

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

## **By-law No. 25-2023**

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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. 67**

**97 Gorham Road**

**Bomofive Inc.**

**(Ross Boncore and Kam Mofid) - Owner**

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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, c. P.13 enacts as follows:**

1. **That** amendment No. 67 to the Official Plan for the Town of Fort Erie consisting of the attached explanatory text and mapping is hereby adopted and approved.
2. **That** this by-law shall come into force and take effect on the day of the final passing thereof.
3. **That** the Clerk of the Town of Fort Erie is authorized to affect 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 27<sup>th</sup> day of February, 2023.**

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**Mayor**

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**Clerk**

I, Carol Schofield, Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 25-2023 of the said Town. Given under my hand and the seal of the said Corporation, this       day of       , 20       .

**AMENDMENT NO. 67**

**TO THE**

**OFFICIAL PLAN**

**FOR THE**

**CORPORATION OF THE TOWN OF FORT ERIE**

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

### **SECTION 1**

#### **TITLE AND COMPONENTS**

This document, when approved in accordance with Sections 17 and 21 of The Planning Act, 1990, shall be known as Amendment No. 67 to the Official Plan adopted by By-law No. 150-06 of the Fort Erie Planning Area.

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

Part "B", the Amendment, consisting of the following text and map (designated Schedule "A") constitutes Amendment No. 67 to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area.

Also attached is Part "C", the Appendices, which do not constitute part of this amendment. These Appendices (1 through 3 inclusive) contain the background data, planning considerations and public involvement associated with this amendment.

### **SECTION 2**

#### **PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to change the land use designation of the subject lands shown on Schedule "A" attached hereto from "Medium Density Residential" to "Site Specific Policy Area 43 - 97 Gorham Road" to facilitate the development of two four storey apartment buildings with a total of 72 residential dwelling units.

### **SECTION 3**

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

The lands, which are the subject of this amendment, are municipally known as 97 Gorham Road and are located on the west side of Gorham Road as shown on Schedule "A" attached hereto.

## SECTION 4

### BASIS OF THIS AMENDMENT

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

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

There is need in Ridgeway and in the Town of Fort Erie in general for provision of additional rental units. According to the most recent data available from the Canadian Mortgage and Housing Corporation (CMHC) dated October 2021, there are approximately 489 apartment rental units in Fort Erie and the vacancy rate is 2.4%. This development will add 72 rental units, representing an increase of 14.7% to the Town's overall apartment rental unit availability.

The Ridgeway-Thunder Bay Secondary Plan Medium Density Residential land use designation also intends for apartments on the subject property and this proposal will assist the Town in achieving that Secondary Plan's goal of 610 new medium density residential units in the neighbourhood over the long term. This proposal will assist in reaching that goal.

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

Currently the existing area is considered to be underutilized, consisting mainly of single detached dwellings on large lots and existing commercial uses. The site is currently occupied by two single storey apartment buildings which were formerly a motel. The Ridgeway-Thunder Bay Secondary Plan has identified the area as being sufficient for a cluster of medium density residential development. Aside from this site, the lands across the street on the east side of Gorham Road and north of Farr Avenue have also been designated medium density residential. There are also five parcels on the south side of Farr Avenue between Gorham Road and Ridge Road North to the east that have been designated for medium density residential use. Further, staff note that the large agricultural parcel to the west of the subject property is now within the Urban Boundary following the recent approval of the Niagara Official Plan. This area of the Ridgeway-Thunder Bay neighbourhood is intended for intensification over the long term.

**c) The physical suitability of the land for such proposed use, and in the case of lands exhibiting or abutting a Natural Heritage feature, demonstration of compliance with the Natural Heritage policies of this plan:**

The subject lands are well suited for medium density residential development such as the proposed apartment buildings. The subject property is located near public open space and commercial amenities associated with downtown Ridgeway to the east and the Gorham Commercial Gateway and Friendship Trail to the north. The increased density of the proposal will require some zoning relief for a reduced number of parking spaces, primarily visitor

parking. There is enough landscaped area and private amenity area on-site for the future residents.

Circulation of Niagara Region and the Niagara Peninsula Conservation Authority have indicated that there are no significant natural features on the subject lands.

**d) The location of the area under consideration with respect to:**

- (i) the adequacy of the existing and proposed highway system in relation to the development of such proposed areas,**
- (ii) the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto, and**
- (iii) the adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations of the Ministry of the Environment and the Regional Niagara Health Services Department and any other appropriate authority deemed advisable;**

The subject property is located on the west side of Gorham Road and slightly north of Farr Avenue. Gorham Road is an arterial road and provides access to Highway 3/Garrison Road and the QEW to the north and Crystal Beach to the south. The Applicant's revised development plan has moved the access driveway to the site to the north to improve visibility and increase distance from the Gorham Road/Farr Avenue intersection. Gorham Road features paved shoulders lending itself to active transportation by bicycle and a sidewalk is available on the east side of Gorham Road.

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

The proposed development is compatible with the other residential land uses in the area. The former lands to the west are now also within the Urban Boundary following the approval of the Niagara Official Plan.

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

The Applicant has revised the proposed site plan to relocate the apartment dwellings as far away as possible from the single detached dwellings to the north, which will mitigate privacy and shadowing impacts. Fencing and landscaping along the northern lot line will also be utilized to minimize impacts to the single detached dwelling to the north. No depreciating or deteriorating effects are anticipated on the lands to the west and south, which are currently vacant.

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

This proposal will improve the financial position of the Town through development charges and long-term collection of property taxes from the proposed apartment buildings.

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

Consultation with the Niagara Peninsula Conservation Authority (NPCA) and Niagara Region have verified that there are no natural heritage or NPCA-regulated features on the subject property. The Applicant has completed a Tree Preservation Plan (TPP) that contains recommendations for protection of trees on the parcel to the west and south. No conflicts with the Environmental Protection Act are anticipated from this development.

## **SECTION 5**

### **IMPLEMENTATION AND INTERPRETATION**

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



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

All of this part of the document entitled "Part "B" - "The Amendment" consisting of the following policies and attached maps designated as Schedule "A" (Land Use Plan) constitute Amendment No. 67 to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area. The Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area is hereby amended as follows:

1. The subject lands described as Part 1 on Schedule "A" attached hereto are hereby redesignated to:

### **Site Specific Policy Area 43 - 97 Gorham Road**

1. The subject lands shall generally be governed by the Medium Density Residential policies of Section 4.18.7 of the Ridgeway-Thunder Bay Secondary Plan.
2. Notwithstanding the density provisions identified on Schedule RTB-2 as Residential - Medium Density (25 - 75 units/ha) and the density policy provisions of Section 4.18.7 (b) of the Ridgeway-Thunder Bay Secondary Plan the subject lands described on the attached Schedule "A" shall be allowed to develop to a maximum density of 111.3 units/ha.

