



Municipal Corporation of the Town of Fort Erie

By-law No. 42-2021

**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. 51
Housekeeping Policy and Map Updates
Town of Fort Erie**

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. 51 to the Official Plan for the Town of Fort Erie consisting of the attached explanatory text and mapping is hereby adopted and approved.
2. **That** this by-law shall come into force and take effect on the day of the final passing thereof.
3. **That** the Clerk of the Town of Fort Erie is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 26th day of April, 2021.

Mayor

Clerk

I, Carol Schofield the Clerk, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. 42-2021 of the said Town. Given under my hand and the seal of the said Corporation this ____ day of ____, 2021

**AMENDMENT NO. 51 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. 51 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 schedules constitutes Amendment No. 51 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 4 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 include Value Added Agricultural uses as part of the secondary agricultural uses section of the Official Plan and to update Appendix A: Glossary of Terms to include a definition of Value Added. This will improve and clarify existing policies around secondary agricultural uses. In addition to this policy change, the Amendment will align certain site specific environmental conservation and environmental protection designations with recently approved mapping done as part of the Town's Environmental Conservation Area Assessment Report, 2019. These proposed housekeeping amendments are referred to collectively as Official Plan Amendment No. 51.

SECTION 3

LOCATION OF THIS AMENDMENT

The lands, which are the subject of the policy change are lands designated as Agricultural or Rural in the Official Plan.

The lands, which are the subject of the mapping changes in this amendment, are located at:

0-13486 Bowen Road
2021 Pettit Road
1886 Pettit Road
3650 Eagle Street
967 Helena Street

1557 Bowen Road
0-13571 Bowen Road
1800 Thompson Road
0-14219 Winger Road
418 Gilmore Road

2005 Pettit Road
0-13570 Bowen Road
0-14219 Winger Road
893 Helena Street
440 Gilmore Road

444 Gilmore Road
0-2484 Dunlop Street
425 Phipps Street
1011 Gilmore Road
1979 Pettit Road

0-13123 Dunlop Street
1818 Thompson Road
1130 Bertie Street
0-13366 Pettit Road
1100 Gilmore Road

100 Dunlop Street
0-13130 Thompson Road
0-13371 Pettit Road
0-13479 Sunset Drive

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 housekeeping amendment

Official Plan Amendment 51 (OPA 51) is a compilation of a policy change and site specific mapping changes. The policy change is proposed for lands designated as Agricultural and Rural. This proposed policy change relates specifically to the addition of Value Added Agricultural uses as a permitted use in the Agricultural and Rural designation. The policy change also includes a new definition of Value Added for clarification purposes. The amendment proposes allowing Value Added uses as secondary to agricultural uses and the definition details examples of these types of uses. This will help to improve and clarify the general types of secondary uses which are permitted in the agricultural and rural designations.

The lands, which are the subject of the Site Specific Policy 39, are located at 0 Petitt Road, 1011 Gilmore Road and 0-13130 Thompson Road. This amendment is being proposed in order to ensure that any development application will be subject to the appropriate environmental study work to ensure development will occur with minimal impact on the natural heritage features on the site(s).

The changes in mapping have been prepared to align certain site specific Official Plan designations with new mapping that has been approved through the preparation of the Environmental Conservation Assessment Report. These changes are being proposed based on extensive assessment and evaluation of lands within the Town's Industrial District between 2018 and 2019 and based on current hydrological and ecological conditions. The report was completed based on current field data and with regard to the current provincial, regional, and municipal natural heritage policies. The study and report recommended a number of mapping changes which are reflected in OPA 51. The location, depiction and rationale for each site specific mapping change is outlined in Appendix 1 to OPA 51 and these proposed changes are captured in the amendment to Schedule A – Land Use Plan as described in Part "B".

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

The proposed policy amendment will apply to lands designated as Agricultural and Rural. Development in these designations is limited to low density development and agricultural based

development and uses. The Site Specific Policy 39 applies to lands located at 0 Petitt Road, 1011 Gilmore Road and 0-13130 Thompson Road. These properties are designated industrial and development or expansion may occur.

The proposed mapping amendment will apply to site specific lands that were identified in the Town of Fort Erie Environmental Conservation Area Assessment Report that was finalized in 2019. Many of these properties are currently developed for industrial purposes. The amendment will permit further development in some locations, where environmental protection and/or environmental conservation layers are proposed to be removed and restrict future development in locations where an environmental protection layer has been added to address current conditions.

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 proposed policy amendment will apply to lands designated as Agricultural and Rural. While sites may have Natural Heritage or be abutting Natural Heritage features the proposed Value Added uses will need to be compatible with surrounding agricultural uses, and comply with all other applicable policies of the Official Plan and Comprehensive Zoning By-law including the Natural Heritage policies.

Site Specific Policy 39 is being proposed in order to ensure that any development application will be subject to the appropriate environmental study work to ensure development will occur with minimal impact on the natural heritage features on the site(s).

The proposed mapping amendment is site-specific to several areas of Natural Heritage Features within the municipality. These changes are being proposed based on extensive assessment and evaluation of these lands between 2018 and 2019 and are the result of the approved Town of Fort Erie Environmental Conservation Area Assessment Report. This report was prepared in keeping with the Town's Natural Heritage Policy.

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 Public Health Department and any other appropriate authority deemed advisable.

The proposed policy amendment will apply to lands designated as Agricultural and Rural throughout the municipality. Access to individual properties is generally available as are linkages to the Town's existing road network. Servicing is generally provided privately and in accordance with the standards of the Ministry of the Environment, Region of Niagara Public Health Department and any other applicable agencies. Value Added uses are intended to be secondary to the main agricultural use and will be required to adhere to all other applicable policies of the Official Plan and Comprehensive Zoning By-law as well as Federal, Provincial and Regional policies where applicable.

The proposed Special Policy Area 39 and mapping amendment is specific to several properties which are generally designated as industrial. All have adequate access to road and highway networks as well as full municipal servicing. The amendment will permit further development in some locations, where environmental protection and/or environmental conservation layers are proposed to be removed and restrict future development in locations where an environmental protection layer has been added to address current conditions. Any development on these sites would be subject to all other applicable policies of the Official Plan and Comprehensive Zoning By-law.

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

The proposed policy amendment applies to lands designated as Agricultural and Rural throughout the municipality. Value Added uses are intended to be secondary and complementary to the main agricultural use and will be required to adhere to all other applicable policies of the Official Plan and Comprehensive Zoning By-law.

Site Specific Policy 39, is being proposed in order to ensure that any development application will be subject to the appropriate environmental study work to ensure development will occur with minimal impact on the natural heritage features on the site(s).

The proposed mapping amendment is specific to several site-specific properties which are designated as industrial. Any development or re-development of these sites would be subject to all other applicable policies of the Official Plan and Comprehensive Zoning By-law.

f. The effects of such proposed use on the surrounding area in respect of the minimizing of any possible deprecating or deteriorating effect upon adjoining properties

The proposed policy amendment is being made to permit Value Added uses as secondary to agricultural uses and to define Value Added in the Glossary of Terms Section of the Official Plan. This is intended to allow a more diverse range of uses on agricultural and rural properties. Adding additional uses to these areas is not seen as having depreciating or deteriorating effects. To the contrary, permitted additional Value Added uses are expected to enhance land values and stimulate additional investment.

Special Policy Area 39 is being proposed to ensure development will occur with minimal impact on the natural heritage features on the site(s). This will allow for some degree of development or the expansion of existing uses and stimulate additional investment.

The proposed mapping amendment is being made to recognize the existing conditions on lands designated industrial within the Town. Removal of the Environmental Protection and/or Environmental Conservation layers where appropriate will increase the amount of developable industrial land available, which is expected to enhance land values and increase investment.

g. The potential effect of the proposed use on the financial position of the municipality

The proposed amendments are not expected to impact significantly on municipal resources in the short or long term.

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

There are no new perceived issues arising out of the proposed approval of OPA-51 in relation to the Environmental Protection Act. Requirements for development or redevelopment will be reviewed for compliance during the development application process. The mapping amendments proposed are a result of extensive study work done in 2018 and 2019 that followed all appropriate Ministry of the Environment, Region of Niagara and Niagara Peninsula Conservation Authority guidelines.

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 map designated as Schedule "A" (Land Use Plan) constitute Amendment No. 51 to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area.

1. Section 4.5.1 Agriculture Policies, II is hereby amended by adding "value added uses" after "Secondary Uses".

Based on the above change, Section 4.5.1 II shall read as follows:

II. In addition to the above agriculture - related uses, secondary uses, value added uses and public utilities may be permitted subject to the more detailed policies of this Section.

2. Section 4.5.2 Agriculture Policies, IV is hereby amended by adding "Value Added uses" after "Secondary Uses".

Based on the above change, Section 4.5.2 IV shall read as follows:

IV. Secondary uses and Value Added uses shall be permitted as accessory and subordinate uses to the principle use of the property in the agricultural designation provided that:

3. Section 4.6 Rural, is hereby amended by adding "secondary and value added uses" after "poultry uses".

Based on the above change, Section 4.6 shall read as follows:

The lands in this category are identified on Schedule "A" of this Plan and are also identified as Rural in the Regional Niagara Policy Plan. Agriculture of all types, including livestock and poultry uses, secondary and value added uses are permitted land uses in this category. Other uses may be permitted according to the policies of this subsection.

4. Appendix A: Glossary of Terms is hereby amended to include the following definition:

Value Added

Uses that generally occur on-farm which add value to agricultural products and their sale and distribution and are intended to promote and sustain the viability of farming operations. Such uses are generally considered agriculture-related uses, and are required to be small scale and related to the farm activity. Value Added uses will not be permitted in conjunction with medical marihuana production facilities. Value Added Uses may be grouped into three major components: Production Uses, Marketing Uses and Support Uses:

i. Production uses: mean Value Added farm related uses that include, but are not limited to: the processing of agricultural products (including wineries, canneries, bakeries, cheese factories and similar uses); and distribution and warehousing of agricultural products.

ii. Marketing uses: mean Value Added farm related uses that include a variety of methods of increasing the sales of raw or finished farm products. Such uses may include, but are not limited to: road side produce stands and other retail facilities for the sale of products; pick your own facilities; agri-tourism uses (such as farm mazes, special events facilities, farm weddings and educational facilities) and “experiential uses” (such as “working farm vacations” or culinary schools).

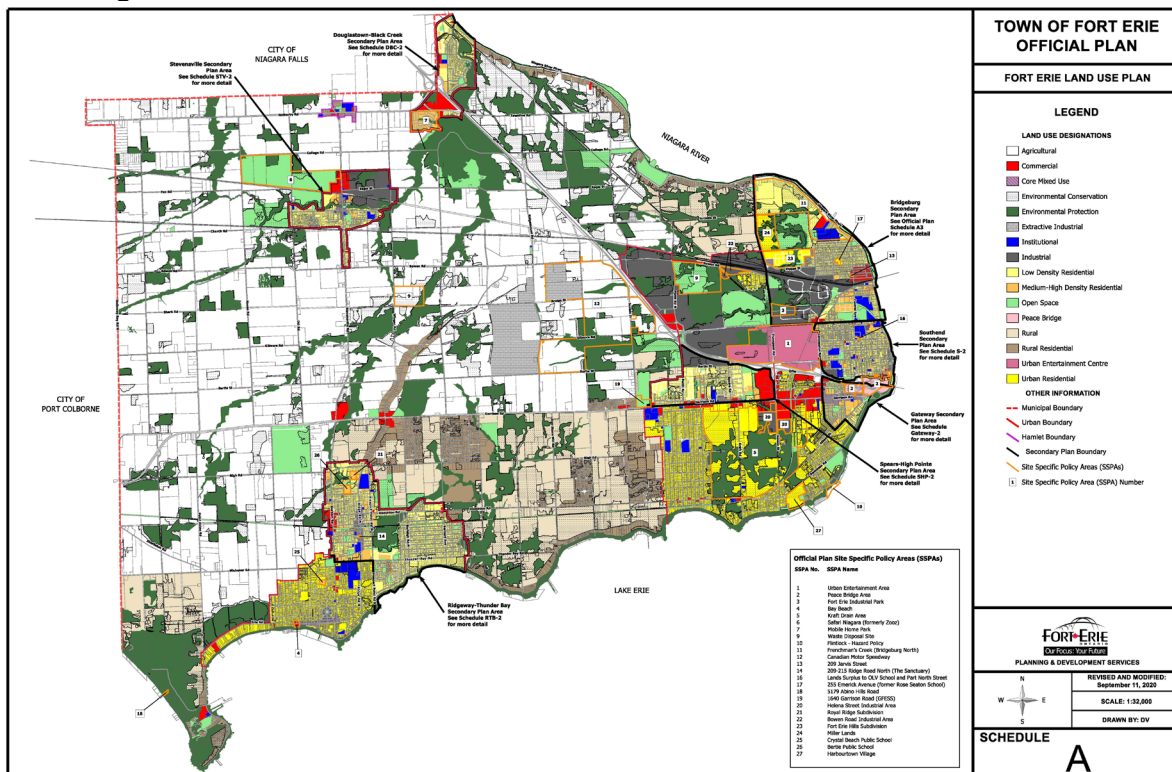
iii. Support uses: means uses that support day to day farm operation and may include, but are not limited to: machinery repairs, seed suppliers, and other uses not more appropriately accommodated in settlement areas. Support uses are intended to primarily serve the farm operation and surrounding local farm operations and are intended to remain secondary to the principal farm operation.

5. Section 4.14 Site Specific Policy Areas is hereby amended to include:

4.14.27 0 Petit Road, 1011 Gilmore Road and 0-13130 Thompson Road (Site Specific Policy Area 39)

The lands designated Site Specific Policy Area 39 shall be required to undertake an Environmental Impact Assessment, Buffer and/or Edge Management plans, as necessary, prior to any development of the site.

