



**The Municipal Corporation of the Town of Fort Erie
Regular Council Meeting Agenda**

Monday, March 31, 2025, 6:00 p.m.

Council Chambers

	Pages
1. Call to Order	
2. Land Acknowledgement	11 - 11
3. Invocation	
4. Roll Call	
5. Announcements/Addenda	
6. Declarations of Pecuniary Interest	
7. Notice of Upcoming Public Meetings and Open Houses	
7.1 Open House - 99 Joseph Street	12 - 13
Zoning By-law Amendment - Owner: Mathew Geerts - Applicant: LandPro Planning Solutions (c/o Michael Sullivan) - Wednesday, April 2, 2025 - 5:00 p.m. - Atrium, Town Hall	
8. Regional Councillor Report	
9. Presentations and Delegations	
9.1 Bob Gale, Chair and David Adames, CEO, Niagara Parks Commission	14 - 33
Re: Niagara Parks Commission Updates	
9.2 Larry Graber, Chair, Community Gaming and Development Corporation	
Re: Update on cGaming	
9.3 Rocco Vacca, Partner, Sullivan Mahoney	
Re: 0-15850 Rebstock Road - Subdivision and Condominium Applications (Report PBBS-16-2025)	
10. Public Meetings	
11. Consent Agenda	

11.1

Minutes

- 11.1.1 Regular Council Minutes - February 24, 2025 34 - 47
- 11.1.2 Council-in-Committee Minutes - March 17, 2025 48 - 55

11.2 Correspondence

- 11.2.1 Receive - Niagara Transit - Accessibility Advisory Committee Issues 56 - 59
- 11.2.2 Proclamation - National Day of Mourning - April 28, 2025 60 - 61

Resolution:

That: Council proclaims April 28, 2025 as "National Day of Mourning" and approves their request for flags to be flown at half-mast.

- 11.2.3 Proclamation - Trillium Gift of Life Network - April as DeADonor Month 62 - 66

Resolution:

That: Council proclaims April as "BeADonor Month."

11.3 Board/Committee Minutes

- 11.3.1 Receive - Crystal Beach Business Improvement Area Board of Management - February 12, 2025; March 2, 2025 67 - 74
- 11.3.2 Receive - Traffic Coordinating Committee Minutes - February 19, 2025 75 - 78
- 11.3.3 Receive - Environmental Advisory Committee - March 5, 2025 79 - 81
- 11.3.4 Receive - Senior Citizens Advisory Committee - February 5, 2025 82 - 85
- 11.3.5 Receive and Approve Recommendations - Accessibility Advisory Committee - February 25, 2025: 86 - 93

Resolution:

Whereas: The Accessibility Advisory Committee has received numerous service-related concerns following Niagara Region Transit's assumption of transit service provision in Fort Erie; and

Whereas: Dedicated vehicles are no longer stationed within the Town to provide both OnDemand and Specialized transit services; and

Whereas: The current service hours only allow bookings to begin at 7:00 a.m., whereas Fort Erie Transit previously operated from 6:00 a.m., impacting many local employees; and

Whereas: Booking availability ends at 10:00 p.m., despite

being advertised until 11:00 p.m. in other areas of the Region;
and

Whereas: The current transit service provision does not adequately meet the needs of the Fort Erie community; and

Whereas: Prior to service amalgamation, Fort Erie had six OnDemand vehicles in continuous service, with access to an additional three, as well as three specialized vans dedicated solely to Fort Erie residents; and

Whereas: The Accessibility Advisory Committee has been informed that as of March 1, 2025, an additional vehicle will be allocated to Fort Erie, with plans for two more unless a fixed route is established in East Fort Erie; and

Whereas: The Accessibility Advisory Committee has become aware of a new policy of the Niagara Transit Commission, whereby drivers are not allowed to pull into driveways under any circumstances whether it be on demand or specialized transit and persons with disabilities are already feeling vulnerable utilizing the service; and.

Whereas: The Accessibility Advisory Committee seeks clarity regarding service provisions and operational concerns.

Now therefore be it resolved,

That: Council formally requests that representatives from Niagara Region Transit and service provider Voyago attend a future Council meeting to address the following:

Service Provisions for Fort Erie:

- The number of daily booking slots available for Fort Erie and whether this is a fixed allocation.
- The overall booking allocation process.
- The number of vehicles designated for OnDemand and Specialized services and whether a fixed number is assigned to Fort Erie.

Operational Standards:

- Performance metrics and policies regarding abandoned ridership.
- Complaints specific to Fort Erie riders and how they have been addressed.
- Ridership data, including the number of attempted bookings where no ride was available.
- Niagara Transit Commission consult persons with disabilities before implementing any policy that directly affects people with disabilities.

Financial Accountability:

- A breakdown of the additional \$3 million in annual funding and the services Fort Erie taxpayers receive in return.
- The cost of the additional vehicle allocated as of March 1, 2025, as well as the projected costs for the proposed two additional vehicles and/or a dedicated fixed-route service.

Community Concerns:

- Issues raised by the Accessibility Advisory Committee regarding dedicated vehicles, booking times, pick-up and delivery locations for persons with disabilities, and hours of service.

11.3.6 Receive and Approve Recommendations - Museum and Cultural Heritage Advisory Committee - March 12, 2025:

94 - 102

Resolution:

Road Allowance - 3798 West Main Steet

That: The Museum and Cultural Heritage Advisory Committee requests that Infrastructure Services move the stairs from the road allowance in front of 3798 West Main Street to Stevensville Memorial Park for passive display.

Cluster of Buildings in Snyder

That: The Museum and Cultural Heritage Advisory Committee recommends that the cluster of buildings in Snyder, which is unique to Fort Erie and rare in Ontario, including the church, parish hall, manse, and school, be pursued as a Heritage Conservation District.

11.4 Reports

12. Reports

12.1 PBBS-16-2025

103 - 163

Proposed Draft Plan of Subdivision and Draft Plan of Common Elements Condominium Information and Recommendation Report for 0-15850 Rebstock Road

(Deferred from the February 24, 2025 Council Meeting)

(Memorandum attached)

Resolution:

That: Council approves the Draft Plan of Subdivision dated October 7,

2024, for the lands known as 0-15850 Rebstock Road, showing 9 blocks intended for 16 block townhouses, 74 back-to-back townhouse dwellings and a Common Elements Condominium as illustrated in Appendix 2 of Report PBBS-16-2025, in accordance with the provisions of the *Planning Act, R.S.O. 1990 c. P. 13* and the Regulations thereunder, subject to the conditions contained in Appendix 8 of Staff Report PBBS-16-2025, and further

That: Council approves the Draft Plan of Common Elements Condominium dated October 7, 2024, for the lands known as 0-15850 Rebstock Road, showing 1 block for common elements as illustrated in Appendix 3 of Report PBBS-16-2025, in accordance with the provisions of the *Planning Act, R.S.O. 1990 c. P. 13* and the Regulations thereunder, subject to the conditions contained in Appendix 9 of Staff Report PBBS-16-2025, and further

That: Council directs staff to circulate the Conditions of Draft Plan Approval in Appendix 5 and Appendix 6 of Staff Report PBBS-16-2025 to the applicable agencies in accordance with the requirements of the *Planning Act*.

