



The Corporation of the Town of Fort Erie By-law 69-2024

**Being a By-law to Enact an Amendment to the Official Plan Adopted by
By-law 150-06 for the Town of Fort Erie Planning Area**

Amendment 82

436-440 Ridge Road North, 2855546 Ontario Ltd.

(Stephen Fischer and Paul Savoia) and Stephen Fischer – Owners

The Municipal Council of The Corporation of the Town of Fort Erie in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, hereby enacts as follows:

- 1. That** Amendment 82 to the Official Plan for the Town of Fort Erie consisting of the attached explanatory text and mapping is hereby adopted and approved.
- 2. That** this by-law shall come into force and take effect on the day of the final passing thereof.
- 3. That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 24th day of June 2024.

Mayor

Clerk

AMENDMENT 82
TO THE
OFFICIAL PLAN
FOR THE
CORPORATION OF THE TOWN OF FORT ERIE

CONTENTS

PART "A" - THE PREAMBLE

- Section 1 - Title and Components
- Section 2 - Purpose of Amendment
- Section 3 - Location of this Amendment
- Section 4 - Basis of this Amendment
- Section 5 - Implementation and Interpretation

PART "B" - THE AMENDMENT

Introductory Statement

Details of the Amendment

- Schedule "A" - Land Use Plan

PART "C" - THE APPENDICES

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

PART "A" - THE PREAMBLE

SECTION 1

TITLE AND COMPONENTS

This document, when approved in accordance with Sections 17 and 21 of the *Planning Act*, 1990, shall be known as Amendment 82 to the Official Plan adopted by By-law 69-2024 of the Fort Erie Planning Area.

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

Part "B", the Amendment, consisting of the following text and map (designated Schedule "A") constitutes Amendment 82 to the Official Plan adopted by By-law 150-06 for the Fort Erie Planning Area.

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

SECTION 2

PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to reconfigure some of the land use designations of the subject lands shown on Schedule "A" attached hereto from Low Density Residential to Medium Density Residential and Core Mixed Use to facilitate the development of a mixed-use building with 3 commercial units and 12 dwelling units, a 4-storey apartment building with 80 dwelling units, and 10 block townhouse dwellings.

SECTION 3

LOCATION OF THIS AMENDMENT

The lands, which are the subject of this amendment, are municipally known as 436-440 Ridge Road North as shown on Schedule "A" attached hereto.

SECTION 4

BASIS OF THIS AMENDMENT

Subsection 13.7(III) of the Official Plan adopted by By-law 150-06 of the Fort Erie planning area provides that amendments may be made to the Official Plan. Policies in Subsection 13.7(III) have been considered in the preparation of this amendment and the following factors have been reviewed in supporting this amendment to the Official Plan:

A. The need for the proposed use;

There is generally a need for additional housing variety in the Town of Fort Erie and the Ridgeway neighbourhood. Although the dwelling units in the proposed apartment are not intended to be rental or affordable units they do provide alternative housing options for residents, as Ridgeway consists primarily of single-detached dwellings, with limited apartment units. The dwelling units will be under individual ownership as part of a condominium. However, there is the possibility that some property owners may choose to rent out their dwelling units. Similarly, the proposed townhouse and dwelling units in the mixed-use building provide some housing variety to the area.

The majority of the subject lands are already designated Medium Density Residential in the Ridgeway-Thunder Bay Secondary Plan. The subject lands are identified as an intensification area in the Secondary Plan suitable for the future development of mid-rise apartments and townhouses. The subject lands are located near the Ridgeway downtown core area and are suitable for active transportation to nearby amenities. This proposal will assist the Town in achieving the objective in the Ridgeway-Thunder Bay Secondary Plan of providing additional

medium density residential units in the neighbourhood.

A small portion of the subject lands is proposed to be redesignated to Core Mixed Use. The Core Mixed Use designation in the Ridgeway-Thunder Bay Secondary Plan encourages new development with at-grade commercial uses and a residential component on upper levels. The Core Mixed Use land use designation change is required to accommodate parking for the residential dwelling units located in the proposed mixed-use building.

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

The subject lands and surrounding area consist mainly of single detached dwellings on large lots and a mix of existing commercial or mixed-use buildings along Ridge Road North. The subject lands are currently occupied by a single detached dwelling and a commercial building. The Ridgeway-Thunder Bay Secondary Plan has identified the area as an opportunity for intensification in the form of medium density residential development. There is ready access to local and arterial roads, and municipal services are available to service the development.

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

The subject lands are well-situated for intensified residential development as it is located within walking distance of various amenities such as eating establishments, commercial uses and the downtown Ridgeway core area. A Phase 2 Environmental Site Assessment and a Record of Site Condition was filed confirming that the site is suitable for residential development. The subject lands are located along Ridge Road North, a collector road with sidewalks, and have access to water and sanitary sewer services.

Planning staff note that the Town's Official Plan and the Niagara Official Plan do not identify any natural heritage features on the subject lands. Similarly, the Niagara Peninsula Conservation Authority (NPCA) has confirmed that there are no NPCA-regulated features on the subject lands. Residents identified that a number of birds inhabit the site, including the potential presence of Species at Risk (SAR) such as the Red-headed Woodpecker. The Applicant is working with an ecologist to assess the presence of SAR on site in conjunction with the Ontario Ministry of Environment, Conservation and Parks. A Holding (H) Zone provision be included as part of the Zoning By-law Amendment to remain until this matter is resolved.

D. The location of the area under consideration with respect to:

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

The subject lands are located on the east side of Ridge Road North, which is a municipal collector road. Ridge Road North provides access to Garrison Road / King's Highway 3 to the north at a distance of approximately 2.0 km, and Dominion Road, a Regional arterial road approximately 250 m to the south. Pedestrian infrastructure such as sidewalks and crosswalks are available along Ridge Road North and Dominion Road. The Fort Erie Friendship Trail, a multi-use recreational trail is located approximately 460 m to the south. The site provides convenient pedestrian access to nearby amenities and the downtown Ridgeway core area.

The subject lands are within the Urban Boundary and has access to existing sanitary sewer and water infrastructure within the Ridge Road North road allowance. The property is considered to be fully serviced without any capacity constraints.

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

The proposed apartment building and townhouses are residential uses and are compatible with the other residential uses in the area. The proposed mixed-use building is similar to other uses south of the subject lands along Ridge Road North and is compatible with them, including a new 3-storey mixed-use building located on 424-426 Ridge Road North. While the proposed built form

for the apartment building and townhouses differs from the single detached dwellings in the area, it is noted that the subject lands were identified as a suitable location for Medium Density Residential uses, including townhouses and apartments. The Ridgeway-Thunder Bay Secondary Plan states that compatibility does not necessarily mean “the same as”. There are a mix of other uses in the area including commercial uses and mixed-use buildings in addition to the low-density residential uses in the area. Impacts to single detached dwellings adjacent to the site can be mitigated by providing appropriate setbacks and installing fencing and enhanced landscaping features along the periphery of the site. The proposed apartment building is designed to have an increased rear yard setback to minimize impacts on parcels to the east as much as possible. Further, the shadowing impacts of a 4-storey apartment are largely minimal aside from the winter solstice.