## **PART “C” - THE APPENDICES**

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

# SCHEDULE "A"



0 25 50 Metres

**By-law No. xx-2023**

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO THE OFFICIAL PLAN  
PASSED THIS 27TH DAY OF FEBRUARY, 2023**



Subject Lands - 97 Gorham Road



Change from Residential - Medium Density to Site Specific Policy Area 43

N


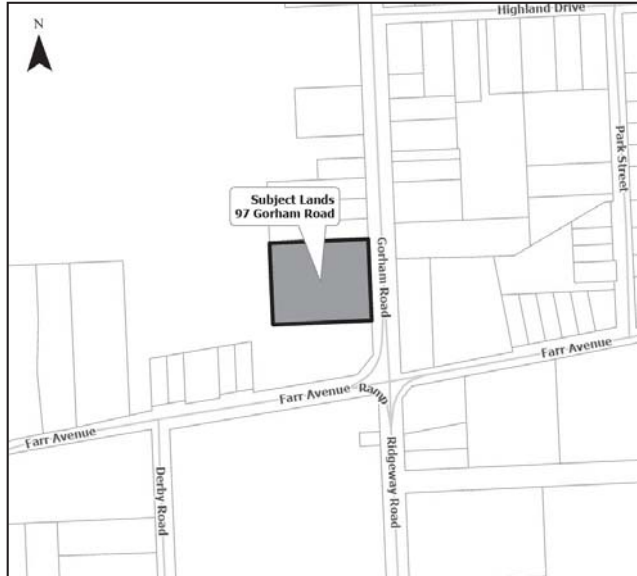







## **NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING**

**Owner: Bomofive Inc. (Ross Bomcore and Kam Mofid)  
Agent: Urban Environments (Greg Hynde)  
97 Gorham Road  
Combined Official Plan & Zoning By-law Amendment  
Application  
Application File Nos: 350302-0133 & 350309-0501**

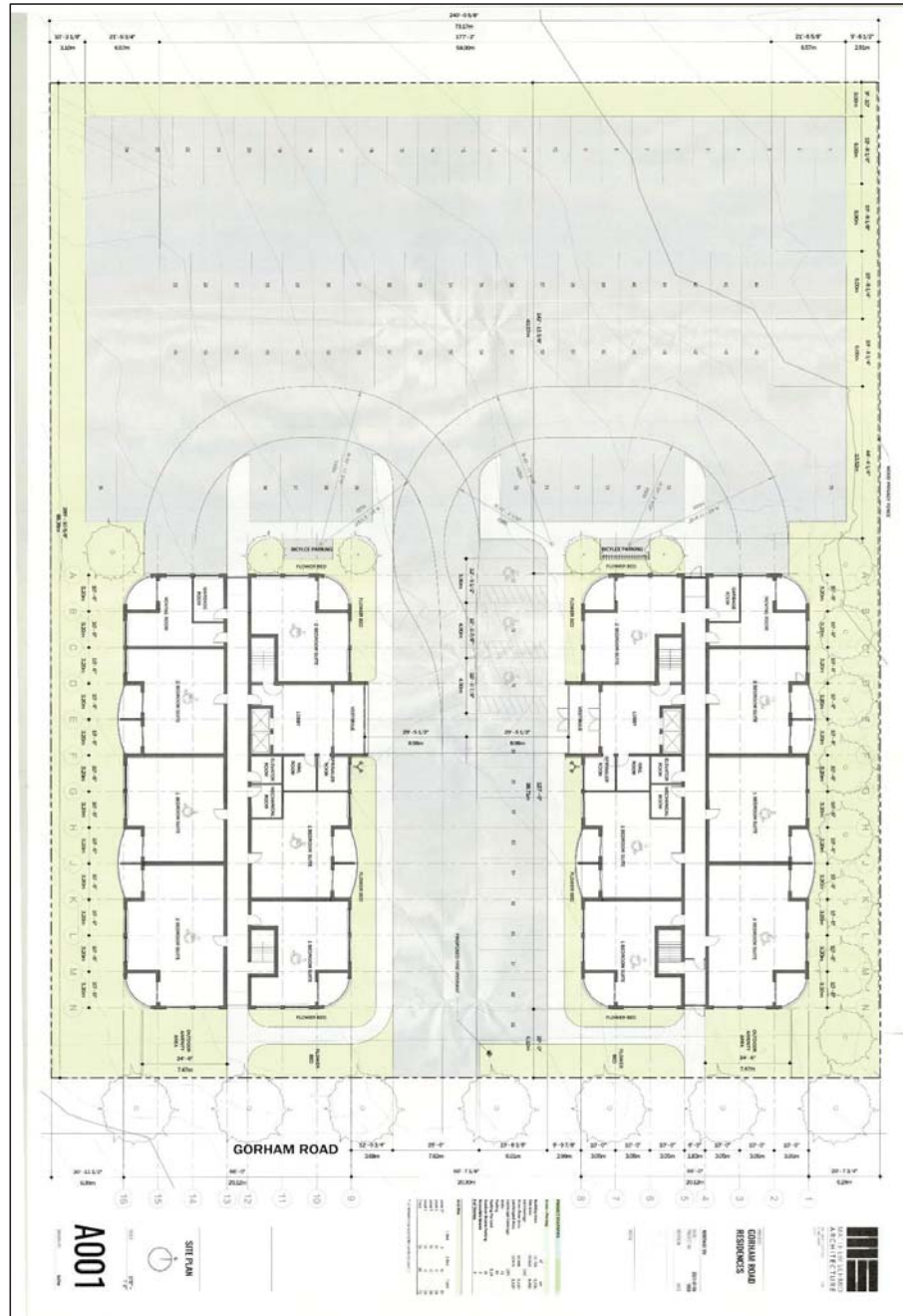
**DATE: MAY 9, 2022  
TIME: 6:00 PM  
LOCATION: MUNICIPAL TOWN HALL COUNCIL CHAMBERS**

