

# **The Municipal Corporation of the Town of Fort Erie**

## **By-law No. 143-2021**

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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. 56 Crystal Beach Secondary Plan**

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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.56 to the Official Plan for the Town of Fort Erie consisting of the attached explanatory text and maps designated as Schedules Crystal Beach -1, Crystal Beach -2, Crystal Beach -3, Crystal Beach -4, Crystal Beach -5, Crystal Beach -6 is approved and adopted.
- 2. 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 November, 2021.**

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Mayor

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Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true certified copy of By-law No. 143-2021 of the said Town. Given under my hand and the seal of the said Corporation, this day of \_\_\_\_\_, 2021

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**AMENDMENT NO. 56  
TO THE OFFICIAL PLAN  
FOR THE CORPORATION  
OF THE TOWN OF FORT ERIE**

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## **PART "A"**

### **THE PREAMBLE**

## **PART "A" - THE PREAMBLE**

### **SECTION 1 TITLE AND COMPONENTS**

This document, when approved in accordance with Sections 17 and 21 of *The Planning Act*, R.S.O. 1990, c. P.13, shall be known as Amendment No. 56 to the Official Plan of the Town of Fort Erie.

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

**Part "B"**, the Amendment, consisting of the texts and policies of Part "B", together with the following mapping schedules, constitute Amendment No. 56 to the Official Plan of the Town of Fort Erie:

- Crystal Beach - 1 – Provincial Compliance;
- Crystal Beach - 2 – Land Use Plan;
- Crystal Beach - 3 - Natural Features, Natural Hazards and Fish Habitat;
- Crystal Beach - 4 – Parks and Open Space;
- Crystal Beach - 5 - Transportation Systems
- Crystal Beach - 6 – Transportation Systems - Active Transportation Network

For the purposes of the Amendment, the schedule titles are displayed using abbreviated acronyms in the texts and on the schedules, to facilitate quick reference and will be identified as "CB-1", "CB-2", "CB-3", "CB-4", "CB-5" and "CB-6" respectively.

Also, references cited such as, "the Secondary Plan", "the Plan" and the "Plan Area", all are used in reference to this amendment document, being "Official Plan Amendment No. 56 - The Crystal Beach Secondary Plan"

**Part "C"**, the Appendices, does not constitute part of this amendment. Contents of Part "C" contain background information, planning considerations and documentation of public and agency involvement associated with this amendment.

### **SECTION 2 PURPOSE OF THE AMENDMENT**

The purpose of this Official Plan Amendment is to refine and, in some cases, change the land use designation of certain lands shown on Schedule CB - 2, attached hereto under Part "B".

The Town had initiated this Secondary Plan in response to the parent policies of its Official Plan, which direct the Town to undertake more detailed land use planning at a neighbourhood level. Section 5.5 of the Town's Official Plan provides such direction and also indicates Council shall

identify the order of priority for Neighbourhood Planning exercises that will assist the Town in meeting with Provincial and Regional Growth Management requirements.

In this regard, the policies contained within this Secondary Plan reinforce provincial and regional policy directives of the Provincial Policy Statement, Places to Grow and the Region of Niagara's Official Plan. While a "Complete Community" vision is often the goal and focus of a Secondary Plan, community demographics and lifestyles can also influence decisions concerning land use, together with other more localized constraints and opportunities.

With continued growth occurring in Fort Erie at record pace, the Crystal Beach Neighbourhood will continue to attract development interest from those recognizing it as a community to invest in. The Secondary Plan aims to ensure adequate levels of form, density and commerce are provided in the most appropriate locations to ensure growth has guidance and choice over the long term.

The incremental nature of change creates opportunities for new growth, a new vitality and new residents of all socio-economic and demographic backgrounds for the Crystal Beach Neighbourhood. Intensification opportunities exist and this Plan sets out to direct such opportunity in a sensitive yet purposeful way, in effort to harmonize land use while maintaining compatibility. This Plan shall introduce appropriate policy allowing for levels of intensification in strategic areas within.

### **SECTION 3 LOCATION AND SETTING OF THE AMENDMENT**

The lands subject to this amendment cover an approximate area of 359.4 ha. (888 ac.) and has a defined boundary based on natural features and topological constraints, in addition to general limits of a bounding neighbourhood towards the north. The southerly boundary is the shoreline of Lake Erie. The westerly limit is constrained by a wetland feature and further up the westerly boundary, the limit generally aligns with late 1800 - early 1900 subdivision plans. The northerly limit follows along a height of land at Rebstock Road, Michener Road and Farr Avenue to the Ridgeway Road intersection, being the high point in the Plan Area, before turning south to the unimproved Thunder Bay Road Allowance and east along it to Prospect Point Road South. The easterly limit is a shared boundary with the Ridgeway-Thunder Bay Secondary Plan and runs the full length along Prospect Point Road South back to Lake Erie. The boundary is characterized as being irregular in shape but contains a very strongly assigned north-south and east-west road grid pattern that optimizes travel throughout the neighbourhood and reflects the signature subdivision design of the late 1800's and well into the 1900's.

Topographically, Farr Avenue and Ridgeway Road South represents the highest point in the Secondary Plan Area with a geodetic elevation of approximately 200m above mean sea level (amsl), with the lowest elevation being Lake Erie itself, which fluctuates but is approximately 173m amsl. Generally speaking, there is a 27m difference in height change from the northern limits of the Plan Area sloping fairly consistently towards the lake.

The Crystal Beach Neighbourhood is a mature, mostly built-out environment that shared in the success of the Crystal Beach amusement park's growth together with the natural attraction of the waterfront and growing seasonal property development. It has seen considerable turn of the century to post-war construction and growth that generally reached a plateau in the mid-sixties and remained static up until the late 20<sup>th</sup> century. New growth struggled and stagnated following the closure of the Crystal Beach Amusement Park in 1989 and by this time the dynamic of the community had already changed as was underscored by the Park's closure. The economic stimulus afforded by the amusement park, albeit seasonal, brought consequences for commercial enterprise in the immediate vicinity. Shops and services relying on tourist traffic struggled and closed leaving behind large amounts of vacant commercial floor space and buildings in need of repair.

Developing a Secondary Plan for this neighbourhood has required the Town to consider means at its disposal in providing enhanced development opportunity to private property owners in the core area of the neighbourhood, while also considering the long established and generally stabilizing residential community occupying the majority of its area. Seasonal use still requires consideration, but co-existence in built form and time of use are considered compatible given the community culture and transition of properties to full-time year-round use.

As indicated, the vast majority of the Secondary Plan area has seen development at one point or another, most occurring around the turn of the century and in the post war eras. As a popular seasonal retreat, much of the residential building stock is classic small cottage theme and constructed in a manner that did not originally plan for year-round occupancy. As more people make this community their permanent residence, retro-fitting and renovation to buildings has occurred and continues to occur to upgrade efficiencies for the full year and Building Code compliance. Demolitions are common in the neighbourhood as some of the dwellings are simply beyond the point of feasible investment to meet year-round Code standard. Many vacant lots are also being built on, and some larger subdivision developments that had been approved more recently. In addition, those approved many years ago are seeing activity with new construction.

## **SECTION 4 BASIS OF THE AMENDMENT**

The basis for permitting this amendment is as follows:

- a) The Secondary Plan is consistent with the Official Plan for the Town of Fort Erie, the Regional Niagara Official Plan, Provincial Policy Statement and the Province's A Place to Grow: Growth Plan for the Greater Golden Horseshoe, as it sets out to provide for growth management and development over the long term:
  - range of densities is being adjusted upward with targeted intensification occurring in strategic locations throughout the neighbourhood. Increased residential dwelling opportunities through mixed use and medium density

designation and zoning implementation that will serve to assist in diversity and range of affordability while also assisting in commercial viability and sustainability of a more focused core area;

- age in place opportunities and choices are being enhanced;
- utilizes urban lands and infrastructure efficiently through targeted intensification;
- attempts to balance the residential and commercial land use with that of the waterfront area amenity, as a desirable locale to intensify and reside, considering known community character and cultural heritage significance;
- significant redevelopment potential exists throughout the neighbourhood and efforts to achieve a mix of detached (70%) and multi-unit development (30%) that are in-line with the Official Plan;
- leading to this neighbourhood's contribution towards meeting with the municipal-wide expectation of approximately 12,600 new residents; and
- remaining adaptable to the changing need in housing and growing need of affordable housing.

- b) This Secondary Plan consolidates and addresses land use related issues at a neighbourhood scale, providing policy guidance for the neighbourhood through periods of short term and long-range growth or future change.
- c) The Town of Fort Erie Official Plan, Section 4 is to be amended by adding a new subsection entitled “**4.22 – Crystal Beach Secondary Plan**” as outlined in Part “B” of this amendment document.
- d) Schedule ‘A’ of the Town of Fort Erie Official Plan is to be amended by designating lands shown on the attached Part “B” Schedules as the “Crystal Beach Secondary Plan”, with notation advising and directing readers to Subsection 4.22 and its accompanying Schedules.
- e) The Town of Fort Erie Official Plan is to be further amended by adding Schedules CB-1 – Provincial Compliance, CB-2 - Land Use Plan, CB-3 – Natural Features, Natural Hazards and Fish Habitat, CB-4 – Parks and Open Space, CB-5 - Transportation Systems and CB-6 – Active Transportation - Active Transportation Network.
- f) The Town of Fort Erie Official Plan shall be further amended by re-designating certain lands within the Crystal Beach Neighbourhood in accordance with Schedule CB-2.
- g) The intent of this Amendment is to establish a detailed land use framework for the Crystal Beach Neighbourhood and to incorporate related land use policies into the Town of Fort Erie Official Plan.
- h) Subsections 5.5, 13.3 and 13.7 (III) of the Official Plan for the Town of Fort Erie provides that Neighbourhood Plans may be adopted with detailed land use planning for certain areas of the municipality, and amendments shall be made to the Official Plan to reflect the proposed land use changes. Zoning amendments will also form part of this planning exercise to assist with implementation of the Secondary Plan. Policies



in Subsection 5.5, 13.3 and 13.7 (III) have been considered in the preparation of the amendment and the following factors have been reviewed in support of this amendment to the Official Plan:

**i. The need for the proposed Secondary Plan.**

The Crystal Beach Secondary Plan (OPA 45) represents a positive contribution to the Town's Growth Plan conformity exercise by ensuring Growth Plan objectives are considered in a comprehensively planned manner at the local neighbourhood level.

As the available larger parcels of land for traditional subdivision development are essentially exhausted throughout the Plan Area, it is important to establish opportunities for continued and renewed growth using a finer parcel fabric, more compact designs and priority locations for intensification to compliment and sustain primary community components. More particularly:

- Less available development land will lead to more intensification within the neighbourhood;
- Identify key locations for residential intensification throughout the Plan Area and areas that will assist in appropriate commercial designation and viability for the Derby and Erie Road core mixed use districts; Recognize Town objectives in providing intensification opportunities throughout its currently designated urban area boundaries; and
- Ensure efficient use of land and infrastructure is fundamental.

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

The Crystal Beach Secondary Plan is extensively developed with respect to the original subdivision plans that reflect small lot detached dwellings. Some larger parcels do remain and are generally in the northern portions of the Plan Area. In addition, select areas of the Plan Area exhibit large residential lot areas where consolidations have potential to occur and present some in-filling opportunities. These areas within the Secondary Plan are typically in areas where medium to higher density may be considered appropriate, as they are generally areas of transition between different land uses such as commercial or institutional to residential, or adjacent to major road networks, parks or commercial nodes.

According to the Provincial Growth Plan, the vast majority of the Secondary Plan Area is defined as being within the 'Built-up Area' with most Greenfield areas located loosely and sporadically around the perimeter of the neighbourhood. While the Built Boundary mapping, shown on Schedule CB-1, omitted areas that were not considered as built-out at the time of its preparation, it did not consider subdivisions that were approved and registered but not yet built. When considering these plans, the remaining area that would be

considered “Greenfield” is a mere 3% of the total Plan Area. The Town will be considering these areas and their relative development value to the overall community structure and will plan accordingly for their context, for the sake of appropriate densities and compatibility. The Secondary Plan remains focused on intensification in the appropriate locations in a measured approach to achieving increased opportunities and population densities that align with the goals and objectives of this Plan.

It can be anticipated the majority of lands within the Plan Area are not being considered for change, leaving the true community character very much intact.

**iii. The physical suitability of the land, and in the case of lands exhibiting or abutting a Natural Heritage feature, demonstration of compliance with the Natural Heritage policies of the Official Plan.**

Natural Heritage features are generally limited within the Plan Area. The Lake Erie shoreline represents the largest natural feature and while the shoreline is generally developed, it does provide opportunities for wildlife habitat, such as that of the Fowler’s Toad, and also serves in a role for avian migratory respite. The shoreline is exposed to natural flooding, erosion and dynamic beach hazards. The most extensive of these constraints forms the limits of the hazard lands, which remain in an Environmental Protection designation and zoned hazard accordingly.

Other natural features are essentially local and regionally identified woodlands primarily found in the northern area of Plan Area within and adjacent to Crystal Ridge Park. Woodlands are also found at the western end of Plan Area, but are just outside of the boundary and are associated with a large provincially significant wetland. Again, there are no changes proposed in these areas. There are a couple smaller pockets of land identified with an Environmental Conservation designation and zoning, which are also reflected in the zoning by-law. Each of the natural features receives recognition in the planning documents of the Town and respective authorities, who comment when development is being proposed within their respective areas of regulatory authority. Study work is required to ensure the features and functions are not negatively impacted.

Another characteristic of the Plan Area is good soil drainage as a result of the sandy soils throughout most of the Plan Area. Soils have a little more clay content in the northern portions of Plan Area, but still drain very well compared to other areas of the municipality. Natural infiltration occurs throughout the Plan Area.

The Region identifies a Potential Natural Heritage Corridor lying north of the westerly panhandle of the Plan Area, traversing the wetland/woodlot and extending further west through the Baird Estate Conservation Area and Marcy’s

Woods. These generally coincide with local Environmental Corridors; however, the Town provides additional corridor identification running the length of the shoreline of Lake Erie and also along the western and northern limits of the Plan Area and through the woodlands associated with Crystal Ridge Park. These corridors serve primarily as enhanced avian routing, but accommodate other wildlife movements. While preservation may not always be afforded, efforts to enhance where possible are encouraged to retain identifiable routes.

Generally, the Crystal Beach neighbourhood, being almost completely built-out, does not contain much in the way of natural heritage features aside from those spoken to above; some of which border than Plan Area and are not contained within. The Natural Heritage Features, Open Space, Natural Hazards and Fish Habitat can be found on Schedule “CB-3” of the proposed Secondary Plan.

Section 8 of the Town’s Official Plan provides comprehensive policy coverage for all relevant environmental and hazard features within the Plan Area and shall be relied upon for guidance when development is being considered within regulated proximity to environmental features, sensitive areas or hazard land identification.

**iv. 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 Climate Change, the Regional Niagara Public Health Department, and any other appropriate authority deemed advisable.

The Secondary Plan encompasses some of the earliest subdivisions registered in the municipality. Crystal Beach had seen numerous early plans put down on large tracks of land once the popularity of the area had taken off as a summer retreat. The plans exhibited the hallmarks of traditional urbanism, with consistent and strong grid design displaying early Roman design principles, as well as displaying features such as the Chautauqua-esque radial “Garden City” plan designs that gave us Queen’s Circle (*originally Queen’s Place*) in the Crystal Park subdivision plan (1893). The roadways of these hybrids of classic design have endured for the most part and the Crystal Beach community is fortunate to have such strength in their road network reflected and retained throughout the last 127 years.

There are no plans to modify any of the existing travelled roads. There will be a few roads constructed as a result of previously approved plans of subdivision,

and some new or future roads that may occur as a result of infilling the few remnant sizable parcels.

Much of the existing road networks are narrower in width and there are no plans to force widening in these locations given that the depth of the blocks would be impacted in most cases. In addition, the road widths and compact development form contributes greatly to the character of the broader community. This is genuinely unique to the Crystal Beach neighbourhood and it is expected to remain throughout the existing transportation networks of the neighbourhood. New developments may be required to have roads that maintain present day standards, but as indicated, these are few by comparison. Alternate widths may also be considered for new roadways blending into existing networks.

The road networks provide many options for travelling through the community and the matter of safety with respect to pedestrians is not lost in consideration of growth. The Town has recently approved an Active Transportation Master Plan that provides recommendations related to the needs of safe and active travel for pedestrians and cyclists. It can be noted that when roads are or appear narrower, vehicle speeds will generally be operator reduced for the same safety and comfort reasons. Municipal speed monitoring that has taken place in areas of Crystal Beach have shown that average speeds in popular areas are occurring under the posted speed limits, which is a sign of driver awareness and road characteristics that lead to natural traffic calming.

Traffic can be monitored when instances of concern arise or there is actual data indicating problems, however it should be expected that speeds will continue to respect posted limits. Speed limits are also something within local municipal control and can be adjusted if the need to deter is found or actual warrant is determined.