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

Buffering from nearby single detached dwellings will be reviewed in detail at the site plan control stage and will entail use of planting strips, landscaping buffers and fencing to ensure adequate privacy and screening is implemented. The proposed apartment building has located to provide increased building setbacks from existing single detached dwellings to reduce massing impacts on adjacent parcels.

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

The proposal is not anticipated to negatively affect the financial position of the Town. No new municipal services or streets are proposed. Additional taxes would be generated and development charges would be collected from the proposed development to assist in maintaining existing infrastructure.

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

None. A Phase 2 Environmental Site Assessment was completed and site mitigation measures were implemented for some soil contamination that existed along the southern property line. This was followed by a Record of Site Condition (RSC) filing with the MECP in May 2023. The site is clear for residential development.

SECTION 5

IMPLEMENTATION AND INTERPRETATION

The relevant policies of the Official Plan adopted by By-law 150-06 of the Fort Erie planning area shall apply to the implementation and interpretation of this Amendment.

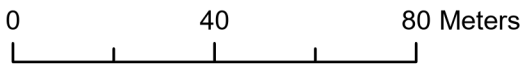
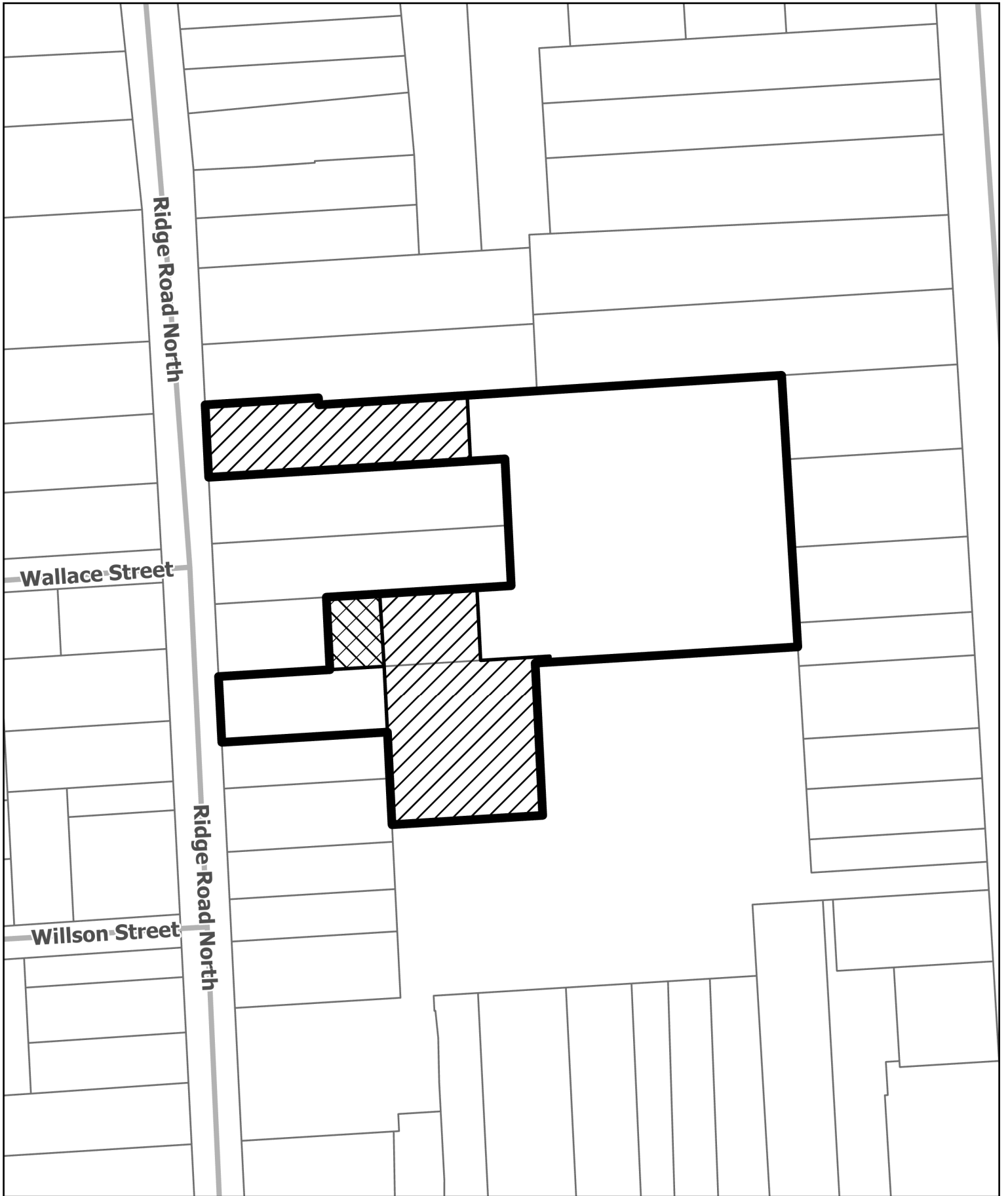
PART "B" - THE AMENDMENT

All of this part of the document entitled "Part "B" - "The Amendment" consisting of the following policies and attached maps designated as Schedule "A" (Land Use Plan) constitute Amendment 82 to the Official Plan adopted by By-law 150-06 for the Fort Erie Planning Area. The Official Plan adopted by By-law 150-06 for the Fort Erie Planning Area is hereby amended as follows:

1. The land use designation of the subject lands shown on Schedule "A" attached hereto shall change from "Low Density Residential" to "Medium Density Residential" and "Core Mixed Use".

PART "C" - THE APPENDICES

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

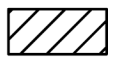


BY-LAW 69-2024

THIS SKETCH FORMS PART OF SCHEDULE "A" TO THE OFFICIAL PLAN PASSED THIS 24TH DAY OF JUNE 2024



Subject Lands - 436-440 Ridge Road North



Change from Low Density Residential to Medium Density Residential



Change from Low Density Residential to Core Mixed Use





NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING



Owner – 2855546 ONTARIO LTD. / STEPHEN FISCHER
Agent – UPPER CANADA CONSULTANTS (ETHAN LAMAN)
436-440 RIDGE ROAD NORTH

Proposed Combined Official Plan and Zoning By-Law Amendment
APPLICATION: 350302-0170 & 350309-0573