	<p><b><u>LOCATION OF SUBJECT LANDS</u></b></p> 
	<p><b><u>PROPOSED CHANGE</u></b></p> <p>A Combined Official Plan and Zoning By-law Amendment is requested to facilitate development of two apartment buildings that are four storeys in height on the parcel municipally known as 97 Gorham Road. A total of 72 dwelling units are proposed for the development.</p> <p>The lands are located within the Urban Area and are currently designated Medium Density Residential in the Ridgeway-Thunder Bay Secondary Plan. Apartments are permitted in the Medium Density land use designation. An Official Plan Amendment is required as the Medium Density Residential land use designation limits the maximum density to a maximum of 75 units/hectare. This development proposes a density of 111.3 units/hectare.</p> <p>The lands are currently zoned Residential Multiple 1 (RM1-508) Zone in accordance with the Town's Zoning By-law No. 129-90. This proposal seeks to change the zoning from Residential Multiple 1 (RM1-508) Zone to a site-specific Residential Multiple 2 (RM2) Zone that contains provisions for the following:</p> <ul style="list-style-type: none"> <li>• to permit reduced lot area of 6,468.00 sq m for 72 dwelling units (111.30 units/hectare);</li> <li>• reduced amount of on-site parking spaces to 89 (1.24 parking spaces per dwelling unit) and;</li> <li>• reduced front yard setback of 6.00 m.</li> </ul>
	<p><b><u>GETTING MORE INFORMATION</u></b></p> <p>Input on the Zoning By-law Amendment is welcome and encouraged. You can provide input by speaking at the public meeting or by making a written submission to the Town. Please note that unless you do one of the above now, you may not be able to appeal the decision later.</p>

## APPENDIX "1"

	<p>A copy of the Information Report will be available to the public by 5:00 PM on <b>May 4, 2022</b>. The information report will be available in the Council agenda portion of the Town's Web Site: <a href="http://www.forterie.ca">www.forterie.ca</a> or by contacting Daryl Vander Veen, Junior Planner.</p> <p><b><u>CONTACT INFORMATION</u></b></p> <p>Daryl Vander Veen, Junior Development Planner Planning and Development Services Department Town Hall, 1 Municipal Centre Drive Fort Erie, Ontario L2A 2S6 905-871-1600 ext. 2509 Or by e-mailing your comments to: <a href="mailto:dvanderveen@forterie.ca">dvanderveen@forterie.ca</a></p> <p><b><u>PROVIDING YOUR COMMENTS OR REQUESTING NOTICE OF DECISION</u></b></p> <p>To provide input in writing, or to request written notice of the decision of the combined Official Plan and Zoning By-law Amendment, please send a letter c/o Carol Schofield, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to <a href="mailto:cschofield@forterie.ca">cschofield@forterie.ca</a></p>
	<p><b><u>PLANNING ACT LEGAL NOTICE REQUIREMENTS</u></b></p> <p>The Town of Fort Erie has not yet made a decision regarding this application. After considering any written comments and the comments from the public meeting, a Recommendation Report will be prepared for a future Council-in-Committee meeting.</p> <p>If a person or public body would otherwise have an ability to appeal the decision of the Town of Fort Erie's Municipal Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written statements to the Town of Fort Erie before the by-law is passed, the person or public body is not entitled to appeal the decision.</p> <p>If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.</p> <p>For more information about this matter, including information about appeal rights, please send a letter c/o Carol Schofield, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to <a href="mailto:cschofield@forterie.ca">cschofield@forterie.ca</a></p> <p>Notice dated April 14, 2022.</p>

## SCHEDULE 1



**Council-in-Committee - 09 May 2022 Meeting Minutes**

contract services to the Fort Erie SPCA. He abstained from discussing the matter.

**(b) Councillor Dubanow**

Councillor Dubanow declared a pecuniary interest with respect to Report Nos. PDS-26-1-2022 and PDS-26-2022 Re: Supplemental Report and Report respectively, Animal Care and Control Services Award of Contract, as the company he works for provides contract services for the Fort Erie SPCA. He abstained from discussing and voting on the matters.

**(d) Mayor Redekop**

Mayor Redekop declared a pecuniary interest with respect to Item No. 10.1 (a) delegation by Kim Helsdon and Brian Maskell, and under Item No. 10.2: Item 1) 5) Report No. CAO-28/LC-2021 Land Committee Minutes December 2, 2021, and Item No. 3) 16) Report No. CAO-06/LC-09-2022, as he previously represented the parties in a legal capacity and has declared a pecuniary interest on this issue in the past. He abstained from discussing and voting on the matters.

**5. Notice of Upcoming Public Meetings**

**(a) Proposed Official Plan and Zoning By-law Amendments**

Re: 124 Windmill Point Road South - Owner: Craig and Katie Kuhn - Agent: Quartek Group Inc. (Susan Smyth) - Monday, May 30, 2022 - 6:00 p.m. The information report will be available by 5:00 p.m. on May 26, 2022.

**(b) Proposed Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments**

Re: 0-17482 & 0-17484 Black Creek Road - Owner: 5009823 Ontario Inc. (Capital Contracting) - Agent: Matt Kernahan (Upper Canada Consultants) - Monday, May 30, 2022 - 6:00 p.m. The information report will be available by 5:00 p.m. on May 26, 2022.

**6. Public Meetings**

**(a) Proposed Official Plan and Zoning By-law Amendment**

Re: 97 Gorham Road - Owner: Bomofive Inc. (Ross Bomcore and Kam Mofid) - Agent: Urban Environments (Greg Hynde). The

### Council-in-Committee - 09 May 2022 Meeting Minutes

Applicant's request is to amend the Official Plan Medium Density Residential land use designation which limits the maximum density to a maximum of 75 units/hectare and this development proposes a density of 111.3 units/hectares. The Applicant's request is also to rezone the subject property from Residential Multiple 1 (RM1-508) Zone to a site-specific Residential Multiple 2 (RM2) Zone that contains provisions to permit reduced lot areas, reduced amount of on-site parking and reduced front yard setback. The amendments will facilitate development of two four storey apartment buildings.

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

Mr. Vander Veen, Junior Development Planner, Development approvals, delivered a PowerPoint Presentation which is available for viewing on the Town's website.

Mr. Vander Veen confirmed the statutory requirements for the Public Meeting were met, summarized the purpose of the Application, and public comments received.

Greg Hynde, Urban Environments (Agent), and Matthew Schmid of Matthew Schmid Architecture Inc. (Architect) were present to speak on behalf of the Application.

Mr. Hynde provided the following comments:

- The site is the conversion from motel units to apartment rentals with parking in the front, and on the side, and 1 building.
- The recommendation is instead of 1 building on the site, it is split into 2 for the streetscape, and the building placement is closer to the road for parking in the rear.
- Internal sidewalks will be put in, connecting the parking lots with the street, and landscaping and fencing would be included.
- The traffic consultant advised that the traffic is operationally sufficient, structurally sound, and the roadway is able to accommodate the traffic.
- They will only use 4.2 % of the sewer's capacity and the driveways and parking lot are going to serve as partial detention of storm water.
- There were problems with environmental issues such as oil, heating, and lead paint that will be replaced with new development and environmentally sensitive materials.