6. Site specific lands identified in Appendix 1 to OPA-51 have been amended to include additional Environmental Protection layers, additional Environmental Conservation layers and the removal of some Environmental Conservation and Environmental Protection layers where appropriate, as described in Appendix 1. These changes result in an amendment to Schedule A, Fort Erie Land Use Plan, to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area, which is hereby replaced by the following:

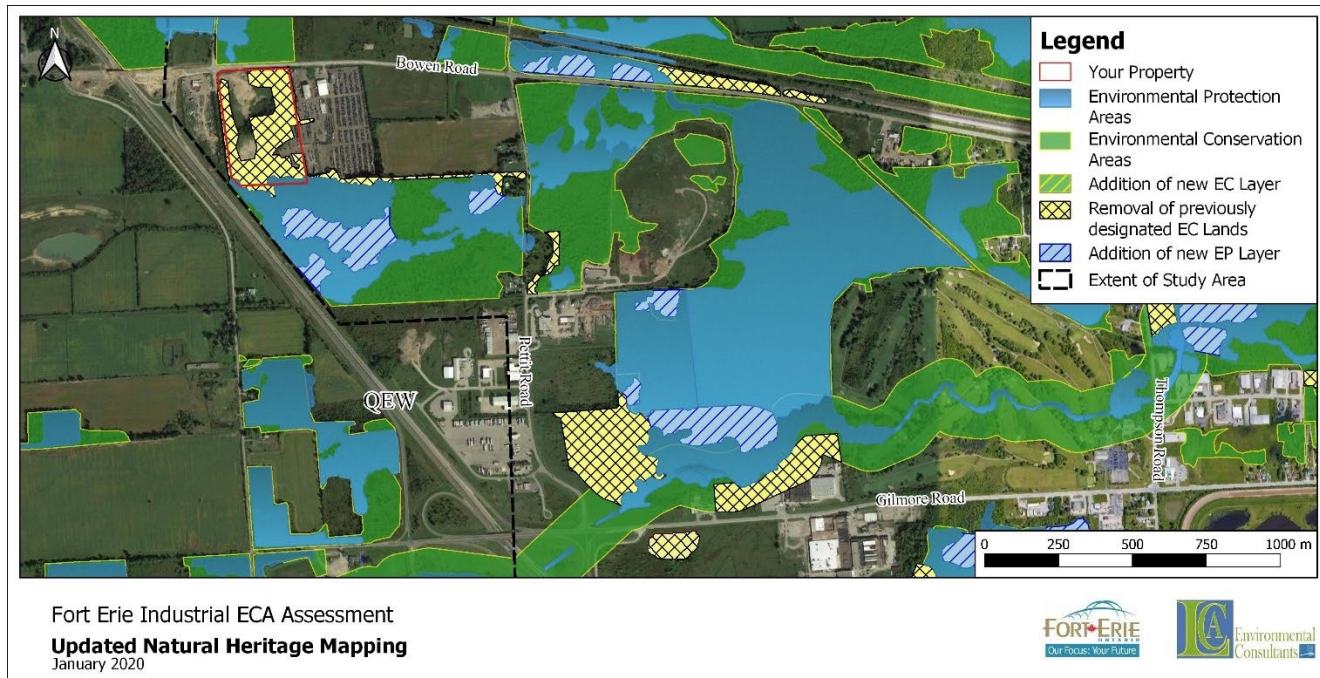


PART “C” - THE APPENDICES

- Appendix 1 - Individual Site Location, Map and Rationale
- Appendix 2 - Notice of Public Meeting
- Appendix 3 - Public Meeting Minutes, December 7, 2020
- Appendix 4 - Circulation comments

Address: 0 Bowen Road

The following map shows the recommended changes made to the Town's natural heritage mapping for the property at 0 Bowen Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Miller Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Miller Creek PSW on adjacent land
2. Hydrological Importance
3. Site Condition
4. Habitat Diversity
5. **Special Features:** Provincially rare vegetation communities
6. Representation
7. Socio-economic Value

Recommendations for your Site:

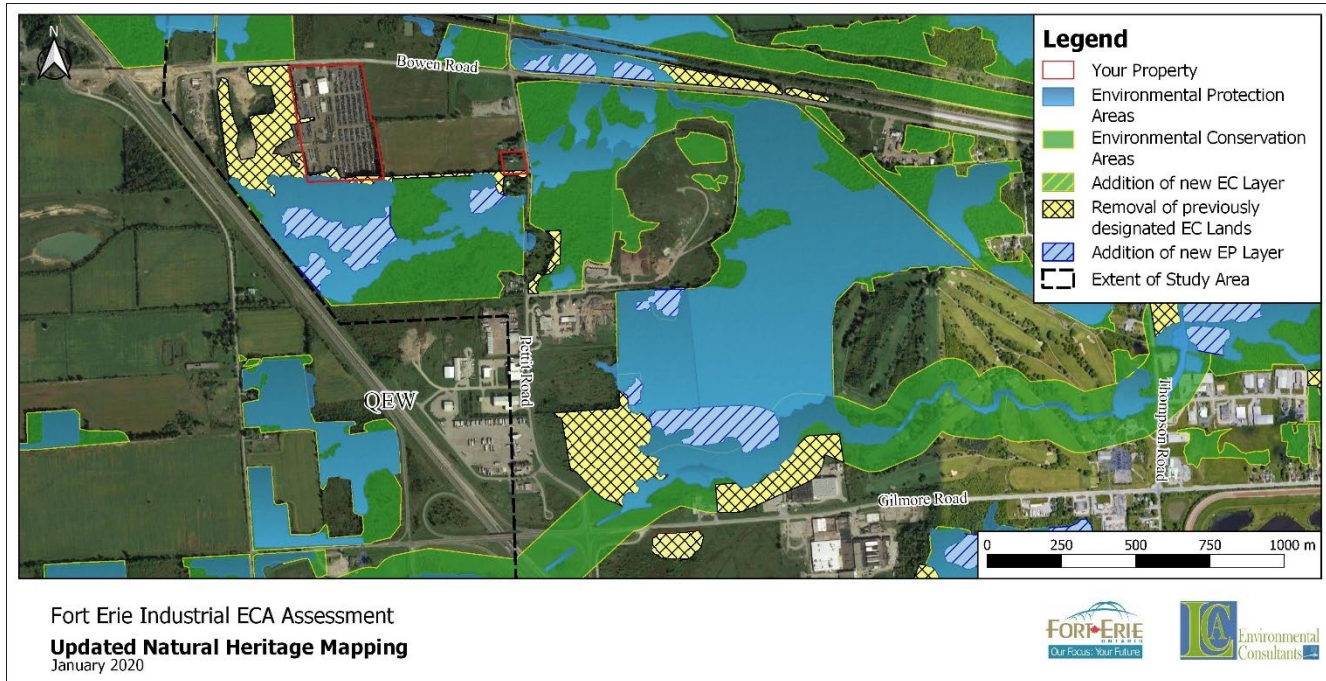
Removal of all EC designations from property and maintaining 30m minimum buffer from PSW on adjacent lands.

Rationale:

Only two of above criteria were fulfilled and did not qualify as a Locally Significant Natural Area (LSNA). There is a high degree of disturbance and many non-native species present on the property. The natural areas do not provide significant ecological function.

Address: 1557 Bowen Road and 2005 Pettit Road

The following map shows the recommended changes made to the Town's natural heritage mapping for 1557 Bowen Road and 2005 Pettit Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Miller Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your sites contain portions of a natural area which meets the following criteria:

1. ***Designated Environmental Areas:*** Presence of the Miller's Creek PSW on adjacent land
2. Hydrological Importance
3. Site Condition
4. Habitat Diversity
5. ***Special Features:*** Provincially rare vegetation communities
6. Representation
7. Socio-economic Value

Recommendations for your Sites:

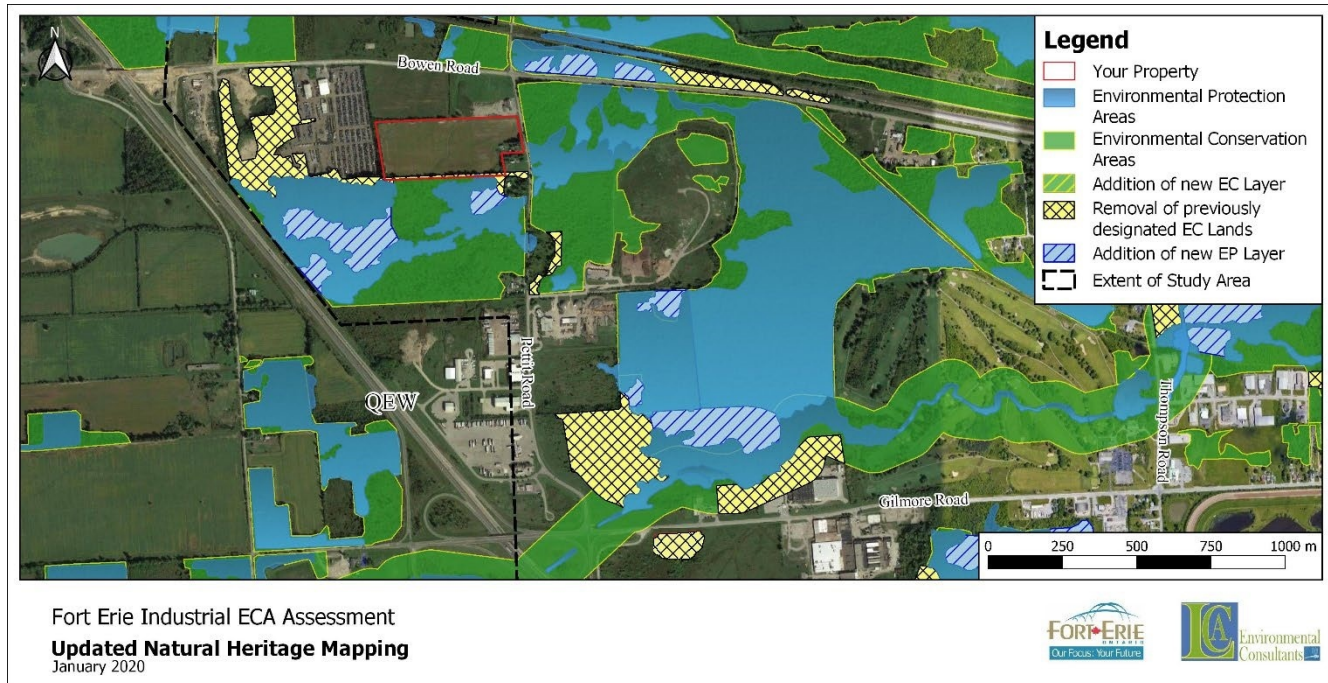
Removal of EC designations from property boundaries and maintain 30m minimum buffer from PSW on adjacent lands.

Rationale:

Only two of above criteria were fulfilled and did not qualify as a Locally Significant Natural Area (LSNA). There is a high degree of disturbance and many non-native species present in the existing EC designated areas, which provide little ecological function.

Address: 2021 Pettit Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 2021 Pettit Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Miller Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your sites are adjacent to a natural area which meets the following criteria:

1. ***Designated Environmental Areas:*** Presence of the Miller's Creek PSW on adjacent land
2. Hydrological Importance
3. Site Condition
4. Habitat Diversity
5. ***Special Features:*** Provincially rare vegetation communities
6. Representation
7. Socio-economic Value

Recommendations for your Site:

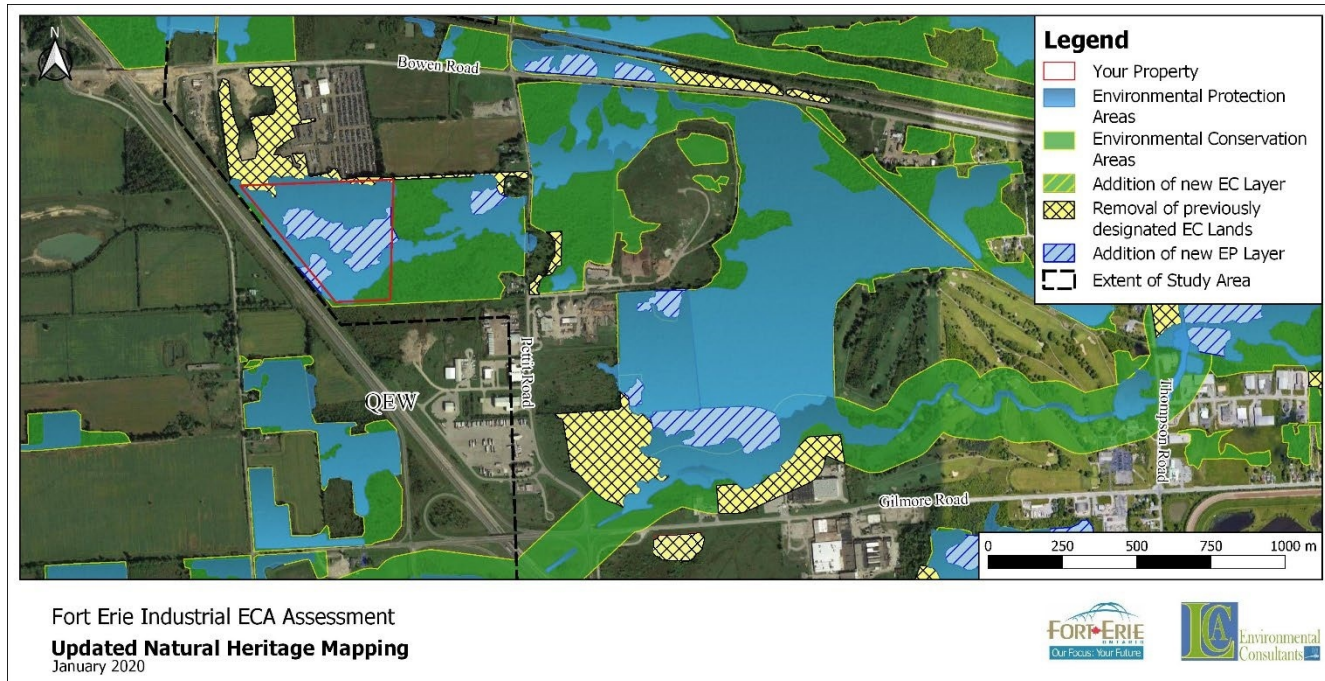
Removal of EC designations from property boundaries and maintain 30m minimum buffer from PSW on adjacent lands.

Rationale:

Only two of above criteria were fulfilled and did not qualify as a Locally Significant Natural Area (LSNA). There is a high degree of disturbance and many non-native species present in the existing EC designated areas, which provide little ecological function.

