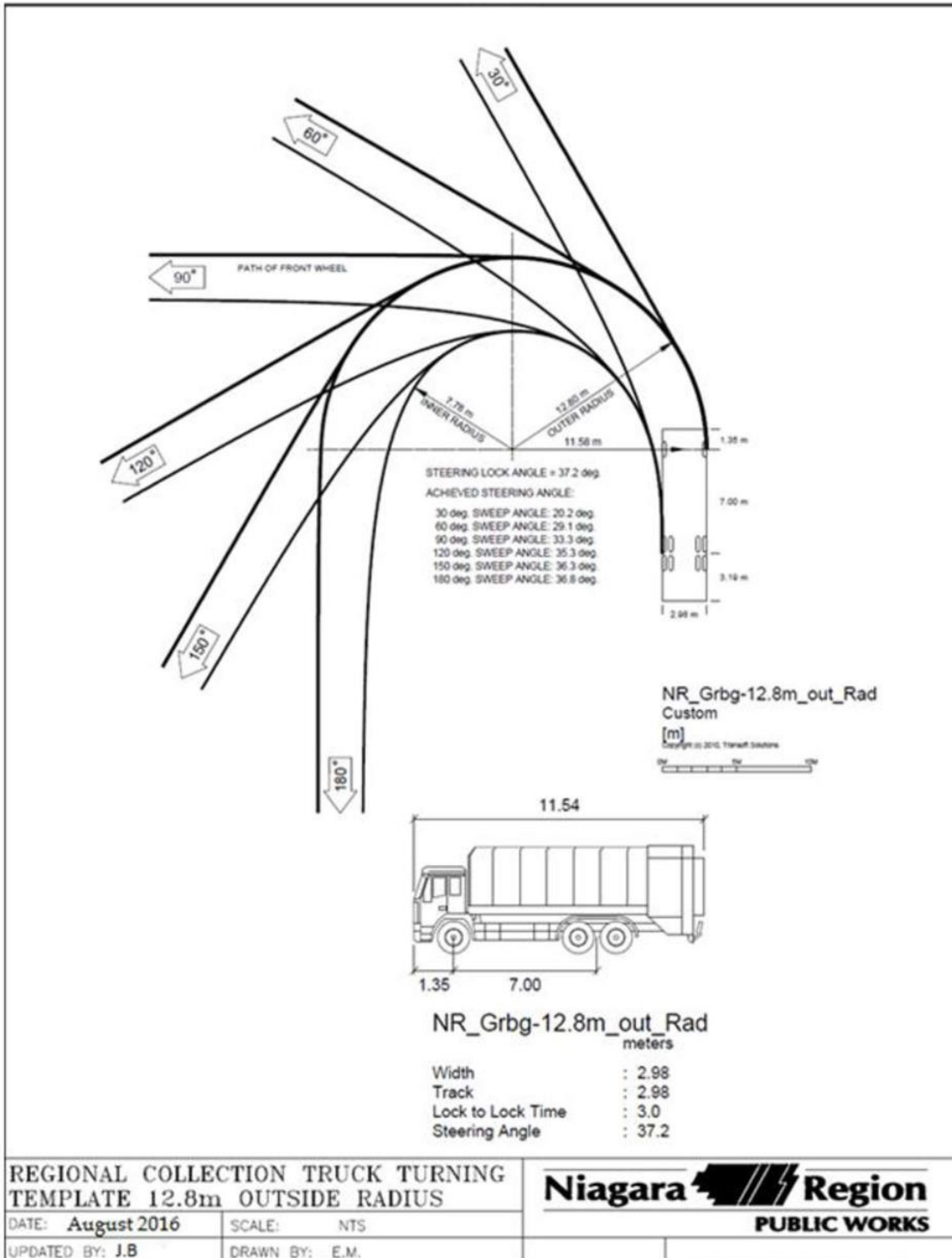
survey for active bird nests should be conducted prior to any vegetation removal or site alteration planned to occur during this window. Any site alteration works should be phased to avoid impacts to active nests until the nestlings have fully fledged.

- g) Any stockpiled materials be stored and stabilized away from the trees to be retained.
- h) Best practices for limiting dust should be employed. Construction activity should be limited on a daily basis to daytime hours.
- i) That the conditions identified above be incorporated into a subdivision agreement between the developer and the Town of Fort Erie to the satisfaction of Niagara Region. The Town of Fort Erie shall circulate the draft plan of subdivision agreement to the Niagara Region for its review and approval.

### 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 condominium 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. 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

## Appendix II, Waste Collection Templates



APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-15-2021 DATED FEBRUARY 22, 2021



Royal Ridge Phase 2 - Draft Plan of Subdivision - Zoning By-Law Amendment

dan and laurie doherty to: adilwaria@forterie.ca

08/15/2020 11:25 AM

From: "dan and laurie doherty" <danandlauriedoherty@yahoo.ca>

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



dan and laurie doherty

Good Morning.

I have reviewed the application notice published August 5, 2020.

I just wanted to add my support in particularly as the amendment includes a 40 unit purpose built apartment building. As a senior commercial lender specializing in development/build of residential and commercial projects for a major financial institution, this proposal addresses a market need which an older demographic that is a growing portion of the Town's population, will great need for.

I sincerely hope (and support) that this proposed amendment receives the municipality's support and approval.

Thank you

Dan Doherty

3307 Riselay Ave.,

Ridgeway, On

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