Mr. Schmid provided a PowerPoint Presentation and the following commentary:



### Council-in-Committee - 09 May 2022 Meeting Minutes

- The development consists of twin apartment 4 story buildings located to the north and south, and are short in dimension maintaining the required setbacks.
- Accessible parking paths of travel and accessible units are provided to maximise convenience for people with mobility challenges.
- There is a classic AB rhythm created down the length of each building, with the recessed balconies and a glazed facade that creates a sense of lightness.
- The landscape plan involves creating a vegetation buffer around the building consisting of ornamental trees, flower beds, a privacy screen of trees and a wood fence.
- An analysis was run on shadows, and the outcome is that there was little to no impact on neighbouring properties.

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

No members of the public came forward.

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

*Available for viewing on the Town's YouTube Channel:*

[www.youtube.com/townofforterie](http://www.youtube.com/townofforterie)

*\*Presenters speaking notes retained in Clerk's office*

(a) *\*Jean-Claude LeLay, 113 Gorham Road, Ridgeway*

- The proposed development does not fit with the feel of "small town Ridgeway".
- The Official Plan only allows for 89 parking spots and there are 72 dwellings with possibly 150 – 200 people.
- Concerned with parking, traffic, safety and privacy.

(b) *\*Pat Huffman, 104 Gorham Road*

- The property is 2/3 hectare in size.
- The proposal is to exceed the limits of a full hectare in the number of dwelling units, the amount of on-site parking spaces, and the front yard setback.
- Safety concerns with no sidewalks, increased traffic, and the location of the driveway / entrance.

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(c) Geoffrey Aldridge, 3765 Rebstock Road, Crystal Beach

Mr. Aldridge provided a PowerPoint Presentation and the following commentary:

- The 3 proposed amendments are: 6 m front vs 7.5, 1.24 parking spaces vs 1.5, and 111.3 u/ha vs (max) 75.
- Concerned with municipal water and sanitary sewer capacity, vegetation, traffic, no sidewalks, and impact on neighbours.
- Evans Planning Inc. requested that the lands be added to the Region's and Town's urban settlement area.

Mayor Redekop enquired whether the Clerk received any written submissions subsequent to the posting of the Report. The Clerk advised that she received a written submission from Faith Blacquiere, Kanata, ON, which will be appended to the Minutes.

**Mayor Redekop declared the Public Meeting closed.**

*Council recessed at 8:20 p.m. for 10 minutes.*

(b) Proposed Official Plan and Zoning By-law Amendment

Re: 3914 Alexandra Road - Owner: Centurion Building Corporation. The Applicant's request is to rezone the subject property from Residential 2 (R2) Zone to Residential 2B (R2B) Zone which permits a minimum lot frontage of 10.00 m to construct a one-story single detached dwelling on the existing undersized lot.

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

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

Matt Kernahan Upper Canada Consultants (Agent), was present to speak on behalf of the Application. He provided a PowerPoint Presentation and the following commentary:

- The property is made up of 2 full lots from the original subdivision. The existing dwelling and detached garage are both located entirely on lot 239, and the applicant is seeking to construct a single detached dwelling on lot 240.

**APPENDIX "3"**

Re: Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 1 of 2

Craig Krueger to: Daryl Vander Veen 2022-04-26 01:34 PM

From: "Craig Krueger" <craig.krueger@cogeco.com>

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

Thank you. Cogeco has no issues with this.

Craig

On Mon, Apr 25, 2022 at 3:27 PM Daryl Vander Veen <[DVanderVeen@forterie.ca](mailto:DVanderVeen@forterie.ca)> wrote:

Good afternoon,

A complete application for a Combined Official Plan and Zoning By-law Amendment has been received from Greg Hynde of Urban Environments for 97 Gorham Road. The Owner is Bomofive Inc. (Ross Boncore & Kam Mofid).

The Official Plan Amendment proposes to permit an increase in density on the subject property to 111.30 units/hectare. The subject property is currently designated Medium Density Residential and Environmental Conservation in the Ridgeway-Thunder Bay Secondary Plan. The Medium Density Residential land use designation is reserved for multiple-unit structures including apartment dwellings. The Secondary Plan envisions a density of 25 to 75 units/hectare on areas designated Medium Density Residential. An Official Plan Amendment is required to permit the increased density.

The current zoning of the subject property is Residential Multiple 1 (RM1-508) Zone and Environmental Conservation (EC) Overlay Zone in accordance with the Town's Zoning By-law No. 129-1990. The existing zoning permits apartment dwellings up to four storeys in height. This Zoning By-law Amendment proposes to change the zoning of the subject lands from Residential Multiple 1 (RM1-508) Zone to a site-specific Residential Multiple 2 (RM2) Zone with special provisions to implement the Applicant's development plan. The proposed site-specific RM2 zoning contains the following additional special provisions:

- reduced lot area of 6,468.00 sq m for 72 dwelling units (111.30 units/hectare);
- reduced amount of on-site parking spaces to 89 (1.24 parking spaces per dwelling unit) and;
- reduced front yard setback of 6.00 m.

The following documents are submitted for your review. The attachments will be sent out in two parts due to file size limitations.

0. Pre-consultation Agreement - 97 Gorham Road
1. Application for Combined Official Plan & Zoning By-law Amendment
2. Planning Justification Report
3. Site Plan, Floor Plans & Elevations
4. Survey
5. Technical Studies

Please provide any comments you have on the application no later than **Monday, May 16, 2022**. If your agency has a review fee it has been mailed to your attention. Please contact me if you have any questions or require any further information.

Regards,

Daryl

Daryl Vander Veen, BES  
Junior Planner

**APPENDIX "3"**

RE: [External] Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 1 of 2

Municipal Planning to: Daryl Vander Veen 2022-04-25 04:08 PM  
 From: "Municipal Planning" <MunicipalPlanning@enbridge.com>  
 To: "Daryl Vander Veen" <DVanderVeen@forterie.ca>

Thank you for your circulation.

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

Please continue to forward all municipal circulations and clearance letter requests electronically to [MunicipalPlanning@Enbridge.com](mailto:MunicipalPlanning@Enbridge.com).