Address: 0 Sunset Drive

The following map shows the recommended changes made to the Town's natural heritage mapping at 0 Sunset Drive. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Miller Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Miller's Creek PSW on adjacent land
2. Hydrological Importance
3. Site Condition
4. Habitat Diversity
5. **Special Features:** Provincially rare vegetation communities
6. Representation
7. Socio-economic Value

Recommendations for your Site:

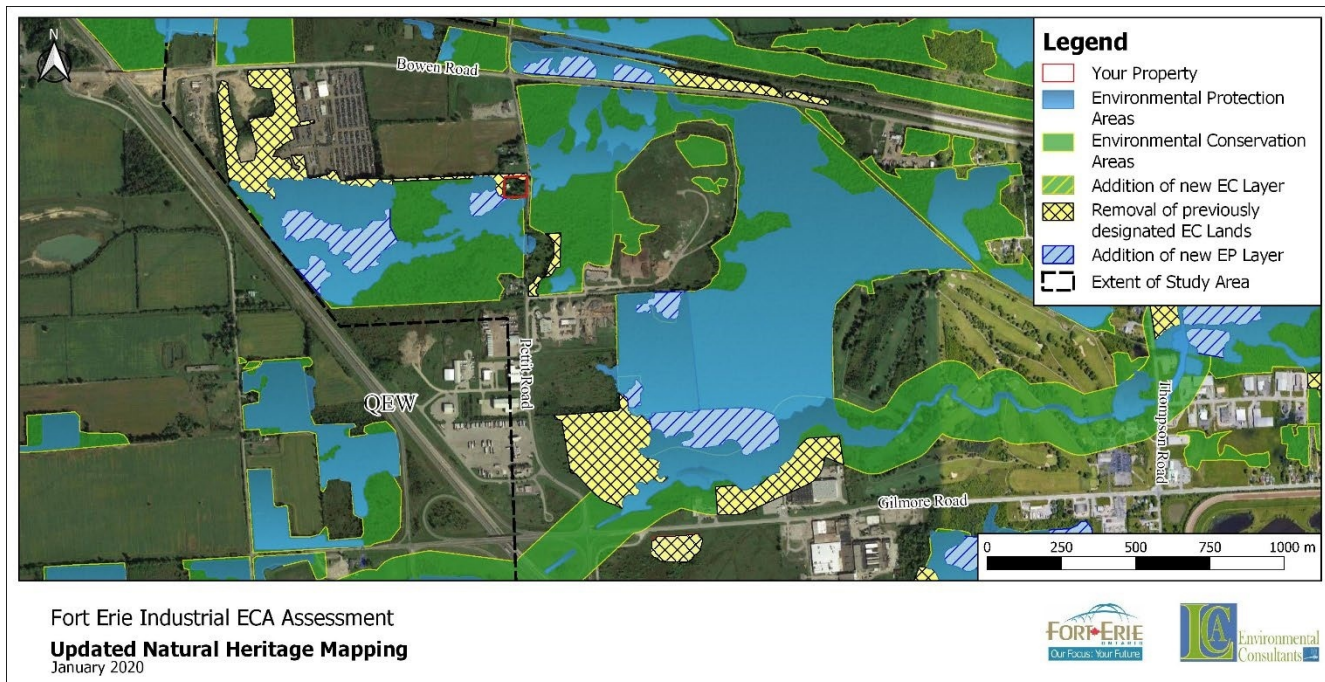
Upgrade EC designations to Environmental Protection (EP) in the irregularly shaped upland areas on property, which would be required to accommodate 30m PSW buffer.

Rationale:

Boundaries of the existing wetlands were verified in the field and matched the current mapping. Maintaining the minimum 30m buffer from the PSW boundary limits developable space. EP designation was added to areas which would not support development based on the required buffers.

Address: 1979 Pettit Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 1979 Pettit Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Miller Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

- 1. Designated Environmental Areas:** Presence of the Miller's Creek PSW on adjacent land
2. Hydrological Importance
3. Site Condition
4. Habitat Diversity
- 5. Special Features:** Provincially rare vegetation communities
6. Representation
7. Socio-economic Value

Recommendations for your Site:

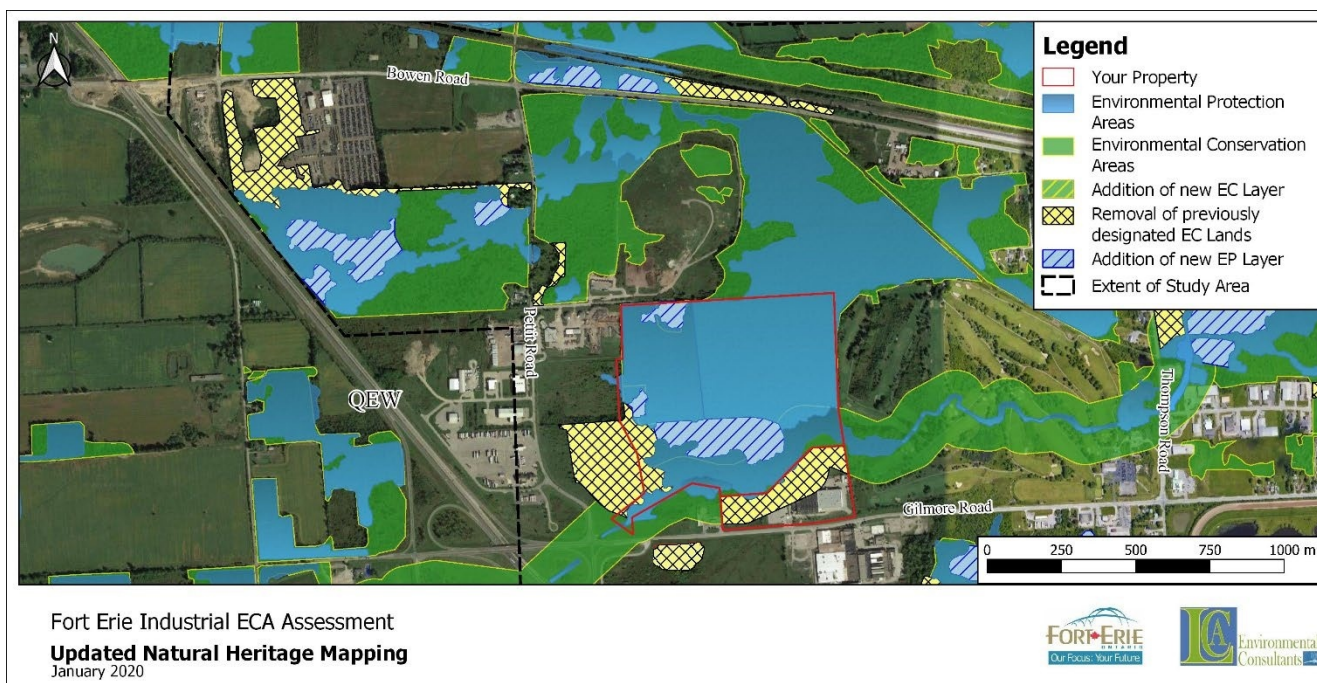
Removal of EC designations from property boundaries and maintain 30m minimum buffer from PSW on adjacent lands.

Rationale:

Only two of above criteria were fulfilled and did not qualify as a Locally Significant Natural Area (LSNA). There is a high degree of disturbance and many non-native species present in the existing EC designated areas, which provide little ecological function.

Address: 1100 Gilmore Road and 0 Pettit Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 1100 Gilmore Road and 0 Pettit Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Miller Creek Provincially Significant Wetland (PSW)
- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003).

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your sites contain portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Miller Creek and Frenchman's Creek PSWs
2. **Hydrological Importance:** Erosion and Flood Control
3. **Site Condition:** Some areas in excellent condition
4. **Habitat Diversity**
5. **Special Features:** Presence of Species at Risk
6. **Representation:** Mature forests with low disturbance rare in urban areas
7. **Socio-economic Value**

Recommendations for your Sites:

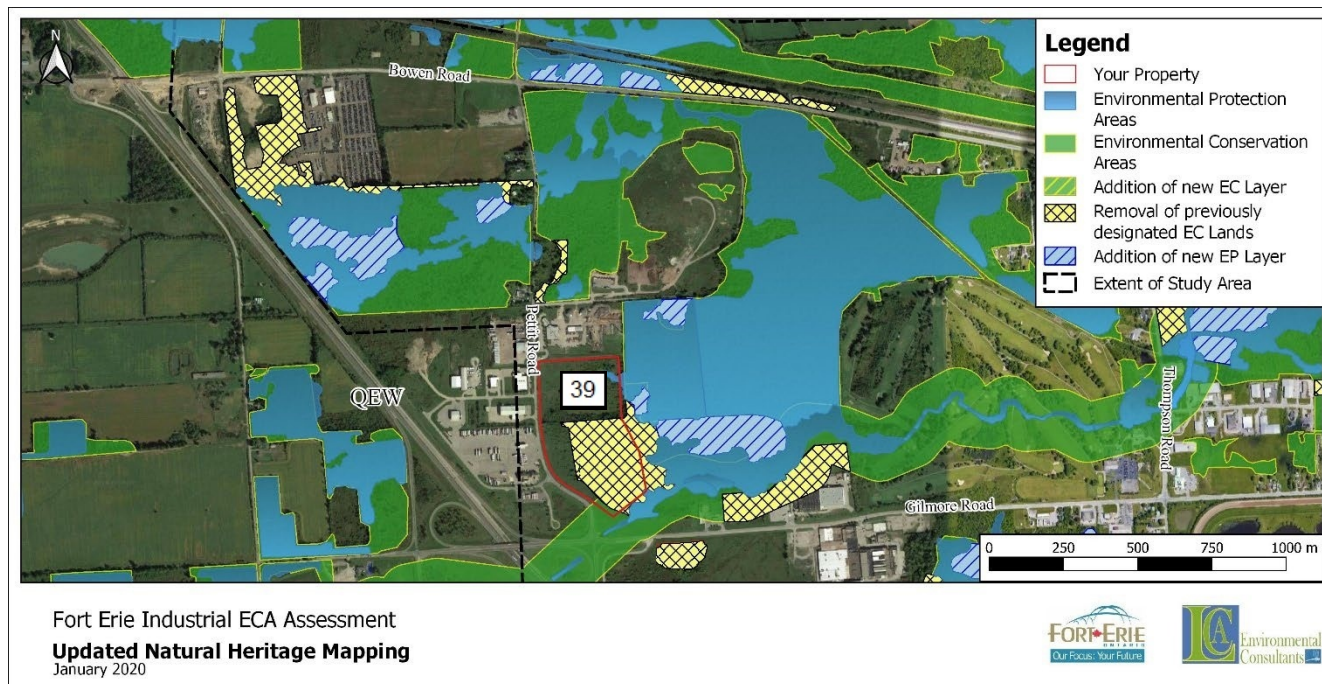
Upgrade EC designations to Environmental Protection (EP) in the irregularly shaped upland areas on property. Removal of EC designation immediately adjacent to PSW.

Rationale:

All seven criteria for significance fulfilled and the area is identified as LSNA. Boundaries of the existing wetlands were verified in the field and matched the current mapping. EC lands adjacent to wetland are disturbed. However, minimum 30m PSW buffer maintained which excludes irregularly shaped upland.

Address: 0 Pettit Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 0 Pettit Road . These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Miller Creek Provincially Significant Wetland (PSW)
- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Miller Creek and Frenchman's Creek PSWs
2. **Hydrological Importance:** Erosion and Flood Control
3. **Site Condition:** Some areas in excellent condition
4. **Habitat Diversity**
5. **Representation:** Mature forests with low disturbance rare in urban areas
6. **Socio-economic Value**

Recommendations for your Site:

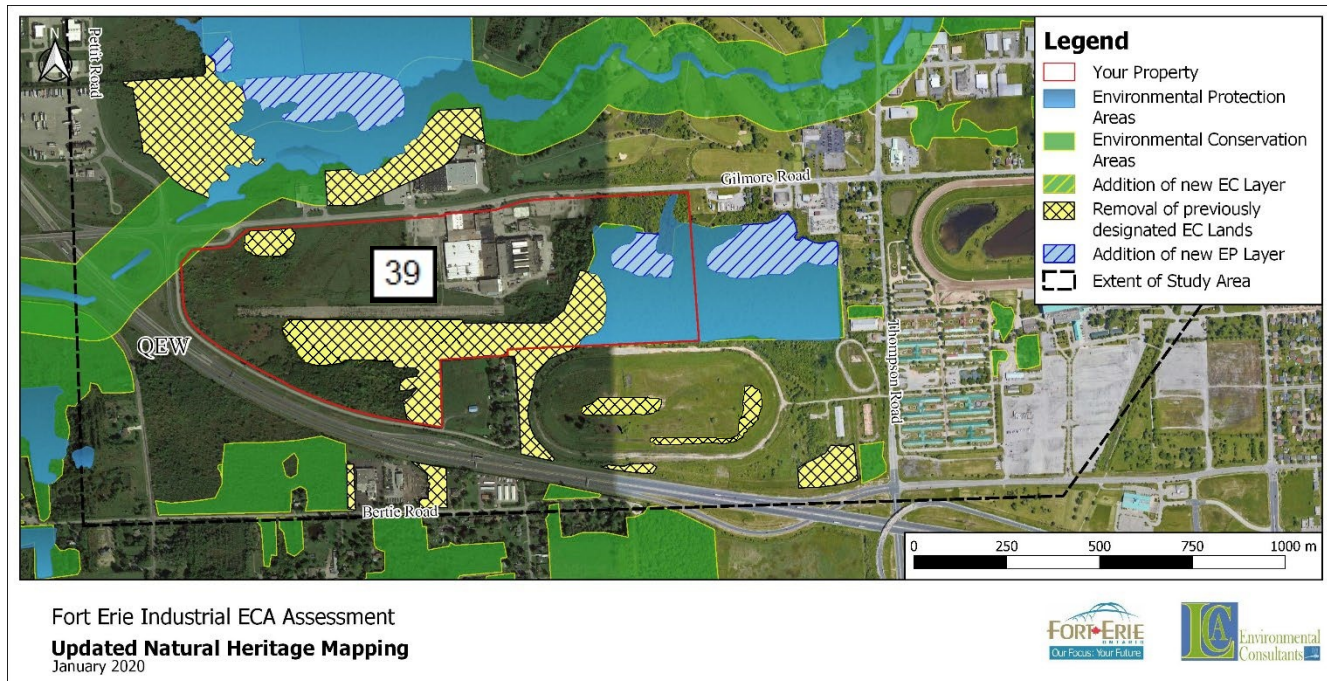
Removal of all EC designations from property.

Rationale:

All seven criteria for significance fulfilled and the area is identified as LSNA. There is a high degree of disturbance and many non-native species present on the property. The natural areas do not provide significant ecological function to the overall LSNA.

