Planning Justification Report

Alliston Woods, Fort Erie
Zoning By-law, Official Plan Amendment, Draft Plan of Subdivision Applications

Fort Erie, ON

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PREFACE

Upper Canada Consultants respectfully submits this Planning Justification on behalf of Mountainview Homes, pertaining to Applications for Redline Revision to the Draft Approved Plan of Subdivision, and concurrent Official Plan Amendment and Zoning By-law Amendment for lands on the north side of Garrison Road, east of Spears Road, south of the Queen Elizabeth Way in the Town of Fort Erie, within the Regional Municipality of Niagara.

The original applications for the subject lands included a Draft Plan of Subdivision and Zoning By-law Amendments. Zoning By-law Amendment Residential Multiple (RM-465) received approval on March 5, 2012, while Residential Multiple (RM-505), received approval on May 12th, 2014. The Draft Plan of Subdivision received approval on March 24th, 2014.

The modified plan proposes to include a mix of housing forms to better adhere to current market conditions and results in dwellings with a lower purchasing price. A total of three-hundred and seventy-eight (378) dwelling units are proposed, including fifty-three (53) single-detached dwelling units, two hundred and fifty-seven (257) street townhouse units, and sixty-eight (68) stacked townhouse dwelling units. The subdivision is planned to be completed in three to four phases, allowing for flexibility in response to market conditions and absorption rates.

This Planning Justification Report provides an analysis of how the applications satisfy the requirements of the *Planning Act*, are consistent with the Provincial Planning Statement (2022), and conform to the, Niagara Official Plan (as amended) and the Town of Fort Erie Official Plan (as amended). This Report should be read in conjunction with the following reports and materials:

- Draft Official Plan Amendment prepared by Upper Canada Consultants;
- Draft Zoning By-law Amendment prepared by Upper Canada Consultants;
- Functional Servicing Report and Stormwater Management Plan prepared by Upper Canada Consultants;
- Draft Plan of Subdivision prepared by Upper Canada Consultants;
- Noise Study prepared by HGC Engineering (Canada) Ltd;
- Transportation Impact Study prepared by Paradigm;
- Environmental Memo prepared by Barry Myler Ecological Consulting;
- Tree Inventory and Preservation Plan prepared by Jackson Arboriculture Inc.;
- Stage 1 Archaeological Assessment by Detritus Consulting LTD.

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The submitted applications pertain to the undeveloped residential lots and residential blocks in registered plan 59M-516 consisting of lots on Acton Avenue, Renville Avenue, Morrison Avenue, Frey Drive, Milleni Street, Joseph Street, Alliston Avenue and Ross Avenue in the Town of Fort Erie, within the Regional Municipality of Niagara. The lands are known as the Alliston Woods Subdivision Phase 2.

The subject lands are shown in **Figure 1,** below.

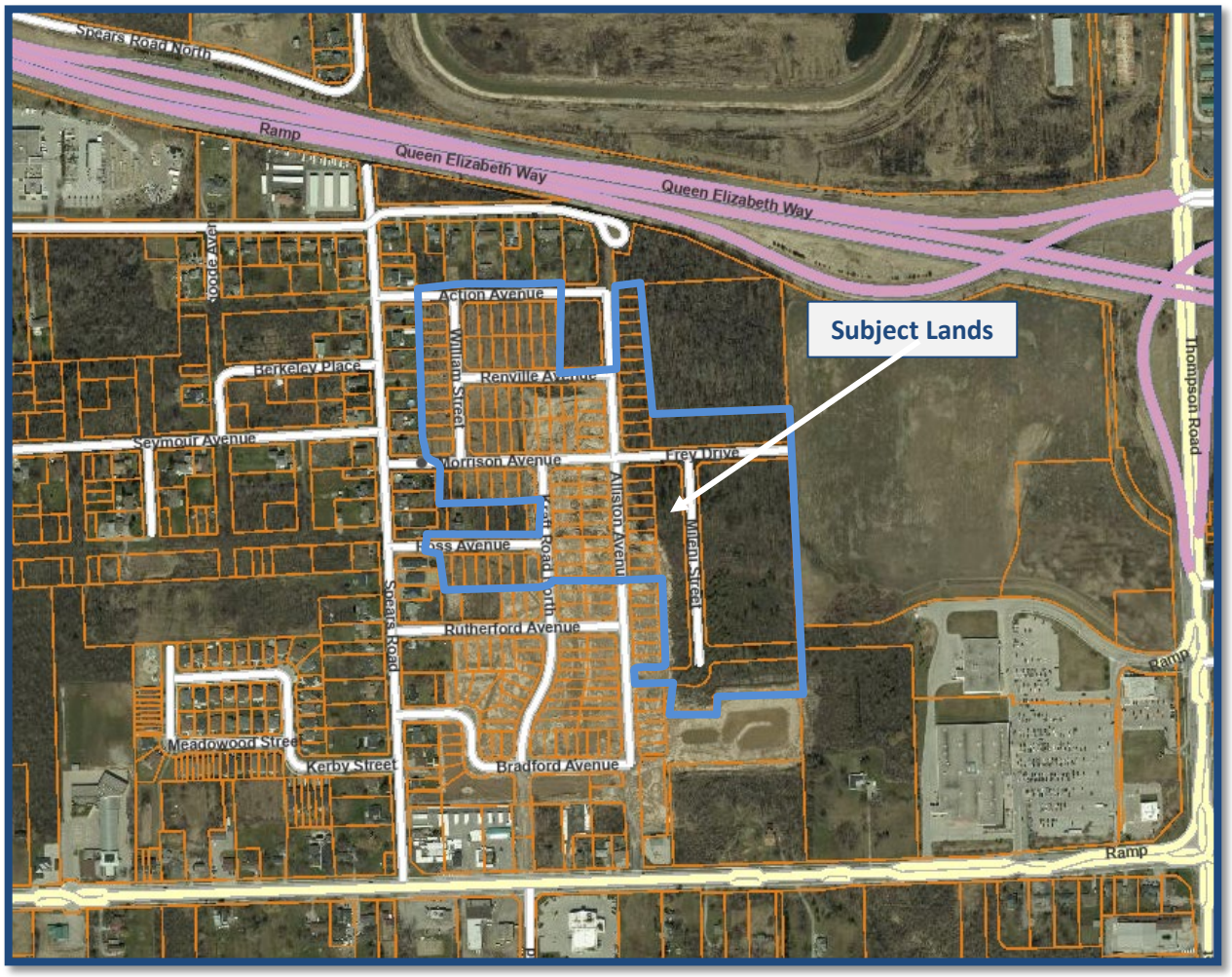


Figure 1 – Aerial View of Subject Lands (Cropped from Niagara Navigator)

The original applications for the subject lands included a Draft Plan of Subdivision and two separate Zoning By-law Amendments to zone the lands to site specific Residential Multiple zones. The zoning permitted single detached dwellings, semi-detached dwellings, duplexes, triplexes, fourplexes, street townhouse dwellings, and block townhouse dwellings.

The Subdivision Plan 59M-516 was registered on September 7, 2022, and Phase 1 has been serviced with primary services and house construction has commenced. Phase 2 of the subdivision remains undeveloped and is vacant.

When 59M-516 was registered the roadways, stormwater management facility, parks, natural area, roadway and 0.3 m reserves were conveyed to the Town.

Property Context

The total land area of Plan 59M-516 consists of 23.564 hectares of which the Alliston Woods Phase 2 lands consist of 14.305 hectares and has frontage on Acton Avenue, William Street, Renville Avenue, Morrison Avenue, Frey Drive, Kraft Road North, Ross Avenue, Alliston Avenue, Joseph Street, Milleni Street and two new streets identified as 'Street' A and B on the proposed subdivision plan. The property is located within the Fort Erie Urban Area Boundary, more specifically within the Spears-High Pointe Secondary Plan area.

Adjacent Lands

The subject lands are located within the Urban Boundary Area of the Town of Fort Erie, and are surrounded by existing and planned urban land uses. These uses are outlined as follows;

North: Existing single detached residential dwellings, QEW and locally significant wetland feature and park block that are Blocks 182 and 183 on Plan 59M-516.

South: New residential units completed and under construction in Alliston Woods Phase 1, existing commercial uses on Garrison Road that are primarily automobile related uses and existing residential uses

East: Vacant lands

West: Existing single detached residential dwellings

THE PROPOSED DEVELOPMENT

The applicant is proposing to realign the undeveloped portion of registered subdivision Plan 59M-516 that consists of 219 residential units to 378. The three-hundred and seventy-eight (378) dwelling units are proposed include:

- fifty-three (53) single-detached dwelling units,
- two hundred and fifty-seven (257) street townhouse units, and
- sixty-eight (68) stacked townhouse dwelling units.

The stacked townhouse dwelling units are a new residential built form that were not contemplated in the original subdivision design. The proposed subdivision will also include a servicing corridor and a block for an expansion of the existing stormwater management facility in the Phase 1 portion. The road fabric will be altered to provide for two additional local roads to make the development more efficient and provides street frontage on lands for additional townhouse blocks and Joseph Street will terminate at Mileni Street.

The proposed redesigned subdivision is shown below in **Figure 2** and included as **Appendix I.**

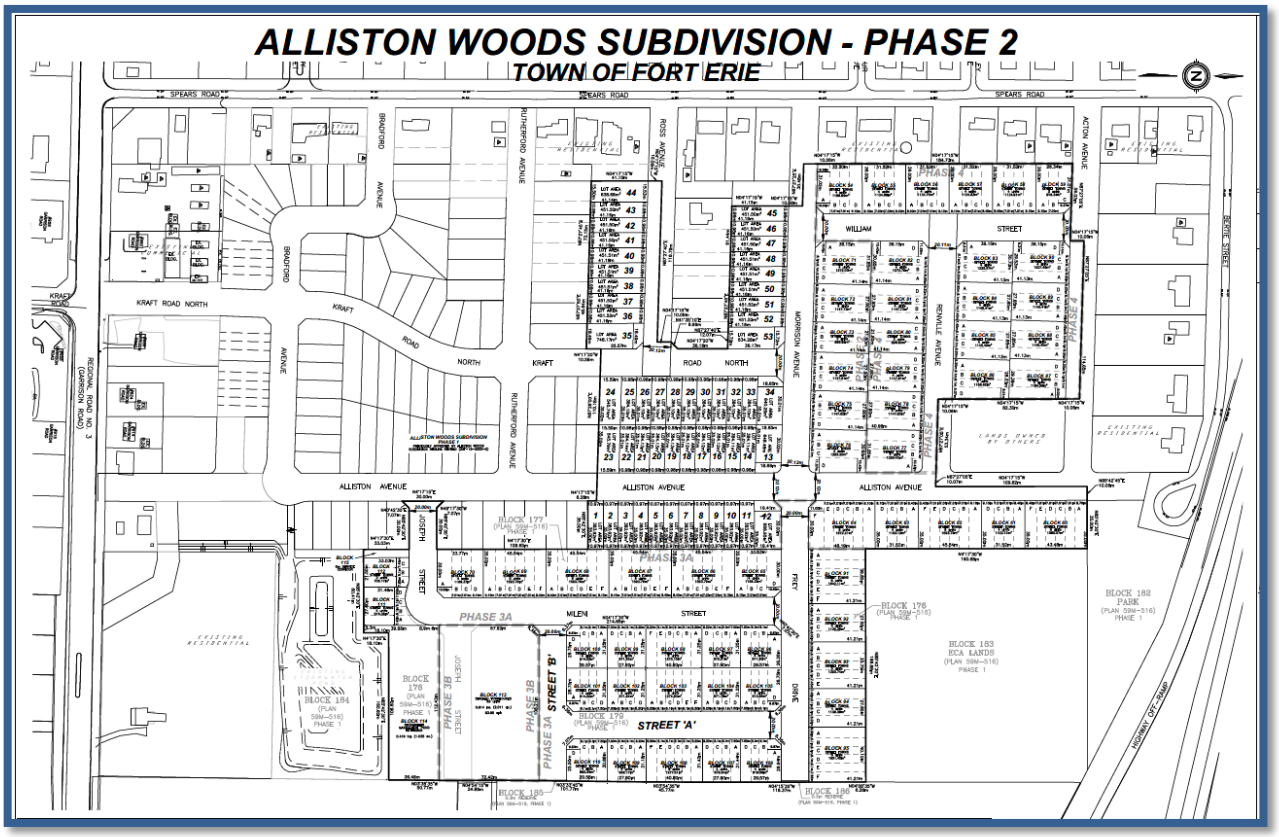


Figure 2 – Excerpt of the proposed Draft Plan of Subdivision

The proposal is to undertake a revision of the registered plan of subdivision which will facilitate the creation of additional lots and blocks, a stormwater management pond extension, servicing corridor, and addition of two new local roads. The development will be phased based upon the recommendations of the submitted Traffic Impact Study, and will be built out in 4 phases as shown on **Appendix I**.

Phase 2, consisting of 53 single-detached homes and 49 street towns, will be the first phase developed. This phase is designed to be contiguous with **Phase 1**, providing a seamless extension of the existing community. A key benefit of this phase is that it allows for all new roads to be double-loaded, with homes built on both sides of the street. This layout allows a more efficient and expedited construction process.

The development of **Phase 3A** (130 street towns) and **Phase 3B** (68 stacked towns) is strategically planned to offer flexibility. Specifically, Phase 3B's development on Block 113 can proceed concurrently with Phase 3A, or it can be deferred. This approach gives the developer the flexibility to respond to market demand and the pace of sales from earlier phases. Crucially, this separation ensures that any potential delays with Phase 3B will not impede the progress of the overall subdivision or the build-out of Phase 3A.

Phase 4, with 79 street towns, is planned to allow for the future development of additional road networks and various lot frontages. This phase's timing is designed to allow for the assessment of whether neighboring parcels of land will also be developed. This coordinated approach is essential for sharing the costs of major infrastructure, such as roads, utilities, and servicing, across multiple projects, leading to more cost-effective development.