Potable water supply is received from the Region's Rosehill Water Treatment facility, as is the case for the Town's entire municipal supply. Presently, there are no limitations on capacity and delivery of potable water to the Plan Area. Incremental growth over the long term can be accommodated. As the Rosehill facility feeds all of Fort Erie, major development outside this Secondary Plan will be monitored by municipal and regional staff as needed. However, there are no perceived deficiencies at the time of this Plan's preparation related to supply, and scheduled capital improvement has recently taken place to improve electrical systems, process piping and instrumentation.

The Secondary Plan Area is a fully serviced community. Local sanitary servicing within the Plan Area is treated at the Crystal Beach Wastewater Treatment Facility before discharge into Lake Erie. The Regional facilities do not represent a constraint to future development activity. The Niagara Region's June 2017 Master Servicing Plan Update study ("How We Flow") indicates that Crystal

Beach facilities have adequate capacity for growth over the long term. The Regional Master Servicing Plan update states that the Crystal Beach Waste Water Treatment Plant (WWTP) has sufficient capacity to support growth in conformity with the Region's Growth Plan.

Further to the Regional Master Servicing Plan, the Town's own update from April 2019 recognizes the Region's analysis and goes further in providing the anticipated guidance for growth over the long term. The GM Blue Plan study identifies areas in the northern portions of the Plan Area that are susceptible to significant extraneous flow. This is not uncommon in aged infrastructure or for private (illegal) connections to the sanitary mains (such as downspouts or sump pumps, or even leaking laterals coming out from dwellings). These situations can create significant impacts on the downstream capacity during rain events and snow melts.

The Town is preparing to undertake comprehensive investigations in the areas identified to resolve the infiltration, lessening the burden and any risk of future surcharging of the system. Capital projects with assistance from Regional funding opportunities, if available and applicable, will afford appropriate time to invest in any needed repair or replacement, and to also pursue private owners who will need to take corrective actions to their failing or illegal connections.

These situations are more relevant to the outer or long-term planning horizon, but early actions in the short term are already in the works for Town staff to pursue and resolve.

The Town updates its Master Servicing Plan on a regular 5-year cycle. All major development may be required to prepare appropriate studies and work with the Town in generating or demonstrating impacts to their respective networks to the trunk sewers as part of their application processing.

The storm water collection systems for approximately 97.5% of Plan Area catchment area ultimately discharge directly into the Lake Erie with the remainder (mostly extreme northerly limit of Plan Area north of Farr Avenue) ultimately being conveyed and discharging into Black Creek South of Douglastown, and from there, into the Niagara River.

Storm water management is discussed during the planning stages for all new development and any requirements are set out prior to receiving approval. These typically relate to on-site controls and quality controls given the mostly built-out conditions of the Plan Area. Larger developments may be required to construct storm water management facilities for volume control which may or may not be conveyed to the Town, depending on development tenure.

**v. The compatibility of the proposed use with uses in adjoining areas:**

Proposed changes in designations made in the Secondary Plan have limited and minimal impact on adjoining lands and to the contrary, some changes may reduce potential for compatibility concerns. Most notably this is anticipated in the area of Queen's Circle where existing residential uses have been established and continue to re-establish despite mixed use permissions. A return to residential designation shall benefit home owners in the vicinity providing a level of assurance that a commercial use does not establish in the middle of a residential area without amendments being required.

Other areas have seen some changes but staff are of the opinion that appropriate study work can be requested at the time of development application to examine and resolve/mitigate any potential for incompatibility. It is worth mentioning that proposed intensification throughout the neighbourhood is modest in aspect such as height, which is often the most common concern from residents.

It can also be noted that the neighbourhood lacks industrial/employment designations and therefore compatibility most commonly associated with those uses are not being introduced and therefore not a threat to compatibility.

**vi. The effects of such proposed use on the surrounding area in respect to the minimizing of any possible depreciating or deteriorating effect upon adjoining properties.**

The Secondary Plan will be seeking primarily residential intensification. The majority of the Plan Area is characterized as being a mature residential neighbourhood and therefore, adding residential to these areas is not seen as presenting depreciating or deteriorating effects. To the contrary, intensification is expected to enhance land values and stimulate additional private investment into the existing building stock.

The land use amendments proposed through the Secondary Plan are intended to reinforce the community as largely residential in character but to also provide for growth in key areas where vacant, larger parcels can be comprehensively planned and remain sensitive to adjacent land use and existing character. This does not mean, nor should it be interpreted or represented, that compatible development is to be the "same as" adjacent, existing residential uses. However, consideration can and will be given to transitional matters such as change of height, built form massing, issues of privacy and overlooking, amount of coverage or setback changes. These are most often the area of concern at the neighbourhood level and details such as these will be part of the implementing zoning by-law.

The Town has proactively conducted multiple consultations in the development of the Secondary Plan including a Council endorsed community focus group,

the public, partner agencies, community stakeholders and Town advisory committees and departments.

The intent of the Secondary Plan is to provide sensibly located intensification opportunities, appropriately scaled in relation to adjacent form and use.

**vii. The potential effect of the proposed Secondary Plan on the financial position of the Municipality:**

The Secondary Plan comprises a predominantly built out area of the municipality and given the reality and potential for change over the long term, the incremental nature of the transition over such a large established neighbourhood is not expected to impact significantly on municipal resources in the short or long term.

Costs associated with services such as snow plowing and to some degree, capital replacement, would benefit from the increased assessment created from new or intensified development on existing infrastructure. Soft services such as waste management, fire, emergency and police services, may experience slight increase in demand, but remain covering the same geography.

This Plan does not contain large “Greenfield” areas where new roads and primary services will ultimately be built and turned over to the Town for maintenance and capital replacement. This Plan is highly cost effective in terms of financial implications or impacts as a result.

The benefits of intensification and our ability to service more with less will have an accumulative effect by limiting or reducing costly capital replacement burden on future generations.

**viii. The potential effect of the proposed Secondary Plan 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 this Secondary Plan in relation to the Environmental Protection Act. Requirements of development and re-development will be reviewed for compliance during the development application process, and where necessary, compliance will be required as a component of any approval.

## **SECTION 5 IMPLEMENTATION**

Section 13.1 of the Town’s Official Plan outlines the methods and tools that will be used in implementing goals and objectives of the Town overall. These same tools will be used in assessing development within the Crystal Beach Secondary Plan as the means to achieve

the vision for the Neighbourhood and where identified, more detailed policy will be used in assessing proposed development.

As provided for in the parent document, the Secondary Plan process will extend the policy and vision to the Neighbourhood level by identifying unique characteristics and opportunities specific to its location. Generally, however, the policy of the parent document shall guide the higher-level objectives of conformity and the Secondary Plan will supply the details for the Neighbourhood.

To ensure new development and re-development activity demonstrates consistency with the Town's goals and objectives:

- a) The Town will review applications for development to ensure their compliance with the policies outlined in the Town's Official Plan and this Secondary Plan.
- b) The Town will modify zoning within the Plan Area, where appropriate, to carry out the general intent and implementation of the Secondary Plan. This will ensure that zoning provisions facilitate the uses as intended. Given the nature and history of the community's seasonal origins, a number of existing buildings, structures and uses are non-compliant even with contemporary zoning. Unless otherwise identified during the zoning implementation of this Plan, it is by no means implied or intended that existing non-conformity is becoming legal non-conforming or being "healed" as a result of zoning implementation. Furthermore, additional non-conformity may result with implementation for some sites within the Plan Area.
- c) The Crystal Beach Secondary Plan consists of Sections 4.22.1 through 4.22.22 and Schedules CB-1, CB-2, CB-3, CB-4, CB-5 and CB-6. Unless explicitly provided for under Section 4.22, the text and Schedules of the Official Plan for the Town of Fort Erie continue to apply. Where there may be a determination of conflict, the text and maps of this Secondary Plan shall prevail.



## **PART "B"**

### **THE AMENDMENT**

## PART "B" - THE AMENDMENT

### Introductory Statement:

All of this part of the document entitled "Part B - The Amendment" consisting of map and textual additions constitute Amendment No. 56 to the Official Plan, adopted by By-law No. 56-2021 for the Town of Fort Erie Planning Area. The Official Plan for the Town of Fort Erie, as amended, is hereby further amended by adding the map and text changes, as follows:

### Map Changes:

Schedule "A" to the Town's Official Plan is amended by identifying the Crystal Beach Secondary Plan limits and to provide reference to the following Schedules under Section 4.22 of the Official Plan:

1. Schedule "Crystal Beach-1" (CB-1) - Provincial Compliance;
2. Schedule "Crystal Beach-2" (CB-2) - Land Use Plan;
3. Schedule "Crystal Beach-3" (CB-3) - Natural Features, Natural Hazards and Fish Habitat;
4. Schedule "Crystal Beach-4" (CB-4) - Parks and Open Space;
5. Schedule "Crystal Beach-5" (CB-5) - Transportation Systems;
6. Schedule "Crystal Beach-6" (CB-6) - Active Transportation - Active Transportation Network

### Text Changes:

The following textual changes to the Official Plan are to be read in conjunction with the Crystal Beach Secondary Plan Schedules identified above:

1. **That:** Section 4.14.4. BAY BEACH - Site Specific Policy Area 4 of the Official Plan is deleted in its entirety, "Appendix B" to the Official Plan is deleted and "Appendices C" and "D" are re-numbered to "B" and "C", respectively. Any references in the Official Plan to "C" and "D" are changed to "B" and "C", respectively.
2. **That:** Section 4.22 Crystal Beach Secondary Plan is to be added to the Official Plan as follows:

### **4.22 Crystal Beach Secondary Plan**

#### **4.22.1 Purpose**

The purpose of the Crystal Beach Secondary Plan is to set in place a policy framework to provide opportunities for new or renewed development in the Plan Area while remaining conscious and sensitive to the established community as a whole. The framework is intended to provide forward direction in achieving subsequent goals and objectives.

The Secondary Plan consists of a land use plan and related policies that serve to guide growth and renewal with the intent to ensure the Town's vision for this

neighbourhood can be met. The planning period being considered considers the Region's Growth Plan and may be subject to amendments from time to time in keeping with the Regional Official Plan, as well as the Town's five (5) year review of its Official Plan. Full "build out" or development permitted by this Plan may exceed the planning horizon timeline associated with Provincial Growth Plan objectives and municipal growth management targets, as they are continually monitored and reviewed by local and regional municipalities.

#### **4.22.2 Vision**

The Secondary Plan is the result of corporate strategic direction and comprehensive consultation. This strategic planning exercise utilized a neighbourhood planning approach including input from senior municipal staff and Ward Councillor, together with a Council endorsed Community Focus Group, who all participated in SWOC (Strengths, Weakness, Opportunities & Constraints) sessions. The sessions resulted in the following Community Focus Group Secondary Plan Vision:

**"Our ideal Crystal Beach Neighbourhood is a friendly, social, active, healthy, sustainable, year-round community, attractive to all age groups, easily accessible with a diverse and affordable housing stock attractive to all, with well-maintained green spaces and with public beach and water access, with a thriving downtown core that supports the residents and tourists alike, befitting the South Coast of Canada."**

#### **4.22.3 Goals**

Over the course of the Strategic Planning exercises with the Community Focus Group, there was considerable focus on Community Improvement via incentive program availability and desire to improve the streetscape in the core area of Derby Road and parts of Erie Road. Top goals from the Community Focus Group were:

- Develop a Community Improvement Plan for Crystal Beach;
- Secure funding; and
- Investigate creating incentives to encourage private sector investment.

While it is intended that the Community Improvement Plan (CIP) implementation will follow the Secondary Plan, the CIP alone is not devised to address the need for accommodating planned growth and intensification, but rather to assist financially after the Secondary Plan implementation.

Community improvement together with other key planning related goals that were identified through the process can be characterized as parking related concerns, potential loss of community character and age-in-place related opportunity (broader choice in housing).

### Parking

In effort to address the concerns over parking, the Town commissioned a parking study that would provide empirical data through collection during peak seasonal activity, in order to measure, assess and generate any recommendations that may alleviate concerns, if in fact any such concerns were validated. Council approved the “Crystal Beach 2019 Parking Study - Information Report (PDS-64-2019)” findings and recommendations on November 12, 2019. Policies of this Plan consider the findings and recommendations that were delivered with the approved parking study report, relative to new residential development, commercial parking supply and tourist generated demand. The recommendations of the study have also been a consideration of the Town’s Infrastructure Services Department in addressing parking demand and location through the recently amended Parking By-law for the Crystal Beach community. Generally, the study conclusions identified that parking into the future can be accommodated within current parking availability, with the exception of Crystal Beach Waterfront Park, which should be reviewed for optimization of parking facilities in the near term.

### Character and Choice

The nature and character of the Crystal Beach built environment is one of predominantly detached residential cottage style dwellings that make up the vast majority of the community residential lands and represent the original subdivision plans of the late 1800’s and early 1900’s. Prior to this Secondary Plan being initiated, the Town took a considerable step to protect and preserve this cottage character through creation and implementation of zoning that regulated massing to fall within the similar topological constraints found amongst the prominent cottage form. Such effort is not being modified and for the most part, is welcomed in the vision for the community. The Town has the intent to develop an Urban Design Guideline document to provide effective guidance for all areas of the neighbourhood.

Recognizing there is significant interest in the small lot-small dwelling lifestyle, there was also desire expressed through public consultation that is very much in-line with fundamental planning principles aimed at a mix of dwelling unit type. A homogenous community of detached dwellings does not meet with contemporary policy and the need to supply choice in housing and support aging in place. Whether driven by the spectrum of economics or property maintenance considerations, a single choice of dwelling is no longer appropriate when a complete community framework and age-in-place philosophy has become more relevant to an aging population. Not to be overlooked are the needs of our younger cohort, that are most certainly in need of housing that will enable them to establish, grow, invest and transition into an otherwise expensive ownership marketplace.

This plan has considered community character and recommends policies aimed at striking a balance of opportunity with a land use arrangement set in place to provide choice and sustain commercial viability in a setting that is both a historical destination for seasonal tourism and year-round urban services to promote quality of life for full time residents.

#### Community Improvement

A Community Improvement Plan is seen as a means of making aesthetic improvement to a commercial core area that served the community during the rise and fall of the Crystal Beach Amusement Park era. After 1990 and the Park's redevelopment for residential use began, the commercial core area was exposed to uncertainty with respect to long term viability once the amusement park closed.

Many buildings in the core fell into disrepair or were being used for residential accommodation contrary to zoning permissions, but served as an indicator that the commercial was in low demand while residential was in need.

The Town CIP Programs operating in the municipality's other core areas have assisted in similar instances and included grant funding for such matters as aesthetic improvements for commercial facades, residential intensification to increase supply of rental apartment units and commercial signage that was geared to those renting commercial space. It is expected these same programs will assist commercial property owners in meeting the goals expressed by the Community Focus Group and members of the public.

Additionally, future review and modification to Program offerings are expected to place higher degree of significance on affordable housing. Subsequently, Core Area incentives offered by the Town may be put under review to consider maximizing grant funding made available to the property owners in these strategic locations. Until such time, the current suite of Programs shall be maintained and will serve the Crystal Beach Core Area in the same manner experienced in other core areas of Fort Erie.

Development and implementation of a CIP for Crystal Beach will follow a separate planning process once land uses have been adopted by Council under this Secondary Plan. In other words, legislatively, the Secondary Plan must be in place, prior to implementing a CIP program.

#### Refined Commercial Core Delineation

The Secondary Plan supports and maintains residential prominence within the Crystal Beach community, while scaling back on some of the commercial and mixed-use designations and zoning that are currently in place. It is evident that use as residential (new and older) has persisted over the years in areas that could have otherwise developed as commercial or mixed use. This plan seeks

to curtail the potential for commercial creep into the residential areas and will provide additional residential permissions to further complement the long-established residential use, most notably around Queen's Circle and in the shoulder areas in the immediate vicinity.

The Secondary Plan will focus more succinctly on defining a mixed-use commercial / residential core to enable a contiguous collection of commercial clustering in a more desirable arrangement for pedestrian and tourist destination and use. Efforts to concentrate the commercial activity are evident in this Plan in response to stated goals of the consultation process and good planning principles.

#### **4.22.4 Objectives**

The main objectives of the Crystal Beach Secondary Plan are to:

- a) Provide a variety of housing choice that supports housing opportunities for all ages, that spans the full lifecycle and economic status;
- b) Encourage development forms which are more compact, affordable and utilize urban land and services more efficiently;
- c) Identify locations within the Plan Area which best support intensifying residential form and reinforce support for these locations through zoning implementation;
- d) Increase population in a moderate manner through intensification efforts in key locations. An increased population will better support existing community facilities and offer increased viability to commercial enterprise year-round;
- e) Refine extents of the core area that are more in keeping with the existing use and better reflect the preferred concentration of core mixed use along Erie and Derby Roads;
- f) Provide supporting policy that recognizes active transportation with focus on connecting links to destinations such as Bay Beach, Crystal Beach Waterfront Park, the Erie/Derby Commercial Core and the Friendship Recreational Trail;
- g) Leverage existing investments at Bay Beach Waterfront Park and Crystal Ridge Park and continue to invest in parks and open space throughout the Crystal Beach community including new Neighbourhood Parks in the South Coast Village and Elizabeth Street subdivisions.