Address: 1011 Gilmore Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 1011 Gilmore Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Wetlands

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Frenchman's Creek PSW
2. **Hydrological Importance:** Flood and Erosion control
3. Site Condition
4. Habitat Diversity
5. Representation
6. Socio-economic Value

Recommendations for your Site:

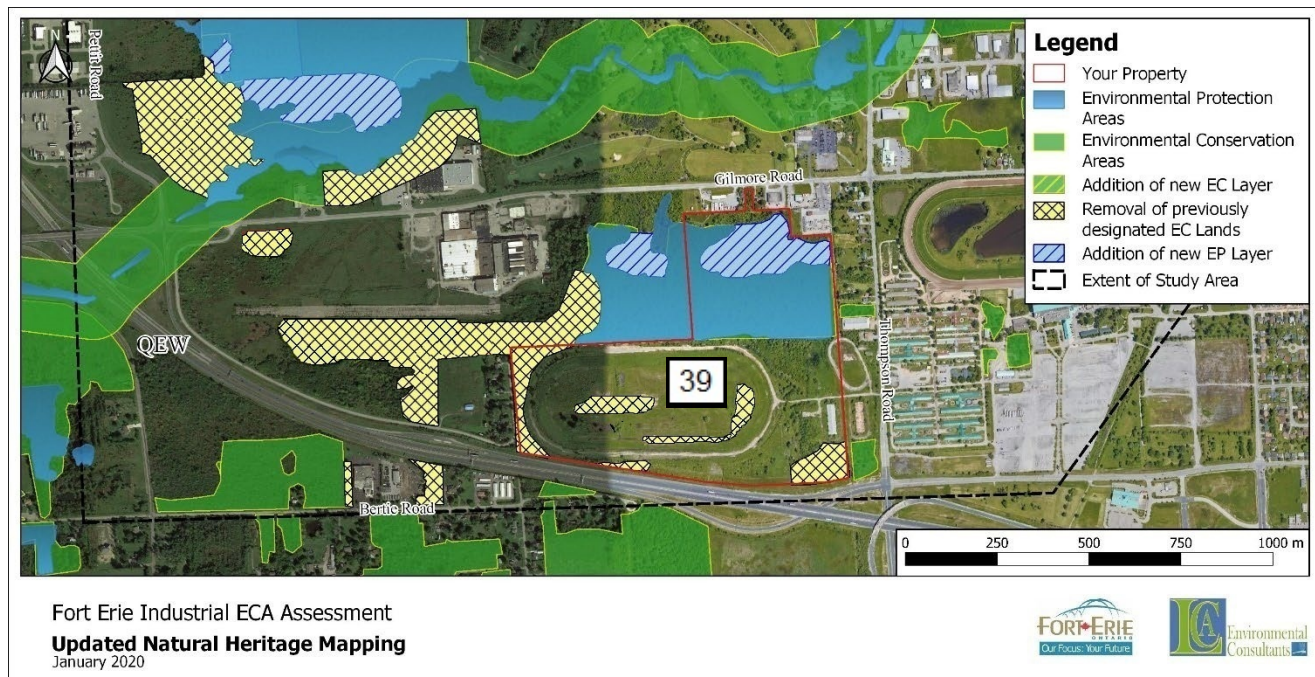
Upgrade EC designation to Environmental Protection (EP) in the irregularly shaped upland area.
Maintain 30m minimum buffer from PSW. Removal of existing EC designations from property.

Rationale:

Three of the seven criteria for significance fulfilled and the area is identified as LSNA. There is a high degree of disturbance in the existing EC areas, which provide little ecological function.

Address: 0 Thompson Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 0 Thompson Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Wetlands

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Frenchman's Creek PSW
2. **Hydrological Importance:** Flood and Erosion control
3. Site Condition
4. Habitat Diversity
5. Representation
6. Socio-economic Value

Recommendations for your Site:

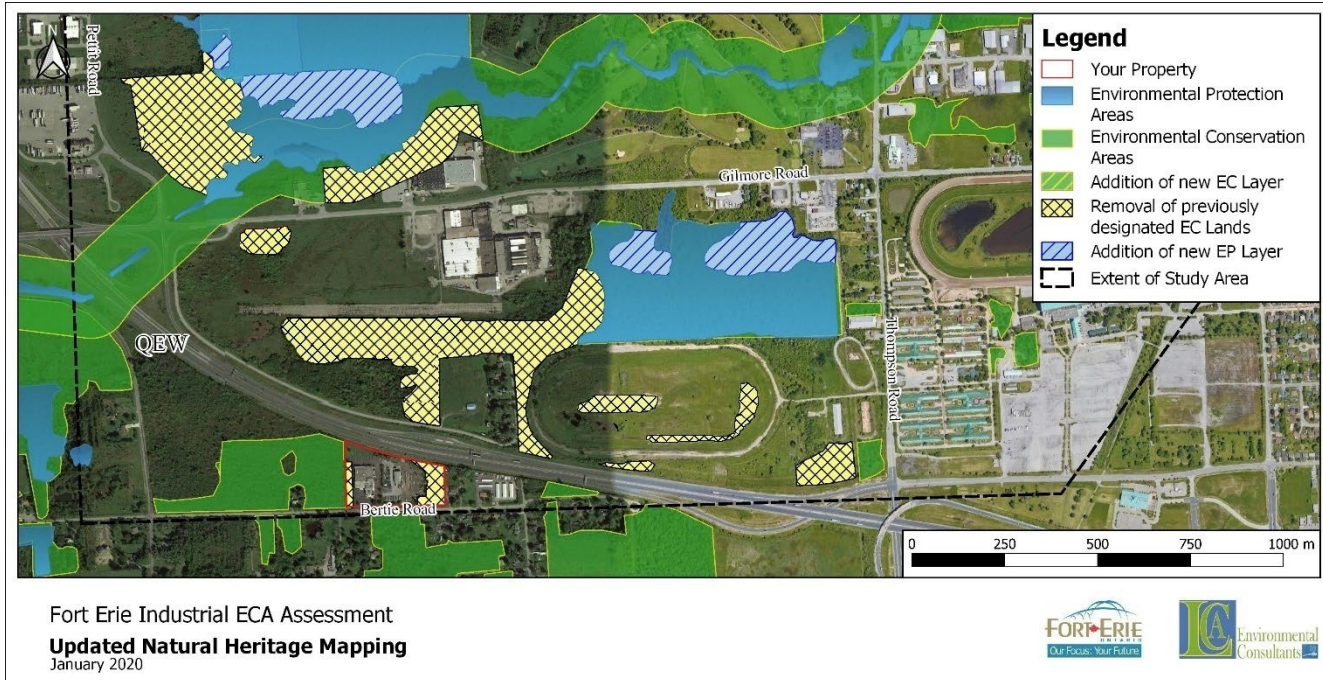
Upgrade EC designation to Environmental Protection (EP) in northeast corner of property. Maintain 30m minimum buffer from PSW. Removal of existing EC designations from property.

Rationale:

Three of the seven criteria for significance fulfilled and the area is identified as LSNA. There is a high degree of disturbance in the existing EC areas, which provide little ecological function.

Address: 1130 Bertie Street

The following map shows the recommended changes made to the Town's natural heritage mapping at 1130 Bertie Street. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- West Fort Erie Locally Significant Wetlands (LSW)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. ***Designated Environmental Areas:*** Presence of West Fort Erie LSW on adjacent lands
2. ***Hydrological Importance:*** Flood and Erosion Control
3. Site Condition
4. Habitat Diversity
5. Special Features:
6. Representation
7. Socio-economic Value

Recommendations for your Site:

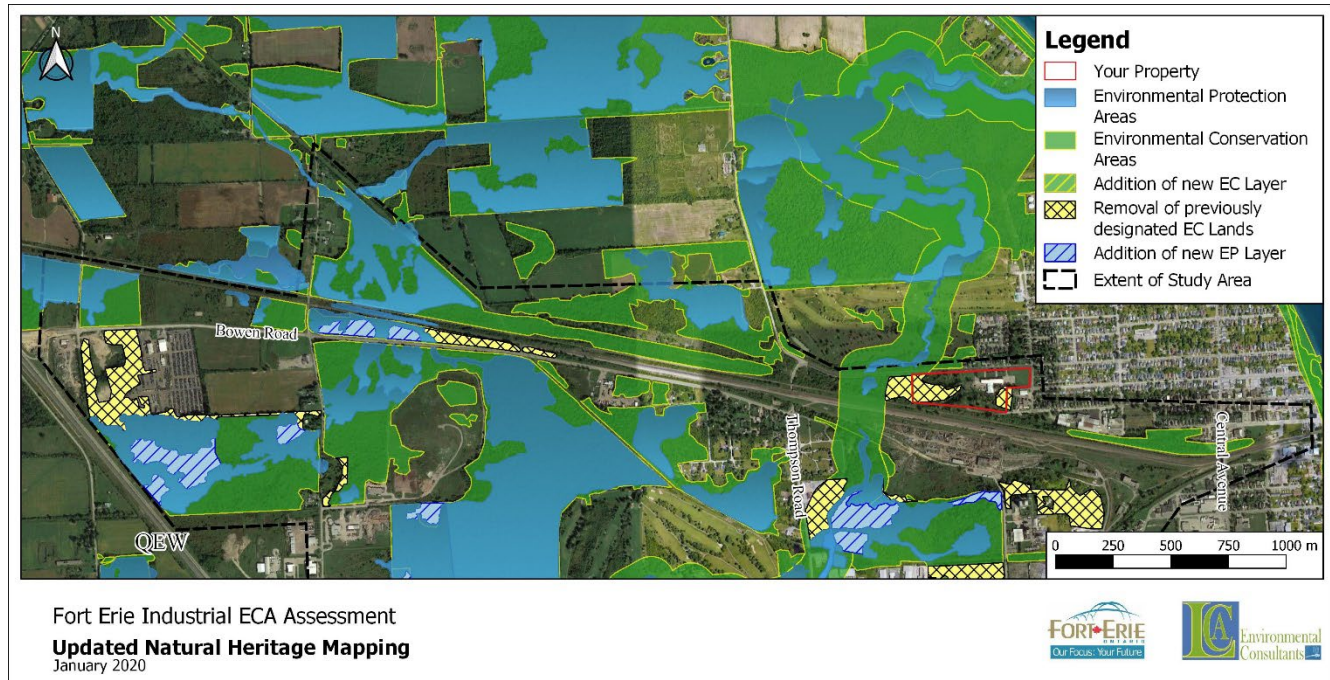
Removal of EC designations from property.

Rationale:

Only two of above criteria were fulfilled and did not qualify as a Locally Significant Natural Area (LSNA). There is a high degree of disturbance and habitat fragmentation. The natural areas on your property are not significant.

Address: 425 Phipps Street

The following map shows the recommended changes made to the Town's natural heritage mapping at 425 Phipps Street. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. ***Designated Environmental Areas:*** Presence of the Frenchman's Creek PSW on adjacent land
2. ***Hydrological Importance:*** Flood and Erosion Control
3. Site Condition
4. Habitat Diversity
5. ***Special Features:*** Presence of Provincially rare plant species
6. Representation
7. Socio-economic Value

Recommendations for your Site:

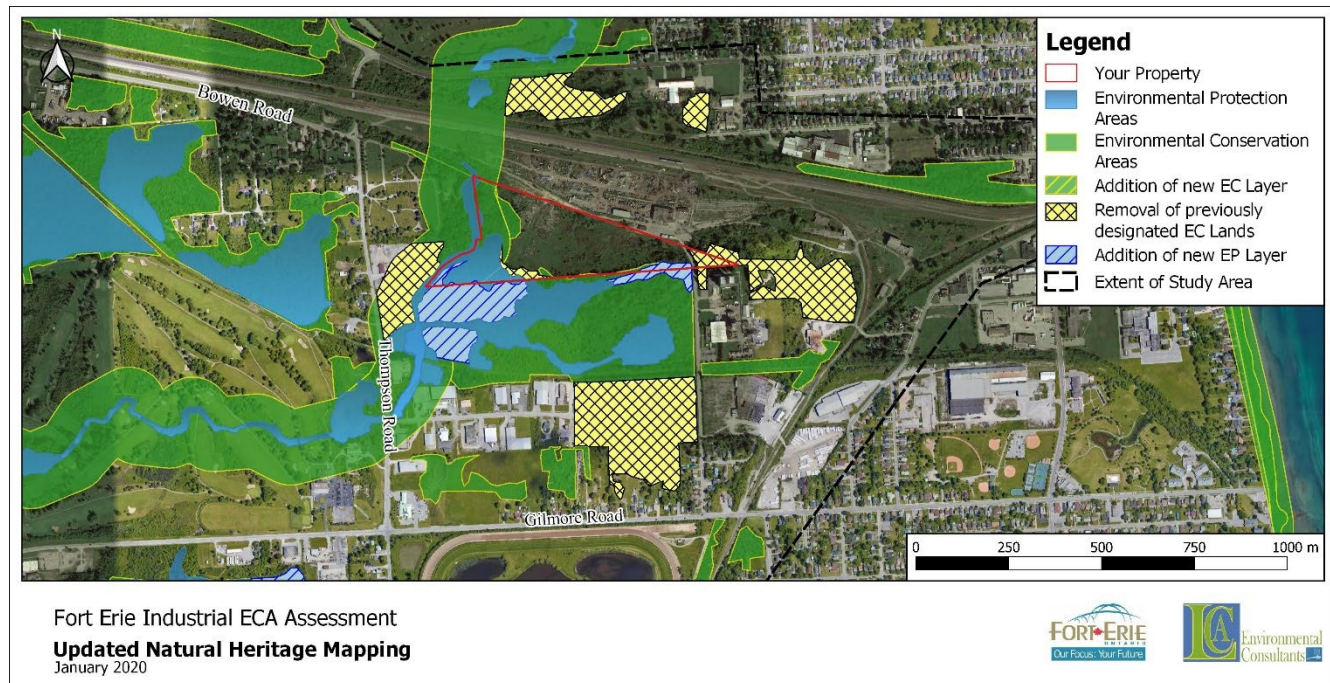
Removal of EC designations from property.

Rationale:

Three of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). However, there is a very high degree of disturbance on the site and many non-native species. Based on current legislation, the natural areas on the property are not considered to provide significant ecological function.

Address: 0 Dunlop Street

The following map shows the recommended changes made to the Town's natural heritage mapping, at 0 Dunlop Street. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Frenchman's Creek PSW
2. **Hydrological Importance:** Flood and Erosion control
3. Site Condition
4. **Habitat Diversity:** High habitat diversity
5. **Special Features:** Presence of Species at Risk plants
6. **Representation:** Mature upland forests rare in Fort Erie
7. Socio-economic Value

Recommendations for your Site:

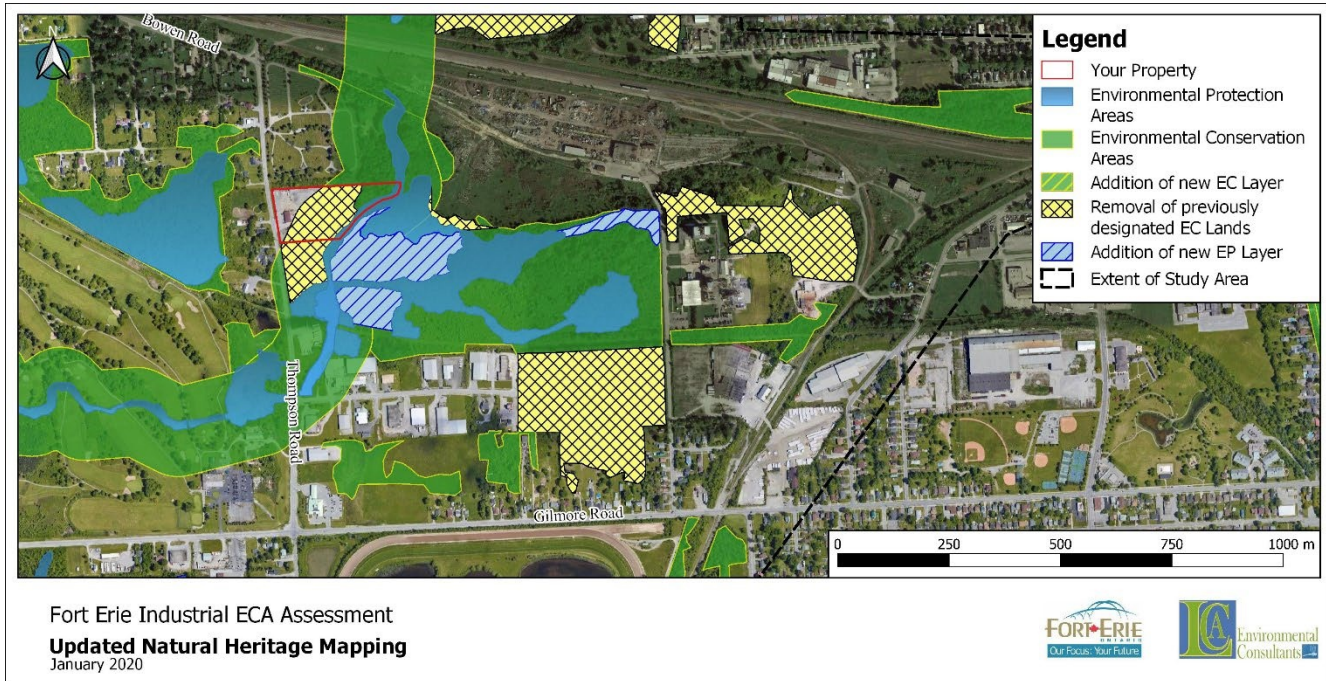
Removal of EC designation east of Dunlop Road. Maintain EC designation on mature upland forest adjacent to Frenchman's Creek.