Regards,

**Casey O'Neil** (she/her)  
 Sr Analyst Municipal Planning  
 Engineering

—  
**ENBRIDGE**  
 TEL: 416-495-5180  
 500 Consumers Rd, North York, ON M2J1P8  
[enbridge.com](http://enbridge.com)  
**Safety. Integrity. Respect. Inclusion.**

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

**Sent:** Monday, April 25, 2022 3:28 PM

**Subject:** [External] Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 1 of 2

**CAUTION! EXTERNAL SENDER**

**Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?**

**DO NOT click links or open attachments unless you are 100% sure that the email is safe.**

Good afternoon,

A complete application for a Combined Official Plan and Zoning By-law Amendment has been received from Greg Hynde of Urban Environments for 97 Gorham Road. The Owner is Bomofive Inc. (Ross Boncore & Kam Mofid).

The Official Plan Amendment proposes to permit an increase in density on the subject property to 111.30 units/hectare. The subject property is currently designated Medium Density Residential and Environmental Conservation in the Ridgeway-Thunder Bay Secondary Plan. The Medium Density Residential land use designation is reserved for multiple-unit structures including apartment dwellings. The Secondary Plan envisions a density of 25 to 75 units/hectare on areas designated Medium Density Residential. An Official Plan Amendment is required to permit the increased density.

The current zoning of the subject property is Residential Multiple 1 (RM1-508) Zone and Environmental Conservation (EC) Overlay Zone in accordance with the Town's Zoning By-law No. 129-1990. The existing zoning permits apartment dwellings up to four storeys in height. This Zoning By-law Amendment proposes to change the zoning of the subject lands from Residential Multiple 1 (RM1-508) Zone to a site-specific Residential Multiple 2 (RM2) Zone with special provisions to implement the Applicant's development plan. The proposed site-specific RM2 zoning contains the following additional special provisions:

**APPENDIX "3"**

RE: Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 1 of 2

Sarah Mastroianni to: Daryl Vander Veen 2022-04-26 03:42 PM

From: "Sarah Mastroianni" <smastroianni@npca.ca>

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

Hi Daryl,

NP NPCA concerns with this property.

Thanks.

Sarah Mastroianni  
Manager, Planning and Permits  
Niagara Peninsula Conservation Authority (NPCA)  
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2  
Tel: 905-788-3135 | extension 249  
[smastroianni@npca.ca](mailto:smastroianni@npca.ca)  
[www.npca.ca](http://www.npca.ca)

NPCA Watershed Explorer

Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. The NPCA main office is open by appointment only with limited staff, please refer to the Staff Directory and reach out to the staff member you wish to speak or meet with directly.

Updates regarding NPCA operations and activities can be found at Get Involved NPCA Portal, or on social media at facebook.com/NPCAOntario & twitter.com/NPCA\_Ontario.

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

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

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

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

**Sent:** April 25, 2022 3:28 PM

**Subject:** Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 1 of 2

Good afternoon,

A complete application for a Combined Official Plan and Zoning By-law Amendment has been received from Greg Hynde of Urban Environments for 97 Gorham Road. The Owner is Bomofive Inc. (Ross Boncore & Kam Mofid).

The Official Plan Amendment proposes to permit an increase in density on the subject property to 111.30

### APPENDIX "3"

units/hectare. The subject property is currently designated Medium Density Residential and Environmental Conservation in the Ridgeway-Thunder Bay Secondary Plan. The Medium Density Residential land use designation is reserved for multiple-unit structures including apartment dwellings. The Secondary Plan envisions a density of 25 to 75 units/hectare on areas designated Medium Density Residential. An Official Plan Amendment is required to permit the increased density.

The current zoning of the subject property is Residential Multiple 1 (RM1-508) Zone and Environmental Conservation (EC) Overlay Zone in accordance with the Town's Zoning By-law No. 129-1990. The existing zoning permits apartment dwellings up to four storeys in height. This Zoning By-law Amendment proposes to change the zoning of the subject lands from Residential Multiple 1 (RM1-508) Zone to a site-specific Residential Multiple 2 (RM2) Zone with special provisions to implement the Applicant's development plan. The proposed site-specific RM2 zoning contains the following additional special provisions:

- reduced lot area of 6,468.00 sq m for 72 dwelling units (111.30 units/hectare);
- reduced amount of on-site parking spaces to 89 (1.24 parking spaces per dwelling unit) and;
- reduced front yard setback of 6.00 m.

The following documents are submitted for your review. The attachments will be sent out in two parts due to file size limitations.

0. Pre-consultation Agreement - 97 Gorham Road
1. Application for Combined Official Plan & Zoning By-law Amendment
2. Planning Justification Report
3. Site Plan, Floor Plans & Elevations
4. Survey
5. Technical Studies

Please provide any comments you have on the application no later than **Monday, May 16, 2022**. If your agency has a review fee it has been mailed to your attention. Please contact me if you have any questions or require any further information.

Regards,

Daryl

Daryl Vander Veen, BES  
Junior Planner

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

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Thanks for connecting.

For up-to-date information about the Town of Fort Erie's response to the COVID-19 virus, please visit <https://www.forterie.ca/pages/Covid19News>

### APPENDIX "3"

We also strongly encourage you to stay-up-to-date with the latest advice from Niagara Region Public Health at <https://www.niagararegion.ca/health/covid-19/default.aspx>

All critical services, including water and wastewater and road operations as well as fire services will continue to operate to support our community. For after-hours services, including road or wastewater operations, please call 905-871-1600. For emergency assistance from fire services please call 911.

As many Town staff are focusing on emergency management at this time, we thank you in advance for your patience.

Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. The NPCA main office is open by appointment only with limited staff, please refer to the [Staff Directory](#) and reach out to the staff member you wish to speak or meet with directly. Our Conservation Areas are currently open, but may have modified amenities and/or regulations.

Updates regarding NPCA operations and activities can be found at [Get Involved NPCA Portal](#), or on social media at [NPCA's Facebook Page](#) & [NPCA's Twitter page](#).

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

**Planning and Development Services**

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

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**Via Email**

June 6, 2022

File: D.10.01.OPA-22-0015  
D.18.01.ZA-22-0040

Mr. Daryl Vander Veen  
Junior Development Planner  
Town of Fort Erie  
1 Municipal Centre Drive  
Fort Erie, ON, L2A 2S6

Dear Mr. Vander Veen:

**Re: Regional and Provincial Review Comments  
Local Official Plan Amendment & Zoning By-law Amendment  
Town Files: 350309-0501 & 350302-0133  
Owner: Bomofive Inc. (c/o Ross Boncore & Kam Mofid)  
Agent: Urban Environments (c/o Greg Hynde)  
97 Gorham Road  
Town of Fort Erie**

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Regional Planning and Development Services staff has reviewed proposed concurrent Local Official Plan and Zoning By-law Amendment Applications for 97 Gorham Road located in the Town of Fort Erie. Regional staff received circulation of the applications on April 25, 2022, with payment of the required review fees on June 3, 2022.