12.2 CAO-04-2025

164 - 172

Land Committee Meeting Minutes – March 20, 2025

Resolution:

That: Council receives the March 20, 2025, Land Committee meeting minutes attached as Appendix “1”, and further

That: Council authorizes the entry into a new Licence Agreement with the Crystal Beach Business Improvement Area Board of Management (CBBIA) for the purposes of a Farmer’s Market with an automatic renewal clause for the use of the Erie Road Parking Lot (“the Grove”), and further

That: Council authorizes the entry into a Licence Agreement for a 2025 pilot project between the Town of Fort Erie, the Crystal Beach Business Improvement Area Board of Management (CBBIA), and Jam Sport for the use of “the Grove” for the construction and operation of volleyball courts, subject to the provision of a certificate of insurance in the amount of \$2 million naming The Corporation of the Town of Fort Erie, the Crystal Beach Hill Cottagers’ Organization, and the CBBIA as additional insured, with the further conditions that no evening games take place and no alcohol be permitted on-site.

13. New Business/Enquiries

13.1 Selection of Chair and Vice-Chairs for Business Subdivision Services for the period November 18, 2024 to July 21, 2025

173 - 175

(Deferred from the December 2, 2024 Special Council Meeting)

Resolution:

That: Council receives the Memorandum regarding the selection of Chairs and Vice-Chairs for the Business Subdivision Services.

- 13.2 Memorandum - Financial Donation from the Fort Erie Underwater Recovery Unit for the Lions Sugarbowl Pavilion/Bandshell Project (SUGP23) 176 - 176

Resolution:

That: Council receives the Memorandum regarding the financial donation from the Fort Erie Underwater Recovery Unit, and would like to thank the Fort Erie Underwater Recovery Unit for their donation of \$20,000 for the Sugarbowl Pavilion/Bandshell Project (SUGP23) and is grateful for this generous donation.

- 13.3 Notice of Resignation - Chris Shickluna - Ridgeway Business Improvement Area Board of Management

Resolution:

That: Council accepts the resignation of Chris Shickluna from the Ridgeway Business Improvement Area Board of Management, and further

That: Council directs staff to proceed with filling the vacancy in accordance with the Procedural By-law.

- 13.4 Notice of Resignation - Stacie VanKralingen - Bridgeburg Station Downtown Business Improvement Area Board of Management

Resolution:

That: Council accepts the resignation of Stacie VanKralingen from the Bridgeburg Station Downtown Business Improvement Area Board of Management, and further

That: Council directs staff to proceed with filling the vacancy in accordance with the Procedural By-law.

- 13.5 Notice of Resignation - Michelle Bearss - Senior Citizens Advisory Committee

Resolution:

That: Council accepts the resignation of Michelle Bearss from the Senior Citizens Advisory Committee, and further

That: Council directs staff to proceed with filling the vacancy in accordance with the Procedural By-law.

- 13.6 Proclamation - National Volunteer Week - April 27 - May 3, 2025

Resolution:

Whereas 24 million Canadians volunteer their time through formal or informal activities, contributing nearly 5 billion volunteer hours annually; and

Whereas volunteers in the Town of Fort Erie mentor children, support those experiencing isolation, enhance and protect our public spaces, and contribute to fundraising efforts for local charitable organizations; and

Whereas the dedication and generosity of volunteers strengthen our community by supporting families, friends, neighbours, and residents in need; and

Whereas the Town of Fort Erie's volunteers include individuals, families, workers, retirees, and community members of all ages and backgrounds; and

Whereas the collective contributions of volunteers make the Town of Fort Erie a more vibrant and welcoming place to live;

Now therefore be it resolved,

That: Council proclaims April 27 to May 3, 2025, as "National Volunteer Week" in the Town of Fort Erie, and expresses its sincere appreciation and gratitude to all volunteers for their invaluable contributions to our community.

14. Closed Session

14.1 Closed Session Minutes - February 24, 2025

14.2 Community Health Care Services Committee Appointment

Pursuant to Section 239 (2) (b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees

14.3 Fort Erie Public Library Board Appointment

Pursuant to Section 239 (2) (b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees

14.4 4 and 6 Hagey Avenue - OLT Hearing

Pursuant to Section 239 (e) of the *Municipal Act, 2001*, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

14.5 PBBS-27-2015 OLT Appeal - Crystal Beach Secondary Plan - Crystal Beach Tennis and Yacht Club (1-25 Nantuckett Road)

Pursuant to Section 239 (e) of the *Municipal Act, 2001*, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

15. Back to Open Session

16. Motions

16.1 Councillor McDermott

Re: Snow Plowing Sidewalks

Resolution:

Whereas the Town of Fort Erie experienced a significant accumulation of snow over several storm events in the winter of 2024/2025; and

Whereas the Winter Maintenance Plan provides a minimum standard for winter control and is reviewed and updated annually to reflect Council approved levels of service response; and

Whereas the storm events in winter 2025 occurred following the approval of the Winter Maintenance Plan and have provided some lived experience on the impact of severe weather and the operations of Town resources and contracted services;

Now therefore be it resolved,

That: The Director of Infrastructure Services be requested to review the Winter Maintenance Plan, based on feedback and experience during the 2024/2025 winter season and further

That: The Director of Infrastructure Services provides recommendations to Council on possible proposed changes to the plan, including specific changes in levels of service to address snow accumulation on Jarvis Street's downtown sidewalks and in other downtown areas to further improve accessibility to businesses.

16.2 Councillor Lewis

Re: Parking within the Business Improvement Areas

Resolution:

Whereas many businesses are still recovering from the economic impact of the COVID-19 pandemic and the current economic climate; and

Whereas all businesses within the Business Improvement Areas (BIAs) rely on many customers and patrons who drive to their locations to support local commerce; and

Whereas many other food and beverage/retail locations, including big-box stores, offer free parking, making them considerably more attractive to consumers who are faced with paid parking; and

Whereas the Town of Fort Erie has three (3) BIAs — Bridgeburg, Crystal Beach and Ridgeway each contain at least one municipal parking lot;

Now, therefore, be it resolved,

That: Municipal parking lots within the Town of Fort Erie BIAs remain free of charge, and the municipal parking lots do not allow trailers, boats, RV's, Campers or busses to park in these lots, and further

That: Staff prepare a report or memo outlining additional options for Council's consideration related to parking in municipal parking lots in the Town of Fort Erie, including parking permits for residents without access to parking spots.