#### **4.22.5 General Policies for all Designations**

- a) The Crystal Beach Secondary Plan is largely characterized as being a “built-up” area with limited opportunity for large scale subdivision development, as

shown on Schedule CB-1, and will instead rely predominantly on, and be more suitable for, infilling of vacant and/or underutilized lands. The vast majority of its geography and building typology is comprised of detached dwellings; many in the cottage character architecture. Lands that are identified or available for development / redevelopment will be the focus of growth and intensification and will assist the Town in meeting its intensification targets. However, areas for infilling and intensification are not to be viewed in isolation. Existing use, land use designation and zoning of adjacent lands shall be considered when intensification is being proposed and designed.

- b) Development shall be sensitively planned in the community, having considered such factors as setbacks, interface, building height, built form massing and access.
- c) Site specific zoning that is in force and effect on select sites within the Plan Area, including any sites with existing holding provisions, shall continue to apply to those sites and will be recognized through zoning implementation of this Plan, unless otherwise identified and/or modified by this Plan.
- d) Transition to more sensitive use of the properties may require Provincial Ministry clearances such as, but not limited to, Certificates of Approval or Record of Site Condition to be determined on a site by site basis, through pre-consultation with the Town and relevant authorities.
- e) New development shall be subject to *Accessibility for Ontarians with Disabilities Act, 2005* and any relevant Regulations made thereunder concerning full accessibility and barrier free design where required.
- f) Land assembly within the same designation is encouraged where any such acquisitions improve conditions for site design, building placement and site access. Facilitating intensification in targeted areas, as referred to in the Schedule CB-1, shall be considered to be in keeping with this Plan's intent.
- g) Storm water management shall be a function of engineering review for new or redeveloping sites within the Plan Area. The community is extensively built-out, which occurred prior to contemporary development and water quality standards and as a result, large open storm detention and sediment ponds are not generally feasible within this Plan context. Low impact development techniques and other mitigating measures to deal with storm water run-off and quality will be subject to review and approval by the pertinent authorities.
- h) Development on lands designated as Core Mixed Use, Commercial and Medium Density Residential along Erie Road, east of Beechwood Avenue and west of Ridgeway Road should front onto the Erie Road and be pedestrian orientated.

#### **4.22.6 Residential – General**

- a) Section 4.7 of the Town’s Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections herein. More specifically, Section 4.7.4.1, sentence II & III provide the over-arching policy applicable to this Secondary Plan and its intensification efforts. See these points below:

II. In considering medium density and high-density residential uses, redevelopment and infill residential intensification on vacant land, regard shall be given to the following:

- a. The height, bulk and arrangement of buildings and structures to achieve a harmonious design, compatible integration with the surrounding area and not negatively impact on lower density residential uses;
- b. Appropriate open space, including landscaping and buffering to maximize privacy and minimize the impact on adjacent lower density uses;
- c. Landscaping that supports design matters such as, but not limited to, Low Impact Development (LID), biodiversity and shade (to combat the heat island effect).
- d. Parking areas that are sufficient size to satisfy the need of the development and are well designed and properly related to buildings and landscaped areas;
- e. The design and location of refuse pick-up and recycling service areas meets Regional Waste Collection design requirements;
- f. Driveway access, internal roadways and pedestrian walkways that are safe and properly designed;
- g. Convenient access to a collector or arterial road;
- h. Location in regard to the elements of traditional neighbourhood design and within convenient walking distance of the central focus of the neighbourhood;
- i. Building designs that place windows and balconies to overlook pedestrian routes and parking areas to encourage “eyes on the street”; and
- j. Site planning considerations that facilitate walking and cycling activity such as secured bike storage, lighting and bikeways.

III. Residential intensification, by the redevelopment of an existing building shall be subject to the following:

- a. The lot size and configuration are sufficient to accommodate adequate parking, green space and amenity areas;



- b. The building age and condition are capable of supporting the intensified use and the building code requirements as well as health and safety requirements, can be satisfied;
  - c. The development shall be compatible with its surroundings and buffering measures may be required. Building additions may be limited in terms of height, mass, orientation and setbacks to achieve compatibility;
  - d. The availability and adequacy of municipal services to accommodate the increased density; and
  - e. The development shall be subject to a site-specific zoning by-law amendment unless identified by a Neighbourhood Plan.
- b) Schedule “CB-2” designates areas of residential land use within the Secondary Plan Area and the policies of the respective residential sections herein shall apply accordingly.
- c) The Secondary Plan provides an opportunity for approximately 1100 additional units, primarily through select infilling and general intensification of vacant or underutilized properties as well as redevelopment, particularly in the core area.

There is a principled effort and focus to place multi-residential dwellings in the core mixed use area in support of existing commercial businesses and foster new commercial enterprise, to support a walkable, social and vibrant community environment. Additional multi-residential dwellings are placed close to or along major roads and public facility hubs further to the north in the Secondary Plan Area.

- d) The Secondary Plan sets out to provide for areas of low, medium and higher density residential designation as well as making adjustment to existing core mixed use designations limits in support of more residential uses; the focus of which is predominantly located along Erie Road between Ridgeway Road and Bay Beach, and along Derby Road between Queens Circle and Erie Road.
- e) Other locations for intensification are shown throughout the study area and provide additional choice for multi-residential housing in settings other than the core area. These sites may see zoning regulations limited where the Town seeks to ensure compatibility and sensitive contextual design. The implementing zoning by-law shall contain site specific regulations that respond to the intent expressed in additional policies found under the residential policies herein.
- f) The Secondary Plan recognizes the anticipated increase of residential provision is not restricted to lands only designated for residential use, but

can be expected in commercial and core mixed use designations as well, accounting for approximately 30% of the total new unit targets under the intensification permissions in this Plan.

- g) Re-designation of peripheral core mixed use sites around Queen's Circle to medium density residential reflects the longstanding market interest and existing residential conditions around this iconic park space. Core mixed use will be focused on the Derby and Erie Road corridors in effort to make the commercial more viable, concentrated and walkable. Select commercial sites and permissions will remain and will be identified in the implementing zoning for the lands affected.

Zoning implementation shall also be used in support of intensification and may detail regulations such as density and height, and may also recognize existing commercial uses being permitted to continue until such time as a transition to residential occurs.

- h) Infilling on smaller parcels and vacant lots will provide opportunities to augment or supplement unit creation within established neighbourhood areas, particularly for those lots which have not been deemed through by-law. Estimates as high as 200-300 detached small lot singles could be achieved using existing lots of record and through consent to create detached lots throughout the Plan Area.
- i) Collectively, the changes identified in this Plan, together with existing new growth potential should allow for a population increase of approximately 2200 to 2300 persons over the long term. This Town estimate uses an average persons per household calculation of 2.1 based on 2016 Statistics Canada data for this serviced urban area. Regional estimates may be higher (2.4) when using their Town-wide projection, however the localized urban area is reporting slightly lower at the detailed level.
- j) Current population is estimated at 3800 persons plus a seasonal component. Should build-out achieve full potential, the population is expected to be approximately 6000-6100 persons within the Crystal Beach Neighbourhood, representing an increase of between 55 and 60% over the long term.
- k) An appropriate level of affordable housing and senior citizen's housing shall be considered by the Town when reviewing development applications proposed within the Plan Area in keeping with Provincial Policy. Efforts by all levels of government are actively seeking to address on-going affordable housing issues. Should new legislation or upper tier government policies result, any required amendments to the Town's Official Plan will provide new guidance on development respecting affordable housing.

- l) The waterfront properties along Lake Erie and their related designation and zoning have not been identified for policy change in this Plan. They are however identified for an administrative name change to better reflect their unique presence in the Secondary Plan, from “Urban Residential” to “Waterfront Residential”. The focus of residential growth identified in this Plan generally lay north of Erie Road and provides opportunity for the appropriate level of targeted intensification, unit mix and population growth to meet with minimum Secondary Plan objectives.
- m) All residential development shall be subject to the regulations and provisions of the Town Comprehensive Zoning By-law 129-90, as amended from time-to-time, or succession thereof. Site specific zoning will be used in certain situations or under special circumstance during implementation of this Plan.

Through implementation of this Plan, properties may be re-designated and further, may be zoned into non-conformity. Existing use at the date of this Plan’s adoption may continue until such time as the site is redeveloped or a change of use is proposed, in which case, the new use must conform to the policies of this Plan and applicable zoning of the lands after their effective date of passing.
- n) Policies relating to targeted residential mix respect those of the parent Official Plan and have adopted a target of 70% detached (may include semi and duplex) and 30% multi-unit dwellings in a range of low, medium and higher densities for the overall neighbourhood.

#### **4.22.7 Waterfront Residential**

Lands designated as Waterfront Residential designation are shown on Schedule CB-2.

The Crystal Beach waterfront is almost exclusively zoned in a waterfront related residential zone. This occurred in June 2013 following public process in consultation with, and support of, waterfront property owners and was effectively an administrative change. No new policies are being introduced for this designation.

With the same intent, the properties are being reflected in a designation name change only that aligns and reflects their waterfront location and remain subject to the same policies (4.7.4 l) as they have been since the Official Plan was approved.

#### **4.22.8 Low Density Residential**

- a) The lands designated on Schedule “CB-2” as “Low Density Residential” shall be reserved for single detached, semi-detached and duplex dwellings and

uses accessory thereto, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.

Vacant or redeveloping sites in low density residential zones may, through by-law amendment, be considered to intensify with semi or duplex dwellings. Site specific zoning may be applied to address any potential compatibility issues. As part of a required zoning by-law amendment seeking this “soft” intensification, site and surroundings shall be considered and may be required to supply supporting information or study for use in assessing compatibility with existing buildings and surroundings.

Therefore, notwithstanding policy 13.4.II a) a change in zoning to permit a semi-detached or duplex dwelling on vacant or redeveloping site occupied or previously occupied by a single detached dwelling may be placed under Site Plan Control to ensure appropriate details are provided that can demonstrate compatibility is being achieved.

- b) Schedule “CB-2” illustrates the Low-Density designation, which is predominant throughout the Secondary Plan Area, accounting for approximately 1880 existing units (approximately 86%). As the Low-Density area is almost completely built-out, any addition of low density-built form will likely come from existing lots of record (subdivision lots not previously deemed), consent or the few remaining large parcels suitable for subdivision. A Low-Density range of up to 50 units per hectare will assist in providing opportunities for additional building stock while also making efficient use of existing and proposed infrastructure.

Low Density built form through infilling can generally be expected to reflect scale and massing of the surrounding residential dwellings. Estimates project approximately 350 units over the long term can be accommodated through Low Density infilling in the established neighbourhoods and through subdivision plans, assisting in achieving the targeted mix balance of 70% low density and 30% medium and higher throughout the neighbourhood.

- c) Medium Density residential development on lands designated as Low Density Residential in this Plan shall only occur by zoning by-law amendment, having considered matters such as size of the site and compatibility with adjacent lands, proximity to collector or arterial roads, and parks or open space areas. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.22.6 c).
- d) Much of the original lot fabric from the historical plans of subdivision that surround the outer areas of Queen’s Circle and that are setback from the commercial corridors (*Erie and Derby Roads*) represent the true character of the Crystal Beach Neighbourhood. The lots for detached homes are typically

small in frontage and area when compared to late twentieth century suburban subdivisions. It is the intent of this Plan to respect and promote their continued contribution to the character of the community by maintaining zoning that reflects their compact scale.

#### 4.22.8.1 316 Ridgeway Road

Notwithstanding the Low Density Residential policies of this Plan, these lands are permitted to continue operating the existing use (welding/fabrication shop). Site specific zoning will also be used to provide for limited local convenience uses on the subject site.

### 4.22.9 Medium Density Residential

Medium density residential designations will be available throughout the neighbourhood in various forms. While most of the medium density is expected to be ground-based form, select areas of the neighbourhood can support more intensive form such as stacked towns or apartments of varying height.

- a) The lands designated on the Schedule “CB-2” as “Medium Density Residential” shall be reserved for multiple-unit structures (such as townhouses, triplex, quads and low-rise apartment dwellings), accessory uses thereto and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section. Where provided for in the implementing zoning by-law, single and semi-detached dwellings may also be permitted.
- b) Medium Density shall generally be developed between a range of 50 to 100 un/ha.
- c) A minimum target of 30% Medium Density residential (per 4.22.8b) shall be anticipated within the overall Neighbourhood. In effort to achieve or exceed this target, the medium density designation and dwellings should comprise approximately 35% (approximately 400 units) of all new residential units constructed within the Plan Area. A Medium Density range of 50 to 100 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure, and providing opportunities to diversify medium density housing stock and form.
- d) The majority of new medium density residential development is anticipated in the form of townhouse and low-rise apartment dwellings. Height shall not exceed three (3) storeys unless otherwise identified in site specific policy and defined in the implementing zoning by-law.
- e) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.

- f) Additional studies (Section 13.15.III) may be a requirement of the development approval process. Pre-consultation with the municipality and partner agencies will result in a determination on any relevant study work being required to support proposed development with approval authority resting with the relevant or requesting authority.
- g) An amendment to the Official Plan will be required to justify Low Density residential development (less than 50 un/ha.) on lands designated as Medium Density Residential.
- h) Some properties may be the subject of re-designation to reflect and align with existing site-specific zoning that is in keeping with the intent of the Medium Density designation. These changes are considered housekeeping changes.
- i) Higher density residential development on lands designated as Medium Density Residential in this Plan shall only occur by zoning by-law amendment, having considered matters such as size of the site and compatibility with adjacent lands, proximity to collector or arterial roads, public transport and parks or open space areas. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.22.6 c).
- j) Building heights shall be no greater than three (3) stories, except as otherwise noted in the applicable zoning by-law. Additional building height may be considered without an amendment to this Plan, if it is demonstrated through a Planning Act approval process that additional height is compatible with surrounding land uses. Approval for additional height may be subject to a community benefit agreement pursuant the Planning Act.

4.22.9.1 Identified Medium Density Lands Surrounding Queens Circle (multiple addresses)

- a) The lands identified as Medium Density in this area will be permitted a density range between 25 to 55 un/ha, or up to 75un/ha as identified in the implementing zoning by-law.
- b) The Town encourages consolidation of properties to afford opportunities for more intense forms of permitted dwellings such as townhouses and apartment dwellings. Any efforts to further divide lands through subdivision or consent should be avoided. Boundary adjustments may be considered as appropriate.
- c) In instances where lot conditions exist or are created, driveway access should be from the roadways, other than Queens Circle. Substantive landscaped screening of parking areas shall be required in such instances and fencing should be avoided.

- d) Building height shall be defined in the implementing zoning, but at no time shall the height exceed 3 storeys.
- e) This area may be afforded opportunities for single detached and semi-detached under specific limiting criteria detailed in the zoning by-law. Other dwelling forms such as those preferred within the designation may also have specific criteria to assist in ensuring compact form around Queens Circle is being achieved.
- f) Site specific zoning may also be used to provide for limited local convenience commercial, office or institutional use of select sites on the north side of Queens Circle.
- g) All facades, particularly those facing Queens Circle, should be appropriately articulated and display characteristics that are in keeping with or compliment the built heritage of the community. As part of any site plan process, the Town may require building elevations for approval.

#### 4.22.9.2 Former Fort Erie Fire Station No. 6 Lands (271 Ridgeway Road)

- a) The site shall be reserved for Medium Density residential consisting of townhouse or apartment dwellings and contain a range between 50-100 un/ha.
- b) Building height shall be defined in the implementing by-law but at no time shall the height exceed 3 storeys for permitted residential forms.
- c) In addition to residential use, the site and existing building may be considered for institutional use as defined in the implementing by-law Section 31.
- d) In addition to residential use, the site and existing building may be considered for commercial use as defined in the implementing by-law Section 20.
- e) Where access is planned for the site, multiple driveways associated with freehold townhouses are to be from Cambridge Road East. Other development form should restrict access to align with Roxborough Avenue with secondary access to Cambridge Road East, if deemed necessary by agency or department review.
- f) Any development shall remain cognizant of through lot conditions and plan for dual facade treatments that are complimentary to their respective streetscape.

#### 4.22.9.3 145 Derby Road (former Crystal Beach Public School site)

- a) The site shall be reserved for, semi-detached dwellings, multiple-unit structures (townhouses and apartment dwellings), their accessory uses and

shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.

- b) A Medium Density range for the entire site of 50 to 75 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) An apartment shall be required on the site with a minimum of 32 residential units, as per the intent of Council when these lands were first re-designated through OPA 39. The building façade should be directed to the intersection of Derby Road and Rebstock Road.
- d) Low-rise apartment dwellings will generally be restricted to 4 storeys in height. Medium Density apartment building height beyond 4 storeys will only be allowed by Zoning By-law Amendment with required supporting studies demonstrating compatibility.
- e) Permit institutional uses subject to the policies contained in 4.12.1.

4.22.9.4 3990, 4000, 0-17048, 4012 and 4020 Rebstock Road

- a) The site shall be reserved for semi-detached dwellings, street, stacked and block townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 75 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) Semi-detached dwellings and townhouses shall not exceed 3 storeys.
- d) The Town supports consolidation of this site with lands to the east (145 Derby Road). If in the event that the properties are merged on title, the policies of 4.22.8.3 shall apply.