Rationale:

Five of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). There is a very high degree of disturbance on the site and many non-native species. The woodlot along Frenchman's creek contains mature trees and upland habitat which is uncommon in the area. Consideration should be given to the woodlot, which exists along the natural corridor of the Creek.

Address: 1818 Thompson Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 1818 Thompson Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Frenchman's Creek PSW
2. **Hydrological Importance:** Flood and Erosion control
3. Site Condition
4. **Habitat Diversity:** High habitat diversity
5. **Special Features:** Presence of Species at Risk plants
6. **Representation:** Mature upland forests rare in Fort Erie
7. Socio-economic Value

Recommendations for your Site:

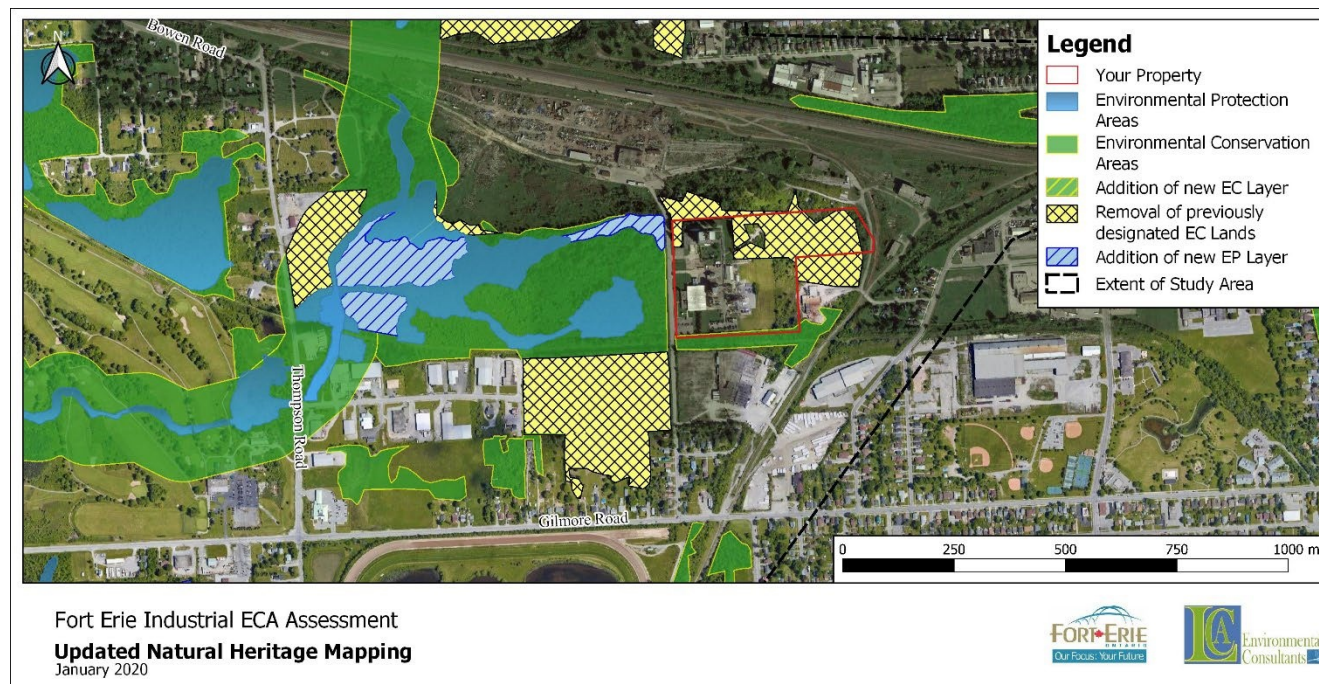
Removal of EC designation from areas which are currently developed. Maintain 30m buffer from adjacent PSW.

Rationale:

Five of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). A large portion of the site has already been developed for industrial purposes.

Address: 100 Dunlop Street

The following map shows the recommended changes made to the Town's natural heritage mapping at 100 Dunlop Street. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

- | | |
|---|---|
| 1. Designated Environmental Areas: | Presence of the Frenchman's Creek PSW |
| 2. Hydrological Importance: | Flood and Erosion control |
| 3. Site Condition | |
| 4. Habitat Diversity: | High habitat diversity |
| 5. Special Features: | Presence of Species at Risk plants |
| 6. Representation: | Mature upland forests rare in Fort Erie |
| 7. Socio-economic Value | |

Recommendations for your Site:

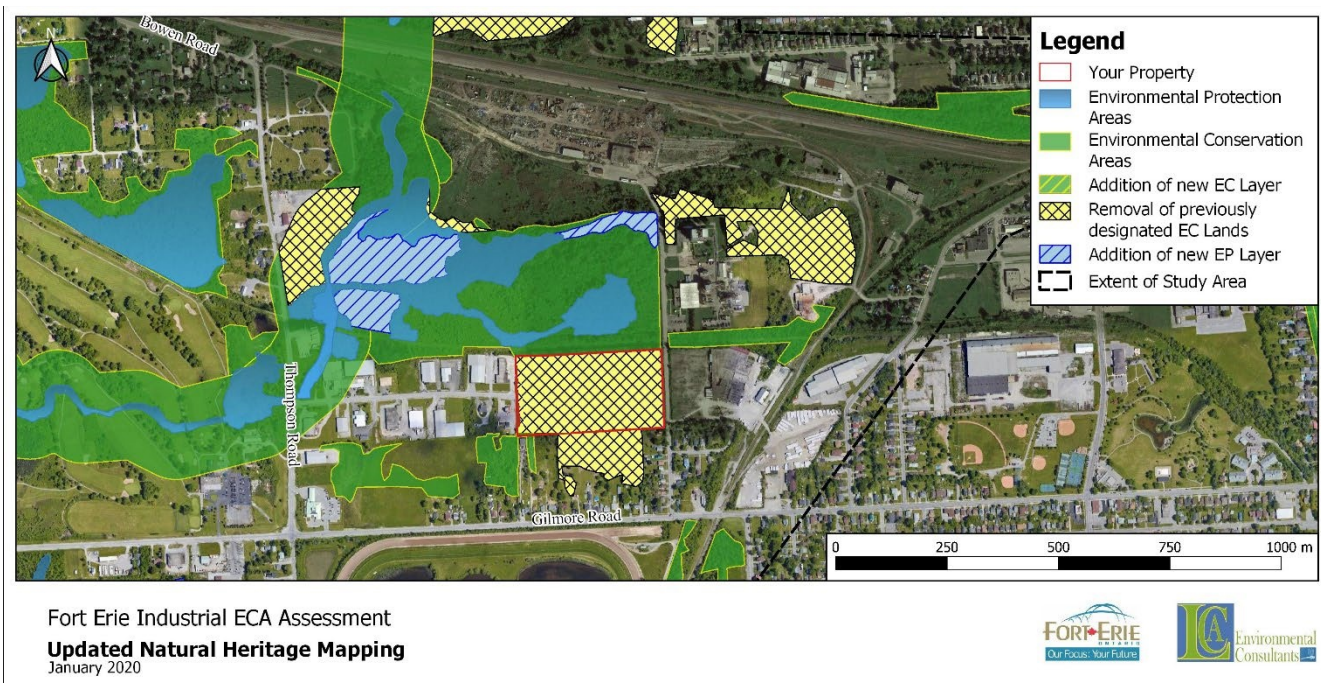
Removal of EC designations from property.

Rationale:

Five of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). There property is highly disturbed with poor quality habitat and little wildlife movement observed through the property. The natural areas on the site do not contribute to the significance of the overall natural area.

Address: 100 Dunlop Street

The following map shows the recommended changes made to the Town's natural heritage mapping at 100 Dunlop Street. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Frenchman's Creek PSW
2. **Hydrological Importance:** Flood and Erosion control
3. Site Condition
4. **Habitat Diversity:** High habitat diversity
5. **Representation:** Mature upland forests rare in Fort Erie
6. Socio-economic Value

Recommendations for your Site:

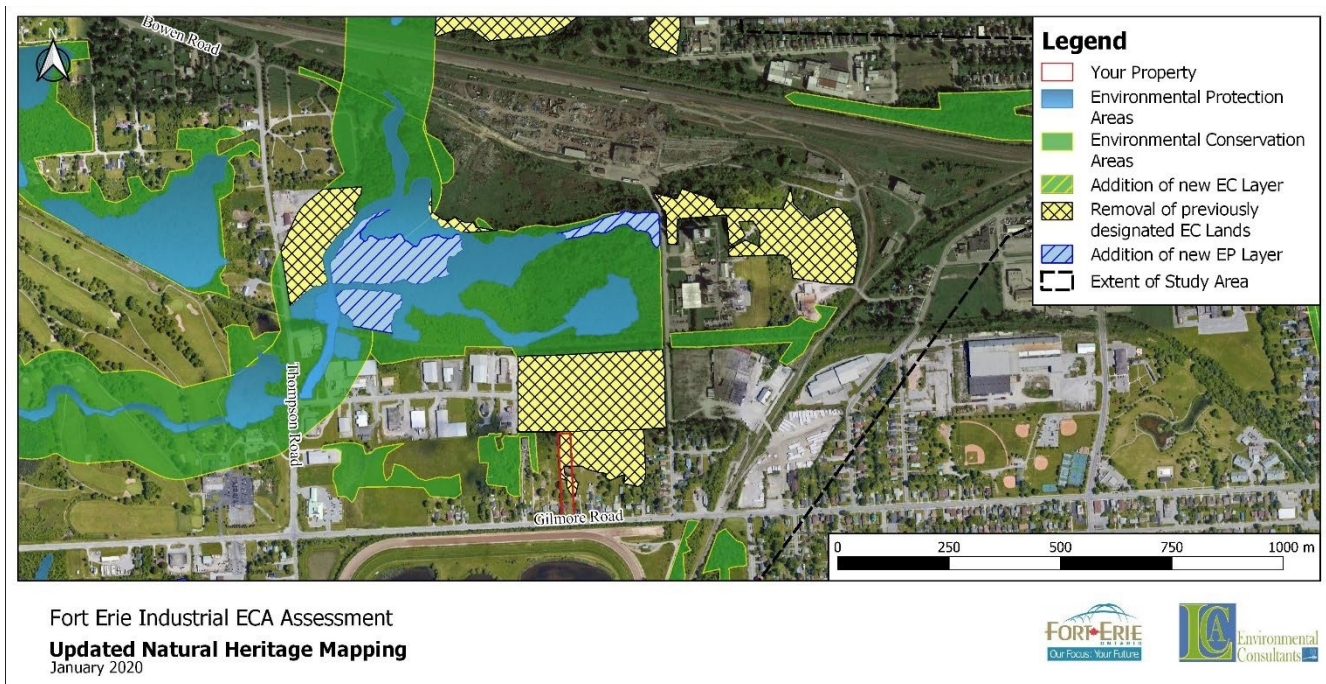
Removal of EC designations from all of property.

Rationale:

Five of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). There property is highly disturbed with poor quality habitat and a high proportion of non-native species.

Address: 444 Gilmore Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 444 Gilmore Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Frenchman's Creek PSW
2. **Hydrological Importance:** Flood and Erosion control
3. Site Condition
4. **Habitat Diversity:** High habitat diversity
5. **Special Features:** Presence of Species at Risk plants
6. **Representation:** Mature upland forests rare in Fort Erie
7. Socio-economic Value

Recommendations for your Site:

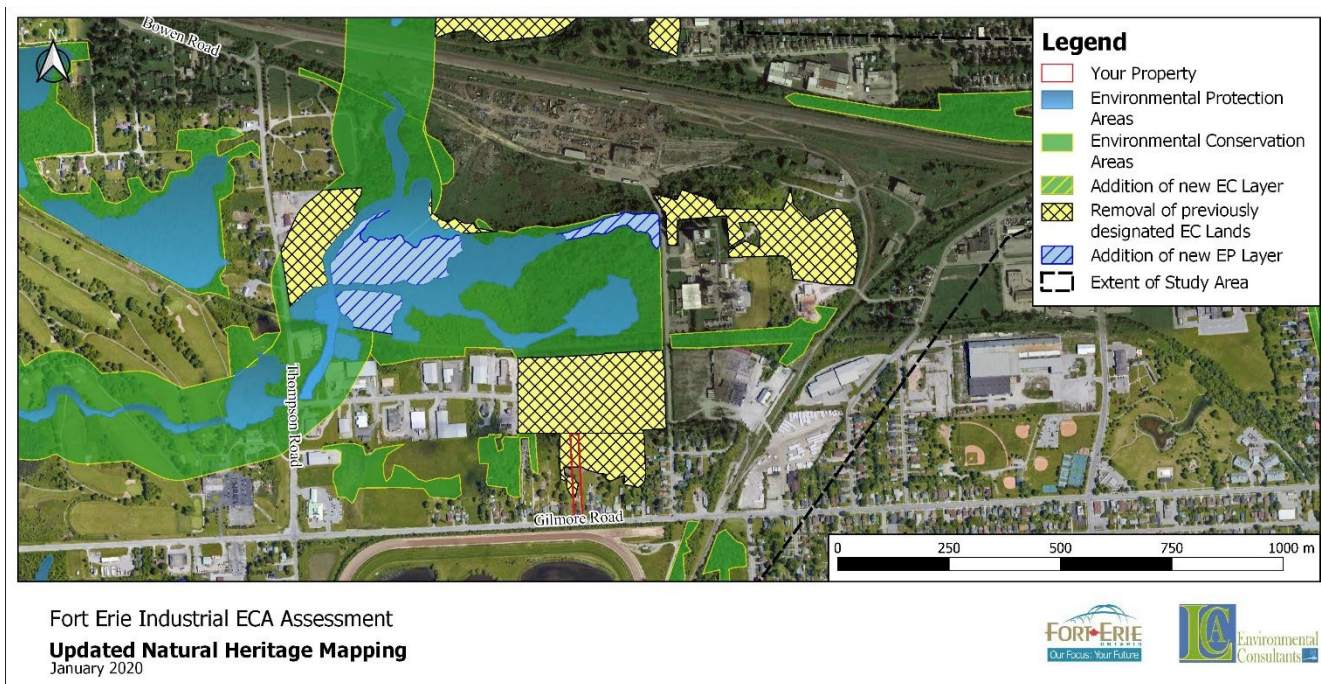
Removal of EC designations from property.