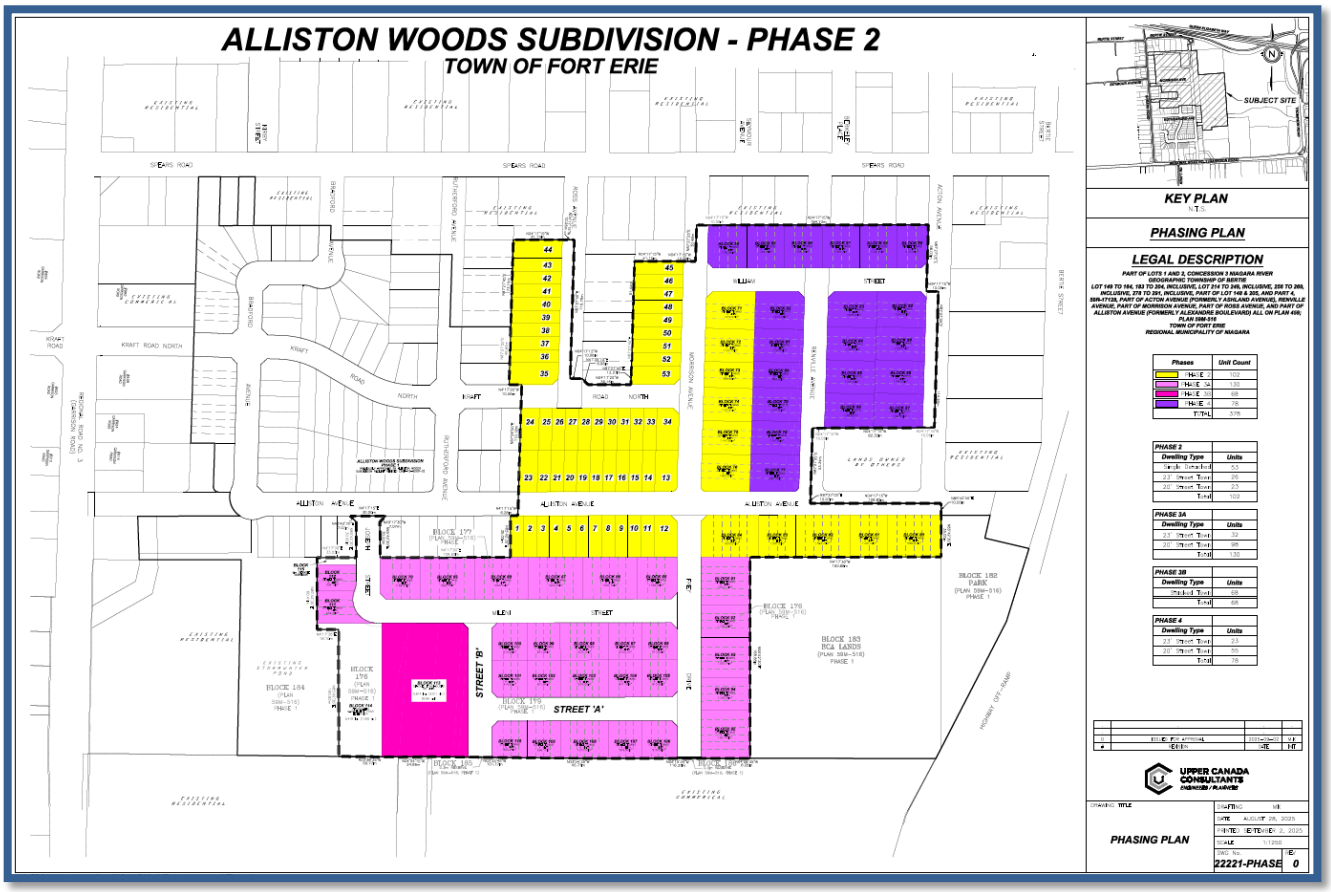


Figure 3 – Excerpt of the proposed Phasing Plan

An Official Plan and Zoning By-law Amendment applications are required to provide the policy basis to permit the

increase in density and use in the Low-Density Residential designation and amend site specific zone requirements for the proposed smaller single detached residential lots, townhouse blocks, and stacked townhouse blocks.

Following approvals of the above applications, an application to amend the Subdivision Agreement will be required along with engineering approvals for the revised servicing and engineering plans. It is anticipated that clauses in the subdivision agreement may need be revised to address development requirements, phasing of the plan and updated securities.

Housing Form

An increase in the number of housing units is proposed, however the type of housing units will continue to consist of single detached and street townhouse units, with the inclusion of stacked townhouses. The singles and townhouses are to be freehold, while the stacked townhouses are to be condominium in tenure and will be subject to a future site plan and condominium approvals. The smaller lot and dwelling unit sizes addresses changes to the housing market and responds to the need for a more attainable housing type and diversity in housing forms.

The lots for the single detached dwellings are considered to be small lot singles with lot frontage of 10.98 m. The street townhouse units consist of interior townhouse units having a frontage of 6.1m and 7.01m, and exterior unit frontage of 9.87 m and 10.07 m respectively. A coloured rendering of the subdivision plan illustrating the housing form is shown below on **Figure 4.**

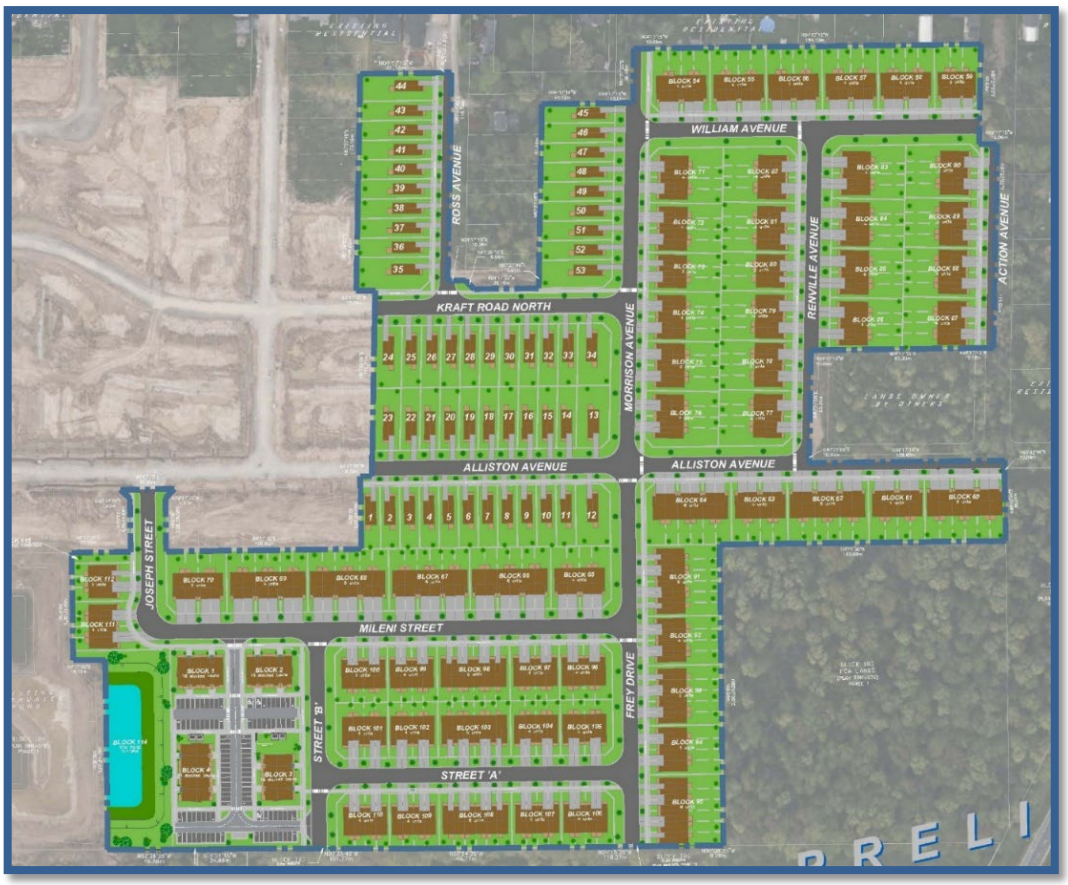


Figure 4 – Coloured Rendering of Redesigned Subdivision

It is acknowledged that the proposed residential density is somewhat higher than surrounding established lower

density residential areas, however single detached dwellings will abut most existing single detached dwellings and the townhouse dwellings will be located interior in the plan. The stacked townhouses will be within their own block adjacent to the stormwater management facility, and therefore context-sensitive and appropriately scaled. Residential use adjacent to existing residential uses is considered to be a compatible land use and adverse land use impacts from the proposed changes to the subdivision plan are not anticipated. The smaller lot size and mix of units proposed will improve opportunities for housing attainability, increase the housing supply and provide for additional housing choice and diversity from traditional larger single detached residential development. The proposed housing forms adhere to the objectives of the Niagara Region and Town Official Plans.

Transportation Systems

The proposed road network is integrated into the existing road network by way of extensions of existing municipal Roads, including Renville Avenue, Morrison Avenue, Ross Avenue. The subject lands are accessed via Spears Road and the future Kraft Road connection to the south to Garrison Road, Alliston Road to the north to Bertie Street, and Frey Drive, Joseph Street, and Future 'Street' A and B. All dwelling units will front onto a proposed internal public road network. Sidewalks on one side of the internal street system will be provided to facilitate safe pedestrian movement.

Road Network

Access and frontage to the interior of the site will be provided by an internal road network. The internal roads approximate a grid pattern while following the property geometry which facilitates traffic circulation and allows for the efficient development of the interior of the site. The proposed road network is integrated into the existing road network by way of extensions of existing municipal Roads, including Renville Avenue, Morrison Avenue, Ross Avenue. Future road connections to the vacant lands to the east are also provided, including 'Street' B, and Frey Drive.

Servicing

The servicing strategy for the proposed development is outlined in the Functional Servicing Report and Stormwater Management Reports submitted with the applications. An overview of the proposed servicing strategy is provided below for reference. The Functional Servicing Report and Stormwater Management Report are to be consulted for more detailed information.

The proposed Alliston Woods (Phase 2) is an extension of the approved and constructed Alliston Woods (Phase 1) subdivision, located in the Spears Neighbourhood north of Garrison Road (Regional Road 3), west of Thompson Road, east of Spears Road, and south of Bertie Street and the Queen Elizabeth Way (QEW) in the Town of Fort Erie.

Water Servicing

The existing 250mm diameter watermain on Spears Road and existing 200mm watermain on Alliston Avenue are expected to have sufficient capacity to provide both domestic and fire protection water supply to the proposed development.

Sanitary Servicing

The existing 450mm sanitary sewers on Garrison Road will have adequate capacity to service the development.

Stormwater Management

To accommodate the future stormwater flows from the adjacent lands to the east, an expansion of the existing Alliston Woods SWM Facility is required. Following the proposed expansion, the facility can provide adequate stormwater quantity and quality controls for the associated stormwater drainage areas.

Block 176 in the Draft Plan is proposed to be a stormwater management facility comprised of a wet pond and associated access and maintenance areas. This facility will be constructed to the Town Standard which will permit it not to be fenced so it can be used as a neighbourhood amenity space in addition to functioning as municipal infrastructure. It will enlarge the approved pond at Block 184 (PLAN 59M-516) Phase 1.

Natural Heritage and Hazards

Adjacent to the subject site is an environmental block (Block 183 Plan 59M-516), which encapsulates a Locally Significant Wetland that was reviewed and approved through an Environmental Impact Study as part of the 2014 development approvals. As there are no revisions to the draft plan that impact these areas to be retained in their natural state, and there is no expansion to existing permitted uses, no further EIS work is required.

A memo has been submitted to confirm the landowner's obligations under the *Endangered Species Act*, and that no Species at Risk are present on the subject lands.

Finally, a Tree Preservation Plan by Jackson Arboriculture was submitted for the Town's review, to confirm no impact to trees adjacent to the subdivision during development and construction.

Parks and Open Spaces

Block 180, 181 and 182 on Plan 59M-516 were dedicated as part of Phase 1 for park lands and Block 183 containing the locally significant wetland was also dedicated to the Town.

REQUIRED APPLICATIONS

A pre-consultation meeting was held on October 3, 2023 to discuss the applications. As outlined by Town of Fort Erie planning staff, applications for an Official Plan Amendment and Zoning By-law Amendment, as well as a Draft Plan of Subdivision are required to facilitate the proposed developments.

As set out within the pre-consultation agreement, complete application requirements for the Official Plan and Zoning By-law Amendments, and Draft Plan of Subdivision include:

- Planning Justification Report
- Zoning Matrix
- Conceptual Site Plan
- Draft Local Official Plan Amendment
- Draft Zoning By-law Amendment
- Archaeological Assessment
- Species at Risk Screening Letter
- Tree Preservation Plan
- Noise Impact Study
- Stormwater Management Plan
- Functional Servicing Report
- Transportation Impact Study

A copy of the Pre-consultation Agreement is included as **Appendix II** to this report.

Revise Existing Plan of Subdivision
In order to modify the existing Subdivision Plan approval and implement the proposed revised lots, blocks and road network within the development lands, a new Draft Plan of Subdivision application is required to revise the Subdivision Plan.

The Revised Draft Plan of Subdivision (see **Appendix I**) proposes the creation of the following:

- 53 Lots (Lots 1-53) for single detached dwellings;
- 60 Blocks (Blocks 54-112) for 257 street townhouse dwellings;
- 1 Block (Block 113) for 68 stacked townhouses
- 1 Block (Block 114) for Stormwater Management Extension;
- 1 Block (Block 115) for a Service Corridor.

The Revised Draft Plan of Subdivision proposes modifications to the lot sizes within the previously approved Plan to address changing market conditions and Provincial direction. The Revised Draft Plan of Subdivision provides an additional 159 dwelling units of what was previously approved for the original Alliston Woods Subdivision.

A copy of the Revised Draft Plan of Subdivision is provided as Appendix I to this report.