4.22.9.5 4042 Rebstock Road and 116 Elmwood Avenue

- a) The site shall be reserved for semi-detached dwellings, townhouses, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 75 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.



- c) If developed as an apartment, the building should be situated forward on the site, close to the intersection with parking and any amenity at rear and interior side yard.
- d) The following height restrictions shall apply: semi-detached development up to a max of 2 storeys, townhouses development up to a max of 2 storeys and apartment development up to a max of 3 storeys.

#### 4.22.9.6 122 Ridgeway Road

- a) The site shall be reserved for semi-detached dwellings, townhouses, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 100 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) If developed as an apartment, the building should be situated forward and south on the site, closer to the intersection with parking and any amenity at rear and interior side yard.
- d) The following height restrictions shall apply: semi-detached development up to a max of 2 storeys, townhouses development up to a max of 3 storeys and apartment development up to a max of 4 storeys.
- e) Any private road development created through lot conditions will ensure facades fronting Ridgeway Road are designed with dual front facades with private unit driveways access from the private road.
- f) All other development options are to avoid private unit driveways onto Ridgeway Road.

#### 4.22.9.7 14 Ridgeway Road

- a) The site shall be reserved for townhouse dwellings, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 100 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) If developed as an apartment, the building should be situated forward on the site, closer to Ridgeway Road with parking and any amenity at the rear and interior side yard.

- d) The following height restrictions shall apply: townhouses development up to a max of 3 storeys and apartment development up to a max of 4 storeys.
- e) Any private road development shall ensure facades fronting or flanking Ridgeway Road are designed to address the public road with high quality design and aesthetic.
- f) All development options are to avoid private unit driveways onto Ridgeway Road.
- g) Environmental Impact Study will be required prior to any development and will be determined, along with any other required studies, through mandatory pre-consultation on any *Planning Act* applications.

4.22.9.8 Lands bound by Farr Avenue, Derby and Michener Roads (3949 and 4015 Farr Avenue, 3980 Michener Road, 15 and 19 Derby Road (Muni. Add. 3954 Michener Road).

These lands represent a unique opportunity to provide additional multi-unit residential that can take advantage of being centrally located to public amenities on Farr and Gorham Road.

- a) These sites shall be reserved for semi-detached, street, stacked or block townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 100 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- c) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, street townhouse dwellings up to a max of 3 storeys, stacked townhouse dwellings up to a max of 3 storeys and block and street townhouses up to a max 3 storeys.
- d) Road access, whether private or public, will be required to demonstrate safe access and sightlines if directed towards Farr Avenue. Preference will be given to utilizing access from the east off Michener Road or the unimproved Michener Road allowance, or from Derby Road.

4.22.9.9 0-15850 Rebstock Road (adjacent to Crystal Ridge Park)

These lands represent a key opportunity within the Secondary Plan for intensified, family-oriented development with a mix of multi-unit dwellings. Proximity to amenities such as the arena, park, library, transit and schools provides excellent opportunities for all age groups, particularly that of youth. It is

the Town's desire to see development that addresses these unique opportunities.

- a) The site shall be reserved for semi-detached dwellings, townhouses, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) Apartment dwellings shall form part of any proposal to develop these lands and shall generally be located in the northwesterly portion of the site. Zoning shall be used to regulate location and height of one or more buildings.
- d) The following height restrictions shall apply: semi-detached dwellings up to a max of 2 storeys, townhouses development up to a max of 3 storeys and apartment development up to a max of 3 storeys.
- e) The Town does not support development that includes a public road to access/service this site. Developments shall be designed with a private/common roadway. Any proposed development shall consider the impacts of any proposal on the surrounding low density dwellings and incorporate appropriate setbacks or height limitations at these interface points.

#### 4.22.9.10 East side Ridge Road South, North of Shore Breeze Condominiums

Land assembly is encouraged to allow for more comprehensive site planning of private road developments. Public road development will only be considered with through road connection.

- a) The site shall be reserved for semi-detached dwellings, duplex, street, stacked and block townhouses, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 25 to 35 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Densities may be reduced or restricted in the implementing zoning by-law.
- c) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, duplex dwellings up to a max 2 storeys, townhouses

development up to a max of 2 storeys and apartment development up to a max of 3 storeys.

- d) Notwithstanding paragraph a) herein, if development occurs on a public road, detached dwellings shall be permitted as defined in the implementing by-law at a density not lower than 15 un/ha.

4.22.9.11 Lands East of South Coast Village between Ryan Avenue and Graeber Avenue (3771, 0-15281, 3765, 3757 & 3767 Graeber Avenue, 0-15290 Erie Road East and 3748 & 3758 Ryan Avenue)

Land assembly is encouraged to provide for a new public road running north-south between Ryan Avenue and Graeber Avenue, immediately east of the South Coast Subdivision and as illustrated on Schedule CB-2 of this Plan.

- a) The site shall be reserved for semi-detached dwellings, street townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) Some small lot single detached dwellings may be permitted only if all lands identified in this policy reach the minimum density.
- c) A Medium Density range of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Densities may be reduced or restricted in the implementing zoning by-law.
- d) The Town may only consider divestment of the unimproved Erie Road East road allowance once parcels fronting the road allowance are acquired and merged on title with existing lots that provide access to an existing traveled road allowance. This may impact parcels in this site-specific area as well as other lots outside of the site-specific policy area.
- e) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, street townhouses development up to a max of 2 storeys.
- f) A sanitary servicing strategy be prepared for properties fronting on Ryan Ave between the Crystal Ridge Development and Graeber Ave to the satisfaction of the Town and Region.

4.22.9.12 Lands west of the intersection of Ryan Avenue and Graeber Avenue (3723, 3731, 0-15284 & 3747 Graeber Avenue, 0-15289 Erie Road East and 3740 Ryan Avenue)

Land assembly is encouraged to provide opportunities for street, stacked or block townhouses.

- a) The site shall be reserved for street, stacked or block townhouses and their accessory uses, and shall generally be governed by the Residential policies

of Section 4.7 unless otherwise defined under this section. Small lot single detached development is encouraged on this site.

- b) A Medium Density range of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- c) The following height restrictions shall apply: street townhouse dwellings up to a max 2 storeys, stacked townhouse dwellings up to a max of 2 storeys and block townhouses dwellings up to a max of 2 storeys.
- d) The Town may only consider divestment of the unimproved Erie Road East road allowance once parcels fronting the road allowance are acquired and merged on title with existing lots that provide access to an existing traveled road allowance. This may impact parcels in this site-specific area as well as other lots outside of the site-specific policy area.
- e) Any development of these lands shall ensure that units front Ryan and Graeber Avenues, whether street, stacked or block townhouse development, with exception for those units designed to flank the public roads.
- f) A sanitary servicing strategy be prepared for properties fronting on Ryan Ave between the Crystal Ridge Development and Graeber Ave to the satisfaction of the Town and Region.

4.22.9.13 Vacant Lands Southeast Corner of Michener Rd. and Elmwood Ave (0-17032 Elmwood Avenue).

- a) The site shall be reserved for semi-detached, street, stacked or block townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- c) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, street townhouse dwellings up to a max of 2 storeys, stacked townhouse dwellings up to a max of 2 storeys and block townhouses up to a max 2 storeys.
- d) Road access, whether private or public, will be required to demonstrate safe access and sightlines if directed towards Elmwood Avenue. Preference will be given to utilizing access from the unimproved Michener Road street allowance approaching from the east.

- e) Any road accessing the site is to preserve road connection potential to the south, so as to not preclude opportunity for additional future development of underutilized lands at the rear of Elmwood Avenue properties.

4.22.9.14 Multiple Parcels between Crystal Beach Drive and Terrace Lane (3856, 0-15084, 0-15085 & 0-15086 Terrace Lane and 0-15097 Crystal Beach Drive).

These lands represent a unique opportunity to provide additional multi-unit residential that can take advantage of waterfront views and amenity of Crystal Beach Waterfront Park.

- a) The site shall be reserved for semi-detached, street townhouses, block townhouses, stacked townhouses, apartment units and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Densities may be reduced or restricted in the implementing zoning by-law.
- c) Land assembly is encouraged to enable a comprehensive development plan for lands identified in this policy.
- d) The following height restrictions shall apply: semi-detached dwellings up to a max 3 storeys, street townhouses dwellings up to a max of 3 storeys, block townhouses up to a max of 3 storeys, stacked townhouses up to a max of 3 storeys and apartments up to a max of 3 storeys.
- e) Site access for resident parking should only occur from Crystal Beach Drive with a consolidated land assembly and development proposal.
- f) Sensitive architectural designs shall be deployed such as terraced building form reflecting slopes on site.
- g) These lots are in proximity to the Regional Waste Treatment Plant and new development will need to consider compatibility requirements from a noise, air quality and odour perspective.
- h) Existing Environmental Protection designation (Hazard zoning) at the southerly limit of the designated lands may form limits of development / setbacks in the implementing zoning.

4.22.9.15 Crystal Beach Tennis and Yacht Club - Westerly Land along Erie Road

Re-designation of these lands follows an expressed desire towards contribution to the residential density, street presence and built environment at this key location within the core area of the Secondary Plan.

- a) The site shall be reserved for block townhouses, stacked townhouses, apartment units and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) Preference to integrate building face and resident/pedestrian access with Erie Road, with a single point of vehicular access that can be integrated with existing controlled Crystal Beach Tennis and Yacht Club (CBTYC) points of vehicular access if kept in condominium tenure. If developed separately from existing condominium control, a single access to the Site from Erie Road should align with Cambridge Place. Direct private unit driveways onto Erie Road will not be permitted.
- c) A Medium Density range of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- d) The following height restrictions shall apply: block townhouses dwellings up to a max of 3 storeys, stacked townhouse dwellings up to a max of 3 storeys and apartments up to a max of 3 storeys.
- e) Building placement should be in close proximity to the southerly limit of the Erie Road allowance to provide balance and frame the streetscape with similar massing permissions to that which are afforded on the opposing (north) side of Erie Road.

#### 4.22.9.16 3901, 3899 and 3889 Rebstock Road

These lands represent a unique opportunity to provide additional multi-unit residential that can take advantage of being centrally located with ease of access to public amenities.

- a) The site shall be reserved for semi-detached, street townhouses and block townhouses, stacked townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range of 50 to 75 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- c) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, street townhouse dwellings up to a max of 3 storeys,

stacked townhouse dwellings up to a max of 3 storeys and block townhouses up to a max 3 storeys.

- d) Consolidation of these parcels is encouraged for residential expansion and diversification of housing stock.

#### **4.22.10 Core Mixed Use**

The Core Mixed Use designation is intended to recognize and delineate properties that shall be the focus of combined commercial / residential buildings and uses with a purpose of generating an identifiable and intensified area of dwellings, residents/pedestrians and commercial activity.

The easterly end of Erie Road and Derby Road up to Queen's Circle will serve as a focal point or destination for permanent residents with commercial uses that provide year-round goods and services, while also benefitting from increased seasonal commercial activity.

The westerly end of the designation towards the Bay Beach Waterfront Park intends to provide a similar mix of uses, but may contain more seasonal commercial activity given proximity to the public beach. Zoning may be used to reflect permitted uses that would underscore this distinction, while still affording and promoting year-round activity.

Policies of this section promote intensification of commercial activity in a concentrated area of this Plan and seek opportunities for additional residential through modest, increased height for properties suitable for development or redevelopment, as the case may be, to the satisfaction of the Town.

- a) The Core Mixed Use areas are shown on Schedule "CB-2" and shall generally be governed by the policies of Section 4.8 unless otherwise defined under this section.
- b) The lands designated as "Core Mixed-Use" shall be reserved for a variety of retail, restaurant, office and commercial uses, as well as defining requirements for residential uses. Zoning may be used to provide distinction or limit some commercial use between the easterly and western portions of the designation.
- c) Section 4.8.1.III provides that Core Mixed Use areas will be identified through the Secondary Planning Process.
- d) Residential associated with Core Mixed Use shall generally range between 25 to 100 un/ha. The Town anticipates approximately 350 new residential units to be developed in the Core Mixed Use designation. Residential components will be subject to minimum standards for dwelling unit sizes and any other applicable zoning regulations or requirements identified in the



implementing zoning by-law, including being within a mixed-use building that may have minimum and maximum heights defined.

- e) The Town shall implement the appropriate zoning to reflect the Core Mixed Use designation, providing detail on permitted uses, regulation and applicable provisions. Site specific zoning may also be implemented where circumstances dictate. Zoning regulation may also use setback requirements from points off-site, such as nearby road allowance / property limits that may span several properties to regulate corridor form with respect to gradation of height.
- f) Height for buildings within the Core Mixed Use designations shall be established in the implementing zoning by-law and may contain minimum and maximum requirements to ensure core area urban form objectives and residential intensification are being achieved.
- g) Maximum building heights along Erie Road shall be regulated through “Schedule F” and the Zoning By-law, if the subject parcel or consolidation of parcels are equal or greater than 2304m<sup>2</sup> and dimensioned at 48m wide and 48m deep. Each individual site or collection of sites must be reviewed independently and structured on the various properties affected by the setback.

The submission of an Urban Design study to illustrate how the development will fit in with the existing context, follow datum lines, contribute to the street scape and character, and affect views and vistas will also be required as part of any development application.

- h) New development in the Core Mixed Use designation shall provide at-grade commercial. Site specific zoning may be used to both require residential with commercial and afford permissions in the western end of the designation for stand-alone commercial.
- i) The Town shall seek to implement and administer Community Improvement Plan funding programs available under Section 28 of the *Planning Act*, to assist commercial properties within the Core Mixed Use designation. Boundaries of a Community Improvement Project Area will be established under separate amendment through a subsequent Community Improvement Plan process and may or may not include all Core Mixed Use designations, with criteria defined at the time of the Project Area being established.
- j) All development within the Core Mixed Use designation shall be subject to Site Plan Control.
- k) Any existing buildings subject to conversion, expansion or addition for the purpose of mixed use shall require Site Plan Control. Details of which shall provide clear indication on key site design requirements related to parking

(on-site or off, where permitted), outdoor amenity space for residents and waste management solutions.

- l) Reductions in landscaped or planting strip requirements between residential and non-residential designations may be permitted, where existing use of a site or where site access will afford efficient development of the lands. Appropriate screening will be required through the Site Plan process.
- m) Commercial floor space within the Core Mixed Use designation shall be exempt from parking requirements; however residential components shall be subject to the general provisions of the Town's Comprehensive Zoning By-law as amended from time to time.
- n) Outdoor patios are anticipated to complement such uses as restaurants and cafes throughout the Core Mixed Use designation. The zoning by-law will contain applicable provisions to regulate the use of outdoor patios, with the objective of supporting local business while mitigating adverse impact on residential uses.
- o) Drive-thru facilities associated with restaurants, banks or any other type of commercial dispensary shall be prohibited within the Core Mixed Use designation.
- p) New automotive related uses are not permitted in Core Mixed Use areas.
- q) New at-grade commercial shall provide for full accessibility and barrier free design.
- r) Notwithstanding Section 4.8.2 to the contrary, stand-alone residential uses shall not be permitted in the Core Mixed Use designation with limited exceptions, such as replacement due to fire.
- s) Building heights shall be no greater than three (3) stories, except as otherwise permitted in the applicable zoning by-law. Additional building height may be considered without an amendment to this Plan, if there is a Planning Act community benefit approval process that it is compatible with surrounding land uses. Approval for additional height above four (4) stories may be subject to an agreement pursuant to Section 37 of the Planning Act.

#### 4.22.10.1 266 Cambridge Road West (*aka Cambridge Lane*)

Notwithstanding the Core Mixed Use policies of this Plan this site may continue to be used for light manufacturing and assembly of rope, twine and other similar products within a fully enclosed building.

#### 4.22.10.2 182 Lincoln Road West

Notwithstanding the Core Mixed Use policies of this Plan this site may continue to be used for light manufacturing / prefabrication and assembly of

building/home renovation related materials for contractor use with materials storage fully contained within the existing building.

#### 4.22.10.3 3878 Erie Road & 412 Ridgeway Road

Notwithstanding the Core Mixed Use policies of this Plan these sites are considered to be within a key centre of the neighbourhood and may act as part of “Neighbourhood Gateways and Landmarks” and will be permitted a maximum height of 4.5 storeys if the upper level is:

1. Designed with windows embedded in the roof slope in the form of dormers or mansard roof type.
2. Designed as a tower or gateway feature (eg. clock tower or corner element).
3. Designed for use as a rooftop patio (this may include open patio trellis roof).
4. Or other design as approved by the Town.

Designs are subject to review by planning staff upon application submission.

#### 4.22.11 Commercial

- a) The “Commercial” areas are shown on Schedule “CB-2” and shall generally be governed by the policies of Section 4.9 unless otherwise defined under this section.
- b) Lands designated Commercial shall be zoned for its intended commercial uses and may include site specific zoning provisions and regulation to assist in implementation.