Rationale:

Five of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). There property is highly disturbed with poor quality habitat. The natural areas on the property do not contribute to the significance of the overall natural area.

Address: 440 Gilmore Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 440 Gilmore Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Frenchman's Creek PSW
2. **Hydrological Importance:** Flood and Erosion control
3. Site Condition
4. **Habitat Diversity:** High habitat diversity
5. **Special Features:** Presence of Species at Risk plants
6. **Representation:** Mature upland forests rare in Fort Erie
7. Socio-economic Value

Recommendations for your Site:

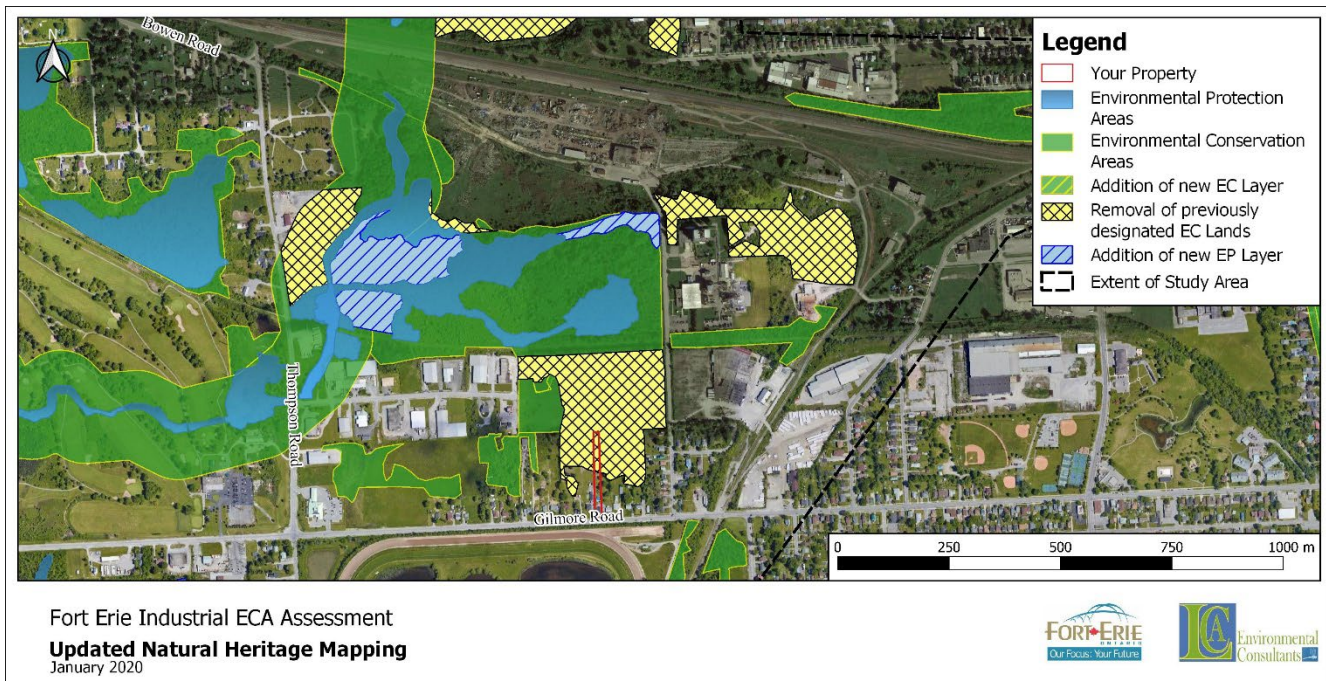
Removal of EC designations from property.

Rationale:

Five of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). There property is highly disturbed with poor quality habitat. The natural areas on the property do not contribute to the significance of the overall natural area.

Address: 418 Gilmore Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 418 Gilmore Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Frenchman's Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Frenchman's Creek PSW
2. **Hydrological Importance:** Flood and Erosion control
3. Site Condition
4. **Habitat Diversity:** High habitat diversity
5. **Special Features:** Presence of Species at Risk plants
6. **Representation:** Mature upland forests rare in Fort Erie
7. Socio-economic Value

Recommendations for your Site:

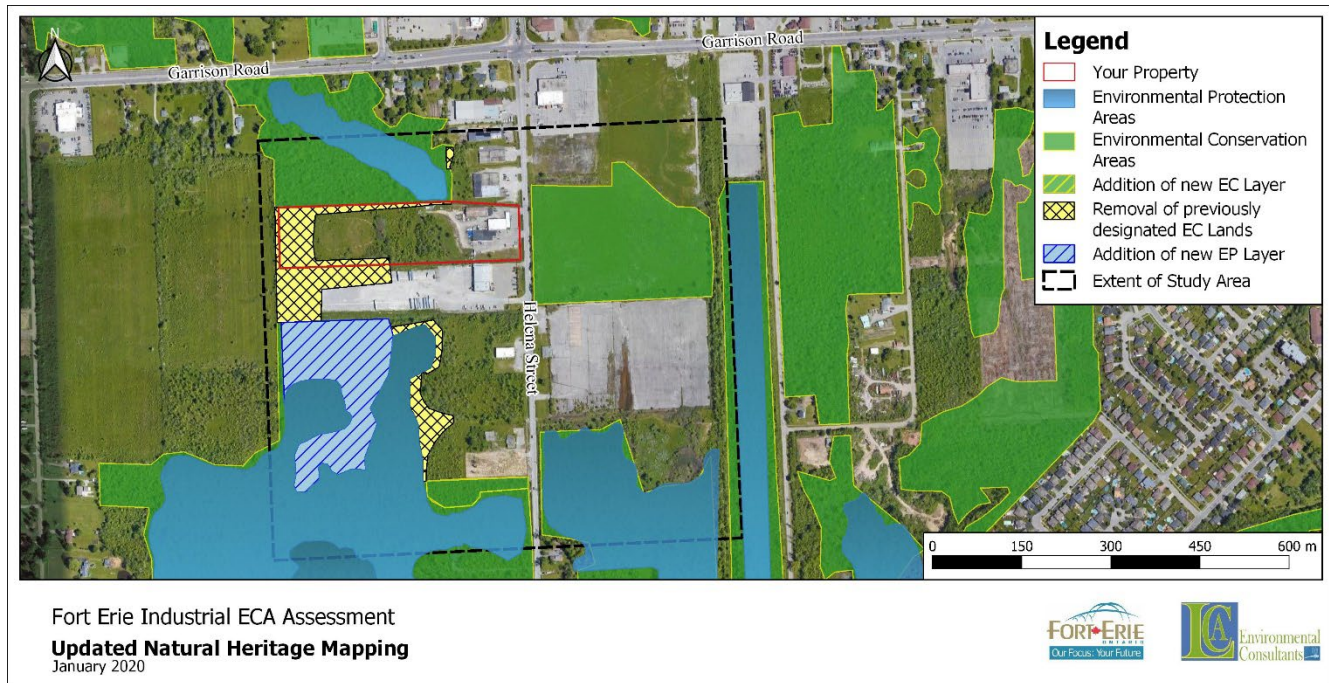
Removal of EC designations from property.

Rationale:

Five of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). There property is highly disturbed with poor quality habitat. The natural areas on the property do not contribute to the significance of the overall natural area.

Address: 967 Helena Street

The following map shows the recommended changes made to the Town's natural heritage mapping at 967 Helena Street. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Kraft Drain Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Kraft Drain PSW on adjacent land
2. **Hydrological Importance:** Flood Control
3. Site Condition
4. Habitat Diversity
5. Special Features
6. Representation
7. Socio-economic Value

Recommendations for your Site:

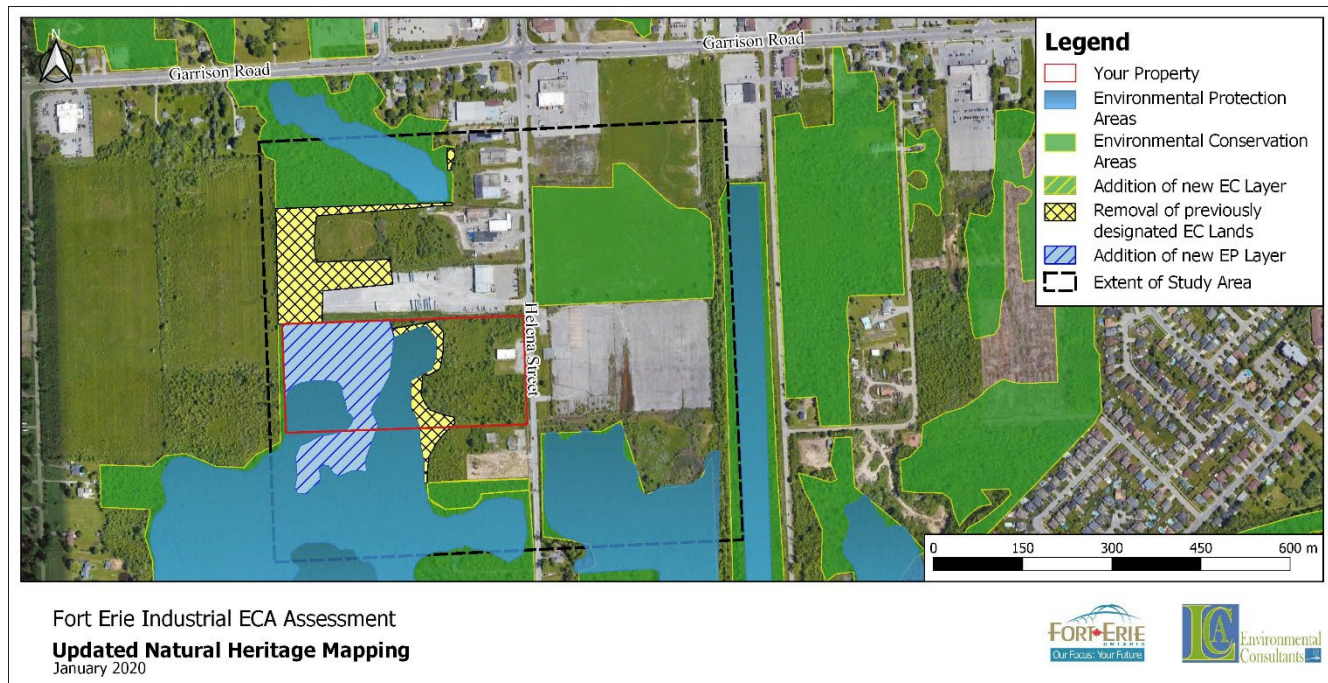
Removal of EC designations from property.

Rationale:

Two of above criteria were fulfilled and the area qualified as a Locally Significant Natural Area (LSNA). There property is highly disturbed with poor quality habitat. The natural areas on the property do not contribute to the significance of the overall natural area.

Address: 893 Helena Street

The following map shows the recommended changes made to the Town's natural heritage mapping at 893 Helena Street. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Kraft Drain Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Kraft Drain PSW on adjacent land
2. **Hydrological Importance:** Flood Control
3. Site Condition
4. Habitat Diversity
5. Special Features
6. Representation
7. Socio-economic Value

Recommendations for your Site:

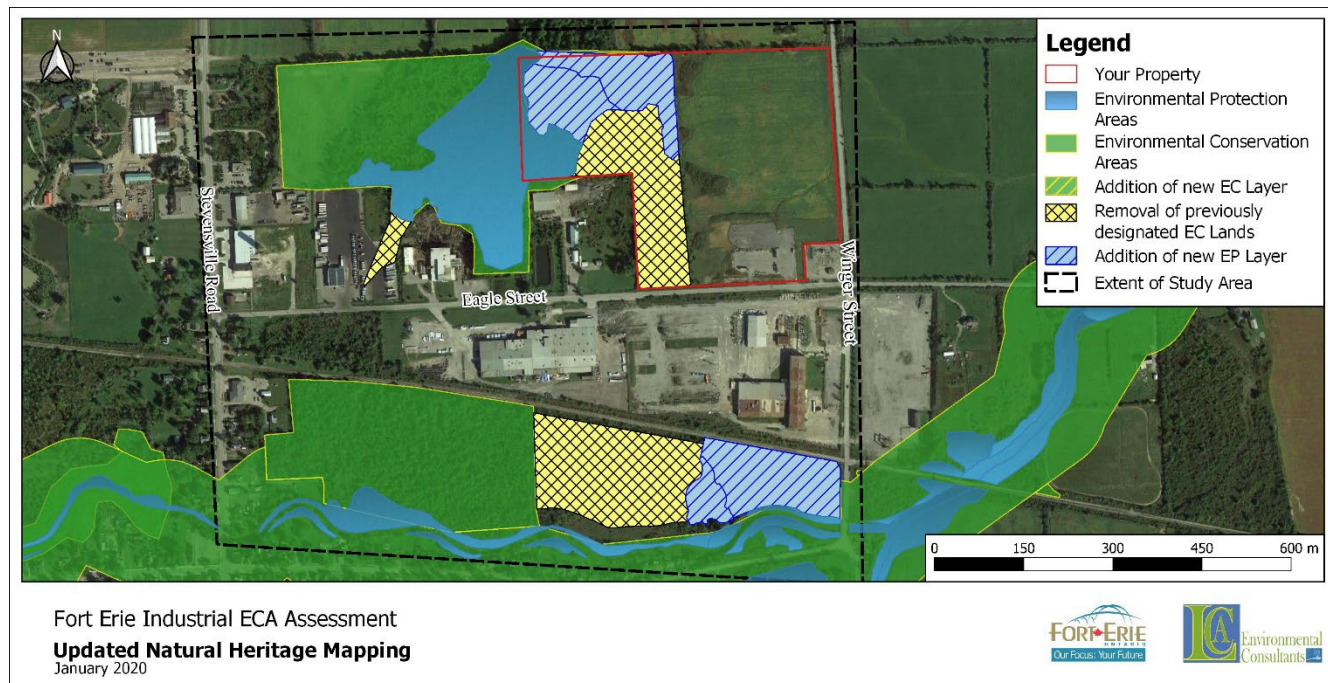
Upgrade EC designation to Environmental Protection (EP) on west side of property. Maintain 30m minimum buffer from PSW. Removal of existing EC designations immediately adjacent to PSW.

Rationale:

Two of the seven criteria for significance were fulfilled and the area is not identified as LSNA. The west side of the property contains additional unevaluated wetland habitat and contributes to the hydrology of the PSW. The east side of the property was not considered significant.