Official Plan Amendment
An Official Plan Amendment has been submitted to implement the land use designations proposed in the Spears-High Pointe Secondary Plan. Minor modifications to the permitted land use designations are requested to facilitate the proposed development, including the siting of stormwater management facilities. The Draft Official Plan Amendment is included as **Appendix III** to this report.

Zoning By-law Amendment
As per approved Zoning By-law Amendment By-law No. 24-12 and 76-2014, the subject lands are zoned site-specific Residential Multiple 1 (RM1-465) and (RM1-505) zones.

The RM1-465 and RM1-505 zoning permits a range of housing types. The site-specific provisions are requested for the single detached dwellings, street townhouses and stacked townhouses. A Zoning By-law Amendment application has been submitted to align the Zoning with the revision that is being proposed for the Draft Plan of Subdivision in order to permit implementation, and to introduce stacked townhouses, and a stormwater management facility as a permitted use within the RM1-505 zone.

The Draft Zoning By-law Amendment is included as **Appendix IV** to this report.

RELATED STUDIES AND REPORTS

Consistent with the submission requirements outlined in the Pre-consultation Agreement (see Appendix II) and in addition to this Planning Justification Report, the studies and reports listed below have been submitted with the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications. A brief overview of their conclusions and recommendations are provided below. Please refer directly to the reports and studies for more detailed information.

Functional Servicing Report / Stormwater Management Plan (Upper Canada Consultants)
A Functional Servicing Report (FSR) has been prepared by Upper Canada Consultants and submitted with the applications. This Report outlines how the proposed development will be serviced with water, sanitary and stormwater infrastructure.

The Functional Servicing Report and Stormwater Management Plan determined that the existing 250mm diameter watermain on Spears Road and existing 200mm watermain on Alliston Avenue are expected to have sufficient capacity to provide both domestic and fire protection water supply to the proposed development.

Additionally, the existing 450mm sanitary sewer which conveys to Garrison Road will have adequate capacity to service the development.

The Alliston Road SPS has adequate capacity at the Alliston Road SPS to receive the peak dry weather flows from the entire contributing drainage area and peak wet weather flows are not expected to negatively impact adjacent properties.

The land owner of the adjacent lands to the east will upsize the existing sanitary sewers that were constructed on Alliston Avenue between Garrison Road and Joseph Street to 300mm diameter sewer, at the time of development of the adjacent lands.

The existing Alliston Woods SWM Facility can adequately provide the approved Stormwater Quantity and Quality controls for the revised Alliston Woods Draft Plan of Subdivision.

To accommodate the future stormwater flows from the adjacent lands to the east, an expansion of the existing Alliston Woods SWM Facility is required. Following the proposed expansion, the facility can provide adequate stormwater quantity and quality controls for the associated stormwater drainage areas.

Based on the above and accompanying calculations, there exists adequate municipal servicing for this development. We trust the above comments and enclosed calculations are satisfactory for approval. If you have any questions or require additional information, please do not hesitate to contact our office.
Based on the above and accompanying calculations found in the report, there exists adequate municipal servicing for this development.

Noise Feasibility Study (HGC Engineering)
The requirement for a Noise Study was identified by the Region of Niagara because of transportation noise sources. The report by HGC Engineering indicates that the proposed development is feasible with the noise control measures described in the report. The conditions include: central air conditioning and upgraded building will be required for first row of units closest to the QEW; a noise barrier for the closest unit with exposure to the QEW; forced air ventilation with ducts sized to accommodate the future installation of central air conditioning by the occupant is required for the dwelling units with exposure to QEW; upgraded building constructions and

glazing constructions will be required for units adjacent to the QEW. Warning clauses are also recommended, to inform future residents of the traffic noise impacts and the presence of nearby commercial facilities. Noise warning clauses are recommended for future traffic noise impacts.

Transportation Impact Study (Paradigm)
A Transportation Impact Study (TIS) was requested for the proposed development, and scoped with Town staff. The TIS includes an analysis of existing traffic conditions, a description of the proposed development, traffic forecasts for a five-year horizon from the assumed build-out, and any recommendations required to manage future traffic conditions. As a result of the study's findings, the report concludes that the development be phased with a unit cap, which has informed the phasing of the draft plan. This approach allows for roadway improvements to be deferred until they are warranted.

Species at Risk Screening Letter (Myler Consulting)
The Town and Region requested a Species at Risk (SAR) Screening Letter to ensure that the landowner's obligations under the *Endangered Species Act* are met, as the Environmental Impact Study that was associated with the original development approvals in 2014 are over 5 years old. Myler Consulting was retained to undertake a SAR screening in support of Phase 2. Regional staff noted that the Ministry of Natural Resources and Forestry (MNRF) Natural Heritage Information Centre (NHIC) online mapping and database "depicts the presence of Spotted Wintergreen, Eastern Flowering Dogwood, Loggerhead Shrike, Eastern Meadowlark and a Restricted Species within 1km of the Study Area".

In support of this screening, Myler Consulting reviewed the NHIC SAR element occurrences (EOs) and contacted NHIC staff to enquire on the identity of the Restricted Species. Additionally, Myler consulting conducted a site visit on July 2 2024 to observe conditions within the approved subdivision and the EP-zoned woodland/wetland that is to be retained and protected by the original approved subdivision plan.

The reviewed of the SAR EO's and field observations at the Alliston Woods subdivision site confirmed the absence of SAR and the absence of potential impact to unconfirmed SAR that may occur in association with the protected locally significant wetland block that is wooded.

Stage 1-2 Archaeological Assessment
A Stage 1 archaeological assessment determined that the Study Area showed moderate to high potential for identifying and recovering archaeological resources. Subsequently, a Stage 2 property assessment was advised.

The Stage 2 was conducted in June and July 2025. The results of the Stage 2 resulted in no documentation of archaeological resources, and that no further archaeological assessment of the Phase II study area is recommended. The report has been submitted to the Ministry of Citizenship and Multiculturalism.

Environmental Technical Memorandum
An Environmental Technical Memorandum was prepared by GEI. The memorandum was scoped by Town staff to address the following points:

- Highlight mitigation measures
- Confirm stormwater flows
- Confirm location of outlets
- Discuss Impacts

While the proposed changes will increase development density, they do not include any modifications to the designated Environmental Protection Areas. Existing stormwater management facility outlets will be maintained, and flows will be kept at or below existing levels. The memorandum recommends the following to mitigate impacts during construction and occupancy of the development:

- Preparation and implementation of an Erosion and Sediment Control Plan in accordance with standards, including regular inspection and maintenance to maintain working conditions.
- Installation of 1.2m tall (minimum) chain-link fencing along the rear of lots adjacent to the Environmental Protection Area.
- Streetlights and exterior lighting should be shielded to direct light downward.
- Distributing information packages for new homeowners, including: a description of the Environmental Protection Area, measures that the homeowner can take to protect the area, as well as copies of the Town of Fort Erie Bird-friendly Guidelines for Residents; NPCA Native Plant Guide.

These recommends can be implemented as conditions of draft approval of the plan of subdivision.

PROVINCIAL LEGISLATION AND PLANS

Development applications within the Town of Fort Erie are subject to the Ontario *Planning Act* (R.S.O. 1990), and the 2024 Provincial Planning Statement. An assessment of how the submitted applications satisfy applicable Provincial legislation and policies is provided below.

PLANNING ACT (R.S.O. 1990)

The *Planning Act* regulates land use planning in the Province of Ontario. The Act prescribes matters of Provincial Interest with regard to land use planning and the necessary procedures to be adhered to when making applications for development.

Section 2 – Matters of Provincial Interest

Section 2 of the *Planning Act* outlines matters of Provincial Interest that a planning authority must have regard for when contemplating a land use planning application. Matters of Provincial Interest include:

a) the protection of ecological systems, including natural areas, features and functions;
b) the protection of the agricultural resources of the Province;
c) the conservation and management of natural resources and the mineral resource base;
d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
e) the supply, efficient use and conservation of energy and water;
f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
g) the minimization of waste;
h) the orderly development of safe and healthy communities;
(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
j) the adequate provision of a full range of housing, including affordable housing;
k) the adequate provision of employment opportunities;
l) the protection of the financial and economic well-being of the Province and its municipalities;

m) the co-ordination of planning activities of public bodies;
n) the resolution of planning conflicts involving public and private interests;
o) the protection of public health and safety;
p) the appropriate location of growth and development;
q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
r) the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.

With regard to the submitted applications, subsections a), d), f), h), i), j), l), p), q), and r) are relevant.

a) the protection of ecological systems, including natural areas, features and functions;

The original subdivision received approvals for zoning and draft plan of subdivision in 2014, and it was determined based upon policies at that time that a block of land in the northeast corner of the development would be retained as Environmental Protection lands. The revised plan does not make any modifications to the area that are too be retained in their natural state. The zoning does restrict any development within natural heritage features in perpetuity so is consistent with this *Planning Act* Requirement.

Additionally, Barry Myler Consulting were retained to undertake a Species at Risk (SAR) evaluation to confirm that the client's obligations under the *Endangered Species Act* are being met. The letter confirmed the absence of SAR and the absence of potential impact to unconfirmed SAR that may occur in associated with the protected wetland/woodland block.

d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

A Stage 1 Archaeological Assessment was completed for the site by Detritus Consulting in December 2024. This study has concluded that the area is deemed to contain Archaeological potential and has a Stage 2 Archaeological Assessment has been commissioned and is underway.

f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

A Functional Servicing Report as well as a Transportation Brief have been prepared that identify how the lands will be serviced with transportation, sewage and water services. These studies have determined that there are no issues with regards to capacity of these systems. Further the lands will be serviced with Regional waste management services and the roadway system will be designed in accordance with municipal standards to accommodate waste collection vehicle movements.

The subject lands are designated to permit urban development. The applications will facilitate development that will efficiently utilize future infrastructure investments such as roads, watermains, sanitary sewer, storm sewer and typical utilities.

h) the orderly development of safe and healthy communities;
(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

The proposed development accommodates residential growth that is compatible and contiguous with existing development in Alliston Woods, contributing to the orderly development of safe and healthy communities. The inclusion of additional housing opportunities and forms contributes to the orderly development of safe and healthy communities, fostering a cohesive and balanced community. The revised subdivision plan improves on housing choice and availability that contribute to building a healthy community. The roadway design will be in accordance with municipal standards and include sidewalks to improve accessibility for persons with disabilities.

i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

The proposed development is near several schools including;

- Garrison Road Public School
- Saint Philomena Catholic School
- Greater Fort Erie Secondary School

The Spears-High Pointe Secondary Plan identifies a future neighbourhood park as being planned on adjacent lands to the northeast and an open space natural area being located on lands to the east in the area of the woodland feature; these lands were dedicated to the Town for open space use as part of the registration of the original subdivision. The Fort Erie Leisureplex is located approximately 1.4km to the southwest or a 20-minute walk.

The subject lands are considered to be supported by an adequate amount of educational, health, social, cultural and other recreational facilities located throughout the Town.
j) the adequate provision of a full range of housing, including affordable housing;

The Spears-High Pointe Secondary Plan land use plan identifies lands for a variety of land uses including low, medium and high-density residential uses, mixed use and commercial uses, institutional, employment, open space and environmental conservation areas.

The proposed revised subdivision includes a range of housing types and densities including smaller lot single detached, street townhouses and stacked townhouses. The proposed housing mix increases housing choice in the immediate area and reflects the range of household housing need. Though these houses will not be considered affordable, they will contribute to affordability by increasing the supply of housing within the area and achieving a broad continuum of housing at different price points. The proposed dwelling types are relatively more attainable in comparison to traditional single detached dwellings on larger freehold lots.

l) the protection of the financial and economic well-being of the Province and its municipalities;

The proposed development can benefit the financial and economic well-being of the Province and its municipalities as cumulatively it will introduce three hundred and seventy-eight (378) new residential dwelling units within the Town of Fort Erie. The addition of these units improves housing availability in the Town and contributes to the overall economic resilience and vitality of the area.

The proposed developments will also generate development charges and long-term property tax revenue. These economical and financial contributions support the sustainable growth and prosperity of the Region and municipality, which subsequently supports the local economy. In addition, the residential development at the density proposed is financially more sustainable than traditional low-density residential development.

p) the appropriate location of growth and development;

The subject lands are located within the Fort Erie Settlement Area / Urban Area Boundary, which is a preferred and prescribed location for growth in Provincial, Regional and local land use planning documents. The lands are also within the Designated Greenfield Area, and are provided within municipal services and public roadway access. The appropriateness of this location for residential development was established through the completion of the Spears-High Pointe Secondary Plan.

The subject lands are located adjacent to a major roadway (Garrison Road), do not contain any physical constraints to the proposed development, have strong transportation connections, are serviceable by existing municipal infrastructure and services, are in proximity to employment and commercial opportunities and are therefore an appropriate location for the proposed residential development.

The utilization of these undeveloped urban lands for low and medium-density growth maximizes compatible housing potential and reinforces the property as an appropriate location for growth and development.

q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

The introduction of small lot residential development and a higher density to this area contributes to the promotion of transit-supportive population densities. This, in turn, enhances the future sustainability and potential expansion of public transit services within the community.

The proposed development will include street connections and sidewalks which will provide further opportunities for active transportation and a connected pedestrian system. In addition, the revised subdivision plan will integrate with the future development of lands to the east.

Overall, the proposed development will facilitate the design of a pedestrian friendly neighbourhood and the increase in density enhances support for public transit.

r) the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

The proposed built forms are considered to exhibit good urban design principles that will improve the overall urban condition of the property to the benefit for the surrounding residential areas.

The proposed development will be well-designed with attractive built forms, emulating modern development characteristics, while being context sensitive and integrating appropriately with the neighbourhoods to the east and south.

Overall, the development creates a sense of place through a compact layout and a connected roadway system that integrates with the adjacent areas.

Section 22 – Official Plan Amendments

Applications for Official Plan Amendments are considered under Section 22 of the *Planning Act.* Amendments are permitted to municipal by-laws subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

Section 34 – Zoning By-laws and Amendments
Applications for Zoning by-law Amendments are considered under Section 34 of the *Planning Act*. Amendments are permitted to municipal by-laws subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

Section 51 (24) – Draft Plan of Subdivision
Applications for Land Division are governed under Section 53 of the *Planning Act*. Section 53(12) required that when considering an application for Consent and Approval Authority must have regard for the matters under Section 51(24) of the *Planning Act*.