##### 4.22.11.1 4152 Erie Road

Notwithstanding the Commercial policies of this Plan, these lands are permitted freestanding residential apartments, street townhouses, stacked townhouses and block townhouses in addition to the current commercial uses permitted in the General Commercial C2 Zone. Apartment dwellings may have a maximum building height of 4 storeys, while townhouse dwellings will be allowed have a maximum building height of 3 storeys on both Eastwood Avenue and Erie Road

The following Urban Design guidelines shall apply:

1. Porches/Balconies to be provided on the front face of Erie Road.
2. An entry feature is required to the building. A main front door is required along Erie Road.
3. Windows and doors must be arranged symmetrically along the front façade.

4. The entry must be raised above grade, and accessible.
5. Upper level windows should be embedded in the roof slope in the form of dormers.

#### **4.22.12 Employment Lands (Industrial)**

The Secondary Plan does not designate any lands for industrial use. The Crystal Beach neighbourhood's history of commercial, tourism and seasonal residency did not establish an industrial district earlier in its evolution. That is not to say industrial activity was not occurring in the early years, but rather did not have a concentrated location or industrial park established that remains in use today.

There are several instances where very light industrial type use is occurring within the community and these sites will be afforded the opportunity to remain and be recognized with site specific zoning. Such zoning may limit aspects of use, with underlying designation and zoning applied that may one day see a change in use, better suited and more compatible with the immediate surroundings.

- a) Should new industrial land use be proposed within the Plan Area, the Policies of Section 4.10 shall be applied.
- b) Compatibility of adjacent land uses will be an important consideration for any future industrial land use proposal.

#### **4.22.13 Institutional**

- a) The lands designated on Schedule "CB-2" as "Institutional" recognize the existing institutional uses established within the Secondary Plan Area. The designation within the Plan Area shall be reserved for a variety of public and institutional uses and be generally governed by the parent Official Plan policies of Section 4.12.
- b) Institutional buildings and sites, particularly those serving as a place of worship, may be permitted to offer use and activity extending beyond their primary use, that address community need for programs and services otherwise not typically made available in the neighbourhood. Site specific zoning may be applied to facilitate or permit additional use on a site by site basis, pursuant to Official Plan Policy.

#### **4.22.14 Open Space**

- a) The lands designated as "Open Space" on Schedule "CB-2" shall be reserved for a variety of active and passive recreational uses including storm water management facilities and cemetery lands. The policies of Section 4.13 shall generally apply to lands designated as Open Space and

may be amended from time to time, where a new Parks and Open Space Master Plan has identified or modified objectives, designations, policy, etc.

- b) Lands shown as Open Space are intended for long term use as such; however, select sites as identified herein may be permitted additional uses based on municipal need.
- c) Lands identified under an “Open Space” designation within the Crystal Beach Secondary Plan Area are further defined, as provided for below.

#### 4.22.14.1 Open Space – Parks

- a) The predominant use of Open Space in the Crystal Beach Plan area is dedicated to Park use. Park classification generally follows the classification / identification found in the Parks and Open Space Master Plan (2006) and the Waterfront Strategy (2017). The Parks and Open Space Master Plan is currently being updated, with an expected release in 2021. Park classifications used are as follows:

- Neighbourhood Park
- Community Park
- Specialized Park
- Waterfront Park
- Waterfront Window

Parks and other Open Space designated lands are broken down and shown on Schedule CB-4 to this Plan.

- b) Neighbourhood Parks

There are three (3) Neighbourhood Parks within the Plan Area consisting of one (1) established and two (2) planned. Neighbourhood Parks aim to provide a service area radius of 600m, such that is easily accessible by foot or bicycle.

**Madeline Faiazza Memorial Park**

- i. This park space provides play equipment for the children in the area and serves to augment facilities that are otherwise not present in the Queens Circle Park.
- ii. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan.

**Ryan Avenue Park**

- iii. This parkland (0.32 ha.) is a recent acquisition pursuant to the parkland dedication requirements related to the adjacent plan of subdivision development.
- iv. The park will be developed after the Town assumes the subdivision.
- v. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan.

Elizabeth Road Park

- vi. This parkland (1.14 ha.) is a recent acquisition pursuant to the parkland dedication requirements related to the adjacent plan of subdivision development.
- vii. The park will be developed after the Town assumes the subdivision.
- viii. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan.

c) Community Parks

The Crystal Beach Secondary Plan Area contains one of the Town's existing Community Parks. Community Parks have a service catchment area radius of approximately 1,600 m, but can serve well beyond when enhanced facilities such as those found at the Crystal Ridge Park are available.

Crystal Ridge Park

Crystal Ridge Park is located north-central in the Plan Area and provides a wide variety of amenities together with the Town facilities (Crystal Ridge Arena and Library Branch) and Crystal Ridge Community Centre situated at this location.

- i. The Town shall complete implementation of the Crystal Ridge Park improvements identified in the Crystal Ridge Park Master Plan.
- ii. Wooded area in the northern portion of the park shall be retained; excepting an appropriate trail network may be established for active/passive recreational use and educational experience, and connection to Ridge Road North.

d) Specialized Parks

Specialized Parks offer unique, special purpose facilities. They take advantage of a variety of important resources, such as natural features, historically significant sites and structures, areas of unique character or significant recreational facilities. Alternatively, they might offer a unique recreational facility that will attract users from all around the Town. This might include a skate park facility, outdoor aquatic facility, or a premium spray pad/playground complex. These parks serve a large cross-section of the Town's population and may attract visitors from outside the town.

Queens Circle

- i. This existing historic park space was established in the original subdivision plan back in the late 1800's and serves as a community focal point and civic space. The park provides for passive recreation and community events, given its limited land area (0.29 ha.) and shall be protected to serve in such capacity.
- ii. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan.

e) Waterfront Parks and Waterfront Windows

The Town values and shall protect public access to the waterfront and shall seek opportunities to further add to publicly accessible waterfront whenever possible. The approved Fort Erie Waterfront Strategy (2017) provides guidance on opportunities for the Town to seek enhancing public access and shall be relied upon when any such opportunities are presented within the Crystal Beach Secondary Plan Area.

Presently there are 2 Waterfront Parks and 2 Waterfront Windows found within the Plan Area.

Waterfront Windows

The Waterfront Windows are limited in area and are generally described as the unimproved public road allowances that extend from travelled roads down to the water's edge. These waterfront windows also provide public access to Crown land found along portions of the Lake Erie shoreline that, depending on fluctuating lake levels, are typically accessible by land. Guidance on their current and future use for public access will reflect related treatments found in the Town's approved Waterfront Strategy.

English Avenue (off Terrace Lane); and  
Prospect Point Road South (shared boundary with Ridgeway-Thunder Bay Secondary Plan)

- i. Any improvements shall be identified in capital budget planning, as identified in the Waterfront Strategy, and through the updated Parks and Open Space Master Plan.

Waterfront Parks

Bay Beach Waterfront Park

- ii. Primary use of this waterfront park is for pedestrian waterfront access and passive use of its extensive sandy beach;
- iii. Other uses include children's playground, public washroom, and suitably sized community events on the upland festival square and pavilion;
- iv. Recent capital reconstruction of the Bay Beach Waterfront Park represents a significant investment in this popular sandy beach waterfront park. The Town shall maintain controlled public access to the beach to ensure its long-term protection, maintenance and enjoyment;
- v. Fees shall be collected for access to the waterfront to assist in offsetting ongoing maintenance costs for the beach grooming, waste management and supporting facilities such as washrooms, change rooms as well as seasonal operations staff and security;

- vi. Areas other than the sand beach of this waterfront park shall remain accessible to the general public free of charge;
- vii. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan
- viii. The Bay Beach lands shall adhere to the vision of the Bay Beach Master Plan. Only those passive uses and other uses listed shall be permitted.

#### Crystal Beach Waterfront Park

- ix. Primary use of this waterfront park is for boat launch facilities, passive gathering and event space;
- x. Other uses of this park space include a children's playground, paved walkways, large pavilion and washroom facilities.
- xi. Larger open field space and pavilion afford better opportunities for a variety of festival events;
- xii. The Town shall collect fees for use of the boat launch facilities;
- xiii. Based on findings of the Crystal Beach Parking Study (2019), the Town shall seek opportunities to improve and optimize parking facilities in effort to reduce capacity issues and conflict wherever feasible.
- xiv. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan

#### 4.22.14.2 Open Space – Linear Connections

- a) The Town shall maintain ownership of walkways (established or planned) and unimproved road allowances that support linkage opportunities and provide improved pedestrian and active transportation connection and passage through long street blocks.

More particularly, but not limited to, Munster and Ulster Lanes, and portions of Glenolden Lane are being designated open space for such purpose.

- b) Linear connections may also afford and support municipal service routing or utility network needs.
- c) In some instances, sections of Glenolden may be considered for municipal parking should demand ever warrant such consideration. However, at this time and as projected in the approved Parking Study (2019), there is adequate parking available for beach and residential uses to meet present and future demand.



- d) Potential for a “Linear Park” classification is of interest for future connection to the Friendship Recreational Trail. Secondary Plan and Active Transportation Master Plan consultations identified interest and it was identified as a goal in the Secondary Plan consultations with the Community Focus Group.

As a result, the Town shall seek opportunities to establish a linear connection in the vicinity of Michener and Schooley Roads leading north to connect with the Friendship Recreational Trail. This location is the most practical connecting point to planned on-road bike route facilities of Schooley Road, which shall lead directly to Bay Beach from the northern limit of the Secondary Plan.

#### 4.22.14.3 Open Space – Cemetery

- a) The Plan contains the municipally owned Ridgeway Memorial Cemetery at the southwest corner of Ridgeway Road and Farr Avenue. The Cemetery remains active and shall be maintained and managed by the Town.
- b) Cemetery use shall generally be restricted to passive, memorial and visitation activities by persons or families of loved ones as their final place of rest.

#### 4.22.14.4 Open Space – Storm Water Management

- a) The Plan Area contains several storm water management facilities that have functional primacy as a municipal service and facility designed to collect storm water runoff and then release at the target rates and improve water quality prior to discharge.
- b) Storm water management pond designs vary and can contain a permanent pool or remain dry until storm events. Public access to storm water management ponds is typically restricted unless designed for pedestrian access. Determination on design (whether publicly accessible or not), ownership and maintenance is a function of planning approvals and engineering review. Developers shall be responsible for costs and complete construction of new storm water management facilities and conduct the required inspection and maintenance prior to municipal assumption.
- c) Physical characteristics of storm water management ponds typically resemble open space; however, serve mostly in a context of enhanced views and vistas of benefitting adjacent dwellings/uses. Stormwater management facilities form part of the urban fabric and any future SWM ponds are permitted anywhere in the plan area.

#### 4.22.14.5 Open Space – Other

- a) The Secondary Plan also contains areas that are designated as Open Space but are not identified as park. These open space areas are to be maintained in current state unless otherwise identified in the Park and Open Space Master Plan for capital improvements. More specifically, these sites are identified as:
- lands within the traffic circle at Cherry Hill Boulevard South and Glenspring Road
  - lands bounded by Lincoln Road East, Loomis Crescent and Shannon Road North
  - lands bounded by Lincoln Road West, Shannon Road South and the untraveled portion of Providence Lane. Site specific zoning for these lands may provide for additional use of the site for municipal parking if in the event the Town should ever require.
  - 4168 Erie Road – these municipal lands are being used and retained as a public parking lot.

#### **4.22.15 Natural Heritage**

Section 8 provides comprehensive policy coverage for all relevant environmental features and shall be relied upon for guidance when development is being considered.

Natural features are generally limited within the Secondary Plan area and extend to Significant Natural Areas associated with the Lake Erie shoreline, portions of identified Woodlands and Environmental Corridors.

More prominent natural features do exist in close proximity to the boundary of this Secondary Plan (mostly along Erie Road in the western end of the Plan Area). Their protection and function will be part of any development application review process, whereby feature buffering and other potential impacts may require environmental study prior to deeming an application complete for processing.

Natural Heritage designation and features are illustrated on Schedule CB-3.

##### **4.22.15.1 Significant Natural Areas**

- a) Significant Natural Heritage features within the Plan Area are primarily comprised of Lake Erie shoreline and woodlands captured in the northern part of Crystal Ridge Park. The lands are designated in the Crystal Beach Secondary Plan accordingly.

The lands identified along the Lake Erie shoreline are protected via Environmental Protection designation, while the Woodlands have an Environmental Conservation overlay covering much of the remaining wooded area.

Other areas identified as Significant Natural Area are generally few and found in areas that have either existing registered plans, draft plan approval or are expected to develop in future, in which case, any environmental study requirements will be determined at the time of mandatory pre-consultation for *Planning Act* applications or on permit application review where required.

- b) Determination of any potential EIS requirements shall be scoped in consultation with the Region and based on Regional EIS Guidelines with administration and approval authority having been set out as per the Memorandum of Understanding (MOU) between local and regional governments and the Niagara Peninsula Conservation Authority.

#### **4.22.15.2 Woodlands**

- a) The Secondary Plan identifies several Open Space designations that have an associated Woodland feature noted as being present. The most notable of which is largely contained on municipal parkland (Crystal Ridge Park). The Woodlands designation also extends beyond the Park onto Institutional and other private lands.

Other locations with Woodlands designation include lands along the northerly limit of the Plan Area (Farr Avenue) and at the westerly limit, north of Erie Road (along Hazelwood Avenue).

- b) Any applications for development may be subject to Section 13.15 and will be identified through mandatory pre-consultation as part of an application process.

#### **4.22.15.3 Environmental Corridors**

- a) The policies of Section 8.3.4.IV of the Official Plan shall generally apply to Environmental Corridors shown on the Secondary Plan Schedule CB-3.
- b) Schedule “C” of the Official Plan illustrates Environmental Corridors throughout the municipality. These corridors represent a higher-level linkage or linkage potential and are intended to demonstrate where provision of wildlife and avian routes may be considered for enhancement. The feasibility of enhancement should be examined as part of any development application process.

The Crystal Beach Secondary Plan Area contains segments of two such corridors, the first of which is directly associated with the shoreline of Lake Erie. Much of the shoreline is developed residentially or recreationally. Opportunities for enhancement are limited and owners are encouraged to protect/supplement existing tree canopy coverage where practical, together with other native plantings where it would be reasonable to expect long term survival and protection from dynamic lake related effects.

A northerly segment represents an effort to enhance connection between the Woodlands in Crystal Ridge Park with that of the PSW located north of Erie Road in the westerly end of the Plan Area. The corridor effectively wraps around the westerly end of the urban area boundary. Property owners lining the westerly and northerly Plan limits are encouraged to plant or augment tree canopy coverage to assist in the establishment and general enhancement of this particular corridor.

#### **4.22.16 Transportation Systems** (*Road Networks, Active Transportation and Public Transit*)

- a) “Transportation Systems” is in reference to the various modes of transportation infrastructure that exist, or may be planned to be made available to service the Crystal Beach Secondary Plan Area. These include, but are not limited to, existing and future road networks, active transportation infrastructure (either planned or existing sidewalks, cycling infrastructure & trails) and local transit service. Transportation systems are shown on Schedules CB-5 and CB-6 of this Plan.
- b) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation System over the long term, review of current standards, or development of new standards may be required. Prioritizing maintenance, construction and improvements will be considered annually through capital budgeting and through development application activity.
- c) It is important to note this area of the municipality is founded on many historical subdivisions plans that use smaller road allowance widths than present standard requirements. Widening for the sake of meeting current standards can have detrimental impact on the character and streetscape on much of the established neighbourhood, particularly areas in the southern portions of the Plan Area. It is therefore the position of the Town that notwithstanding Section 12.7 of the Official Plan, road widenings shall not be required except for entirely unavoidable circumstances or those which can demonstrate building and parking on private properties along an entire street segment are not being negatively impacted. As a result of this recognition, various Schedules of the Official Plan and Comprehensive Zoning By-law may require amendments to reflect special circumstances.
- d) The Town will seek opportunities for funding program assistance from other levels of government, when made available, to assist in expediting transportation related capital projects and will work cooperatively when transportation infrastructure is not solely of interest to the Town.

##### **4.22.16.1 Road Networks**

- a) Any further development of the road network within the Crystal Beach Secondary Plan Area shall generally be in accordance with Section 12.7 of the Town Official Plan, recognizing Section 4.22.16 c) applies to most existing roads.
- b) Council will strongly consider the existing character and needs of the neighbourhood when making road improvement decisions.
- c) There is very limited opportunity for development of new roads with planned public right-of-way access. If in the event a public road is planned for construction, the road shall be constructed to full municipal standard using an urban cross section unless otherwise approved by the Town. Private development, including plans of condominium, may use alternate right-of-way designs for private roads internal to their site, however; such roads will still require approval from the municipality, typically as part of the condominium or site plan approval process.
- d) There are generally three (3) categories of roadway hierarchy in or bounding the Plan Area. Notwithstanding Section 12.7.4 iv) to the contrary, these would be defined as:
  - Town Collector/Arterial Roads (Farr Avenue, Ridge Road South, Rebstock Road, Ridgeway Road, Erie Road, Derby Road, Brunswick Avenue, Schooley Road, Michener Road and Point Abino Road);
  - Local Roads (all remaining public roads, standard or sub-standard); and
  - Private Roads (permitted)

Zoning implementation shall make any necessary amendments to Schedule “B” of the Town’s Comprehensive Zoning By-law to reflect exceptions regarding ultimate width / widenings.