Address: 0 Winger Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 0 Winger Road . These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Black Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Black Creek PSW
2. **Hydrological Importance:** Flood Control
3. **Site Condition:** Some areas in good condition
4. Habitat Diversity
5. **Special Features:** Presence provincially rare vegetation communities
6. **Representation:** Example of swamp habitat with high proportion of native species
7. Socio-economic Value

Recommendations for your Site:

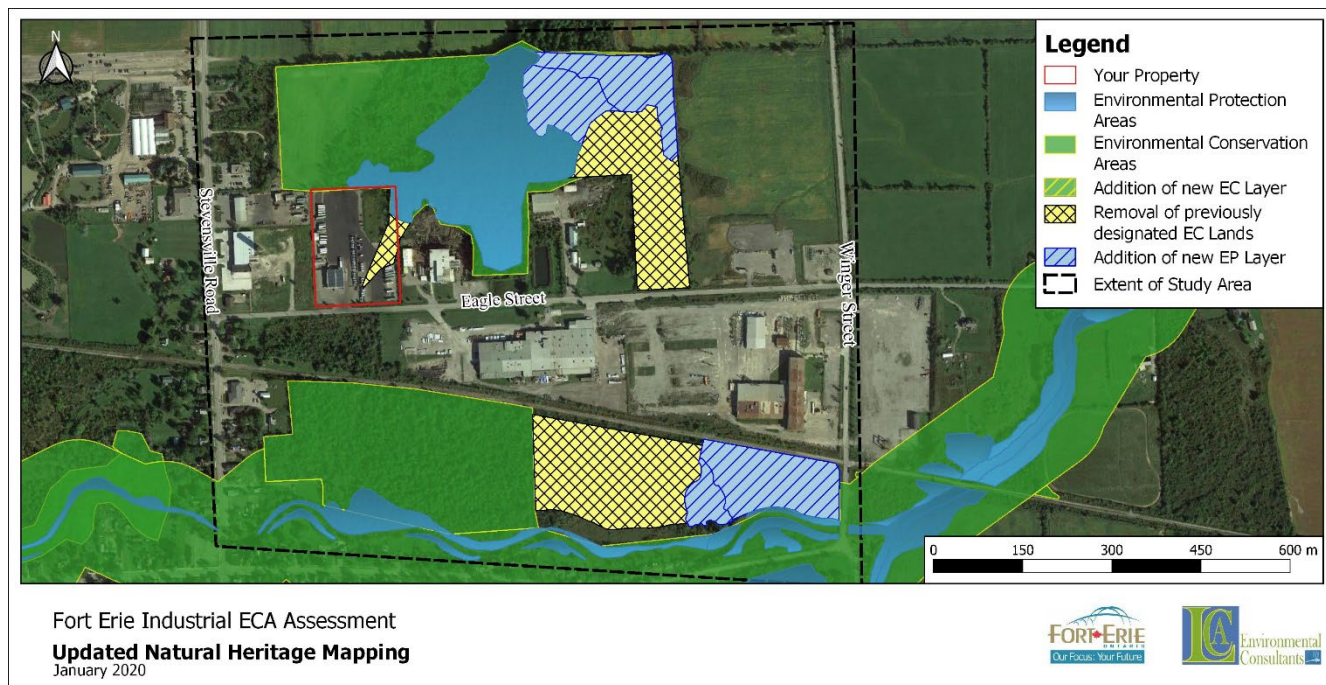
Upgrade existing EC designated area in northwest corner of property to Environmental Protection (EP) designation. Remove remaining EC designated areas.

Rationale:

The northwest corner of the property contains unevaluated wetlands which provide diversity in habitat and contribute to the hydrologic importance of the site. The remaining southern portion of the woodlot has experienced a greater degree of disturbance and does not contain any significant features or functions.

Address: 3650 Eagle Street

The following map shows the recommended changes made to the Town's natural heritage mapping at 3650 Eagle Street. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Black Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Black Creek PSW
2. **Hydrological Importance:** Flood Control
3. **Site Condition:** Some areas in good condition
4. Habitat Diversity
5. **Special Features:** Presence provincially rare vegetation communities
6. **Representation:** Example of swamp habitat with high proportion of native species
7. Socio-economic Value

Recommendations for your Site:

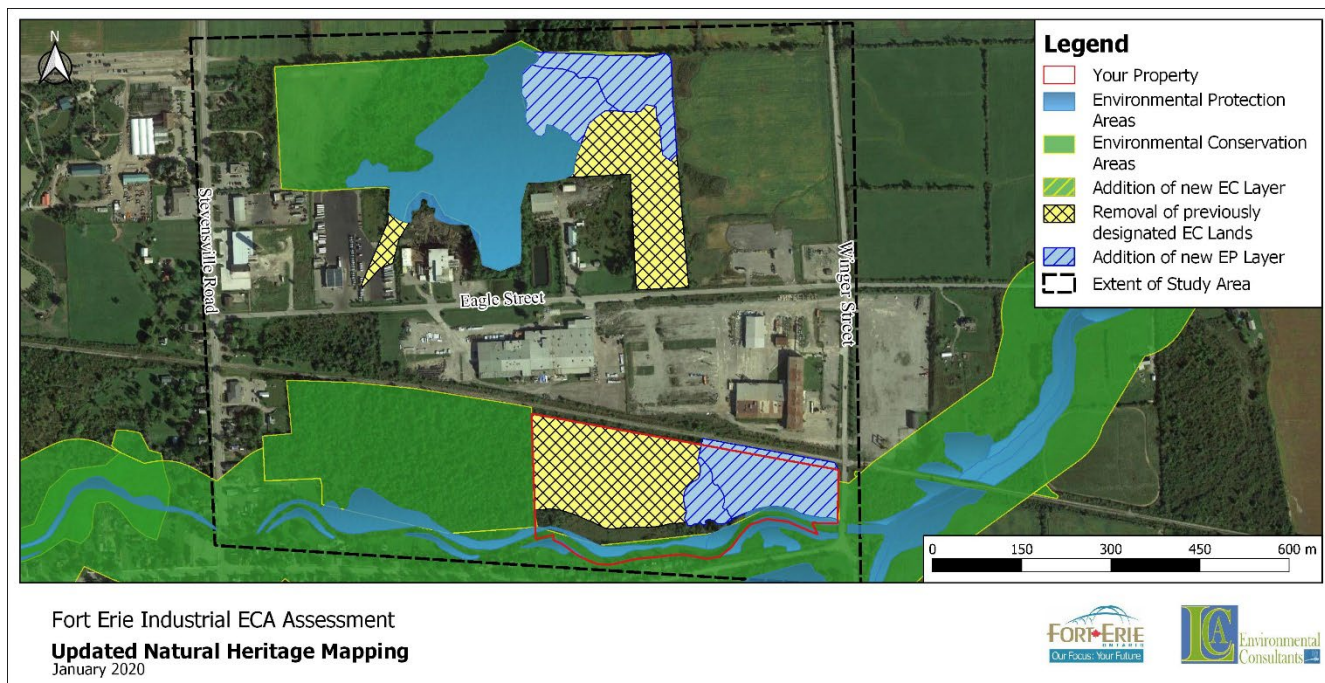
Removal of EC designation from property and maintain 30m minimum buffer from PSW on adjacent land.

Rationale:

The existing EC designated area on the property exists is located in an area which is currently developed or disturbed. Your property does not contribute to the significance of the overall area.

Address: 0 Winger Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 0 Winger Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your property:

- Black Creek Provincially Significant Wetland (PSW)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your site contains portions of a natural area which meets the following criteria:

1. **Designated Environmental Areas:** Presence of the Black Creek PSW
2. **Hydrological Importance:** Flood and Erosion Control
3. Site Condition:
4. Habitat Diversity
5. **Special Features:** Significant wildlife habitat (SWH), significant plant species
6. Representation:
7. Socio-economic Value

Recommendations for your Site:

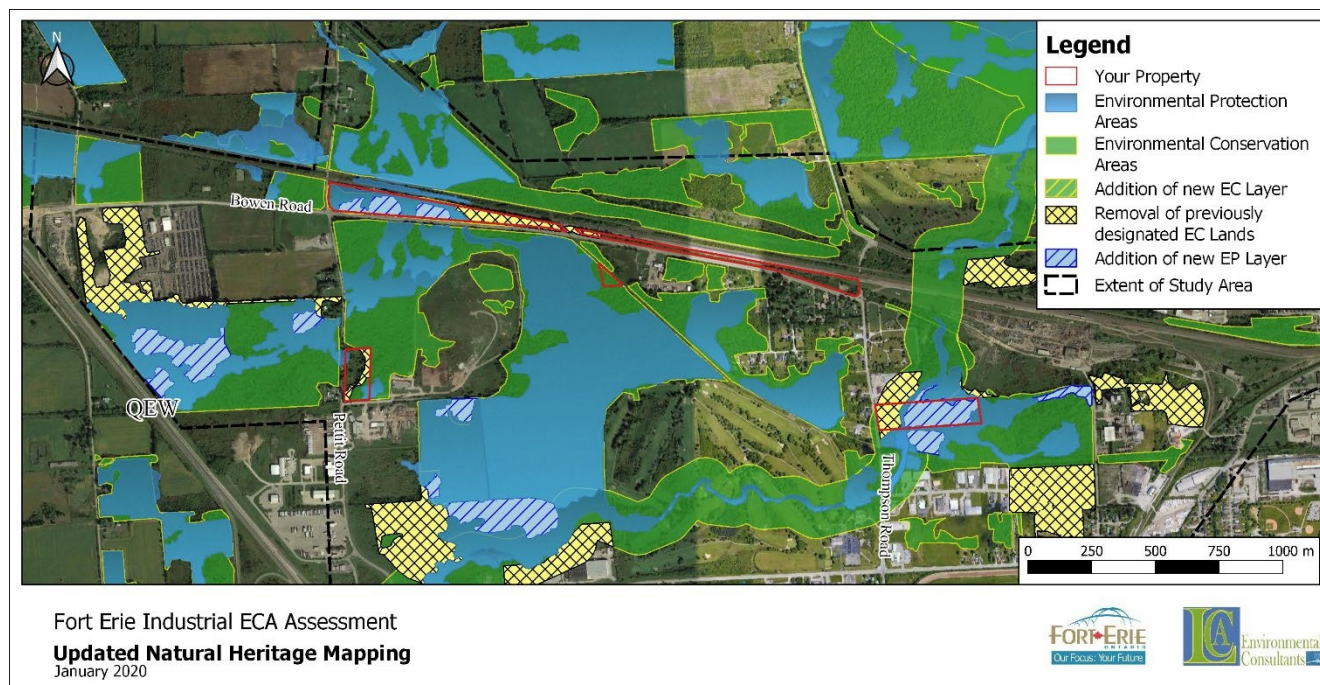
Upgrade existing EC designated area on east side of property to Environmental Protection (EP) designation. Remove remaining EC designated areas on west side of property.

Rationale:

Field studies confirmed the east side of the property contains provincially Significant Wildlife Habitat for Bird Breeding Activity. In the centre of the property, an unevaluated wetland was identified, which is hydrologically connected and therefore included in the Black Creek PSW. The west side of the property contained a high proportion of non-native species and was not found to be significant.

Address: 0 Bowen Road

The following map shows the recommended changes made to the Town's natural heritage mapping at 0 Bowen Road. These changes were approved by Town Council on December 2, 2019.



Existing Natural Heritage features on or in proximity to your properties:

- Miller Creek and Frenchman's Creek Provincially Significant Wetlands (PSWs)
- Regionally Significant Woodlands that are larger than 2 hectares
- Locally Significant Natural Area (LSNA) (NAI, Dougan et al., 2003)

Natural areas were assessed against the seven Natural Areas Designation Criteria as identified in the Town of Fort Erie Official Plan Appendix D. Your sites contain portions of natural areas which fulfill some or all of the following criteria:

1. **Designated Environmental Areas:** Presence of the Black Creek PSW
2. **Hydrological Importance:** Flood and Erosion Control
3. **Site Condition:** Some areas in good condition
4. **Habitat Diversity**
5. **Special Features:** Presence provincially rare vegetation communities
6. **Representation:** Example of swamp habitat with high proportion of native species
7. **Socio-economic Value**

Recommendations for your Sites:

Upgrade existing EC designated area to Environmental Protection (EP) designation on west side of Bowen Road property and the east side of Thompson Road property. Remove remaining EC designated areas from all properties except ARN: 270302002702300.

Rationale:

Field studies confirmed presence of Significant Wildlife Habitat for Turtle Nesting Activity on the Thompson Road Site. Additionally, the areas upgraded to EP contribute to the hydrology of adjacent wetlands. The areas identified for EC designation removal include areas which are currently developed or which have a high degree of disturbance and low quality habitat.



NOTICE OF PUBLIC MEETING

Official Plan Amendment - Housekeeping

DATE: December 7, 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 Lindsay Richardson, Senior Community Planner (lrichardson@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 Lindsay Richardson, Senior Community Planner (lrichardson@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 or click on the YouTube icon on the home page of the Town's website (www.forterie.ca).

LOCATION OF SUBJECT LANDS

The lands, which are the subject of the policy change are lands designated as Agricultural or Rural in the Official Plan.

The lands, which are the subject of the mapping changes in this amendment, are located at:

0-13486 Bowen Road	1557 Bowen Road	2005 Pettit Road
2021 Pettit Road	0-13571 Bowen Road	0-13570 Bowen Road
1886 Pettit Road	1800 Thompson Road	0-14219 Winger Road
3650 Eagle Street	0-14219 Winger Road	893 Helena Street
967 Helena Street	418 Gilmore Road	440 Gilmore Road
444 Gilmore Road	0-13123 Dunlop Street	100 Dunlop Street
0-2484 Dunlop Street	1818 Thompson Road	0-2394 Dunlop Street
425 Phipps Street	1130 Bertie Street	0-13130 Thompson Road
1011 Gilmore Road	0-13366 Pettit Road	0-13371 Pettit Road
1979 Pettit Road	1100 Gilmore Road	0-13479 Sunset Drive

PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to include Value Added agricultural uses as part of the secondary agricultural uses section of the Official Plan and to update Appendix A: Glossary of Terms to include a definition of Value Added. This will improve and clarify existing policies around secondary agricultural uses.

In addition to this policy change, the Amendment will align certain site specific environmental conservation and environmental protection designations with recently approved mapping done as part of the Town's Environmental Conservation Area Assessment Report, 2019.

**HAVE
YOUR
SAY**

GETTING MORE INFORMATION

Input on the 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 **December 3rd, 2020**. The information report will be available in the Council agenda portion of the Town's Web Site: www.forterie.ca or by contacting Lindsay Richardson, Senior Community Planner.

CONTACT INFORMATION

Lindsay Richardson, MCIP, RPP, Senior Community Planner
Planning and Development Services Department
Town Hall, 1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6
905-871-1600 ext. 2504

Or by e-mailing your comments to: lrichardson@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 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

PLANNING ACT LEGAL NOTICE REQUIREMENTS

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.