Section 51 (24) the Act prescribes that "In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to," items a) to m). An analysis of compliance to each item is provided below:

a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

As noted above, the applications satisfy clauses a), d), f), h), i), j), l), p), q), and r) of Section 2 of the *Planning Act*.

b) whether the proposed subdivision is premature or in the public interest;

The proposed subdivision is in the public interest as it will facilitate the development of serviceable urban lands, provides a range of housing options that reflect the range of housing needed in the current market, and contributes to the provision of publicly accessible open space.

The subject lands were previously approved for residential development. The current proposal generally reflects the intent of the previously-approved subdivision but has been modernized to include more residential variety in response to present housing needs and preferences. The subject lands are contiguous to existing residential development and have full access to services and utilities. The subdivision is not premature as it is a logical extension of the residential development within the immediate area.

The proposed subdivision will provide needed supply of a variety of housing types and will increase the efficiency with which municipal services are utilized. The subdivision is therefore in the public interest.

The subject site is adjacent to existing and future residential development, has access to services and utilities, and has access to public roadways, therefore representing a logical location for additional residential development.

The subdivision addresses the demand for different housing typologies, as the subdivision proposes both single-detached dwellings, street townhouse dwellings and stacked townhouse dwellings. Including different dwelling types within the proposed subdivision contributes to the diversification and expansion of the available housing supply in the area.

c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The subdivision conforms to the Town's Official Plan as outlined under the applicable heading in this report. The development is also consistent with the contiguous development patterns of the existing residential development east and south. However, an Official Plan Amendment is required to add stacked townhouse units as a permitted use to the Low-Density Residential designation, to increase the density threshold and to remove the Environmental Conservation Overlay from the residential designated lands as it is no longer applicable due to previous approvals.

d) the suitability of the land for the purposes for which it is to be subdivided;

The property is located in a suitable location for development as it is within an established residential area in the Town, has transportation connections, has access to full municipal services and is free of significant development constraints. Soil and topographic conditions are also favourable to subdivision development.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

No affordable housing as defined by the Province of Ontario is proposed through these applications. The proposed development does contribute to the provision of housing that is attainable at various income levels through the provision of a variety of housing types, including multi-unit forms.

e) The number width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The proposed development includes an internal road network with two connections to the existing road network at Spears Road and Garrison Road. All of the proposed roads meet the municipal standard width for local roads of 20 meters. A Traffic Impact Study has been submitted within the application, which confirms that the proposed development will have no impact on the adequacy or safety of the road network and recommended that the development be phased to allow roadway improvements to be deferred until they are warranted.

f) The dimensions and shapes of the proposed lots;

The applications propose the creation of generally rectangular shaped lots which form a lot pattern that is consistent with the existing neighbourhood. The specifics of the lot dimensions and shapes are shown on the Draft Plan.

g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The Environmental Noise Feasibility Study has included noise mitigation measures which are typically formalized for the applicable lots and units through the execution of the subdivision agreement. The future structures will also be subject to applicable Zoning provisions.

h) conservation of natural resources and flood control;

The subject lands do not contain any significant natural resources or lands impacted by a flood hazard.

i) the adequacy of utilities and municipal services;

A Functional Servicing Report, prepared by Upper Canada Consultants, outlining how the proposed development will be serviced, has been submitted with the applications. As confirmed in the report, municipal infrastructure is readily available, and has sufficient capacity to service the proposed development.

The adequacy of public utilities will be confirmed through the comment and review process by applicable bodies.

j) the adequacy of school sites;

The subject lands are within 3km of the St. Philomena Catholic Elementary School, the Garrison Road Public School and the Greater Fort Erie Secondary School. The local school boards (DSBN, NCDSB) will have the opportunity to comment on development applications to confirm adequacy of service. No new school sites were identified as need when the Spears-High Pointe Secondary Plan was prepared and approved.

k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Block 114 on the Draft Plan will be dedicated to the Town to accommodate a Stormwater Management Facility extension and Block 115 will be dedicated as a servicing corridor.

l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The coordinated development of a large parcel of land provides for increased efficiencies in the servicing and construction of the development along with energy conservation. Further, the proposed development achieves a compact land use pattern that helps to optimize the use of infrastructure and supports energy conservation.

m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The proposed development is subject to Subdivision approval which ensures that all matters affecting the approval authority and commenting agencies are adequately addressed prior to the commencement of development. Block 113 being the stacked townhouse block will be subject to future site plan approval prior to development proceeding on that block.

2024 PROVINCIAL PLANNING STATEMENT

The purpose of the Provincial Planning Statement (2024) (PPS) is to provide direction to planning authorities on how to best achieve the development of healthy, livable and safe communities.

Planning for People and Homes (PPS 2.1)

Section 2.1 of the PPS provides guidance for population forecasts, and requires municipalities and planning authorities to provide sufficient land to accommodate an appropriate range and mix of land uses to meet project needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. To

provide for this appropriate and mix of housing options and densities, planning authorities are to maintain at all times the ability to accommodate residential growth for a minimum of 15 years lands which are designated and available for residential development, and maintain at all times land with servicing capacity for area where new development is to occur that is sufficient to provide a three-year supply of residential units through lands suitable zoned, including units in draft approved or registered plans.

The applications are consistent with the direction of Section 2.1 of the PPS as they facilitate the development of additional housing opportunities on serviced urban lands within a Secondary Plan Area that is anticipated and planned for growth and development.

Housing (PPS 2.2)
Section 2.2 of the PPS requires municipalities and planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents of the regional market area. This is to be achieved though permitting all housing options, all types of residential intensification, and directing developments to areas with appropriate levels of infrastructure and public service facilities that are, or will be, available to support current and projected needs. Table 2-2 of the Niagara Official Plan forecasts that the Town of Fort Erie will have a population of 48,050 people by 2051, and require 3,680 units – or a 50% intensification rate. This anticipated growth must be supported by an increase in housing supply and a range and mix of dwelling forms of different affordability ranges.

The applications specifically facilitate the development of three hundred and seventy-eight (378) new residential dwellings within the Town of Fort Erie. These units will consist of single-detached, street townhouse and stacked townhouse dwellings, which will contribute to the range and mix of housing options in an area that is planned for low and medium density residential uses, and support the growth of housing opportunities as prescribed by the PPS, as well as the Regional and local Official Plan.

Housing (PPS 2.3)
Settlement areas are to be the focus of growth and development and land use patterns within settlement areas are to be based on densities and a mix of land uses that:

a) efficiently use land and resources;
b) optimize existing and planned infrastructure and public service facilities;
c) support active transportation;
d) are transit-supportive, as appropriate; and
e) are freight-supportive

Planning authorities are to support intensification and redevelopment to support the achievement of complete communities and establish and implement minimum targets for intensification and redevelopment within built-up areas. Planning authorities are also encouraged to establish density targets for designated growth areas and establish and implement phasing policies, where appropriate, to ensure development is orderly and aligns with the timely provision of infrastructure and public service facilities.

The proposed applications are for land located within a settlement area and within an area planned for future residential growth. The redesigned plan uses land efficiently and optimizes both existing and planned infrastructure and public service facilities. Opportunities for active transportation continue to be provided through the reconfigured plan. Also, the redesigned plan is at a density that is generally more transit supportive than the previous plan.

Strategic Growth Area (PPS 2.4)

The PPS provides that planning authorities are encourage to identify and focus growth in strategic growth areas and strategic growth areas should be planned:

a) to accommodate significant population and employment growth;
b) as focal areas for education, commercial, recreational, and cultural uses;
c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
d) to support affordable, accessible, and equitable housing.

Planning authorities are to prioritize planning and investment in infrastructure and public service facilities in strategic growth areas; to identify the appropriate type and scale of development and transition of built form for adjacent areas; to permit development and intensification to support the achievement of complete communities and a compact built form; consider a student housing strategy when planning for strategic growth areas; and support redevelopment of commercially designated retail lands to support mixed use residential uses.

The Spears-High Pointe Secondary Plan Area is an area that has been identified and planned for growth and development. The proposed Revised Subdivision Plan provides for higher density development that has greater potential to support transit and provides for a housing mix that is more affordable, accessible and equitable than traditional low-density residential developments.

Infrastructure and Public Service Facilities (PPS 3.1)

In general, Section 3.1 of the PPS requires that infrastructure and public service facilities are to be provided in a coordinated and efficient manner while accommodating projected needs so as to reduce the cost of servicing growth. Through the approval of Alliston Woods, consideration of infrastructure and public service facility requirements, coordination and upgrades were addressed and are planned as conditions of draft approval.

Transportation (PPS 3.2)

The policies under Section 3.2 of the PPS direct that efficient use should be made of existing and planned transportation infrastructure, that connectivity amongst systems and modes be maintained and improved, and that land use patterns, densities and mixes of uses should be promoted that minimizes the length and number of vehicle trips, and support multi-modal transportation options.

A Transportation Impact Study was prepared by Paradigm Transportation Solutions that provided an analysis of existing traffic conditions, traffic forecasts for a five-year horizon, and recommendations to manage future traffic conditions.

The proposed Draft Plan of Subdivision includes an extension of existing municipal roads. The street will contain a sidewalk on one side of the road and will connect with the future development to the east. It is noted through the Traffic Impact Study that the development is recommended to be phased to manage the timing of roadway improvements.

Transportation and Infrastructure Corridors (PPS 3.3)

The PPS provides that planning authorities shall plan for and protect corridors and rights-of-ways for infrastructure of all types to meet current and projected needs. Major goods movement facilities and corridors are to be protected for the long term. Also, planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be

designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities. The colocation of linear infrastructure should be promoted where appropriate.

Garrison Road represents the major goods movement corridor in this area. Garrison Road is a four-lane arterial roadway that connects Fort Erie with the City of Port Colborne and connections with the QEW are via Thompson Road to the west. The proposed reconfiguration of the registered plan will not impact on these major goods movement corridors.

Sewage, Water and Wastewater (PPS 3.6)
The policies in this section of the PPS address the requirements for planning for sewage and water services. Municipal sewage and municipal water services are the preferred form of servicing within settlement areas. Planning for sewage and water services are to ensure efficient use and optimization of existing municipal sewage and municipal water services to accommodate forecasted growth; ensure that services can be sustained by the water resources which such services rely on, is feasible and financially viable over the life cycle, protects human health and safety and the natural environment including quality and quantity of water, and aligns with comprehensive planning for these services where applicable. Planning for these services is also to promote water and energy conservation and efficiency, integrate servicing and land use considerations, consider opportunities to allocate and reallocate unused system capacity to support efficient use of these services and meet current and projected needs for increased housing supply.

Planning for stormwater management is to integrated with planning for sewage and water services to ensure systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle. Further, planning for stormwater management is to minimize or where possible, prevent or reduce increases in stormwater volumes and contaminant loads; minimize erosion and changes in water balance, mitigate risks to human health, safety and the environment; maximize the extent and function of vegetative and pervious surfaces; promote best practices including stormwater attenuation and re-use, water conservation and efficiency and low impact development; and align plans that consider cumulative impacts of stormwater from development on a watershed scale.

A Functional Servicing Report prepared by Upper Canada Consultants confirms that the existing municipal watermain system is expected to have adequate capacity to provide both domestic and fire protection water supply for the subject lands and the existing sanitary sewer has adequate capacity to service the development. As addressed in the Stormwater Management Addendum, the proposed expansion of the Alliston Woods SWM Facility can provide adequate stormwater quantity and quality controls for the associated stormwater drainage areas in accordance with the conclusions of the approved Alliston Woods Stormwater Management Plan.

Public Spaces, Recreation, Parks, Trails and Open Space (PPS 3.9)
Healthy, active, and inclusive communities are to be promoted by:

> a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;
> b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
> c) providing opportunities for public access to shorelines; and
> d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing

negative impacts on these areas.

The proposed reconfigured subdivision plan has been designed with safety in mind. The public streets will be designed in accordance with municipal standards ensuring the safe movement of people and vehicles. Sidewalks will be provided to provide for safe pedestrian movements. The layout of the subdivision for the most part provides for housing units facing housing units which foster social interactions amongst neighbours. The Spears-High Pointe Secondary Plan has designated lands for parks purposes adjacent to the subject lands, that have been dedicated to the Town with the original Subdivision Plan (Blocks 180, 181 and 182 on 59M-516) along with a Block 183 being an environmental conservation block associated with the locally significant wetland. While a park design has not been determined at this time, the location of these open space areas is consistent with the Spears-High Pointe Secondary Plan.

Natural Heritage (PPS 4.1)

The PPS provides that natural features and areas are to be protected for the long term. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems should be maintained, restored or where possible, improved, recognizing linkages between and among natural features and areas, surface water features and ground water features. Natural heritage systems are to be identified recognizing they will vary in size and form. Specifically, development and site alteration are not permitted in significant wetlands and significant coastal wetlands. Development and site alteration are also not permitted in significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, and other coastal wetlands unless it is demonstrated that there will be no negative impact on natural features or their ecological function. Also, development and site alteration are not permitted in fish habitat, and habitat of endangered and threatened species except in accordance with provincial and federal requirements. Further, development and site alteration shall not be permitted on adjacent lands of natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impact on the natural features or on their ecological functions. The only exception to the above is that nothing is intended to limit the ability of agricultural uses to continue.

Regarding the subject lands no significant natural heritage features or areas were identified on the subject lands. Along the east limit of the lands is a locally significant wetland/woodland feature has been dedicated to the Town and is to remain protected.