Schedule CB-5 illustrates the road network within the Plan Area.

- e) The Town shall remain sensitive to increased interest and movement towards “complete streets” policies that support Active Transportation. All capital roads projects shall have regard for the Town’s Active Transportation Master Plan and the Active Transportation Policies of 4.22.15.2 herein.
- f) Private roads or driveways from new development proposals should be aligned with opposing roads or major driveways whenever possible.

#### 4.22.16.2 Active Transportation

- a) Components of active transportation in the context of the Crystal Beach Secondary Plan Area serve both utilitarian and recreational need and purpose. Active transportation shall be a consideration of Council as

identified under Section 12.7.2 iv) and the Fort Erie Active Transportation Master Plan (2020).

- b) Schedule CB-6 illustrates components of the Active Transportation Network for the Crystal Beach Secondary Plan.
- c) The Town's Friendship Recreational Trail is located just north of the Secondary Plan Area and is recognized as being part of much broader trail systems including the Greater Niagara Circle Route, Great Lakes Waterfront Trail and Trans Canada Trail. Direct trail connections from the Friendship Recreational Trail to the Crystal Beach waterfront and tourist areas, in addition to serving the broader Plan Area for active and pedestrian choice and safety, shall be a consideration whenever development is occurring along identified active transportation routes within the Plan Area.
- d) Council will require contributions from abutting property owners for the purpose of continued implementation of the Active Transportation network facilities as a condition of development and/or redevelopment including Site Plan Approval.
- e) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking capital road improvements / reconstruction.
- f) Sidewalk networks are illustrated on Schedule CB-6 and are identified as either existing or potential/future. The Active Transportation Master Plan (2020) shall be reviewed in conjunction with this Plan to assess priorities for new construction and routing when capital projects and budgets are being determined annually by the Town. Completion of sidewalk networks in proximity to schools that assist in facilitating safe active travel by students are considered a priority.
- g) Existing sidewalk locations shall remain and older sections will be subject to review and reconstruction to current standards, wherever feasible. Repair and replacement of existing sidewalks may be subject to a separate budget to those considered new construction (capital projects), where sidewalk did not previously exist.
- h) Future/potential sidewalks shown on the Schedule CB-6 does not necessarily imply short, medium or even long-term construction, but rather serves as a guide when capital projects are being considered.
- i) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.

- j) Active Transportation and Public Transit use are complimentary modes of transportation and can be co-dependent for some residents. Capital projects and private developments will have regard for the Active Transportation networks for connection to established or planned transit stops.

#### 4.22.16.3 Public Transit

Conventional and specialized transit service presently serves the Plan Area and may be subject to routing modifications from time to time.

- b) The Crystal Beach Secondary Plan Area shall remain fully serviced by Fort Erie Accessible Specialized Transit presently operating throughout the Town, or until such time that an alternate is established that meets the community's accessible needs.
- c) The Town supports Region of Niagara inter-municipal transit service and shall work cooperatively in review and support provision of regional connecting routes. The Town remains cooperative on any endeavour to establish a fully integrated, or full regionally operated transit system that maintains and enhances existing local municipal service.
- d) Approved transit routing and fixed stop locations are illustrated on Schedule "CB-5". Routing and stop locations are subject to review over time and as data driven results on ridership inform transit planning for efficiency and effectiveness. Modifications to transit routing do not require amendment to this Plan.
- e) Long term local transit planning shall have regard for locating potential transit stops that consider a typical 400m radius (or better) service area catchment model. Distances may vary depending on location of populations throughout the local and rural areas, as well as the class roadway which is being used as part of the route.
- f) Private sector interests that may seek to provide seasonal tram or trolley service to Bay Beach and other tourist destinations within the Plan Area shall require approval from the Town and any other government authority regulating such service or vehicles. Full liability shall be the responsibility of the operator.
- g) The Town shall remain open to explore opportunities that may leverage and increase municipal transit ridership to the neighbourhood during peak season.

#### 4.22.17 Parking

- a) The Town has implemented a Seasonal Paid Parking By-law and shall maintain paid parking in the southern parts of the Plan Area. The By-law is subject to changes from time-to-time and the Town, through its Infrastructure

Services department shall monitor parking, parking availability, related signage and revenue in Town lots and on public roads. Town By-law enforcement shall monitor compliance and infraction volumes and related revenue. Together, these sources of monitoring shall inform decision making that is in line with Council interests and Public expectations, concerning any future changes to the Seasonal Paid Parking By-law or infrastructure needs.

- b) Based on findings and strategic recommendations of the Crystal Beach Parking Study (Paradigm Transportation Solutions, 2019) the following shall apply:

Shorter term policy objectives include:

- i. The Town shall endeavour to restripe and repave municipal parking lots when required.
- ii. The Town shall consider and explore options for parking layout and slight easterly expansion of the Crystal Beach Waterfront Parking Lot to increase single vehicle stalls while protecting vehicle with trailer stalls.
- iii. Improved use of signage to direct vehicles to commercial parking areas, Bay Beach parking areas and on-street parking to assist in directing incoming traffic to appropriate destination or area of interest.
- iv. Assist the Crystal Beach BIA through enforcing time limits for on-street parking on Erie Road and Derby Roads to deter Bay Beach related visitors from using spaces intended primarily for commercial patron use.
- v. The Town shall endeavour to provide clear information online concerning parking in Crystal Beach for public awareness and trip planning prior to visiting the neighbourhood and popular area destinations.

Medium term policy objectives include:

- vii. The Town shall seek opportunities to secure long term parking permissions with private land owners, in perpetuity, in the vicinity of Bay Beach.

Ongoing and longer-term policy objectives include: again, indent/alignment in this section

- viii. New development and site re-developments in the Core Area are to be designed to provide on-site parking that meet requirements. Where it has been demonstrated that full on-site requirements are not feasible, the Town may permit alternate arrangements that can include paid permit parking, cash in lieu or private parking off-site as detailed in the Town's pending parking policy. All development outside of these designations must provide on-site requirements in the implementing zoning.



- ix. The Town shall retain all Core Area municipal parking lots while making every effort to also retain on-street parking in the commercial core.
  - x. The Town shall reserve its land located on the north side of Shannon Road South and Lincoln Road West intersection in an Open Space designation in the event that additional or supplemental parking is needed. Zoning shall provide for such use in the implementing By-law.
  - xi. The Town shall monitor and enforce parking standards and regulations, particularly in time-limited areas. Monitoring infractions may lead to additional measures being taken if directed by Council.
- c) The majority of the Secondary Plan Area is largely established residential, low density in character with most residences having driveways or defined points of access. For properties that serve as seasonal or permanent residence, owners are encouraged to seek municipal permit approval to establish an entrance to their lands to avoid instances of potential blockage by vehicles parking on-street.
- d) Lighting of public municipal parking lots, private commercial and residential parking areas shall be of adequate levels to ensure pedestrian safety while having regard for any adjacent or upper level residential uses. Spillover lighting from parking lot lighting onto adjacent properties shall be avoided unless otherwise planned and/or approved to do so.
- e) Any new municipal or private parking areas in the Core Mixed Use designated lands that interface with Residential designations shall be designed and constructed in a manner that seeks to provide landscape buffering where practical.

It is recognized that landscaped buffering may not be possible in all interface areas and consideration to assist in mitigation impacts, such as visual screening and/or solid fencing may be a requirement for development, re-development or site improvements, to the satisfaction of the Town. Zoning may provide for varied regulations on whole or on a site by site basis in respect of the Core Mixed Use designation in particular.

- f) Landscaped areas should be requested for large parking lots exposed to collector roads. Landscaping requirements shall be focused along the road frontages and shall provide for appropriate landscaped buffering and planting strips between the roadway or sidewalk and parking areas, using high quality materials and plant stock. Depending on size of parking lot, landscape islands may also be required.

#### **4.22.18 Cultural Heritage**

- a) All matters of Cultural Heritage shall be consistent with Section 11 of the Official Plan.

- b) The Town recognizes the cultural heritage and history of the Crystal Beach Neighbourhood as being one of seasonal destination, spiritual retreat, waterfront recreation and amusement. With the demise of the amusement park in 1989 and its redevelopment into a residential community, the iconic or cultural landscape long associated with Crystal Beach began to transition. Presently there has not been any built heritage resources designated or identified for the Municipal Registry of Heritage Properties, pursuant to the Heritage Act.

#### Built Heritage

- i. The Fort Erie Museum and Cultural Heritage Committee shall continue to advise Council on matters of the Crystal Beach built heritage and from time to time, may recommend for Council's consideration, properties for addition to the Municipal Registry following the Committee's more detailed review of community building stock.
  - ii. The Town has relied on voluntary designation of heritage properties and shall continue to act in this manner. The Town encourages designation of such properties and will work cooperatively with ownership in effort to facilitate designation.
- c) The Town's Official Plan informs those seeking development opportunities on the potential for archaeological resources within the Plan Area. While the community is largely built up, there are instances where further investigation may be required, particularly those areas along the Lake Erie Shoreline as identified within the Point Abino Zone of Sensitivity. This Zone of Sensitivity is of archaeological interest given the likely association with pre-contact native peoples presence on the lands.

Schedule 'D' and 'D1' of the Official Plan must be consulted for extent of these identified lands.

#### Archaeological

- i. The Town's Archaeological Master Plan informed and formed the background on the policies contain in Section 11 in the Town's Official Plan. It also introduced identification of Archaeological Zones of Potential and Sensitivity, which are reflected on the mapping Schedules of the Official Plan. The Point Abino Zone of Sensitivity represents one of these Sensitivity Zones where heightened interest exists.
- ii. Applications for development or redevelopment shall first be screened through pre-consultation and then assessed by the appropriate review authority with respect to the nature of the proposal and whether the proposal will present new disturbance requiring Stage 1 and/or Stage 2 Archaeological Study work be undertaken. The results of which, shall determine if further study is required.

#### **4.22.19 Municipal Services**

- a) Municipal servicing shall be consistent with the policies of Section 12 of the Official Plan.
- b) Municipal services such as sanitary and storm sewers, storm water management and municipal drainage will be provided, where feasible, and maintained/upgraded as necessary to accommodate the needs of existing and future development in the Crystal Beach Secondary Plan Area.
- c) The Region of Niagara's Master Servicing Update (GM Blue Plan 2017) indicates the Crystal Beach Waste Water Treatment Facility has capacity to provide for their allocated growth projection forecast for this treatment facility. The Town's more recent Master Servicing Update (GM Blue Plan 2019) also indicates capacity for the projected growth, but also speaks to need for improving local sewer systems impacted by extraneous flow experienced in certain areas of the Plan Area.

The Town will identify and undertake improvements where necessary following testing and prioritization of its local sewer systems to reduce extraneous flow. The Town shall budget for improvements annually and shall also seek partial funding through Programs offered by Niagara Region, when available, to further assist offsetting of costs.

The Town shall work co-operatively with Regional counterparts with respect to ongoing monitoring of extraneous flow to ensure wet weather impacts are being reduced to safeguard plant capacity over the long term. The Town shall continue to update its Master Servicing Plan on a regular 5-year scheduled cycle.

- d) New development or redevelopment may be required to provide a servicing study that includes analysis of the downstream sanitary sizing and the network's capacity capabilities in relation to proposed development flows.
- e) The Town shall continue to make improvements to its storm, sanitary and water networks and any planned improvement projects shall be identified in the 10-year capital projects budget. Reduction in wet weather impacts on existing infrastructure shall remain a priority of the municipality.
- f) All new development shall require approval of storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to enhance water quality and to mitigate or alleviate flooding of adjacent and downstream properties during storm events. Additionally, engineering solutions for storm water management that improve ground infiltration and assist in improving groundwater quality and recharge will be considered relative to the feasibility and practicality of their implementation.
- g) Existing municipal water supply is currently available to service the Plan Area. Looping of water mains may be requested and/or required as part of any agreement or conditions of development wherever an opportunity exists to do so.

- h) There are currently no identified restrictions to development within the Crystal Beach Secondary Plan Area under current water supply conditions, however functional servicing studies that may be requested for new or re-developing properties and sizable infill projects, shall address water supply demand on the existing water supply network.

#### **4.22.20 Utilities**

- a) Utility providers are required to consult with the Town when new plant locations or infrastructure is required, or existing infrastructure is identified for upgrade. The Town will work cooperatively with utility providers in effort to facilitate their needs while balancing the interests of the area residents or businesses.
- b) Utility companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are both compatible with existing and planned development and technically feasible in an effort to reduce or eliminate potential conflicts.
- c) Utility providers shall ensure their respective utility has been planned and located in accordance with any relevant safety regulations, separation requirements and/or municipal standards, either through individual utility plant location or as part of a combined installation.

#### **4.22.21 Neighbourhood Gateways & Landmarks**

- a) Schedule CB-2 illustrates a Gateway symbol at the primary entry points to the Neighbourhood and at key centres within, such as the intersection of Erie and Ridgeway Road.
- b) Gateway features act to provide both physical and psychological cues on demarcation of community boundary or area of interest. Features or landmarks act as visual benchmarks or visual points of reference to indicate location and reinforce arrival or departure.

This can be done in many ways such as signature buildings or architectural features, or through landscaping treatment and lighting. Combining any or all of these types of treatments provides opportunities to make a very bold statement or a much more modest approach to signal a threshold or specific location.

#### **4.22.22 Interpretation of the Plan**

The Crystal Beach Secondary Plan (Official Plan Amendment No.45) consists of Sections 4.22.1 through 4.22.22, and Schedules “CB-1”, “CB-2”, “CB-3”, “CB-4”, “CB-5” and “CB-6”.

**The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.**

**PART “C”  
THE APPENDICES**

***(Please see Schedules CB-1 to CB-6)***



Secondary Plan Limit  
(Urban Area Boundary)

## LEGEND

Built-Up Area (Growth Plan Designation)

Greenfield (not built-up yet)

Residential Intensification

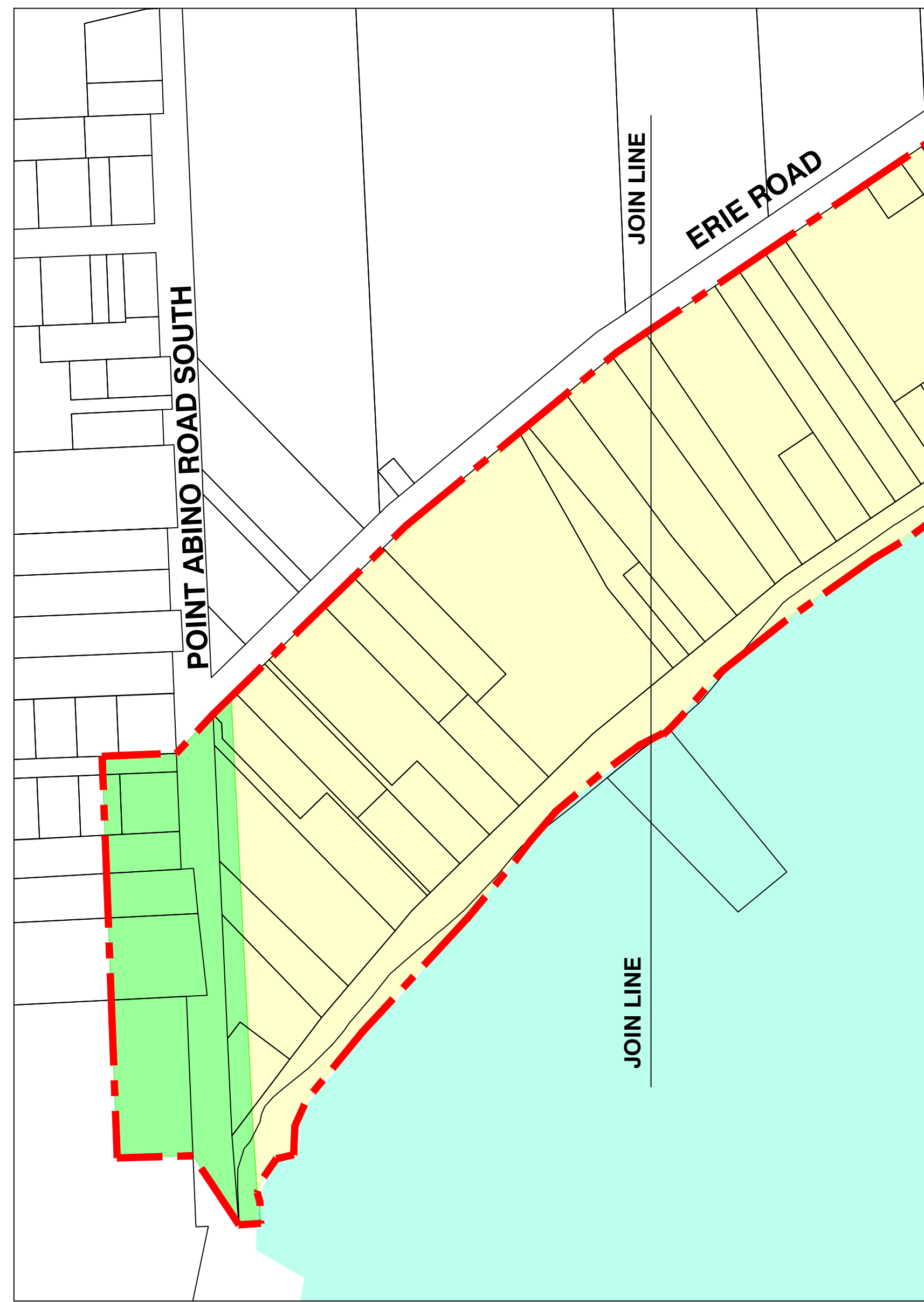
Core Mixed Use Intensification

Additions to the Built Boundary

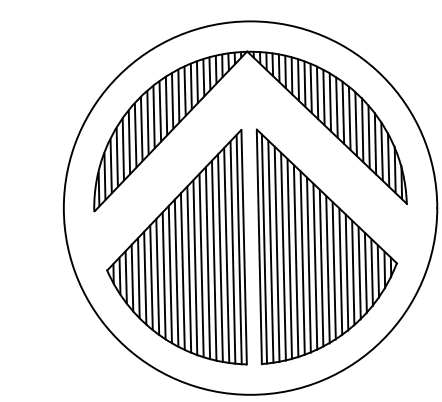
The Province of Ontario produced mapping in 2008 to illustrate lands that were determined to be Built-up Area of municipal urban areas. Mapping produced did not account for prior approved and registered plans of subdivision that would not have appeared on aerial photography at that time, but would not preclude approved subdivisions from proceeding as approved. The changes shown on this plan reflect registered plans the predate the Provincial mapping exercise.