16.3 Councillor Dubanow

Re: Update on Sewer Servicing in Ward 2

(WITHDRAWN)

17. Notice of Motion

18. Consideration of By-laws

- | | | |
|------|---|-----------|
| 18.1 | 19-2025 | 177 - 177 |
| | To Authorize the Entry into a Grant Funding Agreement to Upgrade Ophthalmology Equipment with Dr. Patricia Teal | |
| 18.2 | 20-2025 | 178 - 180 |
| | To Amend Zoning By-law No. 129-90, as amended Spears Gardens Subdivision (1278 Terry Drive) | |
| 18.3 | 21-2025 | 181 - 257 |
| | To Enact an Amendment to the Official Plan Adopted by By-law 150-06 for the Town of Fort Erie Planning Area Amendment 86 - Spears Gardens Subdivision (1278 Terry Drive) - Yiliming International Real Estate Limited - Owner | |
| 18.4 | 22-2025 | 258 - 262 |
| | To Amend Zoning By-law 129-90, as amended - Crescent Acres Subdivision (0-10747 Kraft Road) | |
| | (Memorandum attached) | |
| 18.5 | 23-2025 | 263 - 264 |
| | To Authorize the Execution of a Subdivision Agreement with 5035003 Ontario Ltd. (Faraz Moin) - 0-10972 Seymour Avenue | |
| 18.6 | 24-2025 | 265 - 265 |
| | To Assume Primary Services within Plan 59M-516 (Alliston Woods, Phase 1) - 2835033 Ontario Inc. (Mitchell Williams) | |
| 18.7 | 25-2025 | 266 - 267 |
| | To Assume Secondary Services within Plan 59M-470 (Peace Bridge Village Subdivision, Phase 1) - Ashton Homes (Western) Limited – | |

Aldo Vercillo

18.8 26-2025 268 - 272

To Designate 241 Ridge Road North as Being of Cultural Heritage Value or Interest

18.9 27-2025 273 - 275

To Amend By-law 136-2024 (Municipal Property Occupancy Policy) and By-law 111-2019, as amended (Administrative Penalty) and to Repeal By-laws 52-2020 and 53-2020

18.10 28-2025 276 - 276

To Amend By-law 72-99 (Municipal Alcohol Policy)

18.11 29-2025 277 - 278

To Amend By-law 51-2024 (Management, Supervisory and Exempt Employees Salary Administration Plan)

18.12 30-2025 279 - 279

To Confirm the Actions of Council at its Council-in-Committee Meeting Held on March 17, 2025 and its Council Meeting Held on March 31, 2025

19. Scheduling of Meetings

20. Adjournment

■ Land Acknowledgement



We acknowledge that the land upon which we are gathered is the traditional territory of the Attawandaronk, the Haudenosaunee and the Anishinaabe people. We are the beneficiaries of ancient agreements such as the Dish With One Spoon between the Anishinaabe and the Haudenosaunee, who agreed to share the abundance of the land through peace, friendship and mutual respect; the Two Row Wampum, by which the Haudenosaunee welcomed the settlers and agreed to share the land in mutual respect; and the Treaty of Niagara, considered a fundamental document by First Nations in all future relations and treaties with the British.

We recognize that we have a responsibility to be stewards of the land, in cooperation and collaboration with the Indigenous peoples, not only for one generation but for all generations to come. We understand that we have an obligation to learn the lessons of our history, educate ourselves about the experiences of the Indigenous people and seek opportunities to heal the wounds that will result in reconciliation with our Indigenous sisters and brothers.

Many First Nations, Métis, and Inuit people live and work in Fort Erie. We stand with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live. We have the good fortune to live in a land of such abundance, diversity and beauty – let us be vigilant in protecting Turtle Island.

NOTICE OF COMPLETE APPLICATION AND OPEN HOUSE

Municipal Address: 99 Joseph Street, Fort Erie
Owner: Mathew Geerts
Applicant: LandPro Planning Solutions (c/o Michael Sullivan)
File Number(s): ZBA-03-2025

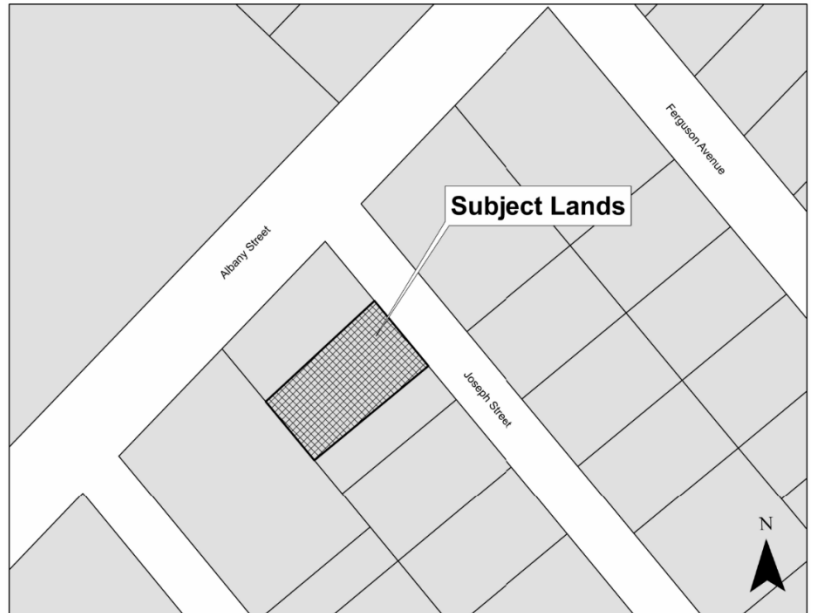
The Planning, Building and By-law Services Department received an application for a Zoning By-law Amendment pursuant to Section 34 of the Planning Act, 1990.

The application was deemed complete on March 4th, 2025.

The Town's Official Plan designates the subject lands Urban Residential, and zoned Residential 2 (R2) Zone, in accordance with the Town's Comprehensive Zoning By-law 129-90, as amended.

The purpose and effect of the Zoning By-law Amendment

application is to rezone the subject lands from Residential 2 (R2) Zone to a site-specific Residential 3 (R3) Zone to permit the construction of a semi-detached dwelling unit. The site-specific provision request is for the reduction of lot area.



PUBLIC PARTICIPATION

The Town of Fort Erie is seeking your comments on the Application. The Open House meeting is an initial opportunity for public input prior to scheduling a legislated Public Meeting on the matter, preparing a staff recommendation, and Council making a decision.

To participate in the Open House, you may:

1. Attend the Open House meeting in-person, as follows:
Date: Wednesday April 2, 2025
Time: 5:00 PM – 5:30 PM
Location: Atrium, Town Hall, 1 Municipal Centre Drive, Fort Erie
2. Submit written comments/questions to Robin Shugan, Intermediate Development Planner by email or regular mail (1 Municipal Centre Drive, Fort Erie, ON L2A 2S6). All written submissions will become part of the public record and will be provided to Council.

If you wish to be notified of the decision of Council on the proposed Application, you must make a written request to Robin Shugan, Intermediate Development Planner.

APPEAL INFORMATION

Only the Minister, the applicant, specified persons, public bodies, and the registered owner of the land to which the by-law would apply, as defined in the *Planning Act*, may appeal the decision of Council to the Ontario Land Tribunal (OLT).

If a person or public body would otherwise have an ability to appeal the decision of Council to the OLT, but the 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 is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body

NOTICE OF COMPLETE APPLICATION AND OPEN HOUSE

may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the OLT, there are reasonable grounds to do so.

MORE INFORMATION

Application materials are available for review on the Town's website (forterie.ca/resource/planningApplications.xsp), or by contacting Robin Shugan, Intermediate Development Planner by email. New or revised application materials will be uploaded to the Town's website at the link above as they become available. Please check the Town's website for updates.