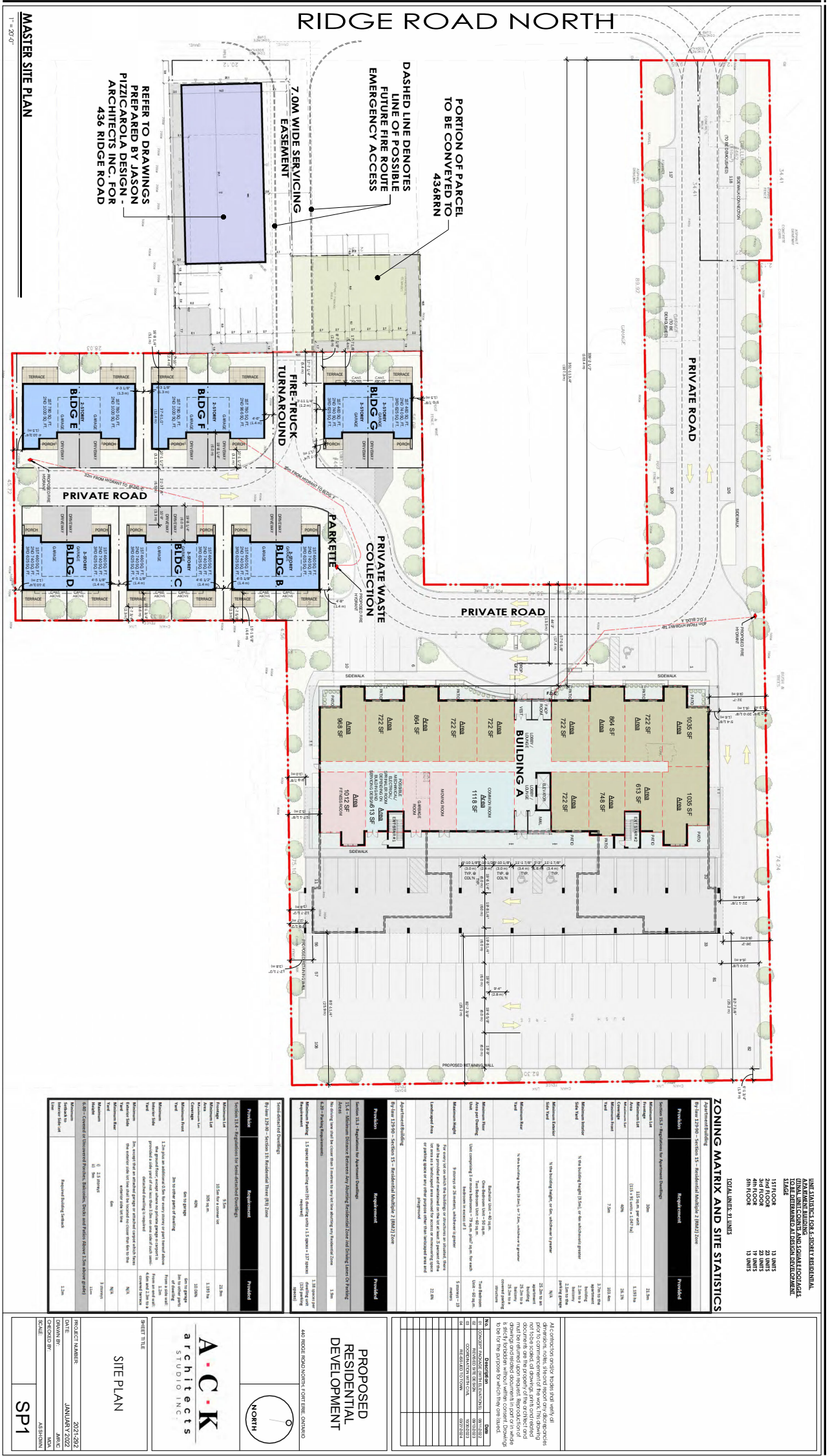
DATE: April 18, 2024
TIME: 6:00 PM
PLACE: This will be a hybrid meeting. Members of the public may attend the meeting in person in Council Chambers, Town Hall, 1 Municipal Centre Drive OR virtually via Zoom.

	<p><u>LOCATION OF SUBJECT LANDS</u></p>
	<p>WHAT WILL THIS AMENDMENT CHANGE:</p> <p>An application for combined Official Plan and Zoning By-law Amendments has been submitted for the subject lands in order to facilitate the development of a five-storey apartment building with 91 dwelling units, 12 two- and three-storey semi-detached dwellings, and a three-storey mixed-use building with ground floor commercial units and 12 residential dwelling units above. A site plan is attached for review as Schedule “1” to this notice for reference.</p> <p>The subject lands are located within the Ridgeway-Thunder Bay neighbourhood inside the Urban Boundary. The subject lands are designated Core Mixed Use, in part, Low Density Residential, in part, and Medium Density Residential, in part, in the Ridgeway-Thunder Bay Secondary Plan in the Town’s Official Plan.</p> <p>An Official Plan Amendment is proposed to change portions of the subject lands from Low Density Residential and Medium Density Residential to a Medium Density Residential Site Specific Policy Area and Core Mixed Use to implement the development plan.</p> <p>The subject lands are currently zoned Core Mixed Use 4 (CMU4) Zone, in part, Residential 1 (R1) Zone, in part, and Residential Multiple 1 Holding (RM1-260(H)) Zone, in part, in accordance with the Town’s Comprehensive Zoning By-law No. 129-1990, as amended.</p> <p>The Zoning By-law Amendment is proposed to rezone a portion of the subject lands to a site-specific Residential Multiple 2 (RM2) Zone to permit the proposed apartment building and semi-detached dwellings. The proposed site-specific provisions in the RM2 Zone pertain to building height, reduced lot frontage, reduced interior side yard setbacks, reduced landscaped area, reduced setbacks for driving lanes and parking</p>

By-law 69-2024 Appendix 1

	<p>areas, increased access driveway width, reduced planting strip widths, reduced parking spaces per dwelling unit, and reduced parking space width.</p> <p>The Zoning By-law Amendment also proposes to rezone a portion of the subject lands to a site-specific Core Mixed Use 4 (CMU4) Zone to permit the proposed 3-storey mixed use building. The proposed site-specific provisions in the CMU4 Zone pertain to reduced residential open space per dwelling unit, reduced setback of a parking area to a Residential Zone, and reduced planting strip width.</p>
	<p><u>HAVE YOUR SAY</u></p> <p>Input on the proposed combined Official Plan and Zoning By-law Amendments is welcome and encouraged. You can provide input by speaking at the Public Meeting or by making a written submission to the Town. Please note that unless you do one of the above now, you may not be able to appeal the decision later.</p> <p>Residents can participate in the Council meeting in person in Council Chambers, OR virtually via Zoom (audio/video via web or by telephone). The link for the Zoom meeting will be provided on the Town’s website an hour before the Council meeting.</p> <p>The Town of Fort Erie Council meeting live webcast will be streamed at www.youtube.com/townofforterie or click on the YouTube icon on the home page of the Town’s website (www.forterie.ca).</p> <p><u>GETTING MORE INFORMATION</u></p> <p>An information report will be available in the Council agenda portion of the Town’s Website: www.forterie.ca Please contact Daryl Vander Veen, Intermediate Development Planner to confirm when the report is available.</p> <p><u>CONTACT INFORMATION</u></p> <p>Daryl Vander Veen, Intermediate Development Planner Planning and Development Services Department Town Hall, 1 Municipal Centre Drive Fort Erie, Ontario L2A 2S6 905-871-1600 ext. 2509 Or by e-mailing your comments to: dvanderveen@forterie.ca</p> <p><u>PROVIDING YOUR COMMENTS OR REQUESTING NOTICE OF DECISION</u></p> <p>To provide input in writing, or to request written notice of the decision of the combined Official Plan and Zoning By-law Amendments, please send a letter c/o Peter Todd, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to ptodd@forterie.ca</p>
	<p><u>PLANNING ACT LEGAL NOTICE REQUIREMENTS</u></p> <p>The Town of Fort Erie has not yet made a decision regarding this application. After considering any written comments and the comments from the public meeting, a Recommendation Report will be prepared for a future Council meeting.</p> <p>If a person or public body would otherwise have an ability to appeal the decision of the Town of Fort Erie’s Municipal Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a Public Meeting or make written statements to the Town of Fort Erie before the by-law is passed, the person or public body is not entitled to appeal the decision.</p> <p>If a person or public body does not make oral submissions at a Public Meeting, or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.</p> <p>For more information about this matter, including information about appeal rights, please send a letter c/o Peter Todd, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to ptodd@forterie.ca</p> <p>Notice dated March 28, 2024.</p>