## TOWN OF FORT ERIE OFFICIAL PLAN

PROVINCIAL COMPLIANCE  
WITHIN THE URBAN AREA



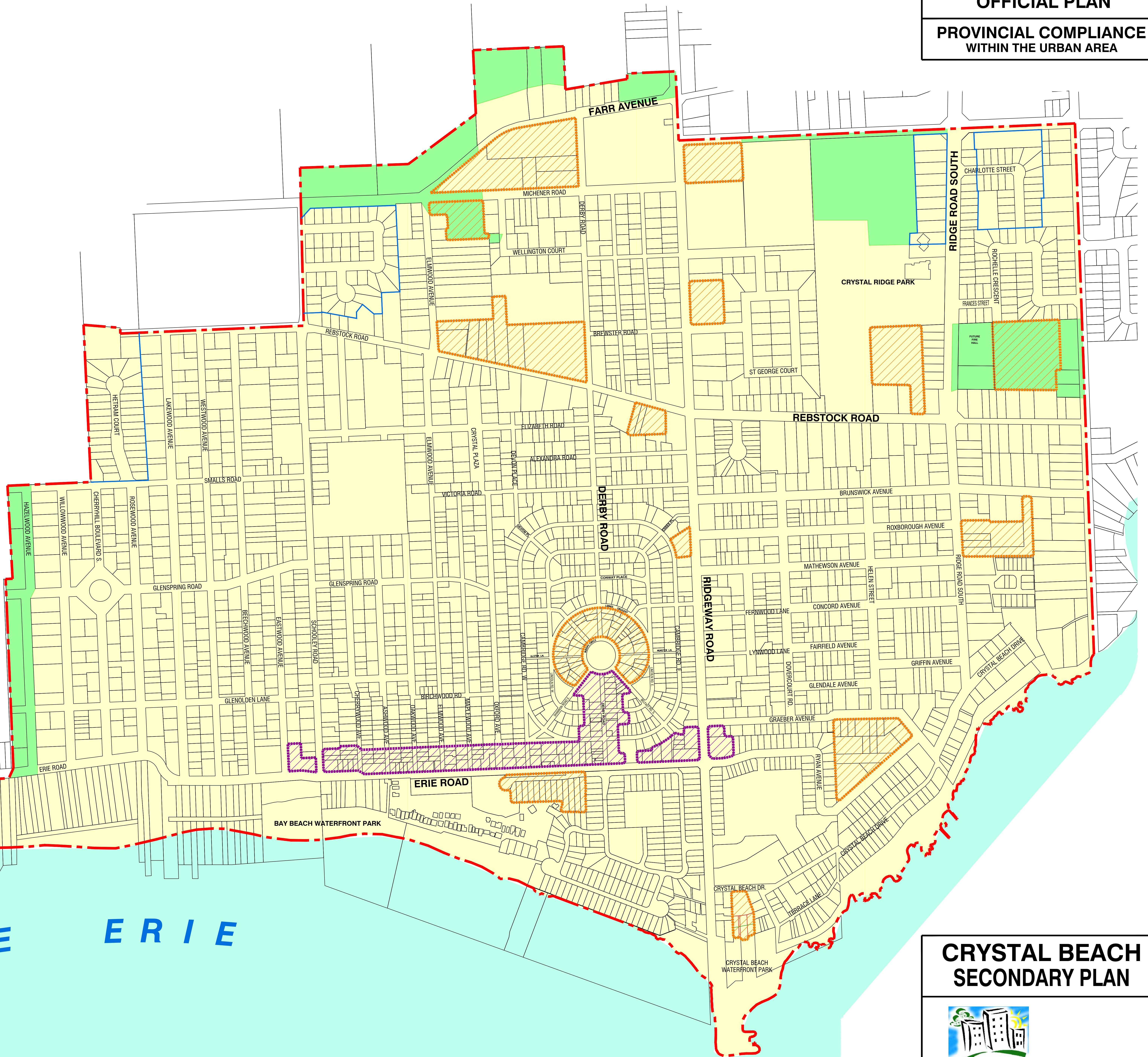
INSET MAP



ERIE ROAD

JOIN LINE

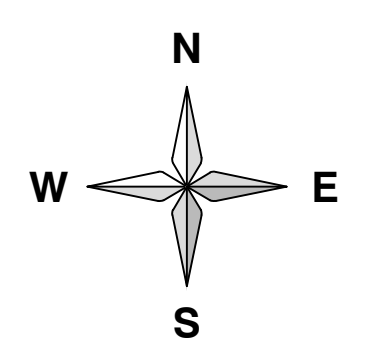
LAKE ERIE



## CRYSTAL BEACH SECONDARY PLAN



PLANNING & DEVELOPMENT SERVICES



DATE: FINAL  
Nov 8, 2021

SCALE: N.T.S

DRAWN: PCW

SCHEDULE

CB-1

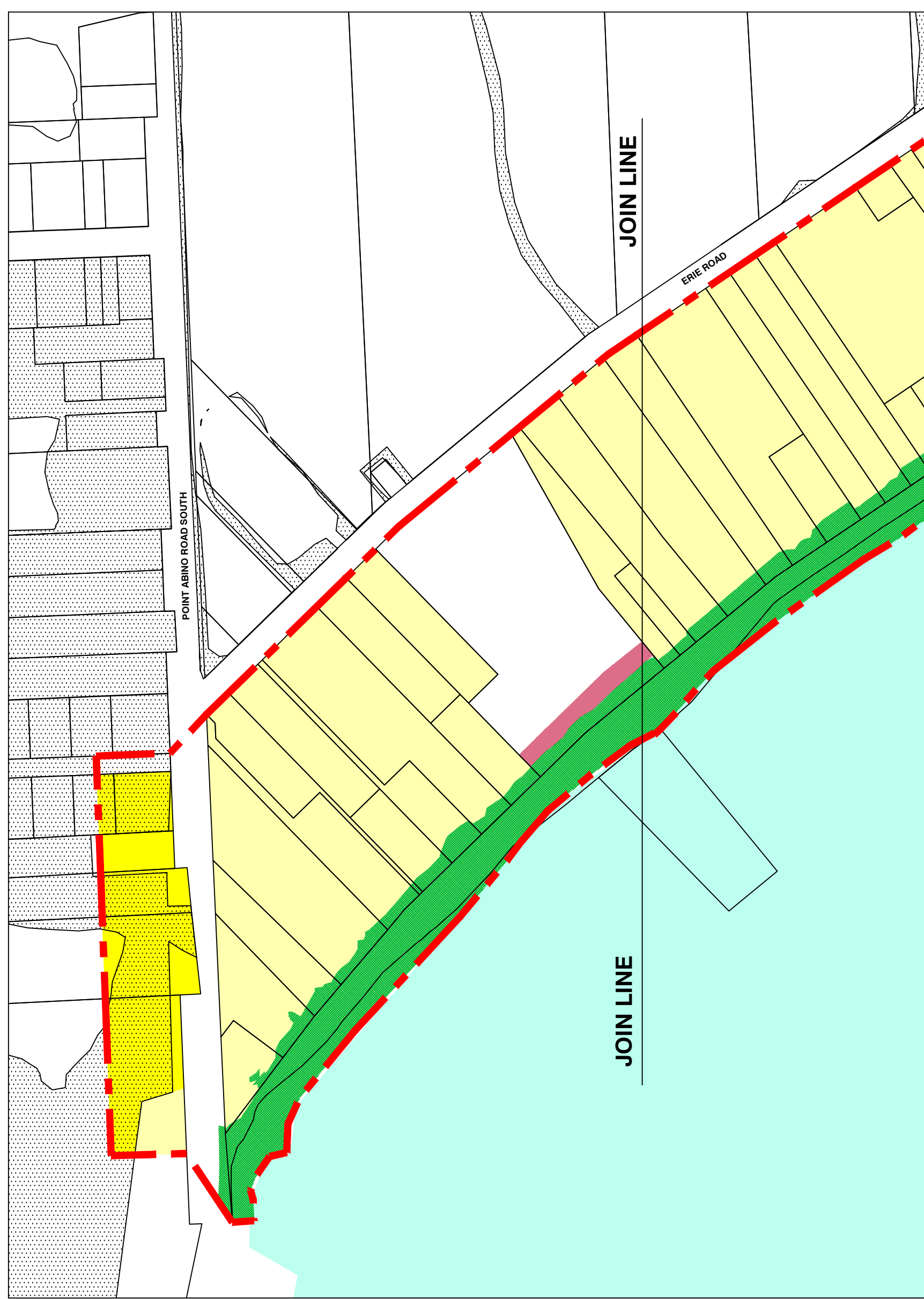


TOWN OF FORT ERIE  
OFFICIAL PLAN

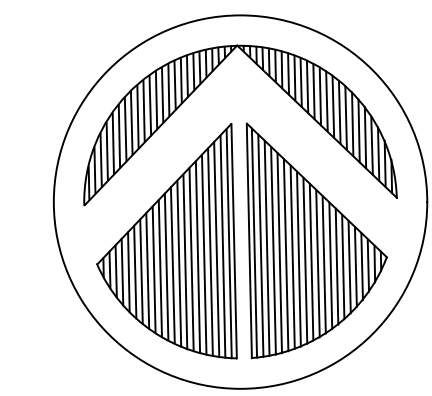
LAND USE PLAN

LEGEND

- Secondary Plan Limit  
(Urban Area Boundary)
- Waterfront Residential See 4.22.7
- Low Density
- Medium Density
- Core Mixed Use
- Commercial
- Institutional
- Open Space
- Environmental Protection
- Environmental Conservation Overlay
- Conceptual Road



INSET MAP

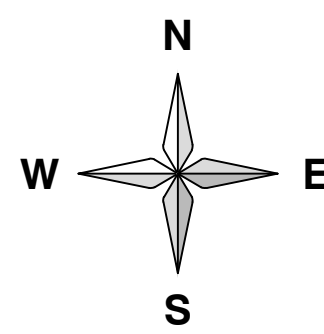


LAKE ERIE

CRYSTAL BEACH  
SECONDARY PLAN



PLANNING & DEVELOPMENT SERVICES



DATE: FINAL  
Nov 8, 2021

SCALE: N.T.S.

DRAWN: PCW

SCHEDULE

CB-2

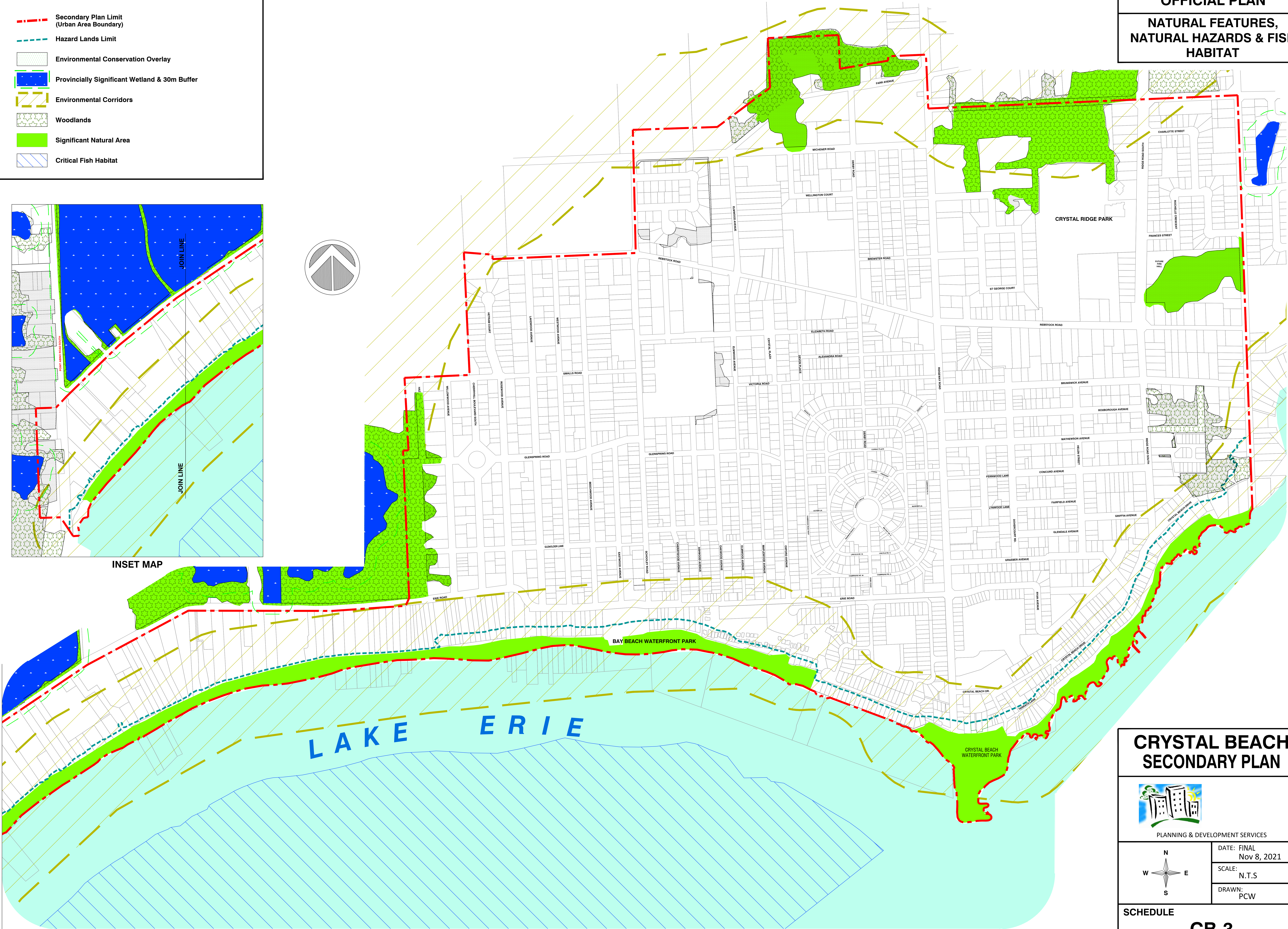
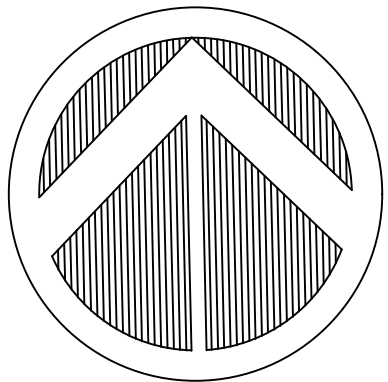
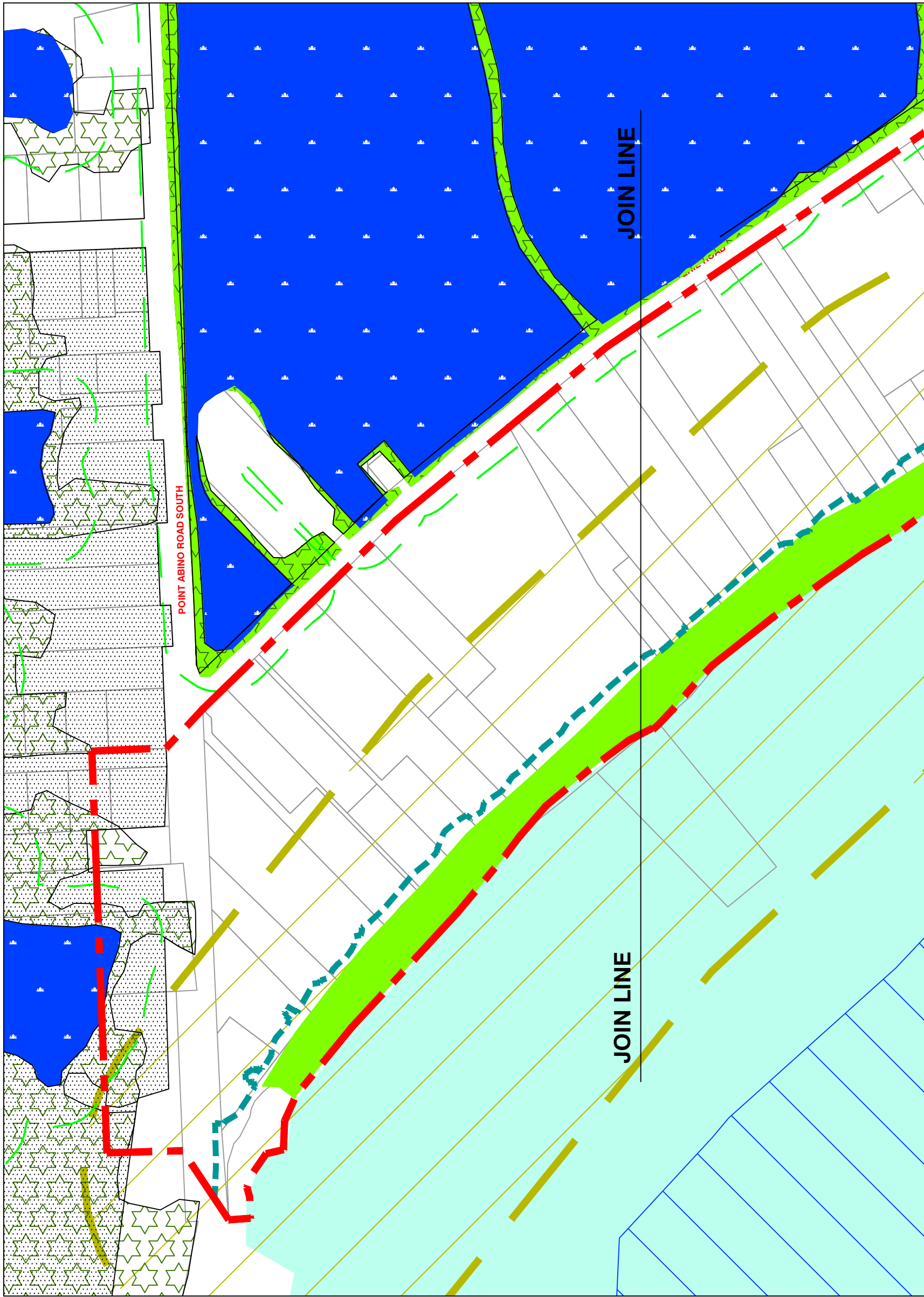