CONTACT

Robin Shugan CPT, ACST
Planning and Development Services
rshugan@forterie.ca
905-871-1600 x2527

Dated at the Town of Fort Erie on Wednesday March 19, 2025



**NIAGARA
PARKS**

Niagara Parks Update

Overview for Town of Fort Erie Council

Presentation by Chair Bob Gale and CEO David Adames



Your Presenters

- Niagara Parks Chair, Bob Gale
- Niagara Parks CEO, David Adames





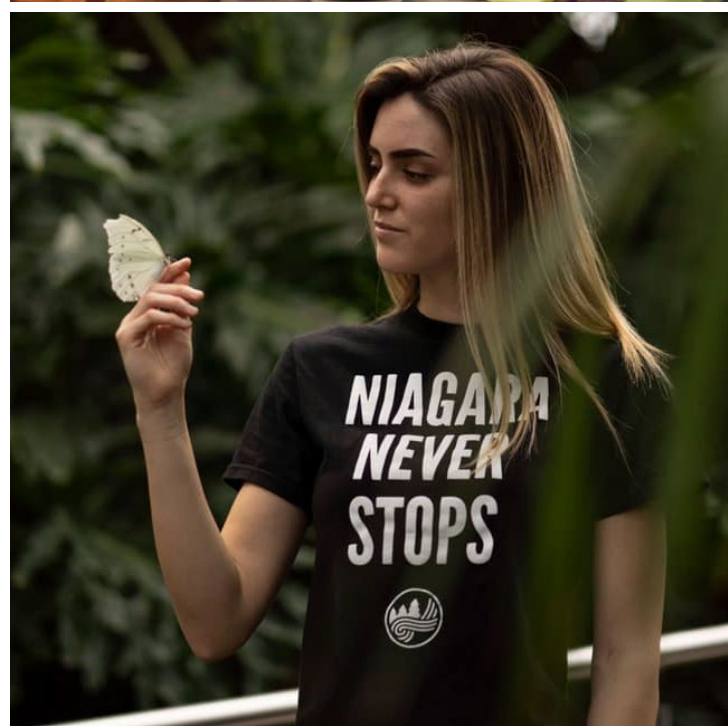
Niagara Parks

- Founded in 1885
- Operates under the Niagara Parks Act
- Two founding principles:
 - Niagara Parks would never be a burden to the taxpayers of Ontario
 - Niagara Parks would as much as possible, be free to enjoy
- Board-governed operational enterprise under the Ministry of Tourism, Culture and Gaming
- 12 Member Board: Chair: Bob Gale; Town of Fort Erie is represented by Mayor Redekop and Regional Councillor Tom Insinna
- **Mandate:** To be the environmental and cultural stewards of the Niagara River corridor
- **Vision:** To be one of the most spectacular parks in the world



Funding and Operations

- One of the region's largest employers; 2,000 projected headcount for this year; \$70+ million payroll.
- Operating budget covers payroll, operating expenses to run its revenue-producing operations and key operational projects
- Capital budget covers investments into deferred maintenance and strategic projects to enhance Niagara Parks' visitor experiences
 - \$175 million worth of deferred maintenance across Niagara Parks sites
 - Major capital projects for 2025-26:
 - Opening brand-new Flying Theatre attraction at Table Rock Centre





Stewards of the Niagara River Corridor

- Niagara Parks is a key demand generator, driving visitation and tourism to Niagara and Ontario.
- Operates its own revenue-producing products, services and experiences (including attractions, full-service restaurants, quick-service food outlets, retail stores, heritage sites, golf courses, and numerous parking and transportation services) and third-party partners (most recently Pearle Hospitality, Niagara City Cruises, Niagara Adventure Excursions, Digital Attractions).
- Responsible for maintaining 56km Niagara Parkway and 53km recreation trail, numerous parks, gardens and natural areas.
- Breadth of services include Niagara Parks Police Service, School of Horticulture.
- Re-established Niagara Parks Foundation focuses on raising funds to support additional environmental and cultural stewardship projects.





HOUSE BRANDS

ATTRACTIONS

NATURE + GARDENS

HERITAGE

CULINARY

GOLF

SHOPS

WEDDINGS

SUB-BRANDS

Journey Behind the Falls
 Butterfly Conservatory
 Niagara Parks Power Station + The Tunnel
 Currents: Sound & Light Show
 Whirlpool Aero Car
 White Water Walk
 Niagara's Fury

 Niagara City Cruises
 WildPlay Zipline to the Falls
 WildPlay Whirlpool Adventure Course

Botanical Gardens
 Centennial Lilac Gardens
 Dufferin Islands
 Floral Clock
 Floral Showhouse
 Niagara Glen
 Niagara Glen Nature Centre & Nature Exchange
 Niagara Recreational Trail
 Oakes Garden Theatre
 Paradise Grove
 Queen Victoria Park
 Queenston Heights Park
 School of Horticulture

Battle of Chippawa Memorial Site
 Landscape of Nations
 Laura Secord Homestead
 Mackenzie Printery
 Mather Arch
 McFarland House
 Old Fort Erie

Table Rock House Restaurant
 Legends on the Niagara Clubhouse
 Queen Victoria Place Restaurant
 Queenston Heights Restaurant
 Whirlpool Restaurant
 Fast Casual Restaurants
 • Table Rock Market: BREW, SWIRL, SPROUT, FLAME, SLICE
 • Grand View Restaurant
 • Garden Café
 • Queen Victoria Place Café

Legends on the Niagara
 Whirlpool Golf Course

Attraction Shops
 Grand View Gift Shop
 Queen Victoria Place Gift Shop
 Table Rock Shop

Ceremonies and Receptions
 Social Events



TABLE ROCK HOUSE
 RESTAURANT

QUEENSTON HEIGHTS RESTAURANT | EST 1900





Environmental Stewardship

- Audubon Cooperative Sanctuary Program Certification at Legends on the Niagara
- MOU's with Brock University, Forests Ontario and Canadian Wildlife Federation
- Collaboration with Vineland Research and Innovation Centre
 - New soil analysis program to enhance tree planting efforts
- Niagara College Ecosystem Restoration Program
- Invasive Species Management Strategy
 - Annual Prescribed Burn Program
- Develop alternative shoreline protection strategy for the breakwall to improve the resiliency of the shoreline and adjacent parklands
- Improvements to Visitor Experience and Ecology at Dufferin Islands





Environmental Stewardship

- Environmental Stewardship Action Plan 2020-2030
- Gonder's Flats
 - Niagara's largest wetland restoration site
 - Green Grazers: Sustainable land management strategy using goats from a local farm
 - Next steps: adding interpretation to improve public use and understanding of the site
- Coastal Wetland Restoration
 - Targeting 75% of shoreline to be covered in native vegetation to prevent erosion, provide wildlife habitat and improve water quality
- Chippawa Grassland Bird Habitat Project
 - Restored grassland habitat has seen the return of both the Bobolink and Eastern Meadowlark
- Urban Forestry Management Strategy
 - Community Tree Planting Day held in Fort Erie (2023, 2024)
- Pollinator Garden Route
 - 12 gardens across Niagara Parks that support pollinator species