Water (PPS 4.2)

Regarding water resources, planning authorities are to protect, improve and restore the quality and quantity of water by using the watershed as ecologically meaningful scale for integrated and long-term planning; minimizing potential negative impacts, including cross jurisdictional watershed impacts; identifying water resources; implementing necessary restrictions on development and site alteration to protect drinking water supplies and designated vulnerable areas and protect, improve or restore vulnerable surface and ground water and their hydrologic function; planning for efficient and sustainable use of water resources through water conservation and sustaining water quality; and ensuring consideration of environmental lake capacity where applicable. Development and site alteration shall be restricted near sensitive water features and sensitive ground water features such that these features will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches. Municipalities are encouraged to undertake watershed planning and collaborate with applicable conservation authorities.

With respect to the proposed development, the lands are located in the Spears-High Pointe Secondary Plan area. The Secondary Plan identifies wetland areas that to be protected and locations for stormwater management

facilities. The reconfiguring of the development plan will extend the approved stormwater management facility and does not impact on any wetlands in the Plan area. The subject lands are also not located within an area identified as being a significant groundwater recharge area. The Niagara Peninsula Conservation Authority did not identify any concerns with regards to the proposed reconfigured lots and blocks.

Cultural Heritage and Archaeology (PPS 4.6)
The PPS provides that protected heritage properties shall be conserved and development on adjacent lands shall not be permitted unless the heritage attributes of the protected heritage property will be conserved. Also, planning authorities shall not permit development or site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Planning authorities are also encouraged to develop and implement archaeological management plans and proactive strategies for conserving significant built heritage resources and cultural heritage landscaped. Finally, Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

The subject lands are considered to be within an area of archaeological potential in accordance with the Region of Niagara Official Plan. A Stage 1 Archaeological Assessment was completed for the site by Detritus Consulting in December 2024. This study has concluded that the site is deemed to contain Archaeological potential and a Stage 2 Archaeological Assessment has been commissioned and is underway. The Stage 2 Archaeological Assessment Report will be submitted to the Ministry when it is completed in a matter of a few months.

General Policies for Implementation and Interpretation (PPS 6.1)
This section of the PPS requires that in order to protect provincial interests, planning authorities keep their Official Plans and Zoning By-laws up to date with the Provincial Planning Statement and where a planning authority decides on a planning matter before their official plan has been updated to be consistent with the PPS, it must still make a decision that is consistent with the PPS. In addition, wherever possible and practical approvals under the *Planning Act* and other legislation or regulation, i.e. *Environmental Assessment Act*, should be integrated provided the intent of both processes are meet. Municipalities are also encouraged to monitor and report on implementation of the policies in their official plans and density targets represent minimum standards and municipalities are encouraged to go beyond these minimum targets.

The subject applications are consistent with the policies of the PPS and it is noted that the proposed Official Plan amendment will provide an increase in density threshold on the subject lands that is in line with current conventional density thresholds for Low Density Residential development and there is no adverse impact the increase density has on approved infrastructure systems.

Coordination (PPS 6.2)
This section of the PPS provides for the a coordinated, integrated and comprehensive approach when dealing with planning matters with lower and upper tier municipalities, other orders of government, agencies, boards and housing Service Managers. Planning authorities are to engage early with Indigenous communities and the public and stakeholders; collaborate with school boards and publicly assisted post-secondary institutions; and coordinate emergency management and other economic, environmental and social planning considerations. Further, planning authorities shall:

a) identify and allocate population, housing and employment projections;
b) identify areas where growth and development will be focused, including strategic growth areas, and establish any applicable minimum density targets;

c) identify minimum density targets for growth and development taking place in new or expanded settlement areas, where applicable; and
d) provide policy direction on matters that cross municipal boundaries.

Through the development of the Spears-High Pointe Secondary Plan there was coordination between the lower and upper tier municipality, with the Conservation Authority, school boards and other agencies. Further, the pre-consultation provided another opportunity for early consultation and finally through the application review process there will further opportunity for consultation and coordination of these specific development applications.

NIAGARA OFFICIAL PLAN (2022)

The Niagara Official Plan (NOP) was approved by the Minister of Municipal Affairs and Housing on November 4, 2022. It outlines the long-term strategic policy planning framework for managing growth in the Region to a planning horizon ending in 2051.

The Plan's focus is primarily on implementing the Provincial Policy Statement and other Provincial Plans and Guidelines, and providing regional-level land use planning direction on growth, the natural environment, infrastructure and other attributes or circumstances unique to Niagara.

CHAPTER 2 – GROWING REGION

Chapter 2 of the NOP contains the Regional level growth policy direction for Niagara Region and the twelve (12) local municipalities inclusive of population and employment forecasts, intensification targets and specific locations and methods for development.

The NOP directs growth and development to Settlement Areas where full urban services are available, as well as public transit, community and public services and employment opportunities.

2.1 – FORECASTED GROWTH

Per Section 2.1 of the NOP, the Region of Niagara is anticipated to have a population of 694,000 people and 272,000 jobs by the year 2051, representing an increase of over 200,000 people and 85,000 jobs from 2021. These population and employment forecasts are further broken down by municipality in Table 2-1. Per Table 2-1, Fort Erie has a forecasted population of 48,050 people and 18,430 jobs by 2051.

The proposed development will contribute three hundred and seventy-eight (378) new residential dwelling units into the Town's housing supply and will assist in achieving the Town's annual growth and targets.

2.2 – REGIONAL STRUCTURE

Section 2.2 establishes the regional land use structure, based on Provincial directives which dictate how the projected growth is to be accommodated. A majority of growth is to occur within the Settlement Area, where water and wastewater systems exist or are planned. The Settlement Area is further broken down into the delineated Built-up Area and the Designated Greenfield Area.

The subject lands are located within the Town of Fort Erie Urban Area (Settlement Area) and are within the Delineated Built-up Area as per the Regional Plan shown in **Figure 5.**

Figure 5 - Schedule B of Niagara Official Plan (Cropped)

The subject lands are a logical location for low and medium density residential development and the proposed development will assist the City in the achievement of its annual growth targets.

2.2.1 – Managing Urban Growth

Per Policy 2.2.1.1 a), development in the Built-up Area is required to support the achievement of the Region's density targets. Per policy 2.2.2.22, Designated Greenfield Areas are to achieve a minimum density of 50 people and jobs per hectare, measured across the region. As provided in Table 1, the proposed development accommodates 61.84 people and jobs per hectare and contributes positively to the accommodation of prescribed growth within the region's Greenfield Areas.

Policy 2.2.1.1 b) states that development in urban areas should support a compact built-form and a mix of land uses to support the creation of complete communities. The proposed development accommodates a range of residential housing types. The subject lands are also in proximity to complementary uses such as commercial uses and park space. The proposed development contributes to the mix of land uses which achieves a complete community.

Policy 2.2.1.1 c) states that development in urban areas should accommodate a diverse range and mix of housing types, unit sizes and densities to accommodate future and current market-based and affordable

housing needs. The proposed development accommodates a range of housing types including single-detached dwellings, semi-detached dwellings and townhouse dwellings, and incorporates a variety of lot sizes and configurations. The proposed dwelling mix improves housing choice in the immediate area and provides options for a range of options that cater to various household sizes, income levels and housing preference.

Policy 2.2.1.1 e) states that development in the urban area should support built-forms, land use patterns and street configurations that minimize land consumption, and reduce the cost of municipal water and wastewater systems and services. The proposed subdivision represents a compact and efficient development that provides for the efficient use of land and infrastructure.

An additional 159 dwelling units are provided over the previous approved plan. Improving infrastructure efficiency use supporting an urban built form. The redesigned plan will be supported by existing municipal infrastructure that is available on Spears Road, Alliston Avenue and Garrison Road. The provision of additional housing units will help to optimize the efficient use of the existing municipal infrastructure.

Policy 2.2.1.1 f) states that development in the urban area should support opportunities for transit supportive development. The proposed development of the subject lands contributes to the accommodation of transit-supportive density which improves the feasibility of providing transit service.

Policy 2.2.1.1 h) states that development in urban areas should support opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established neighbourhoods. The proposed subdivision accommodates projected growth that achieves the minimum Greenfield density target while maintaining the character of the adjacent established residential areas. The proposed development abuts established single-detached residential neighbourhoods to the west. The proposed subdivision includes low-density ground-based residential housing forms which are consistent and compatible with the prevailing character of the area. The proposed subdivision layout also provides direct single-detached interface for the existing single-detached dwellings.

Policy 2.2.1.1 k) states that orderly development in accordance with availability and provision of infrastructure should be accommodated within the urban area. The subject lands are located immediately adjacent to existing residential areas which have full municipal services. The proposed development represents the logical and orderly progression of development which optimizes the use and provision of infrastructure.

2.2.2 – Strategic Intensification and Higher Densities

As noted, the subject lands are located within the Designated Greenfield Area. Per Policies 2.2.2.23 and 2.2.2.24 of the NOP, Designated Greenfield Areas shall achieve a minimum density of 50 people and jobs per hectare. The proposed development will have a greenfield density of 61.884 people and jobs per hectare, as calculated in **Table 1.**

Table 1 – Greenfield Density Calculation						
People				***Jobs***		
Unit Type	**Unit Count**	**Ratio (PPU)[1]**	**Total**	**Unit Count**	**Ratio (at home employment)**	**Total**
Single Detached	53	2.929	155.237	378	5% of dwellings	18.90 jobs
Multiples	325	2.189	711.425			
Subtotal	378		866.662			18.90
Total	885.562 people and jobs					
Land Area	14.31 hectares					
Greenfield Density	**61.884 people and jobs per hectare**					
* Niagara Region Development Charges Background Study, Appendix A Schedule 4a (Watson & Associates Economists Ltd., May 30, 2022)						

The density target of 50 residents and jobs per hectare set out by the Region does not apply on a site by site basis, but collectively across Designated Greenfield Area lands on a municipal-wide basis, excluding areas constrained by environmental features, utility corridors, cemeteries and employment areas and is a minimum target. The proposed development meets and exceeds the density target at 61.884 people and jobs per hectare, therefore contributing to the overarching objective.

Policy 2.2.2.25 of the Regional Plan directs that Designated Greenfield Areas will be planned as complete communities by:

a) ensuring that development is sequential, orderly and contiguous with existing built- up areas;
b) utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
c) ensuring infrastructure capacity is available; and supporting active transportation and encouraging the integration and sustained viability of public transit service.

The proposed development is within the Designated Greenfield Area, and will occur contiguous to the Built-up Area to east and south. The proposed development is part of the greater planned Spears-High Pointe Secondary Plan Area and will integrate appropriately with the existing and future built-up area.

As the subject lands are within a Secondary Plan Area, Section 6.1 is addressed.

Infrastructure capacity will be available as detailed in the Functional Servicing Report prepared by Upper Canada Consultants for the subject lands.

Sidewalks are proposed throughout the development, and will be integrated into the existing sidewalk network.

Overall, the applications are considered to confirm with the NOP and implement its growth management direction in an appropriate, efficient and context sensitive manner. The proposed development will assist the Region in the achievement of its Greenfield Density target and utilize underutilized lands and infrastructure within the Urban Boundary.

[1] Niagara Region Development Charges Background Study (2022), Schedule 3

2.3 – HOUSING

The objectives of the policy direction under Section 2.3 of the NOP are to provide a mix of housing options to address current and future needs, to provide more affordable and attainable housing options, and to plan to achieve affordable housing targets through land use and financial incentive tools.

2.3.1 - Provide a Mix of Housing Options

Policy 2.3.1.1 directs that a range and mix of densities, lot and unit sizes and housing types should be accommodated in the settlement area to meet housing needs at all stages of life. The proposed subdivision includes a mix of single-detached, semi-detached and street townhouse dwellings and a variety of lot sizes which contributes to the provision of a mix of housing options as envisioned in this policy.

2.3.3 – Tools to Achieve Affordable and Attainable Housing

The proposed housing mix can accommodate a range of household sizes and incomes which supports the development of affordable and attainable housing as provided in Policy 2.2.3.3.1 d).

CHAPTER 3 – SUSTAINABLE REGION

Chapter 3 outlines the objectives and policies for the Regional natural heritage system and water resource system. The overall intent of this Chapter is to protect environmental and ecological features and their functions.

Schedule C1 shows the Natural Environment System Overlay and Provincial Natural Heritage Systems. While the local Official Plan shows that the subject lands are impacted by "significant natural areas" the Region's mapping (which incorporates the Provincial Natural Heritage System) does not show that the lands are impacted by the Natural Environment System (see **Figure 6**). The proposed development therefore has no impact on the Natural Environment System.

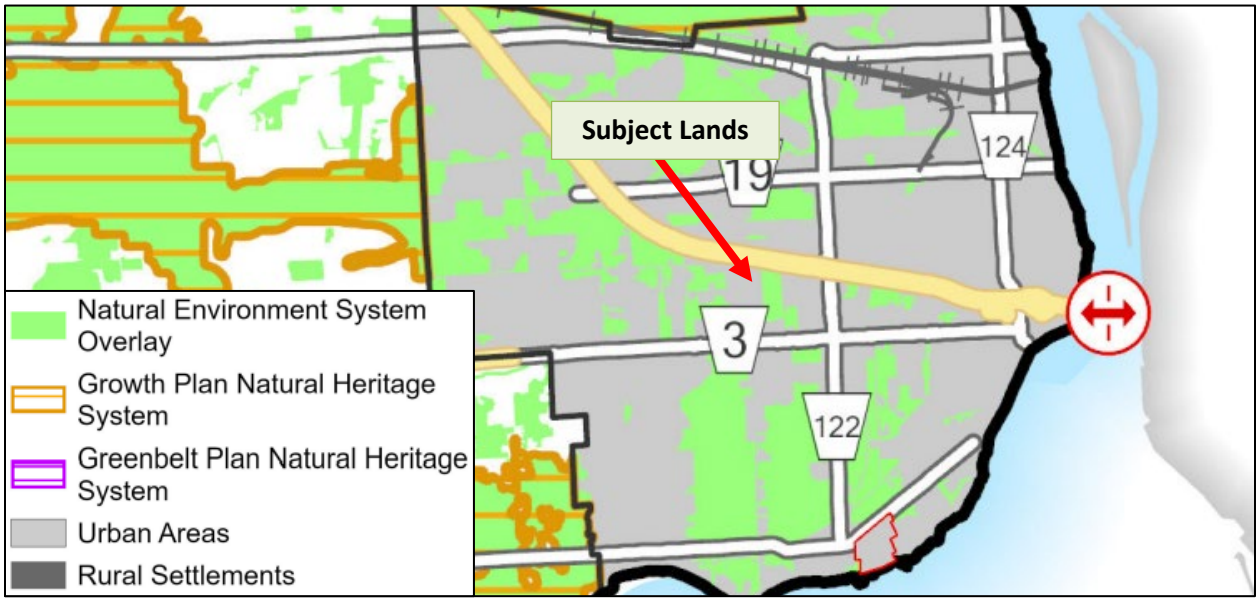


Figure 6 - Excerpt from Region of Niagara Official Plan Schedule C1 - Natural Environment System Overlay and Provincial Natural Heritage Systems

Chapter 6 – Vibrant Region

6.1 – District Plans and Secondary Plans

Secondary Plans establish detailed policies and guidelines build on significant community consultation that directs development within a certain area. They are intended for proactively planning for growth which assists in achieving mixed-use, compact built form, providing a range and mix of housing options, protecting established neighbourhoods, encouraging transit-supportive development, supportive public service facilities, protecting and enhancing the natural environment, establishing direction to mitigate and adapt to climate change and support high quality public spaces.