The Applicant is proposing to permit an increase in density on the property to 111.30 units/hectare. The property is currently designated "Medium Density Residential" and "Environmental Conservation" in the Ridgeway-Thunder Bay Secondary Plan ("Secondary Plan"). The Medium Density Residential land use designation is reserved for multiple-unit structures including apartment dwellings. The Secondary Plan envisions a density of 25 to 75 units/hectare on areas designated Medium Density Residential. The Local Official Plan Amendment is required to permit the increased density.

The property is zoned as "Residential Multiple 1 (RM1-508) Zone" and "Environmental Conservation (EC) Overlay Zone" in accordance with the Town's Zoning By-law (No. 129-1990), as amended. The existing zoning permits apartment dwellings up to 4-storeys in height. The Applicant is proposing a Zoning By-law Amendment to change the current zoning of the property from "Residential Multiple 1 (RM1-508) Zone" to a "Site-Specific Residential Multiple 2 (RM2) Zone" with special provisions to that include



- a reduced lot area of 6,468.00m<sup>2</sup> for 72 dwelling units (111.30 units/hectare)
- a reduced amount of on-site parking spaces to 89 (1.24 parking spaces per dwelling unit) and;
- a reduced front yard setback of 6.00m.

A pre-consultation meeting for these applications was held on October 10, 2019 with the Regional staff, Town staff, and Agent in attendance. The following comments are provided from a Provincial and Regional perspective to assist Council in its consideration of these applications.

## **Regional and Provincial Policies**

The lands are designated "Settlement Area" within the *Provincial Policy Statement, 2020* ("PPS"), "Delineated 'Built-Up' Area" within the *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* ("Growth Plan"), and "Urban (Built-Up) Area" of the *Regional Official Plan* ("ROP"). Provincial policies direct growth to Settlement Areas and the Delineated Built-Up Area that provide for an appropriate range and mix of housing types and the efficient use of existing servicing, infrastructure, and public service facilities. Within Delineated Built-Up Areas, intensification and infill in a compact-built form is encouraged that offers a mix of uses at an appropriate scale and transition that respects the surrounding urban fabric.

Regional staff has reviewed the "*Planning Justification Report*" prepared by Urban Environments (dated December 23, 2021) and is satisfied that the proposed amendments will not establish new uses that are less compatible with nearby existing and planned uses. Additionally, the proposed amendments will permit residential uses that contribute to the diversification of Niagara's housing supply (apartment units) and will utilize existing municipal infrastructure. The proposed development will support the Town in achieving its intensification target (15%) as set out in the ROP.

As such, Regional staff does not object, in principle, to the proposed amendments as they are consistent with the PPS and conform to Provincial and Regional growth management policies, subject to the comments below.

## **Site Condition**

The proposed amendments involve the conversion of a commercial use (motel) into a more sensitive (residential) use. In accordance with the *Environmental Protection Act* and Ontario Regulation 153/04 ("O. Reg. 153/04"), as amended, a change in land use of this nature requires obtaining a Record of Site Condition ("RSC") to demonstrate that site's condition meets the appropriate standards to safeguard the health and safety of the future occupants / users of the proposed use.

## APPENDIX "3"

D.10.01.OPA-22-0015

D.18.01.ZA-22-0040

June 6, 2022

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Regional staff has reviewed the "*Phase One Environmental Site Assessment*" and "*Phase Two Environmental Site Assessment*" ("ESA") prepared by Hallex Environmental Ltd. (dated March 17, 2020 and September 25, 2020 respectively). The Phase One ESA confirmed that the property could be impacted by a historic potentially contaminating activity involving aboveground storage tanks that typically store heating oil. The Phase One ESA recommended that a Designated Substance and Hazardous Materials Survey and Phase Two ESA be conducted to determine to validate the presence or absence of contaminants on site.

The Phase Two ESA consisted of an investigation that was comprised of a total of 5 boreholes drilled to a maximum depth of approximately 6.1m below ground surface, with soil samples being collected at 0.6m intervals. Groundwater monitoring wells were installed into 3 of the boreholes. The analysis of the boreholes was completed in accordance with the Ministry of the Environment, Conservation and Parks ("MECP") Soil, Groundwater and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*, while the site was compared to Table 3: Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition, Residential Land Use, site conditions standards for soil and groundwater samples.

The findings of the Phase Two ESA concluded that all soil and groundwater samples met the MECP's Table 3 requirements. Based on these results, the Phase Two ESA concluded that the property is suitable for residential land use with no further environmental work required.

In accordance with the *Environmental Protection Act* and O. Reg. 153/04, a RSC shall be obtained for the proposed change in land use and be provided to the Town and Region. Regional staff also requires that a Letter of Reliance from a Qualified Professional be submitted for the Phase One and Phase Two ESAs which indicates that despite any limitations or qualifications included in the assessments, that the Region is authorized to rely on all information and opinions provided in these reports. Staff acknowledge that these requirements can be addressed through conditions of the future Site Plan Agreement.

### Archaeological Resources

The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 10.C.2.1.13 of the ROP state that development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

Regional staff has reviewed the "*Stage 1-2 Archeological Assessment*" prepared by Detritus Consulting Ltd. (dated April 15, 2020), which was required for the application due to the presence of registered archaeological sites and natural watercourse features within 300m of the property. Its methodology consisted of background research of the

## APPENDIX "3"

D.10.01.OPA-22-0015

D.18.01.ZA-22-0040

June 6, 2022

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property and the surrounding area, field assessment, and a test pit survey at 5m intervals between individual test pits. The Assessment was scoped to a Study Area that consisted of previously undisturbed areas of the site and resulted in the identification or discovery of no archaeological resources on the property.

At this time, Regional staff has not been provided with a Letter of Acknowledgement from the Ministry of Heritage, Sport, Tourism and Cultural Industries ("MHSTCI") for the completed Stage 1-2 Archaeological Assessment. This letter is necessary to confirm that all archaeological resource concerns have met the Ministry's licensing and resource conservation requirements.

Regional staff acknowledge that the proposed development will require future *Planning Act* Applications (i.e., Site Plan) and note that this requirement can be addressed through a condition of Agreement. Similarly, in recognizing that no archaeological assessment regardless of its intensity can entirely negate the possibility of deeply buried archaeological materials, Regional staff will require that a standard archaeological clause is also included within the future Agreement.