Cultural Stewardship

- Heritage Sites
 - Old Fort Erie
 - Mackenzie Printery
 - Laura Secord Homestead
 - McFarland House
 - Landscape of Nations Memorial
- Special events (Valour and Victory Indigenous Veterans Ceremony, Chippawa Battlefield Ceremony, Annual Siege of Fort Erie Battle Re-enactment, National Day for Truth and Reconciliation)
- Explore the Niagara collaborative initiative with Parks Canada and bordering municipalities
 - Highlight sites, experiences, events related to themes of Black History, Indigenous culture, nation-building, nature & gardens, active living
- Hundreds of plaques, markers, monuments all along 56-kilometre Niagara River corridor





Tourism Landscape

- Niagara Parks is closely monitoring internal key performance indicators (sales performance, web traffic, online store) as well as external research and data to understand potential shifts in tourism activity as a result of geopolitical tensions.
- The US is an exceptionally important market for Niagara Parks.
- 43% of total visitor spending at Niagara Parks in 2024 came from US (vs 41% domestic)
 - Avg \$55 per transaction for US guests vs \$34 for domestic.
- Ipsos poll: 56% of Canadians are ready to cancel or avoid US travel in response to trade tensions.
- Strength of US dollar likely to mitigate some potential impacts to US travel sentiment to Canada, while further motivating Canadians to travel domestically.
- Additional domestic flight capacity, including daily flights into Hamilton.
- However, economic uncertainty on both sides of the border, could impact discretionary spending, including desire to travel.



Niagara Parks Response

- Niagara Parks will continue to promote a positive and welcoming message to all guests, including proactive messaging specifically for guests traveling from the US.
- At the same time, Niagara Parks will continue to leverage its experiences and offerings that are uniquely Canadian.
 - Bucket-list worthy experiences that should be included in anyone's Canadian travel plans
 - Focus on recent investments to improve the guest experience at Table Rock Centre, Niagara Parks Power Station + Tunnel and NEW Attraction opening
 - Feast ON certification at restaurants, support of local food and drink
 - Local products in retail stores
 - Connection to Canadian history and nation-building
 - Planning an expanded Siege of Fort Erie battle re-enactment in 2026 with additional programming
- Continue to nurture international markets including through in-market representation in the UK, Germany and Mexico.
- Align messaging with Destination Canada, Destination Ontario and other key tourism organizations.





What's New in 2025

COMING SOON: Niagara Parks' Newest Attraction to Open this Summer

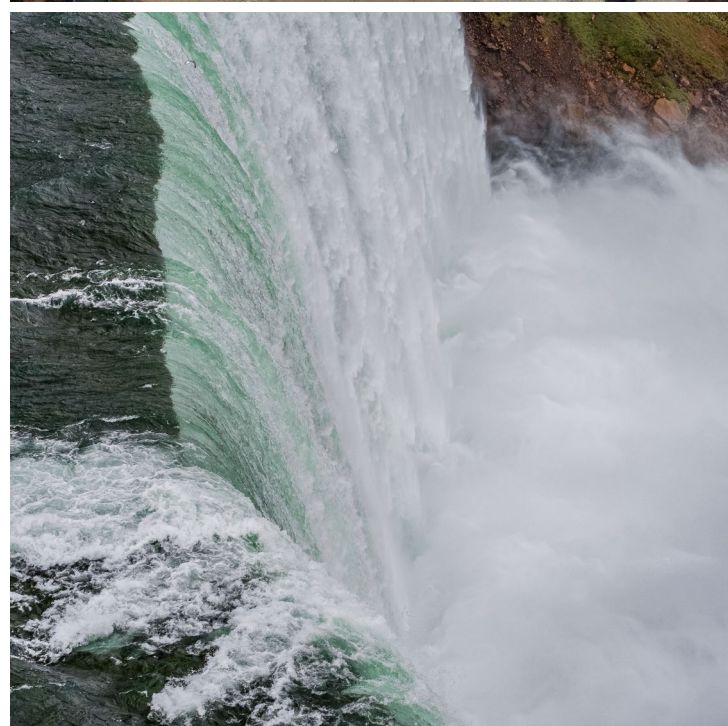
- Flying Theatre attraction will open on the top floor of Table Rock Centre

Niagara Parks Power Station + Tunnel

- New limited-time educational exhibit, Tesla: A Spark of Genius

Niagara Parks Golf

- Niagara Parks has made significant investments to improve both the playability and long-term sustainability of its golf courses
- **Legends on the Niagara**
 - Replacing and upgrading cart paths (Battlefield to be completed this year)
- **Whirlpool Golf Course**
 - Replacing and upgrading cart paths
 - Restoration work to return the course to its original Stanley Thompson design





Spotlight: New Attraction Opening

- Later this summer, Niagara Parks' will open Ontario's newest must-see attraction.
- Only the second flyover experience to open in Canada.
- \$25 million investment from Niagara Parks earned revenue.
- Replacement of a previous attraction (Niagara's Fury) that had reached the end of its lifecycle.
- Niagara Parks' new attraction will feature dynamic pre-show areas with Indigenous storytelling.
- Working with industry leaders Brogent Technologies, FORREC attraction consultants, Great Lakes Scenic Studios and Nova film productions.
- Experience will take guests on a soaring adventure across breathtaking landscapes, epic battle scenes, lush gardens and rolling vineyards.
 - State-of-the-art drone footage will offer views of Niagara Falls, the Niagara Gorge and Niagara Whirlpool like never before.



Niagara Parks Marina

- Niagara Parks is committed to establishing the marina at Miller's Creek as a new waterfront destination along the south Niagara Parkway.
- This year, Niagara Parks will be investing \$1.1 million to repair and update key infrastructure, including electrical service ahead of the 2025 boating season.
- Niagara Parks will continue to assess options for the redevelopment of the marina.
- Updates will continue to be shared with Fort Erie Council and through the Town's representatives on the Board, along with current marina slipholders.



Capital Projects

2024 Highlights

- Replacement of the Black Creek Bridge (over \$3 million)
- Breakwall restoration:
 - \$2.2 million invested to replace 900 metres
- Road resurfacing:
 - Completed service roads 2, 3, 16 and 27

2025 Capital Planning (proposed \$5.3 million)

- Breakwall restoration:
 - \$1.8 million investment to repair additional section of the breakwall, including new in-water works to support further resiliency
- Marina
 - \$1.1 million for upgrades including electrical servicing infrastructure
- Road resurfacing and improvements
 - Mather's Park Trail realignment
 - Sections of south Niagara Parkway
 - Service Road 20 & 30



Niagara Parks Foundation

- The Niagara Parks Foundation was relaunched in the spring of 2022.
- A registered charity governed by a Board of Directors established to support and advance the environmental and cultural stewardship initiatives of Niagara Parks.

2024 Highlights

- Completed year two of three-year project to support stewardship work at Dufferin Islands (\$400,000 investment by TD Bank).
- Supported the launch of a new Indigenous audio tour at the Niagara Glen, *Rekindling All Our Relations*.