SCHEDULE 1





**The Municipal Corporation of the Town of Fort Erie
Special Council Meeting Minutes**

**Thursday, April 18, 2024, 6:00 p.m.
Council Chambers**

1. Call To Order

Mayor Redekop called the meeting to order at 6:00 pm.

2. Land Acknowledgement

Mayor Redekop provided a land acknowledgment.

3. Roll Call

The Clerk gave the roll call.

Present: His Worship Mayor Redekop and Councillors Christensen, Dubanow, Flagg, Lewis, and McDermott.

Absent: Councillor Noyes

Staff: A. Dilwaria, C. McQueen, C. Patton, and P. Todd.

4. Declarations of Pecuniary Interest

None.

5. Public Meetings

5.1 Proposed Combined Official Plan and Zoning By-law Amendments - 436-440 Ridge Road North

Owner: 2855546 Ontario Ltd. / Stephen Fischer - Agent: Upper Canada Consultants (Ethan Laman)

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

Daryl Vander Veen, Intermediate Development Planner provided a presentation outlining the proposal and responded to questions from members of Council.

Mayor Redekop enquired as to whether the agent or the applicant wished to speak to the applications.

The applicant's agent, Ethan Laman, Planner with Upper Canada Consultants spoke to the application and answered questions of Council.

Mayor Redekop enquired if anyone present wished to speak to the application.

The following individuals provided oral comments:

- Kay Cutmore, 452 Prospect Road North
- Thomas and Christine Smith, 456 Ridge Road
- Bonnie Ehrhardt, 469 Prospect Road North
- Ron Hughes, 2183 Point Abino Road
- Kimberly Brunton, 480 Prospect Road North
- Vivian Clark-Murdxa, 461 Prospect North
- Dave VanHelvert, 451 Prospect Road North
- Anthony Oleksiuk, 432 Prospect Road North
- Bradley Stade, 28 Charlotte Street
- Stan Sauer, 509 Prospective Road North

The Clerk confirmed that additional written comments were received from the following individuals:

- Marvin Riegle, 780 Ridge Rd North
- Joseph and Dawn Garvey, (no address provided)
- Linda Christie, 3660 Hazel Street

Mayor Redekop declared the Public Meeting closed.

5.2 PDS-17-2024

Proposed Combined Official Plan and Zoning By-law Amendments
Information Report for 436-440 Ridge Road North

Mayor Redekop gave the chair to Councillor Flagg in order to speak to the Staff report.

Resolution No. 1

Moved by: Councillor Christensen
Seconded by: Councillor McDermott

That: Council receives for information purposes Report PDS-17-2024 regarding a proposed combined Official Plan and Zoning By-law Amendments for 436-440 Ridge Road North.

Carried

6. Consideration of By-laws

Councillor Flagg returned the chair to Mayor Redekop.

Resolution No. 2

Moved by: Councillor McDermott
Seconded by: Councillor Christensen

That: By-law 38-2024: To Confirm the Actions of Council at its Special Council Meeting held on April 18, 2024, is given first and second reading.

Carried

Resolution No. 3

Moved by: Councillor Flagg
Seconded by: Councillor Dubanow

That: By-law 38-2024 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

Carried

7. Adjournment

Resolution No. 4

Moved by: Councillor Dubanow
Seconded by: Councillor Flagg

That: Council adjourns at 9:50 p.m. to reconvene into Regular Meeting of Council on April 22, 2024.

Carried

Mayor

Clerk

PDS-17-2024 APPENDIX 4



RE: Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)Mustafa, Sheraz to Daryl Vander Veen 2023-07-18 08:28 AM
From "Mustafa, Sheraz" <Sheraz.Mustafa@cnpower.com>
To "Daryl Vander Veen" <DVanderVeen@forterie.ca>

Good morning Daryl,

CNP has no concerns with this application, however there is a service wire crosses property 440 to service a light at the back for property 442.

Regards,
Sheraz

From: Daryl Vander Veen <DVanderVeen@forterie.ca>
Sent: Monday, July 17, 2023 4:06 PM
Subject: Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

An application for a combined Official Plan and Zoning By-law Amendment was submitted by Ethan Laman of Upper Canada Consultants on behalf of 2855546 Ontario Inc. / Stephen Fischer, Owner of the subject lands.

The application is proposing to facilitate the development of a three storey mixed-use building fronting onto Ridge Road North with commercial on the ground floor and 15 dwelling units on the upper levels. 12 semi-detached dwelling units and a four storey apartment building with 70 dwelling units are proposed in the rear that will front onto private roads. A parking garage is also proposed in the rear area for the apartment building.

The lands are located within the Ridgeway-Thunder Bay neighbourhood inside the Urban Boundary. The subject lands are currently designated Core Mixed Use, in part, Low Density Residential, in part, and Medium Density Residential, in part in the Ridgeway-Thunder Bay Secondary Plan in the Town's Official Plan. An Official Plan Amendment is required to change a portion of the subject lands from Low Density Residential to Medium Density Residential and from Low Density Residential to Core Mixed Use to implement the development plan.

The subject property is currently zoned Residential 1 (R1) Zone, in part, Residential Multiple 1 (RM1-260) Zone, in part, and Core Mixed Use 4 (CMU4) Zone, in part, in accordance with the Town's Comprehensive Zoning By-law No. 129-1990. A Zoning By-law Amendment is required to permit the proposed apartment building on the subject property and to implement the development plan. The Zoning By-law Amendment proposes the following changes:

- Part 1 - Change from Residential Multiple 1 (RM1-260) Zone to Residential Multiple 2 (RM2 site specific) Zone;
- Part 2 - Change from Residential 1 (R1) Zone to Residential Multiple 2 (RM2 site specific) Zone;
- Part 3 - Change from Residential Multiple 1 (RM1-260) Zone to Core Mixed Use 4 (CMU4) Zone.