Therefore, Regional staff offer no further archaeological requirements for the proposed Local Official Plan Amendment and Zoning By-law Amendment Applications.

### Core Natural Heritage

The property is impacted by the Region's Core Natural Heritage System ("CNHS"), consisting of Significant Woodland located adjacent to the subject lands. As such, consistent with ROP Policy 7.B.1.11, an Environmental Impact Study ("EIS") is typically required in support of site alteration and/or development proposed within 50m of Significant Woodland to demonstrate that there will be no significant negative impact on the feature or its ecological function.

Staff completed a site walk of the property with the Agent on November 15, 2019, and determined that due to the scope, nature, and location of the proposal that the requirement for an EIS could be scoped to the completion of Tree Saving Plan ("TSP"). Staff has reviewed the TSP prepared by Natural Resource Solutions Inc. (dated September 2021), and offer no objection to the findings and/or recommendations contained within the Plan.

In summary, Environmental Planning staff does not object to the proposed amendments, in principle, and will provide conditions of approval at the time that the future Site Plan Application is circulated to ensure that the recommendations of the TSP are sufficiently implemented.

Staff note that the TSP includes a recommendation to develop a Landscape Plan for the subject lands to address the tree removals required to facilitate the proposed development of the subject lands. Therefore, a Landscape Plan should be prepared by

a Qualified Professional as part of the next submission that adequately addresses the recommendations as contained within the TSP.

## **Site Servicing**

Based on the Region's *Master Servicing Plan, 2016* ("MSP"), the property is located within Nigh Road Sewage Pumping Station ("SPS") sewershed. This sewershed has been allocated growth out to the year 2041 in consultation and collaboration with the Town. The MSP was completed at a high level and did not allocate capacities to individual properties.

Currently, the MSP has identified a future upgrade to the Nigh Road SPS to upgrade the capacity from 29 L/sec to 45 L/sec; however, it was noted that flow monitoring and I/I Study was to be completed in order to assess whether the upgrade is required before the project was scheduled for design and construction. The MSP can be found at the following link <http://www.niagararegion.ca/2041/master-servicing-plan/default.aspx>.

An update to the MSP is currently underway and the project information can be found at the following link: <https://niagararegion.ca/projects/www-master-servicing-plan/default.aspx>.

### **Review of Functional Servicing Report**

Regional staff has reviewed the "*Functional Servicing Report*" ("FSR") prepared by Quartek (dated July 2021) and note that the anticipated peak flow from the total development is 3.78 L/sec; however, the timing for the project was not included. Regional staff requests that the consultant provide further timing for the anticipated flows from the development with the future *Planning Act* Application (i.e., Site Plan).

The Applicant is advised that the report has been provided to the Region's Water / Wastewater staff for review in order to understand whether the current flows and the anticipated flows are acceptable.

For information purposes, it is noted that review and design of the Nigh Road SPS upgrade is scheduled for late 2022, with construction commencing in 2025. The timing of this project is subject to changing pending budget approval by Regional Council.

## **Stormwater Management**

Regional staff has reviewed the FSR prepared by Quartek (dated July 2021) and understand that the development is proposing to install new storm sewers and outlet to the northwest across other adjacent private land. Regional staff request clarifications with regards to how the existing site stormwater is accommodated to its outlet. Further, staff offer the following comments for information purposes to assist the Applicant with the preparation of a Detailed Site Plan:

## APPENDIX "3"

D.10.01.OPA-22-0015

D.18.01.ZA-22-0040

June 6, 2022

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- Stormwater runoff shall be captured and treated to a Normal Level of protection prior to discharge from the site. Staff encourages the Applicant to incorporate Low Impact Development stormwater management measures in site design.
- If the development will discharge to the adjacent private land:
  - a) Assurance that the Owner of adjacent property is aware of the development proposal, the intended outlet location, and the proposed Stormwater Management Plan for the development.
  - b) Post-development flow be controlled to pre-development level for the 2-year up to and including the 100-year storms prior to discharge from the site.
  - c) Stormwater outlet installation provides for adequate erosion protection.
- If the development will discharge to the Gorham Road storm sewer, please confirm the Town's requirements with regards how the additional flow to local infrastructure will be accommodated. Regional staff will defer to Town staff with respect to ensuring that local infrastructure requirements can be met.
- At the future Site Plan Application stage, the Region requires that a Stormwater Management Report (and the associated review fee) be submitted to this office that indicates in detail how the above noted criteria will be achieved. The Report should include a section that addresses inspection and maintenance requirements of the stormwater management measures for the future Owner.
- Prior to construction, the Region requires that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval.

### Waste Collection

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

- Recycling blue / grey bins or containers – no limit (weekly collection).
- Organic green bins or containers – no limit (weekly collection).
- Garbage / waste containers – 2 per unit to a maximum of 24 containers (bi-weekly collection).
- Collection will be at the curbside only.

Regional staff requests that future *Planning Act* Applications (i.e., Site Plan) clearly indicate the intent for waste collection services.

## **Conclusion**

Based on the discussion above, Regional staff does not object, in principle, to the proposed Local Official Plan and Zoning By-law Amendment Applications as the proposed changes are consistent with the PPS and conform to Provincial and Regional growth management policies. The Applicant is advised that the future Site Plan Application should address the Region's comments and requirements as outlined in this letter.

Regional staff notes that given the site-specific nature of the Local Official Plan Amendment Application, the Amendment is exempt from Regional Council approval in accordance with ROP Policies 14.E.7 and 14. E.8, the Memorandum of Understanding, and Regional By-law No. 2019-73.

Should you have any questions related to the above comments, please feel free to contact me at [alexander.morrison@niagararegion.ca](mailto:alexander.morrison@niagararegion.ca). Please send a copy of the staff report and notice of Council's decision on these applications, including a copy of the adopted Local Official Plan Amendment for our files.

Respectfully,



Alexander Morrison, MCIP, RPP  
Senior Development Planner, Niagara Region

cc:

Cheryl Selig, Manager (A), Development Planning, Niagara Region  
Susan Dunsmore, Manager, Development Engineering, Niagara Region  
Maggie Ding, Stormwater Management Engineer, Niagara Region  
Adam Boudens, Senior Environmental Planner / Ecologist, Niagara Region

## APPENDIX "3"



**Re: Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 2 of 2** 📎

**Ed Melanson** to: Daryl Vander Veen

2022-04-27 08:35 AM

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

Good Morning Daryl,

I have reviewed the documentation and especially the fire flow calculations and hydrant requirements. I have no objections to this application and appreciate the level of detail provided.