Tree Planting

Urban Forestry Management Plan

- Niagara Parks aims to establish a 35% tree canopy by 2028.
- A healthy tree canopy helps to mitigate environmental impacts of climate change and improve the resiliency of our natural areas.
- Goal of planting 5,000 trees each year
 - Exceeded by over 2,000 trees the past two years

Toonies for Trees

- Niagara Parks Foundation program at Niagara Parks point-of-sale locations.
- Over \$40,000 raised in 2024 (funds matched through new Trees for Life grant).

Community Tree Planting Day

- Niagara Parks' annual Community Tree Planting Day held in Fort Erie in 2023 and 2024.
- Funded through the Toonies for Trees program, invites members of the community, students, volunteers to join a local reforestation project.



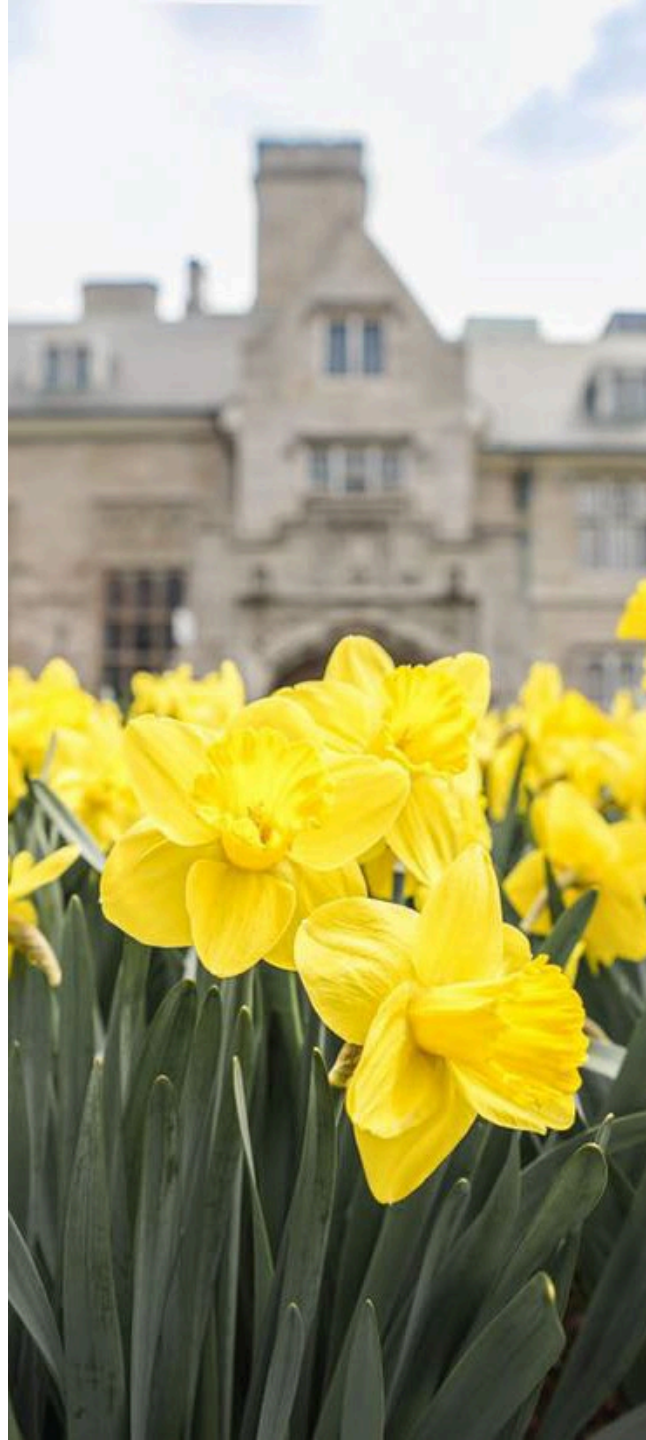
Foundation Spotlight: Interpreting the Old Fort (1764 Site)

- Priority project of the Niagara Parks Foundation.
- The remains of the original 1764 fort (oldest British Army fort in Ontario) lay just east of Old Fort Erie.
- Site of an archeological dig by Wilfred Laurier University in 2019.
- Through the Foundation, Niagara Parks plans to preserve the site and interpret it for the public to help tell the story of the original fort.
- Aligns with future plans to further animate Old Fort Erie and expand the guest experience at this important heritage site.



Coming Soon: The Children's Garden at Niagara Parks

- Niagara Parks is collaborating with the Niagara Parks Foundation to build Niagara's first Children's Garden at the Botanical Gardens.
- This will be 2-acre garden space filled with interactive nature-based play areas inviting children of all ages and abilities to connect with nature in a safe environment.
- Concept designs have been prepared and we are currently engaging with potential donors and gathering feedback:
 - Focus groups with local school boards and faculty from Brock University
 - Activation with children and families during March Break
 - Public engagement survey available online
 - Consulting and engaging with Indigenous communities
 - Groups/organizations to inform accessibility and inclusion considerations
- Construction to begin in spring 2026.



Questions and Comments

Thank you for your time today. We welcome any questions and or comments about today's presentation!



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

**Monday, February 24, 2025, 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. Invocation

The Clerk read the Invocation.

4. Roll Call

The Clerk gave the roll call.

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

Also Present: Regional Councillor Insinna

Absent: Councillor Noyes

Staff: A. Carter, R. Firenze, A. Dilwaria, J. Frost, J. Janzen, C. Patton and P. Riley.

5. Announcements/Addenda

There was one addendum that updated Report PBBS-16-2025 and By-law 14-2025.

Mayor Redekop made the following announcements:

Certificate of Appreciation from Canadian National

The Town of Fort Erie received a "Rail Safety Ambassador" certificate from Canadian National Railway in recognition of proclaiming Rail Safety Week in 2024 and of the Town's support for this initiative.

Upcoming Open Houses

Two open houses will be held in March:

- Tree Bylaw Update: March 19th, 5:00 PM - 7:00 PM
- Climate Change Action Plan Draft Report: March 27th, 5:00 PM - 7:00 PM

Support for Douglas Memorial Hospital Funding

The City of Niagara Falls supported the Town's resolution, passed in October, calling for continued funding for the hospital. On February 20th, Regional Council unanimously approved this resolution. This approval is seen as recognition of the importance of maintaining urgent care, diagnostic services, palliative care beds, and chronic care beds in Fort Erie. Mayor Redekop thanked his regional colleagues and stated that the Town continues to press both the provincial government and Niagara Health to support the continued services at the hospital beyond the expected opening of the new hospital in 2028 or 2029.

Everyday Influencer Conference

Mayor Redekop and Councillor Christensen attended the Everyday Influencer Conference at Greater Fort Erie Secondary School, which was organized by students, including McKenzie Arts, the Chair of the Mayor's Youth Advisory Committee and other members of the Committee. The conference had participation from 200 students across several high schools in Niagara. The event included breakout sessions that were deemed inspirational, showcasing the future potential of the youth in the community. The conference was a great success, and other schools want to replicate it.

Clarification on Facebook Post Regarding Endorsement

Mayor Redekop addressed a Facebook post that falsely suggested he had endorsed a candidate for the upcoming provincial election. He clarified that no such endorsement had been made. The Mayor responded to the post to correct the misinformation and reassure the community that no endorsement has occurred or will occur prior to the election.