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.

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.

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 cschofield@forterie.ca



6. Public Meetings

(a) Town's Proposed Official Plan Housekeeping Amendment

Re: Amendment to Include Value-Added Agricultural Uses as Part of the Secondary Agricultural Uses Section of the Official Plan and to update Appendix A: Glossary of Terms to include a definition of Value Added to improve and clarify existing policies around Secondary Agricultural Uses.

Mayor Redekop announced that this portion of the meeting would be devoted to the holding of the Public Meeting.

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

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

Ms. Richardson confirmed the statutory requirements for the Public Meeting were met, summarized the purpose of the Application, and public comments received.

Mayor Redekop enquired whether the Clerk received any comments subsequent to the posting of the Report, to be read into the Minutes. The Clerk advised that she did not.

(a) Chris Knutt, 3584 Hill Street, Stevensville

Mr. Knutt stated that he is in favour of the Application and thanked the Town staff for their work. Mr. Knutt advised that 89 venues in Ontario have barn weddings, with the closest being in Port Colborne (By-law 65-75) and the Town of Caledonia having a comprehensive by-law. Mr. Knutt stated that he is happy to see the Town of Fort Erie moving forward with agro-tourism. Mr. Knutt added that there is agricultural land within Fort Erie that is not of much use; this Application creates potential new uses for land and buildings that would otherwise deteriorate. Mr. Knutt advised that Port Colborne exempts zoning changes of this nature from development charges, and he would also like to see Fort Erie do the same as the buildings already exist and it's simply changing the use.

(b) Bruce Ricard, 2391 Sider Road, Stevensville

Mr. Ricard stated that he owns an old barn constructed in 1865 and has promoted heritage protection and the history in the area. Mr. Ricard stated that he does not want to see old barns demolished. Mr. Ricard advised that he is pleased with the work that has been done by the Town and supports the Application.

Mayor Redekop enquired if any members of the public wished to speak in opposition to the Application, or wished to ask questions.

No members of the public came forward.

Mayor Redekop declared the Public Meeting closed.



Re: Housekeeping Official Plan Amendment - Comments Requested 📎

Aaron Butler to: Lindsay Richardson

10/17/2020 10:39 AM

From: Aaron Butler/FortErie
To: Lindsay Richardson/FortErie@TownOfFortErie

Hi Lindsay,

I've reviewed and don't have any other comments at this time.

Aaron

Aaron Butler, MCIP, RPP

Manager, Development Approvals

The Corporation of the Town of Fort Erie | Planning and Development Services

1 Municipal Centre Drive, Fort Erie, Ontario L2A 2S6

T: 905-871-1600 x 2502 | F: 905-871-6411





RE: [External] Town of Fort Erie - Housekeeping Official Plan Amendment.
Municipal Planning to: Lindsay Richardson 09/22/2020 10:01 AM
From: "Municipal Planning" <MunicipalPlanning@enbridge.com>
To: "Lindsay Richardson" <L.Richardson@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.

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.



Re: Housekeeping Official Plan Amendment - Comments Requested 📎

Ed Melanson to: Lindsay Richardson

10/04/2020 02:54 PM

Cc: Aaron Butler, Caralee Grummett, Keegan Gennings, Kelly Walsh

From: Ed Melanson/FortErie

To: Lindsay Richardson/FortErie@TownOfFortErie

Cc: Aaron Butler/FortErie@TownOfFortErie, Caralee Grummett/FortErie@TownOfFortErie, Keegan Gennings/FortErie@TownOfFortErie, Kelly Walsh/FortErie@TownOfFortErie

Good afternoon Lindsay,

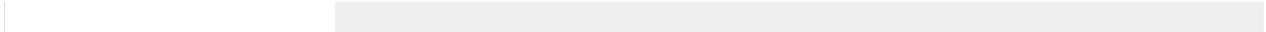
I have reviewed the amendments and have no comments at this time.



Ed Melanson
Fire Chief / CEMC

Office: (905) 871-1600 ext. 2600

Cell: (905) 329-7255





Re: Housekeeping Official Plan Amendment - Comments Requested 📎

Kelly Walsh to: Lindsay Richardson

09/29/2020 11:44 AM

From: Kelly Walsh/FortErie
To: Lindsay Richardson/FortErie@TownOfFortErie

What about this land? I don't see anything covering the recommendations on 410-ish Gilmore - lands east of 418 Gilmore

0 Winger - with the removal of the EC at the west of the property, how does the owner access through the new EP layer? Can a corridor be created parallel to RR?

no other comments

Kelly M. Walsh, P. Eng.

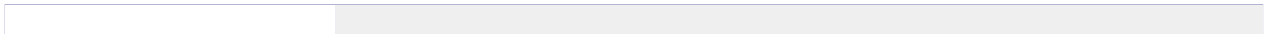
Director, Infrastructure Services

The Corporation of the Town of Fort Erie

1 Municipal Centre Drive | Fort Erie, ON | L2A 2S6

W: 905-871-1600 ext. 2400

Please consider the environment before printing this email



Planning and Development Services

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

March 3, 2021

File No.: D.10.01.OPA-20-0027

Lindsay Richardson, MCIP, RPP
Senior Community Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Ms. Richardson:

**Re: Regional and Provincial Comments
Town Initiated Official Plan Amendment (OPA No. 48)
Proposed Value Added Provisions & Environmental Mapping Revisions
Town of Fort Erie**

Regional Planning and Development Services staff has reviewed the information circulated for the above-noted Official Plan amendment. The amendment proposes to include Value Added agricultural uses as part of the secondary agricultural uses section of the Town's Official Plan and to update Appendix A: Glossary of Terms to include a definition of Value Added. The Town notes that this will improve and clarify existing policies around secondary agricultural uses. In addition to this policy change, the Amendment will align certain site specific environmental conservation and environmental protection designation map layers with recently approved mapping completed as part of the Town's Environmental Conservation Assessment Report, 2019. Staff notes that this is a Town initiated proposal, and that a pre-consultation meeting was not held to discuss this Amendment; however, Region and Town staff have been in continuous correspondence since the Amendment was circulated for review and commenting. The following Provincial and Regional comments are provided to assist the Town in considering this application.

Provincial and Regional Policies

Value Added Uses

The proposed policy change regarding the addition of Value Added Agricultural Uses apply to all lands designated as Agricultural according to the Town's Official Plan. Provincial and Regional policies permit for agricultural, agriculture-related and on-farm

diversified uses in the agricultural areas. A “Value Added” use can be classified as an on-farm diversified use based on Provincial definitions.

The amendment proposes allowing Value Added uses secondary (as accessory and subordinate) to the principle agricultural use(s). The drafted Value Added definition separates these uses into three categories: production uses, marketing uses, and support uses. These categories delineate the type of Value Added use, ranging from wineries and canneries, agri-tourism uses, and machinery repairs, and can all be considered as on-farm diversified uses. Regional staff notes that the definitions proposed directly align with those in the Regional Official Plan; however, Town staff may wish to utilize updated Provincial terminology for “on-farm diversified uses” to capture value added uses at a broader scale. The 2020 Provincial Policy Statement defines on-farm diversified uses as:

“Uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.”

This definition includes value added uses, in alignment with the intent of the Town’s Official Plan Amendment and Provincial and Regional policies.

Natural Heritage

Site Specific Amendments

The Official Plan Amendment proposes mapping changes to include additional Environmental Protection layers, additional Environmental Conservation layers and the removal of some Environmental Conservation and Environmental Protection layers where appropriate. The proposed changes to the Environmental Conservation Area and Environmental Protection Area designations have been supported by extensive assessments and evaluation of lands within the Town’s Industrial District between 2018 and 2019. The assessments were based on a Terms of Reference reviewed and approved by the Region of Niagara. As such, the Region is satisfied that the proposed mapping changes have been based on current field data and with regard to the current provincial, regional, and municipal natural heritage policies.

Regional staff are satisfied that the proposed amendment accurately identifies Environmental Protection Areas and Environmental Conservation Areas based on the site specific studies documented in the Fort Erie Industrial District – Environmental Conservation Land Assessment (LCA Environmental, November 2019). In addition, the Region has no objection to the proposed site specific policy areas to identify where additional environmental work will be required to support future development and site alteration. Regional staff recommend a Holding (H) provision be utilized to ensure this environmental work is completed.

March 3, 2021

Conclusion

Regional Planning and Development Services staff offers no objection to Town-initiated Official Plan Amendment 48 to address Value Added agricultural uses and site specific environmental conservation and protection designation mapping. Regional staff welcomes additional opportunities to discuss the amendment with Town staff, as necessary, and recommends that a Holding (H) provision be utilized for the site specific policy areas to ensure necessary environmental work is completed.

The proposed Official Plan Amendment is exempt from Regional Council approval, in accordance with policies 14.E.6 and 14.E.7 of the Regional Official Plan and the Memorandum of Understanding.

Should you have any questions or wish to discuss these comments, please contact the undersigned at aimee.alderman@niagararegion.ca, or Lola Emberson, MCIP, RPP, Senior Development Planner at lola.emberson@niagararegion.ca.

Please send a copy of the staff report and notice of the Town's decision on this application.

Best regards,



Aimee Alderman, MCIP, RPP
Development Planner

cc: Ms. L. Emberson, MCIP, RPP, Senior Development Planner, Niagara Region
Ms. C. Lampman, Manager, Environmental Planning, Niagara Region

**OP Housekeeping****Anamika Dilwaria** to: Kira Dolch, Lindsay Richardson

03/11/2021 08:24 AM

From: Anamika Dilwaria/FortErie
To: Kira Dolch/FortErie@TownOfFortErie, Lindsay Richardson/FortErie@TownOfFortErie

Hi Kira and Lindsay,

Just wanted to let you both know that EAC has no further comments or concerns with the OP Housekeeping amendment. Some members even appreciated that the consultant and staff have done a good job based on the complexity and scope of the study. Great job Lindsay :)

Members only comments were a) Town should try to ensure that the natural heritage linkages be maintained. b) Wetland mapping does not take into account climate changes -Town's should have policies regarding climate change. Nothing related to OP amendment though in my mind.

Thanks
Anamika

January 14, 2021



Town of Fort Erie
Planning and Development Services
Town Hall
1 Municipal Centre Drive
Fort Erie, Ontario
L2A 2S6
Via email: LRichardson@forterie.ca

Attention: Lindsay Richardson, MCIP, RPP
Senior Community Planner

Comments on Proposed Official Plan and Zoning By-law Amendment

Dear Ms. Richardson,

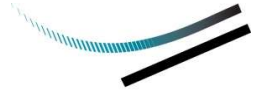
Dillon Consulting Limited (Dillon) is providing environmental consulting services to our client, CNOOC International, related to their property located at 0 Dunlop Street ("the site") in Fort Erie, Ontario. We understand the Town of Fort Erie (Town) is proposing to upgrade the existing Environmental Conservation (EC) designation along the northern edge of the property to Environmental Protection (EP).

From field studies undertaken by Dillon, the observations made indicate that this area in question within the northeastern corridor of the site should likely not be considered an environmental protection area.

Rationale for this designation within the Administrative Report PDS-58-2020 dated December 7, 2020 indicated the site met the following criteria: designated environmental areas, hydrological importance, habitat diversity, special features, and representation. We have included our comments and observations for each of the criteria below:

1. **Designated Environmental Areas** due to the presence of the Frenchman's Creek PSW.
 - a. Due to the presence of a historical municipal landfill within this area, the Frenchman's Creek PSW is limited to the western portion of the CNOOC property. The northeastern corridor in question is highly disturbed with a manmade tributary that loosely connects to the Frenchman's Creek Watershed tributary on the western portion of the CNOOC property. This ditch was infilled with a majority of clay soils, reducing the amount of water that flows into the area and is often dry (as most recently observed in late summer and fall 2020 by Dillon field staff).
2. **Hydrological importance** for flood and erosion control.

130 Dufferin Avenue
Suite 1400
London, Ontario
Canada
N6A 5R2
Mail: Box 426
London, Ontario
Canada
N6A 4W7
Telephone
519.438.6192
Fax
519. 672.8209



- a. The current flood control in the area is the manmade tributary. The area has been infilled with clay type soils and the water table has been noted to be well below grade in the area with water level measurements in the area to be below 1.5 meters below ground surface (mbgs) in spring 2019, 2 mbgs in summer 2019 and 4 mbgs in fall 2020.
3. **Habitat Diversity** due to the presence of high habitat diversity.
 - a. During site visits Dillon field staff noted invasive species within this area, highly dominated by buckthorn, as well as numerous observations of high disturbance of the area from the presence of human-sourced objects and trash.
4. **Special features** from the presence of species at risk plants.
 - a. During site visits Dillon field staff did not find evidence of species at risk plants within the CNOOC property. If the data used to determine this could be shared that would be appreciated.
5. **Representation** with the presence of mature upland forests that are rare in Fort Erie.
 - a. A mature upland forest would not exist in a wetland. An observation was noted of a large pin oak (a potential wetland indicator species); however, the overall size of this specimen suggests that it is very deeply rooted and that wetland conditions around it do not exist.

In summary, through field assessments Dillon classified the area as thicket with invasive species such as buckthorn present. This contradicts the classification in Figure 5 from the 2018-2019 ECA Assessment that indicates the area in question to be swamp land. Dillon conducted site assessments in 2019 and 2020 and found that this area is highly disturbed, potentially due to the historical landfill in the area, and the water table is well below grade. As such, the area is very dry and the species found in this and surrounding area indicate it is not a wetland/swamp area.

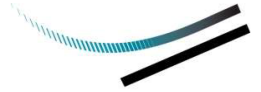
The Town has noted that one of the reasons for the proposed change is due to the presence of Frenchman's Creek Provincially Significant Wetland. CNOOC International is currently engaged in discussions with the Ministry of Natural Resources and Forestry (MNRF) regarding the wetland's designation and mapped boundaries. We anticipate that the wetland boundaries are likely to change based on these discussions and a recently completed wetland evaluation completed in accordance with the Ontario Wetland Evaluation System by Dillon. We therefore request on behalf of CNOOC International, that the Town hold off on the proposed zoning by-law amendment as pertains to this property until the wetland boundaries have been established or confirmed by MNRF.

We would also like the opportunity to review the relevant documentation relating to studies recently undertaken by the Town of Fort Erie describing or pertaining to

Town of Fort Erie

Page 3

January 14, 2021



potential issues of environmental significance at the 0 Dunlop Street property, specifically pertaining to data related to 'Site 37' from the field work done in the 'East Thompson' area that LCA conducted in 2018 and 2019, and may have further comments to provide pending our review of that information.

Thank you for your consideration on this matter.

Yours sincerely,

DILLON CONSULTING LIMITED

Rachel Bryan, P.Eng.
Project Manager

Brent Loney, M.Sc., P.Geo.
Partner

LO:kp

cc: Greg Denham, B.Sc., P.Ag., CNOOC International

Our file: 18-7861