The subject lands are located in the eastern half of the Spears-High Pointe Secondary Plan Area.

As per Section 6.1.4.7, secondary plan policies and schedules are to ensure there is diversity and a mix of land uses and built forms; high quality urban design and public realm; parks and open space; refinement and implementation of the Region's natural environmental system; adequate infrastructure including transit and active transportation; support of sustainable and resilient communities; and locations with public service facilities.

The proposed redesigned development plan contributes to Secondary Plan policies as the proposal increases density and provides different built forms and introduces stacked townhouses to the area, protects the adjacent natural heritage features and there is adequate infrastructure available to service the proposed additional residential units.

The proposed plan meets and exceeds the minimum greenfield density target of 50 people and jobs per hectare, and increasing the housing supply with built forms such as small lot single detached units, street and stacked townhouse units contributes to providing more housing choice aimed at an improved supply of more attainable housing.

6.2 – Urban Design

As per Section 6.2, Urban Design has been taken into consideration to ensure the dwelling units are both attractive and functional, and incorporate with the surrounding neighbourhoods in order to create a complete community. These dwellings will contribute to the creation of a liveable and vibrant urban area, that is safe and offers high quality streetscapes and public spaces. The objective is to strengthen community identity and diversity and the integration of this redesigned development plan will do just that. The development will be serviced with public municipal services and a public road network with sidewalks on one side of the internal road network.

In conclusion, the proposed subdivision aligns with the policy requirements outlined by emphasizing a comprehensive approach to urban planning and design within a Secondary Plan Area. By incorporating a mix in built forms and prioritizing high-quality urban design, the development strives to contribute to fostering sustainable and resilient communities. Through thoughtful consideration of urban design principles, the proposed dwellings not only fulfill functional needs but also contribute to the creation of a cohesive and vibrant urban environment. Ultimately, with provisions for a mix in built forms, protection of the adjacent natural heritage features and pedestrian infrastructure, the development emphasizes its commitment to enhancing community well-being and connectivity.

TOWN FORT ERIE OFFICIAL PLAN

The Town of Fort Erie Official Plan (2011) provides a 20-year land use vision for the community and is supported by a set of broad strategic community directions. The Official Plan helps the community achieve its long-term vision by implementing a range of local, regional and provincial policies, plans and strategies.

The Spears-High Point Secondary Plan provides policy direction for future growth and development of the area. An analysis of applicable general Official Plan policies and those specific to the Secondary Plan Area are included within this portion of the Planning Justification Report.

The subject lands are currently designated Low Density and Medium Density and the area associated with the stormwater management facility is designated Open Space (SWM).

It is proposed to amend the Official Plan to allow townhouse uses in the Low-Density designation on the subject lands and to permit a density up to 24.11 units/ha. Additionally, it is requested to remove the Environmental Conservation Overlay as this was addressed through the previous approval of the original subdivision. The existing Official Plan designations are shown in **Figure 7** and the proposed Official Plan amendment schedule is illustrated in **Figure 8** below.

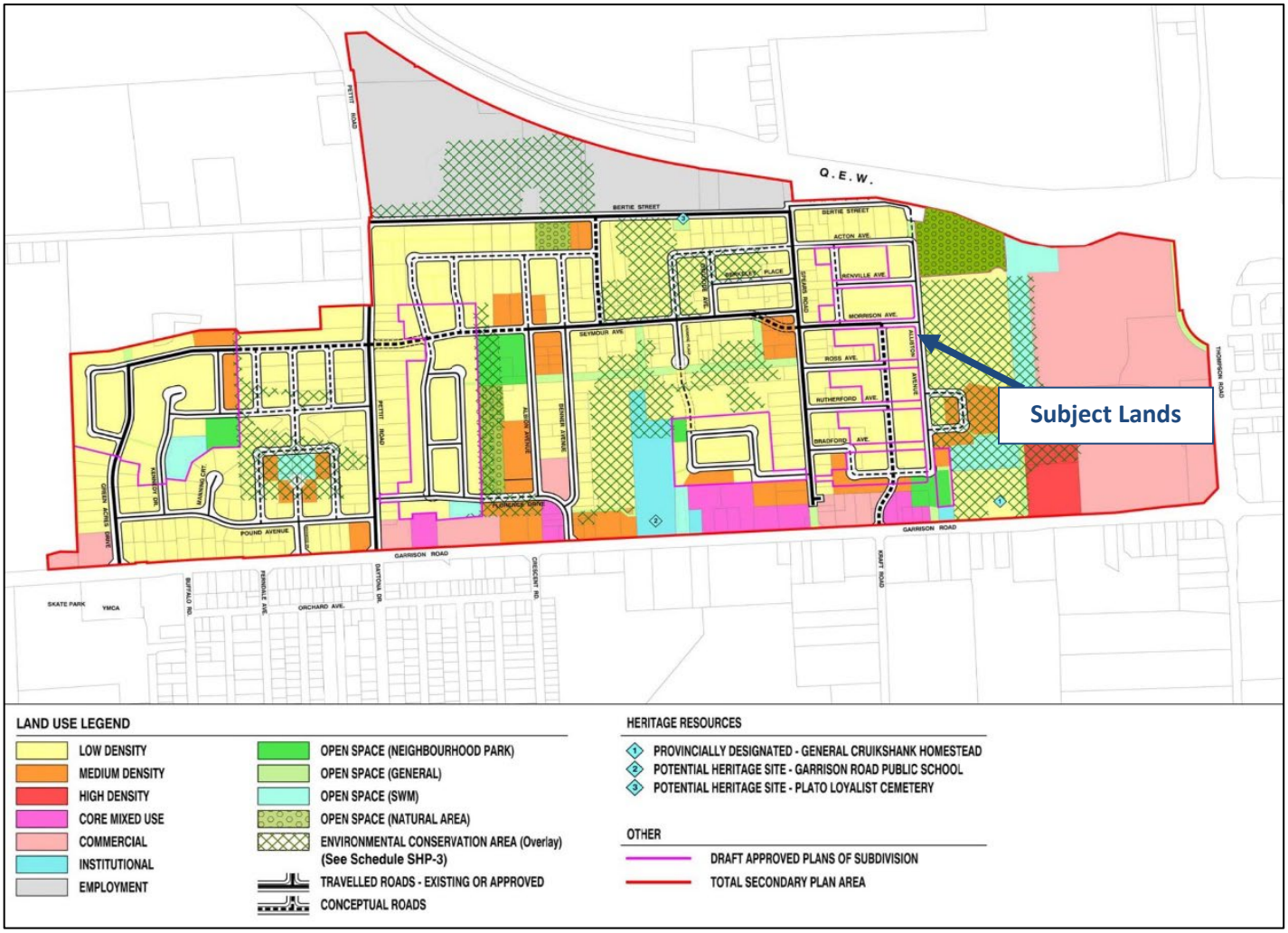


Figure 7 - Spears-High Pointe Secondary Plan - Schedule SHP-2 of the Town of Fort Erie Official Plan

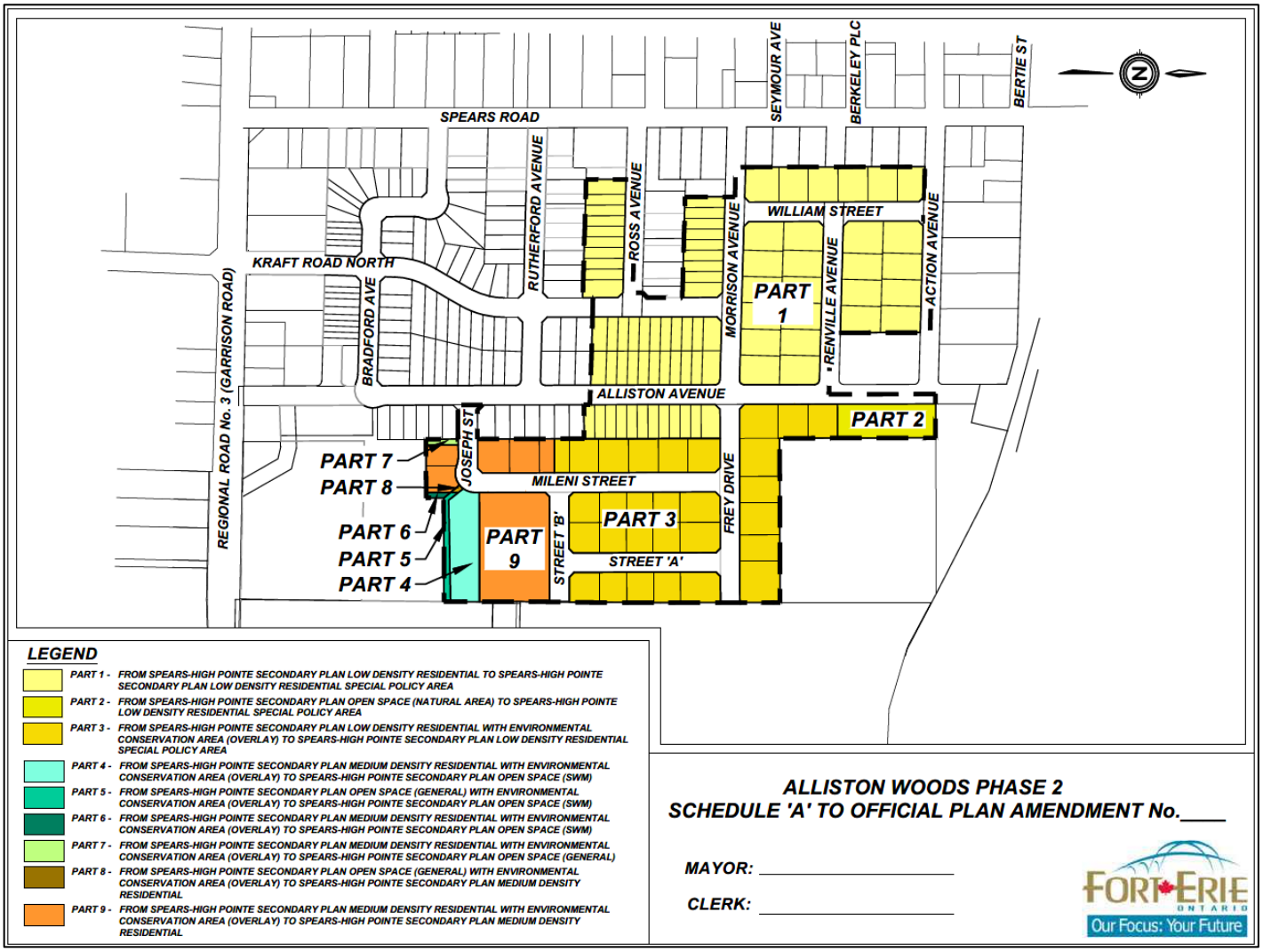


Figure 8 – Proposed Official Plan Amendment Schedule 'A'

Section 2 – Goals and Objectives

The Town's strategic goals and objectives are contained within Section 2 of the Official Plan and specific to the subject applications, the goals and objectives related to 'Communities and Neighborhoods' and 'Residential' are relevant. These goals and objectives are with regards to neighbourhoods developing in accordance with Neighbourhood Plans, that the Neighbourhood Plans provide for a range of housing types, densities and lot sizes that can accommodate diverse social and economic needs and the residential goals focus on accommodating population and future housing needs by providing for a full range of housing choices, tenure and price to accommodate a diversity of people.

The proposed development will contribute to the achievement of these goals and objectives, specifically related to those of providing for a range of housing choice and price to accommodate a range of social and economic needs of the people.

Section 4 Land Use Policies

Section 4.7 Residential

The Official Plan provides that new residential development in the urban area should proceed in an orderly phased manner to allow land and infrastructure to be used in an efficient manner and development should integrate with existing planned or development areas. Residential intensification and redevelopment shall be encouraged in urban area that have sufficient infrastructure.

The proposed redesigned subdivision provides for orderly development and transition with the existing residential uses on Pettit Road. Adequate infrastructure is available to service the development and the increase in the number of dwelling units.

Section 4-17 Spears-High Pointe Secondary Plan Policies

Section 4-17 of the Town Official Plan contains the policy framework for development within the Spears-High Pointe Secondary Plan Area.

Section 4.17.3 Goals

Generally, the goal of this Secondary Plan is for the area to become a complete community by providing a variety of residential densities, commercial, mixed use, open space and employment areas to meet the diverse needs of citizens, visitors, homeowners, business people, shoppers and tourists.

The proposed Official Plan and Zoning By-law Amendment applications and Revised Subdivision application are aimed at providing for a redesigned development plan that better achieves the objective of becoming a complete community by providing improved housing choice and diversity over what traditionally existed in the area which has historically been larger single detached lots.