Reminder to Vote in Provincial Election

Mayor Redekop reminded the community about the upcoming provincial election on February 27th. Mayor Redekop encouraged all eligible voters to participate in the election, emphasizing the importance of voting as a fundamental right and responsibility in a democratic society. It is through voting that citizens shape the future of their communities.

6. **Declarations of Pecuniary Interest**

6.1 Councillor Flagg declared a pecuniary interest regarding the following items:

- Public Meeting - Zoning By-law Amendment and Draft Plan of Subdivision - 0-10747 Kraft Road - Crescent Acres Subdivision
- PBBS-14-2025
- Public Meeting - Official Plan and Zoning By-law Amendments- Spears High-Pointe Subdivision
- PBBS-15-2025

The Councillor's residence and place of business are within the catchment area of notification.

7. **Notice of Upcoming Public Meetings and Open Houses**

7.1 Public Meeting - Zoning By-law Amendment - 3741 Nigh Road

Owner: Brent King - Applicant: Biglieri Group (c/o Rachele Larocque) - Monday, March 17, 2025 - 6:00 p.m. - Council Chambers, Town Hall

8. **Regional Councillor Report**

Regional Councillor Insinna gave the following report:

Niagara Regional Housing (NRH) Crescent Road Facility

The Niagara Regional Housing building on Crescent Road is expected to be ready for occupancy by March of this year. The move-in process, initially planned for several months ago, was delayed due to construction deficiencies.

Consolidated Housing Master Plan

The Niagara Regional Housing Board was presented with the Consolidated Housing Master Plan last week. Currently, NRH owns 3,051 units, with a target of 6,037 units by 2050. This goal will focus on existing land and intensifying current properties. The plan prioritizes new unit developments followed by intensification of existing buildings. The plan proposes selling specific properties and using the proceeds to fund affordable housing development. Potential funding sources include:

- 6% from end-of-mortgage payments (\$120 million)
- 1% from land sales (\$17.5 million)
- A proposed 0.2% increase in the general levy
- Government grants (funding levels undetermined) There are no development charges (DCs) available, so funding will need to come from regional, provincial, or federal sources. The plan also explores partnerships with non-profit agencies and private developers.

The excess land surrounding the new Gilmore Lodge and the old site has not been included in the plan as Niagara Regional Housing does not own it. The plan is considered fluid and subject to adjustments as time progresses. If funding is secured, six projects in the plan would impact Fort Erie, with potential development in the next 3-5 years. The Housing Master Plan will be shared and explained at the Town of Fort Erie Affordable Housing Committee.

9. Presentations and Delegations

9.1 Mary McLelland Papp and Keith Ratcliffe, Co-Chairs, Fort Erie Museum and Cultural Heritage Committee

Re: Presentation of Heritage Plaques

M. McLelland Papp introduced the Museum and Cultural Heritage Advisory Committee, their role and the property designations. K. Ratcliffe introduced each property and its owner and presented the Heritage Plaques with Mayor Redekop;

- 164 Point Abino Road South: Edwin, Tony and Susan McGowan
- 3555 Yacht Harbour Road: Heather Hicks - Absent
- 304 Ridge Road North: Karen and John Arbour

Mayor Redekop thanked the Museum and Cultural Heritage Committee for their hard work and dedication. He also acknowledged the significant effort of the volunteer members and thanked them for the time and energy they invested in the initiatives. Mayor Redekop also thanked property owners for their cooperation in designating their properties for heritage preservation, recognizing the importance of this effort in preserving the community's history and guiding its future. The Mayor also acknowledged the hard work of the committee and staff in ensuring clear communication with property owners and emphasized continued collaboration moving forward.

9.2 Max Fedchyshak, Senior Planner and Jeremy Tran, Manager of Urban Design & Development Planning, NPG Planning Solutions

Re: 0-15850 Rebstock Road - Subdivision and Condominium Applications (Report PBBS-16-2025)

Max Fedchyshak, Senior Planner and Jeremy Tran, Manager of Urban Design & Development Planning, NPG Planning Solutions, provided a presentation summarizing the Application and responded to questions from members of Council.

J. Tran requested that Item 12.1 PBBS-16-2025 be moved up in the agenda to be considered after the presentation.

Council generally agreed to consider Item 12.1 PBBS-16-2025 following the presentation. However, the minutes reflect the agenda as printed.

10. Public Meetings

10.1 Public Meeting - Zoning By-law Amendment and Draft Plan of Subdivision - 0-10747 Kraft Road - Crescent Acres Subdivision

Owner: Crescent Acres Inc. - Applicant: Upper Canada Consultants, Joe Tomaino

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

Robin Shugan, Intermediate Development Planner, provided a presentation outlining the proposal and responded to questions from members of Council.

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

The applicant's agent, Joe Tomaino of Upper Canada Consultants spoke to the application and answered questions of Council.

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

Mark Charlong, 958 Crescent Road, provided oral comments on behalf of himself and his neighbour at 964 Crescent Road.

The Clerk confirmed that no additional written comments were received.

Mayor Redekop declared the Public Meeting closed.

10.2 PBBS-14-2025

Proposed Zoning By-law Amendment and Redline Revision to a Draft Plan of Subdivision Information and Recommendation Report for 0-10747 Kraft Road (Crescent Acres Subdivision)

Resolution 1

Moved by: Councillor Christensen

Seconded by: Councillor McDermott

That: Council approves the amendments to the Town's Zoning By-law 129-90 and Redline Revision to the Draft Plan of Subdivision as detailed in Report PBBS-14-2025 for the lands known as 0-10747 Kraft Road (Crescent Acres Subdivision).

That: Council approves the Crescent Acres Draft Plan of Subdivision Redline Revision dated April 4, 2024, showing 86 lots for single detached dwellings, 4 blocks for 8 semi-detached dwellings, 24 blocks for 144 town house dwellings, 1 block for a watercourse, 1 block for a stormwater pond and 1 block for a future road connection as attached as Appendix '4' of Report No. PBBS-14-2025, in accordance with the provisions of the

Planning Act, R.S.O 1990 c.P. 13 and the Regulations thereunder, subject to the conditions contained in Appendix '5' of Report No. PBBS-14-2025

That: Council directs staff to submit the necessary by-law

Carried

10.3 Public Meeting - Official Plan and Zoning By-law Amendments- Spears High-Pointe Subdivision

Owner: Yiliming International Real Estate Ltd. - Applicant: Upper Canada Consultants c/o William Heikoop

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

Devon Morton, Supervisor of Development Approvals, provided a presentation outlining the proposal and responded to questions from members of Council.

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

The applicant's agent, William Heikoop of Upper Canada Consultants, spoke to the application and answered questions of Council. Matt Kernahan thanked Planning Staff and answered questions of Council.

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

Italia Reeves, 1178 Pettit Road, provided oral comments.

The Clerk confirmed that no additional written comments were received.

Mayor Redekop declared the Public Meeting closed.