The site-specific Residential Multiple 2 (RM2) zoning proposes the following special provisions:

- For the proposed apartment building/parking garage, reduced minimum lot frontage, reduced interior side yard setback, reduced rear yard setback and reduced setback of a driving lane/parking area to a lot line

PDS-17-2024 APPENDIX 4



RE: [External] Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)Municipal Planning to 'Daryl Vander Veen' 2023-07-26 01:28 PM
From "Municipal Planning" <MunicipalPlanning@enbridge.com>
To "'Daryl Vander Veen'" <DVanderVeen@forterie.ca>

Thank you for your circulation.

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

The applicant will contact Enbridge Gas Customer Service at 1-877-362-7434 prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Jasleen Kaur
Municipal Planning Coordinator
Engineering

ENBRIDGE
TEL: 437-929-8083
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: Daryl Vander Veen <DVanderVeen@forterie.ca>
Sent: Monday, July 17, 2023 4:06 PM
Subject: [External] Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)

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Good afternoon,

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The application is proposing to facilitate the development of a three storey mixed-use building fronting onto Ridge Road North with commercial on the ground floor and 15 dwelling units on the upper levels. 12 semi-detached dwelling units and a four storey apartment building with 70 dwelling units are proposed in the rear that will front onto private roads. A parking garage is also proposed in the rear area for the apartment building.

The lands are located within the Ridgeway-Thunder Bay neighbourhood inside the Urban Boundary. The subject lands are currently designated Core Mixed Use, in part, Low Density Residential, in part, and Medium Density Residential, in part in the Ridgeway-Thunder Bay Secondary Plan in the Town's Official Plan. An Official Plan Amendment is required to change a portion of the subject lands from Low Density Residential to Medium Density Residential and from Low Density Residential to Core Mixed Use to implement the development plan.

PDS-17-2024 APPENDIX 4



RE: [External] Re: Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)Municipal Planning to Daryl Vander Veen 2024-03-12 08:52 AM
From "Municipal Planning" <MunicipalPlanning@enbridge.com>
To "Daryl Vander Veen" <DVanderVeen@forterie.ca>

External Email Warning: Do not click on any attachment or links/URL in this email unless the sender is reliable.

Thank you for your circulation.

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please always call before you dig, see web link for additional details:

<https://www.enbridgegas.com/safety/digging-safety-for-contractors>

Please continue to forward all municipal circulations and clearance letter requests electronically to

MunicipalPlanning@Enbridge.com.

Regards,

Willie Cornelio CET (he/him)

Sr Analyst, Municipal Planning
Engineering

ENBRIDGE

TEL: 416-495-6411

500 Consumers Rd, North York, ON M2J1P8

enbridge.com

Safety. Integrity. Respect. Inclusion.

From: Daryl Vander Veen <DVanderVeen@forterie.ca>
Sent: Monday, March 11, 2024 7:11 AM
To: Daryl Vander Veen <DVanderVeen@forterie.ca>
Subject: [External] Re: Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)

CAUTION! EXTERNAL SENDER

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

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

Good afternoon everyone,

Please be advised that the Town of Fort Erie has received a revised submission for the proposed combined Official Plan and Zoning By-law Amendment for 436-440 Ridge Road North. Notably, the number of units in the four storey apartment building has increased to 91 from 70.

The following documents can be downloaded from the following link:

<https://www2.forterie.ca/resource/eservicesPlanning.xsp?s1=PZAA-DVFN-CUCM7W>

PDS-17-2024 APPENDIX 4



NPCA Review: 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)Taran Lennard to Daryl Vander Veen 2024-03-22 09:22 AM
From "Taran Lennard" <tlennard@npca.ca>
To "Daryl Vander Veen" <DVanderVeen@forterie.ca>

External Email Warning: Do not click on any attachment or links/URL in this email unless the sender is reliable.

Hi Daryl,

The NPCA does not offer objections to the approval of this application. There are no features present that our Agency would regulate.

Thank you.

	<p>Taran Lennard Watershed Planner II Niagara Peninsula Conservation Authority (NPCA) 250 Thorold Road West, 3rd Floor Welland, ON L3C 3W2</p> <p>905.788.3135 x277 www.npca.ca tlennard@npca.ca</p>
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For more information on Permits & Planning, please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

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

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

From: Daryl Vander Veen <DVanderVeen@forterie.ca>
Sent: Monday, March 11, 2024 7:11 AM
To: Daryl Vander Veen <DVanderVeen@forterie.ca>
Subject: Re: Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)

Good afternoon everyone,

Please be advised that the Town of Fort Erie has received a revised submission for the proposed combined Official Plan and Zoning By-law Amendment for 436-440 Ridge Road North. Notably, the number of units in the four storey apartment building has increased to 91 from 70.

The following documents can be downloaded from the following link:
<https://www2.forterie.ca/resource/eservicesPlanning.xsp?s1=PZAA-DVFN-CUCM7W>

PDS-17-2024 APPENDIX 4



Growth Strategy and Economic Development

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

Via Email Only

March 28, 2024

Region File: D.10.01.OPA-23-0034 & D.18.01.ZA-23-0070

Daryl Vander Veen
Intermediate Development Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6

Dear Mr. Vander Veen:

**Re: Regional and Provincial Comments
Proposed Official Plan Amendment and Zoning By-law Amendment
Town Files: 350309-0573 & 350302-0170
Owner: Stephen Fischer
Applicant: Upper Canada Consultants
436, 440 and 0-8481 Ridge Road North
Town of Fort Erie**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed the above-mentioned Official Plan Amendment (“OPA”) and Zoning-By-law Amendment (“ZBA”) for 436, 440 and 0-8481 Ridge Road North in the Town of Fort Erie. The applicant is proposing the development of a three-storey mixed-use building fronting onto Ridge Road North consisting of commercial uses on the ground floor and 12 dwelling units on the upper levels, 12 semi-detached dwellings fronting onto a private road, and a four-storey, 91- unit dwelling building similarly fronting onto a private road.

The OPA proposes to redesignate a portion of the subject lands from Low Density Residential to Medium Density Residential and from Low Density Residential to Core Mixed Use. The ZBA proposes to retain the Core Mixed-Use 4 designation in the existing location for the proposed mixed-use building and to extend it to capture the building’s proposed parking area. Additionally, Residential Multiple 2 Zone is proposed to facilitate the development of the proposed apartment building and semi-detached dwellings with site specific provisions.

PDS-17-2024 APPENDIX 4

D.10.01.OPA-23-0034 & D.18.01.ZA-23-0070
March 28, 2024

A pre-consultation meeting for the proposed was held August 24, 2023, with the applicant, Town and Regional staff in attendance. The following comments are provided from a Provincial and Regional perspective to assist Town staff and Council with consideration of these applications.