Section 4.17.3 Objectives

The objectives of the Secondary Plan are to provide a diversity of suitable housing choices and densities and suitable transition and gradation, encourage development forms that are compact and use urban land and services efficiently, support the development of a walkable community, ensure municipal infrastructure is provided to adequately service the area and new housing development integrate with existing built up area, open spaces and natural heritage features.

The proposed redesigned development plan increases the diversity and housing choice and provides for suitable densities that are compact and uses land and infrastructure efficiently. Also, proposed single detached dwellings will abut existing single detached dwellings providing an appropriate transition and integration with the existing housing type on Spears Road and the adjacent natural heritage feature will continue to be protected.

Section 4.17.6 Low Density Residential Policies

The Secondary Plan provides a target of 60% of the Plan Area being developed for low density residential uses being single detached, semi-detached and duplex dwellings and accessory uses with a density of up to 16 units/net hectare. The Secondary Plan designates all of the lands in the Alliston Woods subdivision as Low Density Residential. It is noted that the approved subdivision plan did provide for townhouse units, in addition to single detached units.

The proposed redesigned subdivision plan continues to provide for single detached units and townhouse units, including stacked townhouse units, within the development plan, however at an overall density of 21.76 units/ha. Accordingly, a site-specific Official Plan Amendment is required to permit townhouse dwelling units and a density of 22 units/ha in the Low-Density Residential designation affecting the subject lands. It is noted that current conventional standards for low density residential development typically includes townhouse units and is typically at a density of 25 units/ha or less.

Section 4.17.13.4 Open Space – Storm Water Management (SWM)

The Secondary Plan permits SWM designations within the Spears High-Pointe area to be approximate until detailed engineering at the development stage can more precisely define limits and location of the designation. Under these permissions, the SWM designation can be relocated, shift or have the area requirement diminish, and the applicable designation is then the adjacent land use designation with the higher residential designation. Additionally, under these permissions, an amendment is not required provided the changes are not substantive and are the result of detailed refinement.

A portion of the subject lands are also requested through a zoning re-designation to allow for a stormwater management facility as a permitted use in the RM1-505 zone. The combination of the permissions within Section 4.17.13.4 and this zoning amendment will facilitate flexibility in the pond design and right-sized to eventual needs at the detailed development stage.

Section 5 Urban Form and Housing

Design policies for new neighborhoods are to be planned to support the Niagara Region Growth Management Strategy and new residential development should be sensitively designed to complement the existing character of the area, but not replicate the existing neighbourhood. Pedestrian access is to be incorporated within residential development. Redevelopment of existing neighbourhood should provide a compact and efficient built form as well as a mix of uses. Road and lotting patterns are to respect he established development patterns and where possible facilitate active transportation.

The proposed redesign of the subdivision has been designed to complement the character of the surrounding area. Low density single detached uses are proposed to abut and back onto existing single detached dwellings providing for land use compatibility and transition to the proposed street townhouse dwelling units. Similar to the character of the area, all the lots with the exception of the stacked townhouses will be freehold in tenure. The redevelopment of the existing Alliston Woods subdivision will result in a more compact and efficient built form and provide an improved mix of housing options, including single detached, semi-detached and townhouse units.

In addition, opportunities for active transportation will be provide through the provision of sidewalks within the development plan. Also, the pedestrian connection to lands to the east will be maintained to connect with a future pedestrian trail planned to the east and to connect to a future park.

Below are two street townhouse design examples that fit on the same size block, but are varying in design with one being traditional and the other modern, each utilize a variety of building materials to provide interest and discourage a repetitive building design, are complimentary to one another and provide an

attractive streetscape. In each case, the front porch and entrance is prominent and emphasized with porticos and the visual impact of the garage is minimized by recessing the garage. Doubling up of the driveways allows for adequate area is provided to accommodate boulevard tree plantings.

Figure 9 – Example of 20' townhouses

A further example is provided below illustrating two traditional designed street townhouse blocks that also utilizes varying building materials combined with articulation of the plane of the front façade to provide interest and an attractive streetscape. Each also emphasizes the front porch and recesses the garage beyond the front wall of the building minimizing the visual impact of garages on the streetscape.

Figure 10 – Example of 23' townhouses

The proposed single detached lots will also be 2 storey in height and be a mix of traditional and modern designs that use a variety of building materials and colour, roof pitches and prominent front porches to provide interest and an attractive streetscape which will complement the proposed townhouse units as well as the adjacent established single detached dwellings.

Figure 11 – Example of Single-detached dwellings

Section 13.7 Amendments to the land Use Plan, Schedule “A”

This Section of the Official Plan identifies criteria to be considered when a change to the Official Plan is being considered, including need for the proposed use, the suitability of the land for the use proposed, compatibility with adjacent land uses, effect on adjacent properties, effect on financial position of Town and the location of the area under consideration as it relates to access to transportation and infrastructure.

While Schedule “A” of the Official Plan is not changing, an Official Plan amendment is proposed to allow for an overall increase in density of up to 24.11 units/ha for the redesigned plan, to recognize townhouse units in the Spears High-Pointe Low Density Residential designation and to shift the location of the Open Space (General) designation to accommodate a shift in the location of the stormwater management facility from what was shown on the Spears-High Pointe Secondary Plan Land Use Plan (SHP-2). In addition, it is proposed that the Environmental Conservation Zone Overlay be removed as it is no longer applicable given the previous development approvals. -

As provided for in this report, the need for the proposed amendment is to facilitate a redesign of the Alliston Woods approved subdivision plan that will ultimately provide an additional 159 dwelling units, that would better serve the needs of community in providing additional housing choice and a more attainable housing type through smaller units. The location is appropriate as the lands are physically suitable to accommodate the additional units and no adverse impacts on adjacent uses or from nearby land uses are anticipated that could result in land use compatibility concerns. Further, the redesign provides for an efficient use of existing infrastructure and the increase in dwelling units can be adequately serviced by the existing infrastructure and transportation systems servicing the area. Also, no adverse impact on adjacent natural heritage features is anticipated and the additional dwelling units will not adversely impact adjacent properties. The proposed reinvestment in the subject lands to increase the density will likely have a positive impact on financial position of the Town, through the long-term contribution of municipal taxes from the additional dwelling units.

It noted that the shifting of the Open Space (General) designation to the south aligns with the location of the pedestrian connection that was approved through Plan 59M-516 and does not represent a change from what was previously approved. Accordingly, this change to the land use plan is appropriate as it addresses what was previously approved.

TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW (BY-LAW 129-90)

EXISTING ZONING

As part of the approval of the original Alliston Woods Subdivision the lands were rezoned in 2012 by By-law 24-12 to site specific Residential 1 (RM1-465) and by By-law 76-2014 to Residential 1 (RM1-505) and Open Space (OS-565) zones. The existing zoning as per the approved subdivision plan is shown in **Figure 12** below.

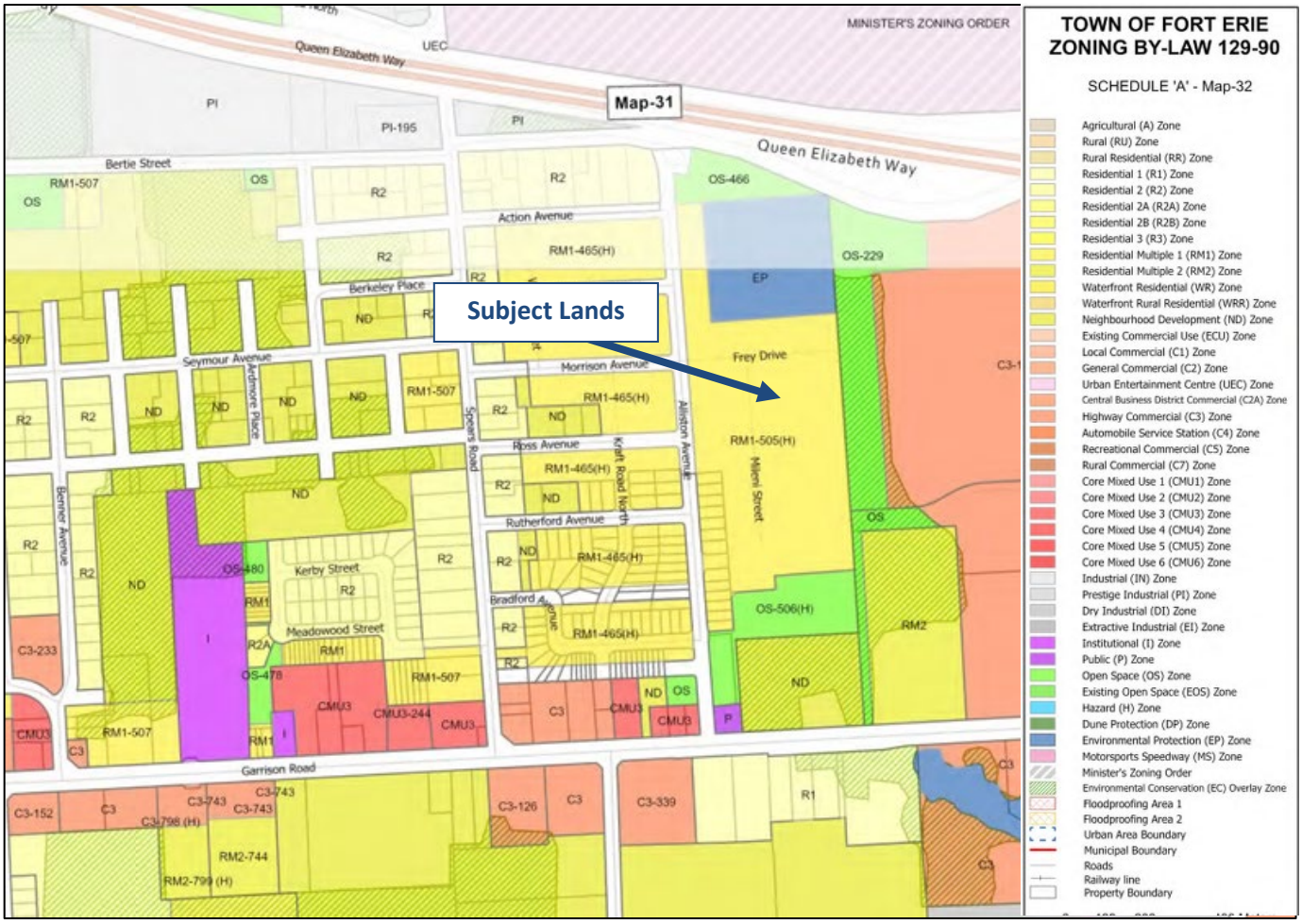


Figure 12 - Existing Zoning Information

The proposal is to maintain the site-specific zone categories and reduce the lot frontage, front and rear yard requirements for the single detached uses, and lot area and density requirement for the street townhouse units, minimum landscape provisions for front yard landscaping, and to add provisions for stacked townhouse units. The purpose of placing it within one zone is to provide clarity and simplicity over the existing by-law.

Figure 13 illustrates the proposed Zoning By-law Amendment schedule, proposing to amend the zoning for Residential 1 (RM1-465) and Residential 1 (RM1-505), and Open Space (OS-506) zones to implement the proposed redesigned subdivision plan.

As illustrated in the proposed zoning schedule, the amendments are as follows:

- Part 1 will amend the Residential Multiple 1 (RM1-465) zone.
- Part 2 will amend the Residential Multiple 1 (RM1-505) zone.
- Part 3 will be rezoned from Residential Multiple 1 (RM1-505) to Open Space (OS-506).

Site-specific permissions being requested are detailed in Table 2.