LEGEND

- Secondary Plan Limit (Urban Area Boundary)
- Hazard Lands Limit
- Environmental Conservation Overlay
- Provincially Significant Wetland & 30m Buffer
- Environmental Corridors
- Woodlands
- Significant Natural Area
- Critical Fish Habitat

TOWN OF FORT ERIE  
OFFICIAL PLAN

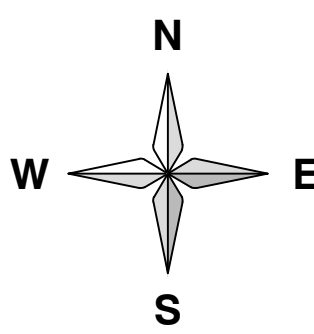
NATURAL FEATURES,  
NATURAL HAZARDS & FISH  
HABITAT



CRYSTAL BEACH  
SECONDARY PLAN



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SCHEDULE

CB-3



LEGEND

- Secondary Plan Limit  
(Urban Area Boundary)

Neighbourhood Park Radii

Waterfront Park & Waterfront Windows

Community Park

NP

Neighbourhood Park

SP

Specialized Park

WL

Woodland over 2ha

LC

Open Space - Linear Connection

C

Open Space - Cemetery

SWM

Open Space - SWM

OS

Open Space - Other

EC

Environmental Corridors
- TOWN OF FORT ERIE  
OFFICIAL PLAN
- PARKS and OPEN SPACE
- 
- INSET MAP
- 
- LAKE ERIE
- BAY BEACH WATERFRONT PARK
- CRYSTAL BEACH WATERFRONT PARK
- CRYSTAL RIDGE PARK
- RIDGEWAY MEMORIAL CEMETERY
- CRYSTAL BEACH  
SECONDARY PLAN
- 
- PLANNING & DEVELOPMENT SERVICES
- 
- DATE: FINAL  
Nov 8, 2021  
SCALE: N.T.S.  
DRAWN: PCW
- SCHEDULE  
CB-4



Secondary Plan Limit  
(Urban Area Boundary)

## LEGEND

### Roads

- Existing Municipal Collector Roads
- Existing Municipal Local Roads
- Approved Municipal Roads
- Existing Public Laneway
- Existing Private Road
- Approved Private Road
- Conceptual Road

### Transit Routes and Stops

- Current Transit Route (schematic)
- Approved Transit Stop (approx.)

### Gateways

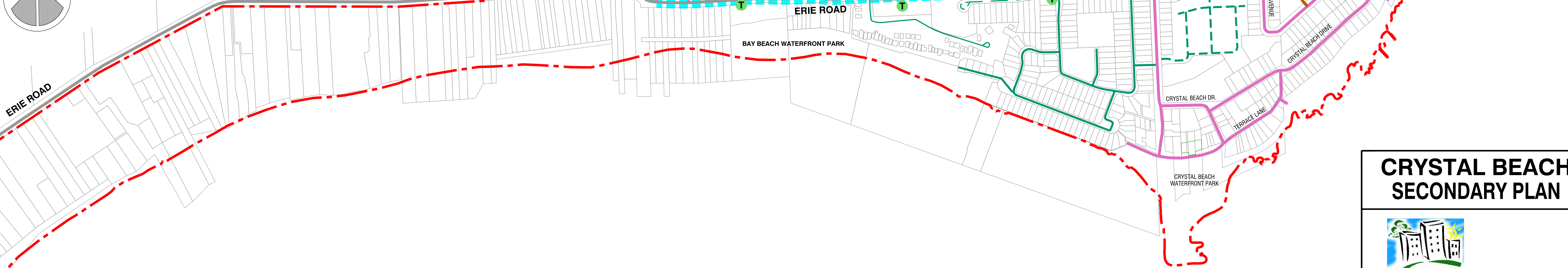
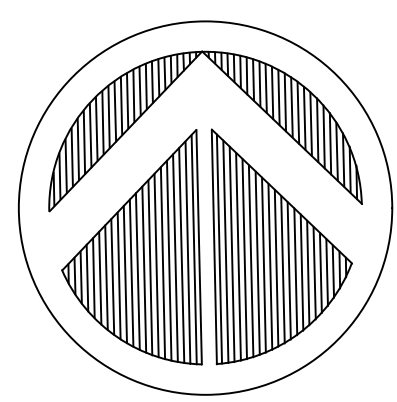
- Gateway Area (schematic)

## TOWN OF FORT ERIE OFFICIAL PLAN

### TRANSPORTATION SYSTEMS ROADS and TRANSIT NETWORK



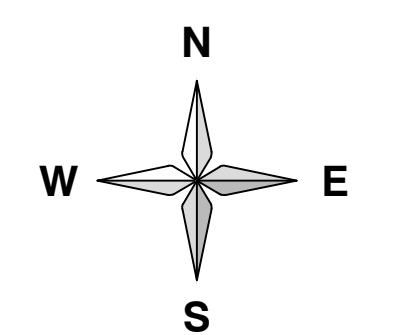
INSET MAP



## CRYSTAL BEACH SECONDARY PLAN



PLANNING & DEVELOPMENT SERVICES



DATE: FINAL  
Nov 8, 2021  
SCALE: N.T.S.  
DRAWN: PCW

SCHEDULE

CB-5



Secondary Plan Limit  
(Urban Area Boundary)

## LEGEND

### Active Transportation

Niagara Region Identified Cycling Network

In-Boulevard Multi-Use Trail

Buffered Bike Lane

Buffered Paved Shoulder

Paved Shoulder

Signed Bike Route with Sharrow

Signed Bike Route

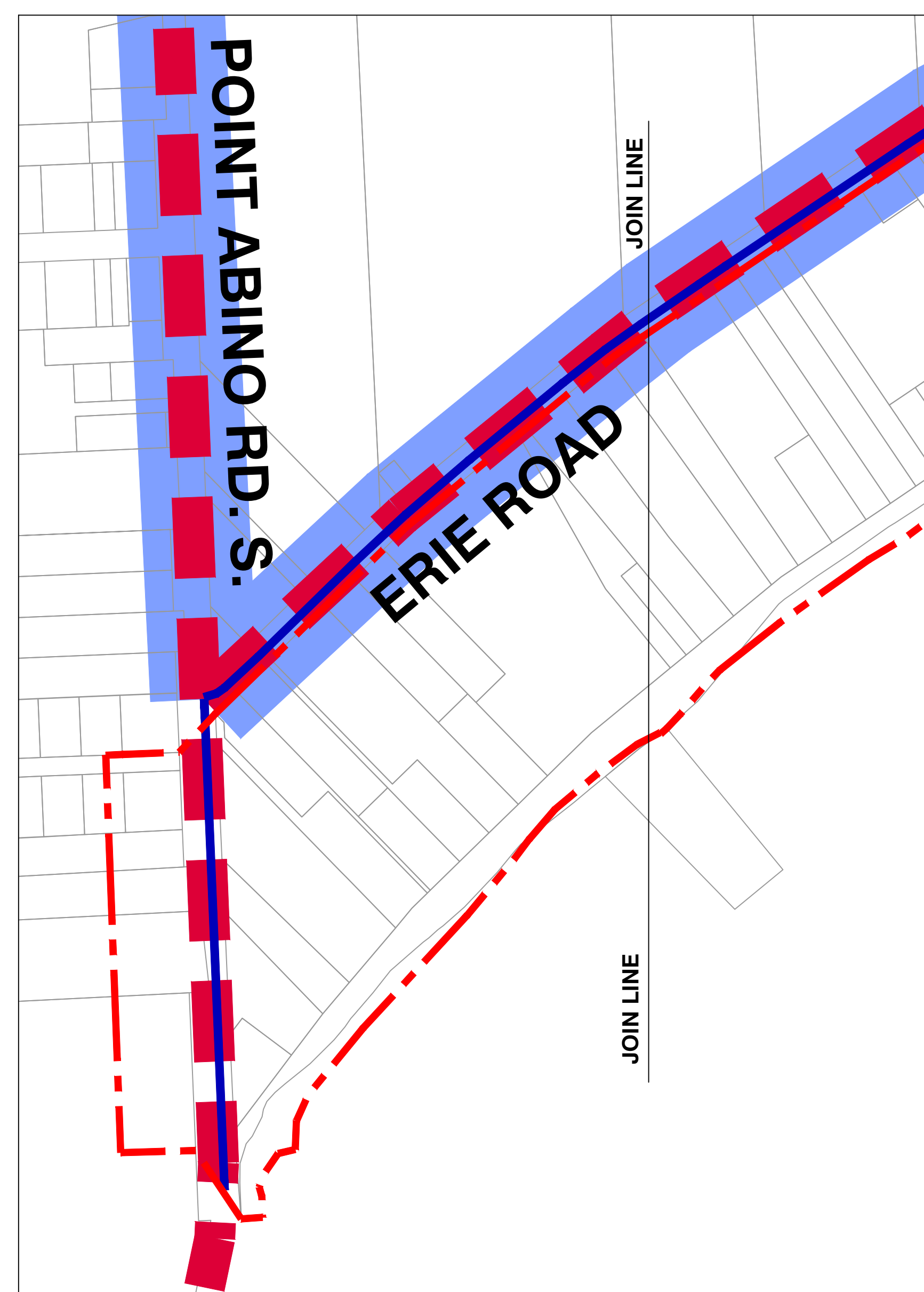
Existing Sidewalk

Potential / Future Sidewalk

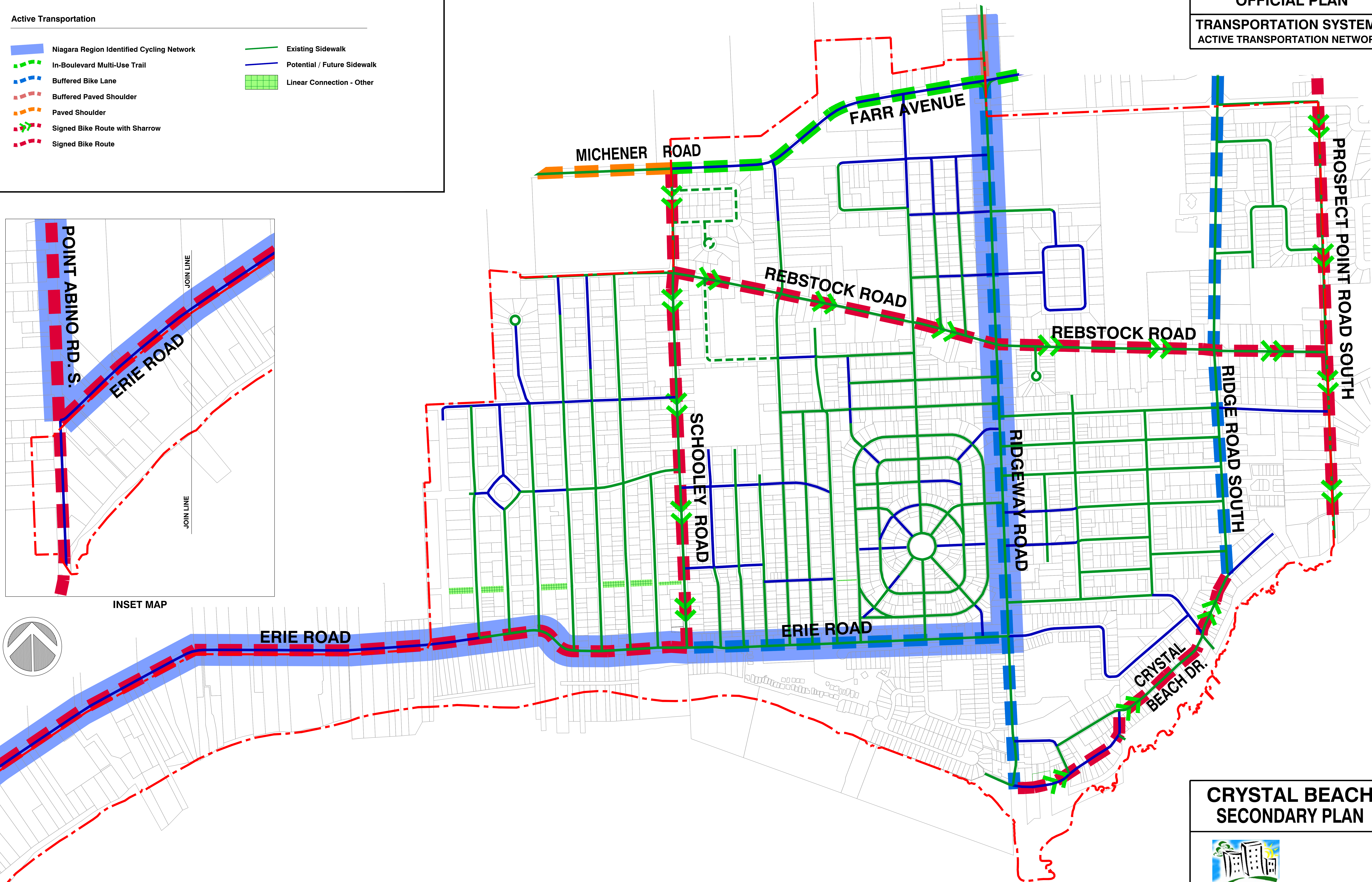
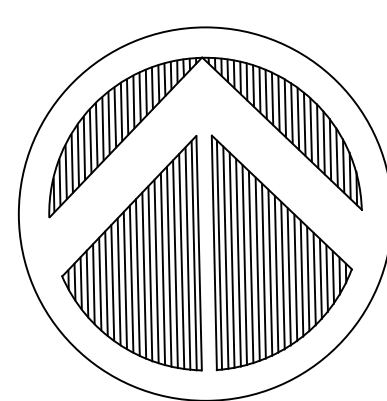
Linear Connection - Other

## TOWN OF FORT ERIE OFFICIAL PLAN

### TRANSPORTATION SYSTEMS ACTIVE TRANSPORTATION NETWORK



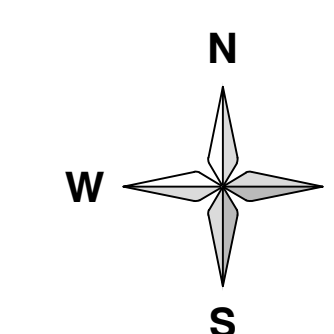
INSET MAP



## CRYSTAL BEACH SECONDARY PLAN



PLANNING & DEVELOPMENT SERVICES



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Nov 8, 2021

SCALE: N.T.S.

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SCHEDULE

CB-6