Provincial and Regional Policies

The subject land is within the “Settlement Area” under the *Provincial Policy Statement, 2020* (“PPS”), “Delineated Built Up Area” under *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* (“Growth Plan”), and designated “Built Up Area” under the *Niagara Official Plan, 2022* (“NOP”).

Provincial and Regional policies direct development to take place in Urban Areas to support intensification in Built-Up Areas where appropriate servicing and infrastructure exists. A full range of residential uses are generally permitted within the Built-Up Area designation, subject to availability of adequate municipal services, infrastructure and policies regarding land use compatibility, environmental conservation and archaeological resources. Staff notes the proposed development will contribute to the Town of Fort Erie’s intensification target of 50% as set out within Table 2-2 of the NOP. Additionally, NOP Policy 2.2.1.1 encourages opportunities for the integration of gentle density and a mixed range of housing options that considers the character of established residential neighborhoods in a way which supports forecasted growth.

Regional staff has reviewed the “Planning Justification – 436-440 Ridge Road North, Fort Erie, Ontario”, prepared by Upper Canada Consultants (dated January 2024). Staff is in general agreeance with the provided study which outlines the change in land use as being appropriate as it represents an efficient use of underutilized urban, serviced lands. Additionally highlighted, the development facilitates intensification of the Built-Up Area, contributes to the provision of a mix of land uses and provides a variety of housing options. However, staff notes some inconsistencies with the number of residential units outlined for the mixed-use building (both 12 and 15 units have been referenced). With that in consideration, staff is generally satisfied that the Applications are consistent with the PPS and conforms to Provincial and Regional policies, subject to the below comments and the Town’s satisfaction from a local planning perspective.

Site Condition

Staff has reviewed the Phase Two Environmental Site Assessment (ESA) report, prepared by Hallex Environmental Limited (dated September 30, 2021). The report identified soil exceedances to the Ministry of the Environment, Conservation and Parks (“MECP”) 2011 Table 6 for Residential Land Use in shallow soils, in a Potable Ground Water Situation, fine texture soil for group metals (Cadmium, Lead, and Zinc) south of the historic autobody shop. Mitigation though soil excavation and backfilling was completed followed by a Record of Site Condition (“RSC”) Filling on May 12, 2023. Staff has reviewed the MECP acknowledgment letter (dated May 12, 2023) for the filling of RSC in the Environmental Site Registry for 436 Ridge Road (RSC No. 237191). As such, staff offer no further requirements with regards to site condition.

PDS-17-2024 APPENDIX 4

D.10.01.OPA-23-0034 & D.18.01.ZA-23-0070
March 28, 2024

Archaeological Potential

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, section 2.6.2 of the PPS and Chapter 6 of the NOP state that development and site alteration is not permitted on lands containing archaeological resources or areas of archaeological potential, unless archaeological assessment and requirements from the aforementioned policies have been met.

Regional staff has reviewed the “Stage 1-2 Archaeological Assessment – 436-440 Ridge Road” report, prepared by Detritus Consulting Limited (dated January 11, 2022). The report outlines that there was no identification of archeological resources on the property and recommends no further archaeological assessments for the property. Regional staff requires that a Letter of Acknowledgment from the Ministry of Citizenship and Multiculturalism (“MCM”) be submitted to the Niagara Region, confirming that the archaeological assessment has been completed in accordance with Ministry standards and guidelines, and that any archaeological concerns have been addressed. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from MCM, confirming that all archaeological resource concerns have been addressed. Staff note the MCM letter itself can be addressed through a Holding Provision on the amending by-law, or as a condition of future Draft Plan / Site Plan Agreement; whichever the Town prefers.

Additionally, in recognizing that no archaeological assessment, regardless of intensity, can entirely negate the possibility of discovering deeply buried archaeological materials, a standard archaeological warning clause will be provided through the future Draft Plan / Site Plan Agreement. Furthermore, the Town of Fort Erie similarly has jurisdiction on matters related to archaeological resources. Town staff should be satisfied that archaeological resource concerns on the property have been addressed.

Site Servicing

The proposed servicing for the site shows two new connections to the Regional trunk sewer on Ridge Road North. Regional staff require the Functional Servicing Report prepared by Robert E Dale Limited Consulting Engineers (dated October 27, 2023) to be updated to address the following comments prior to supporting new connections to the Regional trunk sewer:

- Justification should be provided outlining why one lateral is not sufficient.
- If a new connection is required, it needs to be at a manhole. If a manhole is to be installed, details of disconnections and new connections are to be provided to the Region for review and approval.
- Buoyancy calculations will be required to be submitted with the future engineering plans.
- A reconnection permit will be required which requires a letter from the Town with the approval servicing drawings and fee of \$1,250.

PDS-17-2024 APPENDIX 4

D.10.01.OPA-23-0034 & D.18.01.ZA-23-0070
March 28, 2024

- All services crossing the Regional trunk will require plan and profile drawings to ensure the separation distance is met and the sewer is not disturbed during construction.

Staff notes future Draft Plan / Site Plan applications are to include the updated report and drawings to address the Region's trunk sanitary sewer.

Waste Collection

Staff has reviewed the submitted site plan (Sheet No. SP1) and acknowledge that the development is proposing to utilize private waste collection. Therefore, conditions noting that waste collection for the subject property will be the responsibility of the owner through a private waste collection contractor and not the Niagara Region will be provided through future Draft Plan / Site Plan applications to ensure all future owners/tenants are aware that the property is not serviced by Niagara Region.

Regional Bicycle Network

The subject property has frontage on a roadway which is designated as part of the Regional Niagara Cycling Network. Staff notes if the bicycle route is currently not established and identified with signage, it is the intent of the Region to make provisions for doing so when an appropriate opportunity arises.

Conclusion

In conclusion, Regional Growth Strategy and Economic Development staff does not object to the proposed Official Plan Amendment and Zoning-By-law Amendment subject to the MCM Letter of Acknowledgment for the archaeological assessments being addressed through either a Holding provision or as a condition in the future Draft Plan / Site Plan agreement. Staff notes that an updated Functional Servicing Report will be required as part of the future Site Plan / Draft Plan applications to address the site servicing comments as outlined in the body of the letter.

Should you have any questions, please contact the undersigned at Valentina.Escobar@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca.

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

Kind regards,



PDS-17-2024 APPENDIX 4

D.10.01.OPA-23-0034 & D.18.01.ZA-23-0070
March 28, 2024

Valentina Escobar

Development Planner

cc: Pat Busnello, MCIP, RPP, Manager, Development Planning, Niagara Region
Adam Boudens, Senior Environmental Planner, Niagara Region
Susan Dunsmore, P. Eng., Acting Director, Infrastructure Planning and
Development, Niagara Region

PDS-17-2024 APPENDIX 4

Re: Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)



Keegan Gennings to Daryl Vander Veen

2023-08-10 10:45 AM

From Keegan Gennings/FortErie
To Daryl Vander Veen/FortErie@TownOfFortErie

Hi Daryl,

I have reviewed the propose OPA and ZBA and have the following comments.