**Ed Melanson**  
**Fire Chief / CEMC**

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

Daryl Vander Veen Good afternoon, Here is the final attachment for...

04/25/2022 03:29:40 PM

From: Daryl Vander Veen/FortErie  
To: Daryl Vander Veen/FortErie@TownOfFortErie  
Date: 04/25/2022 03:29 PM  
Subject: Re: Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 2 of 2

Good afternoon,

Here is the final attachment for the proposed Combined Official Plan & Zoning By-law Amendment for 97 Gorham Road.

Regards,

Daryl

Daryl Vander Veen, BES  
Junior Development Planner

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

## APPENDIX "3"

### 97 Gorham Road - Servicing Preliminary Review

**Jeremy Korevaar** to: Daryl Vander Veen

2022-04-27 09:16 AM

From: Jeremy Korevaar/FortErie

To: Daryl Vander Veen/FortErie@TownOfFortErie

History: This message has been replied to.

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Hi Daryl,

I have reviewed the Functional Servicing Report prepared by Quartek Group Inc. dated July 2021 and have the following comments:

Water Servicing - Based on the numbers and calculations prepared by Quartek Group, the proposed development will not have a negative impact on the existing water distribution system.

Sanitary Sewer Servicing - Quartek Group has provided calculations showing a 4.2% increase in flow to the sewer as a result of the development. No analysis has been provided to evaluate the receiving systems ability to accommodate the development. I would recommend that the Functional Servicing Report be reviewed by the Town's Sewer Model consultant to determine the impact to the receiving system. This analysis would be initiated by the Town at the Developer's expense.

I will conduct a more thorough analysis of the the report in the coming weeks as part of my comments.

Let me know if you need anything else.

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

**Town of Fort Erie**  
1 Municipal Centre Drive  
Fort Erie, Ontario  
Canada  
L2A 2S6

TEL: 1-905-871-1600 ext.2505  
FAX: 1-905-871-6411





## Interoffice Memorandum

August 31, 2022

File No. 3503022 -0133 & 350309-0501

To: Daryl Vander Veen, Intermediate Development Planner

From: Jeremy Korevaar, Coordinator, Development Approvals

Subject: **Application for Combined Official Plan and Zoning By-law Amendment – 97 Gorham Road**

---

On behalf of the Infrastructure Services Department, Engineering Division, I have reviewed the proposed Combined Official Plan and Zoning By-law Amendment and the supporting documentation for **97 Gorham Road** and have the following comments:

- Functional Servicing Report prepared by Quartek Group Inc. dated July 2021
  - I agree with the conclusions of the report that the proposed development will not have a negative impact on the existing water distribution system.
  - The Functional Servicing Report was provided to the GM BluePlan, the consultant that prepared the Town's Wastewater Master Plan and Pollution Prevention Control Plan for review. GM BluePlan also has custody of the wastewater system model and has completed an evaluation of the proposed development's sanitary sewer flows. The outcome of that review has identified that:
    - The existing system downstream of the proposed development is constrained at the Nigh Road SPS.
    - The existing design flows exceed the stations current firm capacity of 21.5 L/s.
    - The existing sewers downstream of the development have sufficient capacity to accommodate the proposed development. However, the 5 year design storm flows exceed the station capacity resulting in sewer surcharging under a 5 year design storm that exceeds the basement protection level of 1.8 m below ground.
    - Without system upgrades the proposed development is expected to further increase sewer surcharging and resulting basement flooding and/or system overflow risk.
    - As such, a combination of pumping upgrades and/or storage upgrades to the Nigh Road SPS and/or wet weather flow reductions are needed to support the development.
- Traffic Impact Brief prepared by Quartek Group Inc. dated November 2020
  - I agree with the conclusion of the report recommending the installation of a modified Entrance Wc-8L warning sign with associated hidden entrance tab be installed at the crest of the hill to warn northbound motorists of the driveway entrance. The proposed driveway entrance will be an improvement to the existing driveway that is located closer to Farr Avenue.

Given the foregoing comments, we recommend that a Holding provision be added to the zoning by-law for this property which can be lifted upon completion of upgrades to the Nigh Road Pumping Station to accommodate the development.

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

## APPENDIX "3"



**Re: Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 1 of 2** 

**Pieter Wasserman** to: Daryl Vander Veen  
Cc: Signe Hansen

2022-05-16 04:31 PM

From: Pieter Wasserman/FortErie  
To: Daryl Vander Veen/FortErie@TownOfFortErie  
Cc: Signe Hansen/FortErie@TownOfFortErie

Hi Daryl,

Please find comment attached.



20220516 - 97 Gorham Road - UD comment.pdf

Thanks!

Kind regards,

**Pieter Wasserman, B.A.S, M.Arch (Prof.), MCPUD**  
**Neighbourhood Planner & Urban Designer**  
**Community Planning**

The Corporation of the Town of Fort Erie | Planning and Development Services  
1 Municipal Centre Drive, Fort Erie, Ontario L2A 2S6  
T: 905-871-1600 x 2503 | F: 905-871-6411

Please note, due to Covid19 regulations please email to set up an appointment, if required, in advance.

Daryl Vander Veen	Good afternoon, A complete application for a C...	04/25/2022 03:27:40 PM
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From: Daryl Vander Veen/FortErie  
To:  
Date: 04/25/2022 03:27 PM  
Subject: Request for comments - proposed Combined Official Plan & Zoning By-law Amendment, 97 Gorham Road, Town of Fort Erie (file nos. 350309-0501 & 350302-0133) Email 1 of 2

Good afternoon,

A complete application for a Combined Official Plan and Zoning By-law Amendment has been received from Greg Hynde of Urban Environments for 97 Gorham Road. The Owner is Bomofive Inc. (Ross Boncore & Kam Mofid).

The Official Plan Amendment proposes to permit an increase in density on the subject property to 111.30 units/hectare. The subject property is currently designated Medium Density Residential and Environmental Conservation in the Ridgeway-Thunder Bay Secondary Plan. The Medium Density Residential land use designation is reserved for multiple-unit structures including apartment dwellings. The Secondary Plan envisions a density of 25 to 75 units/hectare on areas designated Medium Density Residential. An Official Plan Amendment is required to permit the increased density.

The current zoning of the subject property is Residential Multiple 1 (RM1-508) Zone and Environmental Conservation (EC) Overlay Zone in accordance with the Town's Zoning By-law No. 129-1990. The