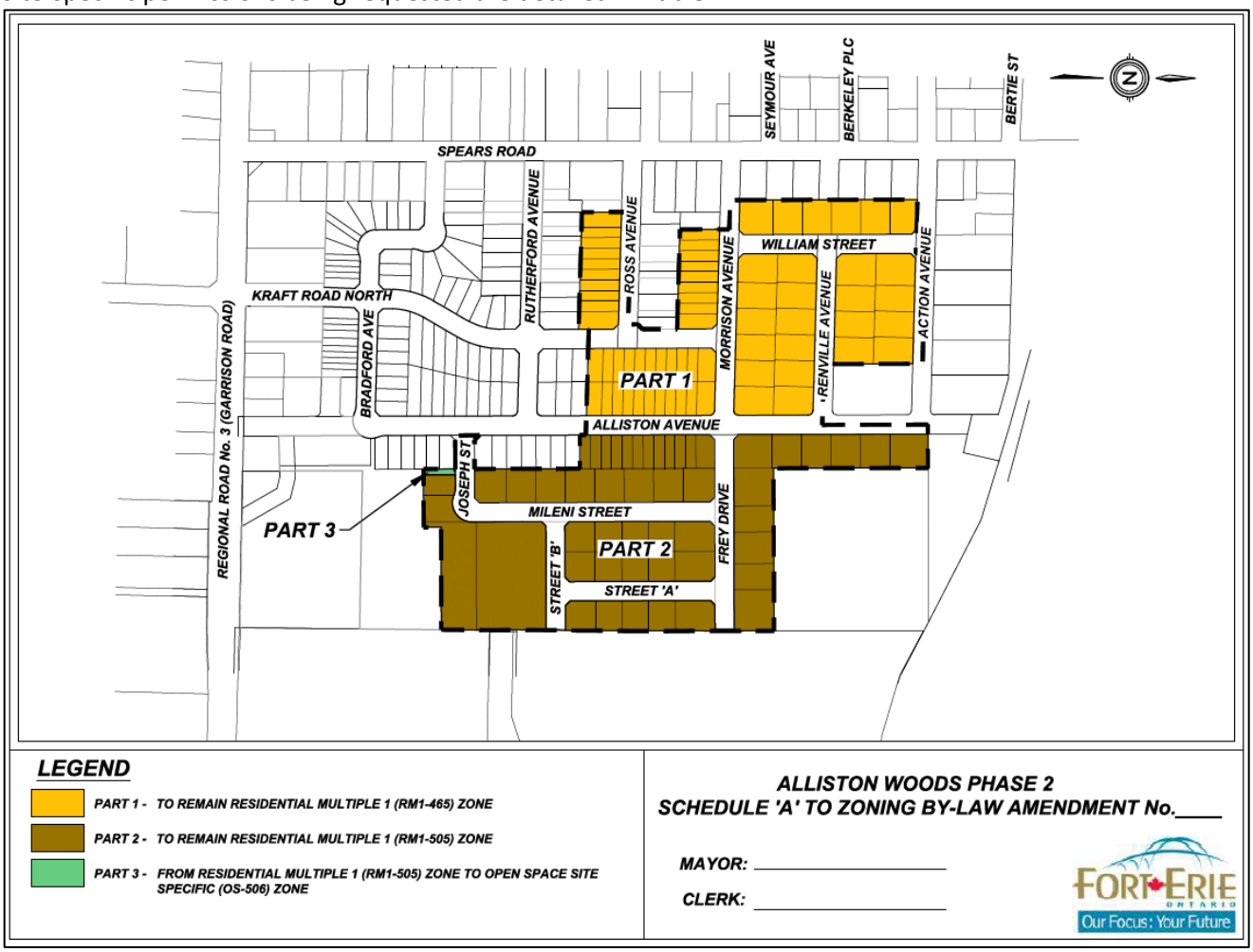


Figure 13 - Proposed Zoning Information

Table 2- Alliston Woods – Provisions for Residential Multiple 1 Site Specific Zone (RM1-465 & 505)					
Section 14.3: Permitted Uses					
Permitted Uses			**Proposed Uses**		
Single detached dwellings Semi-detached dwellings Duplexes Triplexes Fourplexes Street townhouse dwellings Block townhouse dwellings Residential uses existing at the date of passing of this by-law Uses, buildings and structures accessory to the foregoing permitted uses Accessory Apartment Dwelling			**Stacked Townhouse Stormwater Management Facilities**		
Section 14.3: Regulations for Residential Zones – Residential Multiple 1					
Provisions (Single Detached Dwellings)	**By-law 129-90**	**RM1-465**	**RM1-505**	**Provided**	**Proposed**
Minimum Lot Frontage	12m Except 15m For Corner Lot	12m Except 15m For Corner Lot	12m Except 15m For Corner Lot	10.97m	**10.9 m**
Minimum Lot Area	375 sq m	300 sq m	375 sq m	383.92 m	No Change
Minimum Front Yard	6m to garage 3m to other parts of dwelling	6 metres to the garage 4 metres to the front face of the dwelling unit and	6 metres to the garage 4 metres to the front face of the dwelling unit and	6 metres to the garage 4 metres to the front face of the dwelling unit and	**6 m to garage 3m to front face of dwelling unit**
Minimum Interior Side Yard	1.2m however, on an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres	1.2 metres for anything above a one-storey dwelling	1.2m	1.2 m	No Change
Minimum Exterior Side Yard	3m, except that an attached garage or attached carport which faces the exterior side lot	3m, except that an attached garage or attached carport which faces the	3m	3 m	No Change

	line shall be located no closer than 6m to the exterior side lot line	exterior side lot line shall be located no closer than 6m to the exterior side lot line			
Minimum Rear Yard	6 m	7.5 m	7.5 m	6.0 m	**6.0 m**
Maximum Height	2.5 storeys 10.5 m	2.5 storeys 10.5 m	2.5 storeys 10.5 m	10.5 m	No Change
Minimum Landscaped Area	50% including Privacy Areas except 25% for Street Townhouse	50% including Privacy Areas except 25% for Street Townhouse	50% including Privacy Areas except 25% for Street Townhouse	50%	No Change
Maximum Density	35 units/ha	35 units/ha	Provision deleted	26.42	No Change
Maximum Lot Coverage	50%	55%	55%	55%	No Change
Privacy Area	Notwithstanding Yard Requirements Above, Every Dwelling Unit Shall Have At Least One Area Which Serves as a Privacy Area Adjacent to Dwelling Unit, Having a Minimum Depth of 4.5m	By-law 129-90	By-law 129-90	4.5 m	No Change
Planting Strips	In accordance with Section 6.21 and 4.5m where it abuts a street, except for points of ingress/egress	Not required where the boundary of an RM1 zone abuts an R1, R2 or R3 zone	Not required where the boundary of an RM1 zone abuts an R1, R2, R3 or OS zone	Not Required Where Boundary of an RM1 Zone Abuts an R1, R2, R3 or OS Zone	Not Required Where Boundary of an RM1 Zone Abuts an R1, R2, R3 or OS Zone
Provisions (Street Townhouses)	**By-law 129-90**	**RM1-465**	**RM1-505**	**Provided**	**Proposed**
Minimum Lot Frontage	6m for street townhouse lots and 9m for street townhouse	6 metres for street townhouse lots and 9 metres for	6m for street townhouse lots and 9m for street townhouse	6.1 m 9.29m (corner)	No Change

	corner lots	street townhouse corner lots	corner lots		
Minimum Lot Area	300.00 sq. m. per dwelling unit, except 200 sq. m for a street townhouse lot and 270 sq. m for a street townhouse corner lot	200 square metres for street townhouse lots and 270 square metres for street townhouse corner lots	200 square metres for street townhouse lots and 270 square metres for street townhouse corner lots	185.28 m2 234.79 m2 (corner)	**185 m2** **230 m2 (corner)**
Minimum Front Yard	6m to garage 4m to front face of dwelling	6 metres to the front of the garage 4 metres to the front face of the dwelling unit	6 metres to the front of the garage 4 metres to the front face of the dwelling unit	6m to garage 4m to front face of dwelling	No Change
Minimum Interior Side Yard	1.5m	1.2 metres for end walls, except that common walls may be centred on a side lot line	1.2 metres for end walls, except that common walls may be centred on a side lot line	1.2 m	No Change
Minimum Exterior Side yard	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no closer than 6m to the exterior side lot line.	3 m	3 m	2.18 m (Blocks 54-59)	**2.18**
Minimum Rear Yard	6 m	6 m	6 m	6 m	No Change
Maximum Building Height	3 storeys 12m	11 m	3 storeys 12m	3 storeys 12m	No change
Minimum Landscaped Area	50% including Privacy Areas except 25% for Street	50% including Privacy Areas except 25% for Street	25% for block and street townhouses	25 %	No Change

	Townhouse	Townhouse			
Maximum Number of Units in a Row	8	8	8	8	8
Minimum Distance Between Buildings on Same Lot	15m Between Two Rear Walls 3m Between Two End Walls 9m Between an End Wall and A Rear Wall 6m Between Two Front Walls 6m Between A Front Wall and An End Wall	15m Between Two Rear Walls 3m Between Two End Walls 9m Between an End Wall and A Rear Wall 6m Between Two Front Walls 6m Between A Front Wall and An End Wall	15m Between Two Rear Walls 3m Between Two End Walls 9m Between an End Wall and A Rear Wall 6m Between Two Front Walls 6m Between A Front Wall and An End Wall	-	Not Applicable
Maximum Density	35 units/ha	35 units/ha	Provision deleted	83.95	No Change
Maximum Lot Coverage	Block townhouse or exterior street townhouse - 40% Interior street townhouse - 60%	55%	55% for block and street townhouse units	55%	No Change
Privacy Area	Notwithstanding Yard Requirements Above, Every Dwelling Unit Shall Have At Least One Area Which Serves as a Privacy Area Adjacent to Dwelling Unit, Having a Minimum Depth of 4.5m	Notwithstanding Yard Requirements Above, Every Dwelling Unit Shall Have At Least One Area Which Serves as a Privacy Area Adjacent to Dwelling Unit, Having a Minimum Depth of 4.5m	Notwithstanding Yard Requirements Above, Every Dwelling Unit Shall Have At Least One Area Which Serves as a Privacy Area Adjacent to Dwelling Unit, Having a Minimum Depth of 4.5m	4.5 m	No Change

Distance from building to internal driveways, and parking areas	Any front or rear face of any townhouse shall be no closer than 3m to an internal driveway or parking area, and any side of any townhouse shall be no closer than1.5m to an internal driveway or parking area	Any front or rear face of any townhouse shall be no closer than 3m to an internal driveway or parking area, and any side of any townhouse shall be no closer than1.5m to an internal driveway or parking area	Any front or rear face of any townhouse shall be no closer than 3m to an internal driveway or parking area, and any side of any townhouse shall be no closer than1.5m to an internal driveway or parking area	Any front or rear face of any townhouse shall be no closer than 3m to an internal driveway or parking area, and any side of any townhouse shall be no closer than1.5m to an internal driveway or parking area	Not Applicable
Planting Strips	In accordance with Section 6.21 and 4.5m where it abuts a street, except for points of ingress/egress	Not required where the boundary of an RM1 zone abuts an R1, R2 or R3 zone	Not required where the boundary of an RM1 zone abuts an R1, R2, R3 or OS zone	Not Required Where Boundary of an RM1 Zone Abuts an R1, R2, R3 or OS Zone	Not Applicable
Provisions (Stormwater Management Facility)	**Open Space (OS)**	**-**	**OS-506**	**Provided**	**Proposed**
Minimum Lot Frontage	15 m	-	5m	5 m	No Change
Minimum Lot Area	8000 sq. m.	-	670 sq. m.	4190 sq. m.	No Change
Maximum Lot Coverage	10 percent	-	N/A	N/A	N/A
Minimum Front Yard	7.5m	-	N/A	N/A	N/A
Minimum Interior Side Yard	7.5m	-	N/A	N/A	N/A
Minimum Exterior Side Yard	7.5m	-	N/A	N/A	N/A
Minimum Rear Yard	7.5m	-	N/A	N/A	N/A
Maximum	i) 3 storeys	-	N/A	N/A	N/A

Height of Building	ii) 12m				

Alliston Woods – Provisions for Residential Multiple 2 Site Specific Zone (RM2-505)

Section 14.3: Permitted Uses	
Permitted Uses	**Proposed Uses**
Fourplexes **Apartment Dwellings** **Home for the Age** **Residential uses existing at the date of passing of this by-law** **Assisted Living House** **Nursing Home** **Uses, buildings and structures accessory to the foregoing permitted use**	**Stacked Townhouses**

Section 15.3: Regulations for Residential Zones – Residential Multiple 2 (RM2)			
Provisions (Stacked Townhouses)	**By-law 129-90**	**Provided**	**Proposed**
Minimum Lot Frontage	30 m	67.92 m	No Change
Minimum Lot Area	115 sq. m. per unit	119.64 m2 per dwelling unit	No Change
Maximum Lot Coverage	40%	26.08%	No Change
Minimum Front Yard	7.5m	3.05 m	**3.0 m**
Minimum Side Yard	One-half of the building height or 4m, whichever is greater (8.1 m)	3.49 m	**3.49 m**
Minimum Exterior Side yard	One-half of the building height or 6m whichever is the greater (8.1 m)	3.49 m	**3.49 m**
Minimum Rear Yard	One-half of the building height or 7.5m whichever is the greater	26.58 m	One-half of the building height or 7.5m whichever is the greater
Minimum Floor Area per Dwelling Unit	Bachelor Unit:40 sq. m One-Bedroom Unit:50 sq. m Two-Bedroom Unit:60 sq. m Unit comprising three or more bedrooms: 79 sq. m plus 7 sq. m for each bedroom in excess of three	TBD	**Not Applicable**
Maximum Building Height	9 storeys or 26 metres whichever is the greater	3 Storeys 16.5 m	No Change
Minimum Landscaped Area	For every lot on which the buildings or structures are	35.18%	No Change

	situated, there shall be provided and maintained on the lot at least 25 percent of the lot area as a landscaped area unused for access or maneuvering space or parking space or any other purpose other than landscaped area and playground		
Maximum Density	-	-	85 units per hectare

The provisions for Stacked Townhouses are evaluated using the RM-2 regulations because of the absence of a clear reference within the zoning by-law for this specific housing type. They will be incorporated as a site-specific addition in the RM-1 zone.

The proposed rezoning will facilitate the implementation of the redesigned Alliston Woods Subdivision plan for a mix of single detached, street townhouse and stacked townhouse dwelling units based on current development standards that provide for an improved efficient use of land and infrastructure. The proposed Open Space re-zoning will facilitate a stormwater management pond extension.

PLANNING POSITION

On behalf of Mountainview Homes (Niagara) Ltd., Upper Canada Consultants has submitted concurrent applications to the Town of Fort Erie for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to accommodate the redesign of the Phase 2 portion of the Alliston Woods Subdivision Plan 59M-516 for 51 single detached dwellings, 257 street townhouse units, and 68 stacked townhouse units for a total of 378 dwelling units resulting in 159 additional dwelling units over what was originally approved for this subdivision.

The subject lands are located within the Fort Erie Settlement Area and the Designated Greenfield Area. The lands are within the Spears-High Point Secondary Plan Area, and proposed to remain designated as Low Density Residential with a density of 24.11 units per hectare, having the permission of townhouse units, and an overall density at 26.42 units/ha within Phase 2.

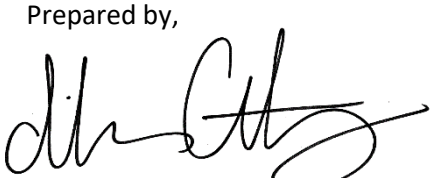
The proposed development supports the sustainable land use patterns outlined in Provincial Land use documents in achieving compact land uses that help to optimize the efficient use of existing infrastructure. It balances the accommodation of prescribed growth targets and respects the character of the surroundings, improves house choices, and is an efficient use of land.

Based on the analysis of the Applications, preliminary Plans and Draft Amendments, it has been demonstrated that the applications:

- Have regard for, and satisfy the relevant sections of Section 2, 22, 34 and 51 of the *Planning Act*;
- Are consistent with the 2024 Provincial Planning Statement;
- Are in conformity with the 2022 Niagara Official Plan;
- Are in conformity with the Town of Fort Erie Official Plan.

It is our opinion that the applications will facilitate appropriate forms of development that will contribute to the achievement of community goals and additional housing supply and forms. The applications are considered to be in the public interest and represent good planning.

Prepared by,



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Upper Canada Consultants