1. Proposed development is located within the Ridgeway CIP area - grants may be available - Region is changing their programs so this may impact the eligibility and funding.
2. The new servicing laterals required for the site will require service installation permits from the Town's Infrastructure Services department.
3. All on-site servicing work is private and is to be designed in compliance with the Ontario Building Code. A building permit will be required for the site servicing works.
4. Curb depression in sidewalk for ease of access - tactile warning plates required at this location.
5. Additional comments will be provided when a more detailed site plan drawings are provided.
6. The Town's by-laws only permit a single water service and sewer lateral per property. A water meter pit will be required at the property line and is to include a back-flow prevention device.
7. A demolition permit will be required for the removal of the existing building. Detailed building dimensions will be required to determine development charge credits.
8. The proposed severance will be required to include south elevation and east elevation drawings of the existing house at 442 Ridge road to determine compliance with the spatial separation regulations of the Ontario Building Code, any shortfalls will need to be addressed to the satisfaction of the building department.
9. Designer is reminded that not less than 15% of the suites are to have a barrier free path of travel
10. Tactile warning plates are required at all walkways leading into traffic areas.
11. Designer is to note that the design is to include Radon Mitigation provisions.
12. Additional comments may be provided during the site plan process

PDS-17-2024 APPENDIX 4

Please note:

The noted comments above apply to the proposal as it was submitted, when changes are proposed additional comments may be applicable.

Any fees and/or charges quoted at the current rates which are subject to change, the fees and charges that are in affect at the time of application processing will be applicable.

The review of this proposal has been completed referencing current regulations, standards and other applicable legislation. If these standards or regulations are revised prior to any approvals the proposal may be subject to these revisions.

Regards,

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

Daryl Vander Veen Good afternoon, An application for a combined... 07/17/2023 04:06:07 PM

From: DVanderVeen@forterie.ca
To:
Date: 07/17/2023 04:06 PM
Subject: Request for comments - proposed combined Official Plan & Zoning By-law Amendment, 436, 440 & 0-8481 Ridge Road North, Town of Fort Erie (file nos. 350309-0573 & 350302-0170)

Good afternoon,

An application for a combined Official Plan and Zoning By-law Amendment was submitted by Ethan Laman of Upper Canada Consultants on behalf of 2855546 Ontario Inc. / Stephen Fischer, Owner of the subject lands.

The application is proposing to facilitate the development of a three storey mixed-use building fronting onto Ridge Road North with commercial on the ground floor and 15 dwelling units on the upper levels. 12 semi-detached dwelling units and a four storey apartment building with 70 dwelling units are proposed in the rear that will front onto private roads. A parking garage is also proposed in the rear area for the apartment building.

The lands are located within the Ridgeway-Thunder Bay neighbourhood inside the Urban Boundary. The subject lands are currently designated Core Mixed Use, in part, Low Density Residential, in part, and Medium Density Residential, in part in the Ridgeway-Thunder Bay Secondary Plan in the Town's Official Plan. An Official Plan Amendment is required to change a portion of the subject lands from Low Density Residential to Medium Density Residential and from Low Density Residential to Core Mixed Use to implement the development plan.

The subject property is currently zoned Residential 1 (R1) Zone, in part, Residential Multiple 1 (RM1-260) Zone, in part, and Core Mixed Use 4 (CMU4) Zone, in part, in accordance with the Town's Comprehensive Zoning By-law No. 129-1990. A Zoning By-law Amendment is required to permit the proposed apartment building on the subject property and to implement the development plan. The Zoning By-law Amendment proposes the following changes:

PDS-17-2024 APPENDIX 4



Interoffice Memorandum

March 28, 2024
Our File(s): 350309-0573
350302-0170

To: Daryl Vander Veen – Intermediate Development Planner
Cc: Noah Thompson, E.I.T., Development Engineering Technician
From: Brad Johnston, C.E.T., Supervisor, Development Engineering
Subject: OPA / ZBA – Private Road Development
Development Engineering Comments
Address: 436, 440, 0-8481 Ridge Road North

Roads

Ridge Road North is designated a Collector road along this section, in accordance with the Town's current Official Plan, with a desired right-of-way width of 23.0m. Its current width is 15.24m, however the Town has previously acquired a widening along the frontages of Lots #436 (0-8481) and 440 of 3.88m, measured from the centerline of the original road allowance as per Plan of Survey No. 349. No additional widenings are required with this application.

Sidewalks & Curbs

Curbs and sidewalks exist along the subject land frontages. Care shall be taken not damage these services during construction activities for the development of the site, if approved.

Geotechnical/Hydro-geotechnical Report

A soils investigation report is recommended to be prepared and certified by a qualified professional Geotechnical Engineering Consultant, that comments on typical soil characteristics to accommodate proposed developments subject to foundation construction. The report would be expected to provide recommendations and any other foreseeable issues given the existing and historical characteristics of the soils in the area (clay, shallow bedrock, etc.) and would additionally comment on the foundations, compaction requirements, drainage schemes, etc., and affects, if any, to the proposed services for the lot. A chemical component should also always be considered.

Linear Engineering Services

Ridge Road North

Water Services

200mm PVC

PDS-17-2024 APPENDIX 4

Our Files:
350309-0573
350302-0170

436, 440, 0-8481 Ridge Road North

March 28, 2023

New (2022) 19mm copper water services exist to #436 / #440, and #462. The Owner shall have an Engineering Consultant design and accommodate an adequately sized water distribution system, via one service connection to the above main, accommodating both domestic and fire flows with backflow prevention, for the entire site, through a master meter and pit at the property line. The installations shall be to the satisfaction of, and in accordance with Town of Fort Erie standards. It is also expected that the above noted existing water service connections will be decommissioned accordingly, at the main connections. The engineering design drawings shall be further reviewed following a subsequent development application, however it must be noted that the proposed water connection shall only be authorized from the proposed northerly entrance to the Town's main on Ridge Road North, not from the south as proposed on the submitted drawings attached as part of the FSR.

Ridge Road North

Sanitary Services

450mm A.C. (Regional)

It appears that 125mm sewer laterals exist to #436 / #440, and #462, from the existing Regional sewer main above. The Owner shall have an Engineering Consultant design an adequately sized sanitary sewer system for the entire site, via one sewer connection to the above main, at the discretion of, and to the Region of Niagara's satisfaction.

The Owner has submitted a revised Functional Servicing Report, prepared and certified by Robert E. Dale Limited, October 27, 2023. The report comments on the proposed **total** peak flow of 7.55L/s representing the combined domestic and commercial flows expected, slightly lower than the previous proposal at 7.71L/s. It is noted that the Town's sanitary design criteria has since been revised to suit a lesser number of people per unit, to accommodate the increased demand of intensified development, and more realistic numbers. Also, the report does not comment on nor assess the ultimate downstream system's 'actual' flow capacities, given the entire contributing sewerage area, ultimately to the Region's Crystal Beach Wastewater Treatment Plant. The Owner is advised that the Functional Servicing Report, in particular, the sanitary peak flow component, considering the ultimate outlet is to Regional infrastructure in its entirety, shall be revised to suit the Town's sanitary design criteria (attached), further reviewed, and approved to the satisfaction of the Region of Niagara.

Ridge Road North

Storm Services

None (Road side Ditches)

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods sometimes do not have suitable drainage outlets in place. The Owner shall have an adequately sized storm sewer system designed by a qualified Professional Engineer to the Town's satisfaction and current standards, to control post-development storm flows to pre-development rates for the 5-year storm event, if not already accommodated in the existing receiving sewer.

PDS-17-2024 APPENDIX 4

Our Files:
350309-0573
350302-0170

436, 440, 0-8481 Ridge Road North

March 28, 2023

Flows exceeding the post-development 5-year event (major) shall be authorized to discharge overland to the Ridge Road North right-of-way. The Owner has submitted with this application, a Stormwater Management component of the Functional Servicing Report prepared and certified by Robert E. Dale Limited, May 18, 2023.

The stormwater management scheme proposes the site control flows to pre-development rates for the 5-year storm event. Further detailed design review and considerations shall be made through the detailed design process following a subsequent development application.

Previous comments regarding weeping tile discharges via sump pumps for each block, have not been addressed through the storm water management scheme. There is the option of the discharge at grade towards the front yards only, and through the front foundation walls, not the side yards or from the foundation sidewalls, or it may be possible to consider the sump pumps be accommodated in the private storm system, if justified through revisions to the stormwater analysis. The building designs shall ensure this is identified adequately, and also ensure that rainwater leaders (downspouts) are directed/discharged away from abutting properties, accordingly. The location and direction of the roof water discharge pipes and sump pumps shall be identified on a master grading and drainage plan. Further design review and considerations are required through the detailed design process.

The stormwater management scheme shall be further revised and submitted for review and approval by the Town through a future planning application, to ensure that the drainage scheme of the proposed development will control and convey drainage to a suitable and secured outlet(s), in accordance with the above concerns and considerations, and not adversely affect abutting properties.

Site Servicing, Grading, & Landscaping

While minimum side and rear yard setbacks are governed by Zoning, in many cases side and rear yards must contain both drainage swales and landscaping. The integrity of swales must be maintained and continue to convey stormwater run-off to a suitable and secured outlet. If planted too close or within swales, roots and other types of landscaping can cause the swale grades to change, and clog subdrains often installed beneath. Shade from mature tree canopies can hinder evaporation creating areas where ponding and prolonged wetness can occur. Landscaping shall not be permitted within any drainage swale, and large trees must not be planted within the limits of swale conveyance. In some cases, rear yard and side yard widths may have to be wider than the typical minimums as dictated by Zoning, which may result in fewer units on development sites. In the initial planning and design process, the Owner shall ensure their Planner, Civil Engineer, and Landscape Architects are all involved and are aware of these restrictions. The Owner's Consulting Engineers shall prepare site servicing and grading plans for review and comment in further detail at the time a formal planning application has been submitted with the Town.

PDS-17-2024 APPENDIX 4

Our Files:
350309-0573
350302-0170

436, 440, 0-8481 Ridge Road North

March 28, 2023

Erosion & Sediment Control

The Owner shall have their Consulting Engineer submit a proposed erosion – sediment control plan. This may contain any or all the following measures and must be approved by the Town:

- Sediment traps or temporary retention ponds;
- Seeding of topsoil stock piles;
- Isolated stripping of development lands, upon approval;
- Vegetation screens;
- Silt and erosion control fencing;
- Entrance access / egress mud mats, and outlet erosion controls (rip rap, filter cloths, etc.);
- Construction staging areas

Pre-Construction Condition Surveys

The Owner shall consider obtaining Pre-Construction Condition surveys of all existing abutting properties and structures. The purpose of a pre-construction condition survey is to obtain independent documentary evidence of the conditions of adjacent buildings, structures, features etc., prior to construction activities commencing on the subject site. While it is not expected that construction will cause damage to neighboring buildings, structures, features etc., a survey is undertaken as a precautionary measure and will assist building owners, contractors, and developers in the event of a claim for damages.

Utilities

The Owner must verify with the separate Utility companies (Canadian Niagara Power, Enbridge Gas, Bell Canada, and Cogeco Cable, etc.) to verify the locations of their plant infrastructure if any, and coordinate relocations of such for planning purposes with respect to proposed works on and along the Owner’s property, as well as all off-site works utility needs required. It is expected that these existing / proposed Utility plant will be identified on the Owner’s civil plans for both the site and / or the off-site works.

Lighting & Photometrics

The Owner shall have an Electrical Engineer design an adequate street lighting and photometric distribution system to the Town’s satisfaction, and in accordance with current ESA standards, for review and approval. The Owner shall ensure that proposed lighting for the site, if required, does not negatively affect any abutting private properties with lighting spillover greater than 0.10 FC (1.0 Lux) beyond the property line.

PDS-17-2024 APPENDIX 4

Our Files:
350309-0573
350302-0170

436, 440, 0-8481 Ridge Road North

March 28, 2023

Development Engineering Staff have no further comments or objections to the approval of the Official Plan & Zoning By-law Amendment application.

Regards,

A handwritten signature in black ink, appearing to be 'Brad Johnston', written in a cursive style.

Brad Johnston, C.E.T.
Supervisor – Development Engineering

Attachments: Sanitary Design Criteria (Town – Revised)

- c. File No. 350309-0570
Curtis Thompson, PDS (email only)
Mark Iamarino, PDS (email only)

PDS-31-2024 - Appendix 4

430-436 Ridge Road

Jessica Abrahamse to Daryl Vander Veen

2024-04-15 09:07 AM

From Jessica Abrahamse/FortErie
To Daryl Vander Veen/FortErie@TownOfFortErie

Hi Daryl,

Senior Environmental Planning staff have reviewed the application for an Official Plan Amendment and a Zoning By-Law Amendment for the property located at 436-440 Ridge Road and would note that the new Tree By-law 33-2024 Section 3 d & e) will apply:

d) To Trees of any size located on lands upon which there is pending an application for a plan of subdivision, a plan of condominium, a severance or consent, an Official Plan Amendment, a Zoning Bylaw Amendment, a Minor Variance, or a Site Plan approval.

e) To Trees of any size located on lands upon which there has been a Pre-Consultation meeting held with the Town for a plan of subdivision, a plan of condominium, a severance or consent, an Official Plan amendment, a Zoning Bylaw amendment, a minor variance, or a site plan approval and the pre-consultation meeting was held no more than one year prior.

Regards,

Jessica Abrahamse M.E.S.
Senior Environmental Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario
Canada
L2A 2S6
TEL: 1-905-871-1600 x 2510
FAX: 1-905-871-1577