10.4 PBBS-15-2025

Proposed Official Plan and Zoning By-law Amendments Recommendation Report for lands located at 1278 Terry Drive (Spears-Garden Subdivision), Fort Erie

Resolution 2

Moved by: Councillor Dubanow

Seconded by: Councillor Lewis

That: Council approves the amendment to the Town's Consolidated 2021 Official Plan as detailed in Report PBBS-15-2025 for the lands known as 1278 Terry Drive (Spears-Garden Subdivision), Fort Erie, and further

That: Council approves the amendment to the Town's Zoning By-law 129-90 as detailed in Report PBBS-15-2025 for the lands known as 1278 Terry Drive (Spears-Garden Subdivision), Fort Erie, and further

That: Council directs that a Holding Provision under Section 36(1) of the Planning Act, R.S.O. 1990 be applied to the subject lands and not be removed until such time as:

1. The Owner / Applicant shall satisfy Regional waste collection requirements, to the satisfaction of the Niagara Region.
2. The Owner / Applicant shall provide written confirmation from a Qualified Professional, as defined under Oil, Gas and Salt Resources Act, that the proposed development is located greater than 75m from a private gas well. If the proposed development is within 75m of a private gas well, the Owner / Applicant shall provide confirmation from the Ministry of Natural Resources and Forestry that the private gas well has been decommissioned, in accordance with Provincial standards, prior to any demolition, construction, grading or other soil disturbances occurring on the subject property, to the satisfaction of Niagara Region and the Town's Director of Planning, Building and By-law Services.
3. The Owner / Applicant shall demonstrate drainage and stormwater management of this development and adjacent lands is accommodated as set out in the Spears High-Pointe Neighbourhood Master Servicing Study (By-law 39-2023) and Spears High-Pointe Secondary Plan ([By-law 131-2012](#)), to the satisfaction of the Town's Director of Infrastructure Services.
4. The Owner / Applicant submits and receives final approval of a revised Functional Servicing Report prepared and certified by a licensed Professional Civil Engineer with respect to the development's sanitary sewer proposal and proposed peak flows, and are able to demonstrate sufficient capacity within the sanitary system, to the satisfaction of the Town's Director of Infrastructure Services.

That: Council directs staff to submit the necessary Official Plan and Zoning By-law Amendment By-laws.

Carried

11. Consent Agenda

Resolution 3

Moved by: Councillor Flagg

Seconded by: Councillor McDermott

That: Council approves the consent agenda as recommended.

Carried

11.1 Minutes

11.1.1 Regular Council Meeting - January 27, 2025

11.1.2 Council-in-Budget Committee Meeting - January 29, 2025

11.1.3 Special Council Meeting - February 3, 2025

11.1.4 Council-in-Committee Meeting - February 10, 2025

11.1.5 Special Council Meeting - February 11, 2025

11.2 Correspondence

11.2.1 Proclamation - Autism Ontario - April 2, 2025 as World Autism Day

That: Council proclaims April 2, 2025 as "World Autism Day", and approves their flag be flown at Town Hall.

Carried

11.2.2 Receive and Support - Great Lakes and St. Lawrence Cities Initiative - Strong Response to Trade War

That: This correspondence be further circulated to Niagara MP's and MPP's and the Association of Municipalities of Ontario.

Carried

11.2.3 Proclamation - The Canadian Amyloidosis Support Network - March 2025 as Amyloidosis Awareness Month

That: Council proclaims March as "Amyloidosis Awareness Month".

Carried

11.3 Board/Committee Minutes

11.3.1 Receive - Mayor's Youth Advisory Committee - January 27, 2025

11.3.2 Receive - Crystal Beach Business Improvement Area Board of Management - January 8, 2025

11.3.3 Receive - Accessibility Advisory Committee - January 28, 2025

11.3.4 Receive - Senior Citizens Advisory Committee - January 8, 2025

11.3.5 Receive - Community Health Care Services Committee - February 6, 2025

11.3.6 Receive - Museum and Cultural Heritage Advisory Committee - February 12, 2025

11.3.7 Receive - Community Gaming Development Corporation - November 27, 2024

11.4 Reports

12. Reports

12.1 PBBS-16-2025

Proposed Draft Plan of Subdivision and Draft Plan of Common Elements Condominium Information and Recommendation Report for 0-15850 Rebstock Road

Resolution 4

Moved by: Councillor Lewis

Seconded by: Councillor Dubanow

That: Council approves the Draft Plan of Subdivision dated October 7, 2024, for the lands known as 0-15850 Rebstock Road, showing 9 blocks intended for 16 block townhouses, 74 back-to-back townhouse dwellings and a Common Elements Condominium as illustrated in Appendix 2 of Report PBBS-16-2025, in accordance with the provisions of the *Planning Act, R.S.O. 1990 c. P. 13* and the Regulations thereunder, subject to the conditions contained in Appendix 8 of Staff Report PBBS-16-2025, and further

That: Council approves the Draft Plan of Common Elements Condominium dated October 7, 2024, for the lands known as 0-15850 Rebstock Road, showing 1 block for common elements as illustrated in Appendix 3 of Report PBBS-16-2025, in accordance with the provisions of the *Planning Act, R.S.O. 1990 c. P. 13* and the Regulations thereunder, subject to the conditions contained in Appendix 9 of Staff Report PBBS-16-2025, and further

That: Council directs staff to circulate the Conditions of Draft Plan Approval in Appendix 5 and Appendix 6 of Staff Report PBBS-16-2025 to the applicable agencies in accordance with the requirements of the *Planning Act*.

Amendment:

Moved by: Councillor Lewis

Seconded by: Councillor Christensen

That: Report PBBS-16-2025 be deferred to the next Regular Council meeting on March 31, 2025.

Carried

13. New Business/Enquiries

None.

13.1 Councillor McDermott - Downtown Sidewalk Snow Clearing

Councillor McDermott stated that the minimum standard for snow clearing is 8 cm of snow; however, he is concerned about the severe ice we have been managing. He further noted that Infrastructure Services advised that they would need direction from Council to change the minimum standard.

J. Frost advised that winter maintenance staff have been on almost continuous deployment since noon Friday, February 14th. J. Frost further informed that in recent years, the Town has taken on the responsibility of sidewalk clearing and hired a contractor for approximately \$250,000 to \$300,000 per year to plow, salt and sand sidewalks. Infrastructure Services has spent considerable time, resources and budget this year on winter maintenance. J. Forst noted that in order to go above this minimum standard, staff would need direction and guidance from Council to take that action and spend additional funds.

Councillor McDermott noted that his request is specific to the business improvement areas.

Mayor Redekop advised that Councillor McDermott must bring forward a Notice of Motion and then have Council vote on a Motion.

Councillor Lewis requested that Councillor McDermott's Motion consider the three business improvement areas.

Councillor Dubanow suggested that staff consider GPS tracking of snowplows, as more information is helpful to Council and residents. Mayor Redekop advised that he and C. McQueen have discussed this, and he supports it.

14. Closed Session

Resolution 5

Moved by: Councillor McDermott

Seconded by: Councillor Flagg

That: Council goes into Closed Session at 7:59 p.m. to consider the following:

Item 14.1 Closed Session Minutes - January 27, 2025; and

Item 14.2 Closed Session Minutes - February 10, 2025; and

Item 14.3 Memorandum - Litigation Update pursuant to Section 239 (2) (e) of the *Municipal Act, 2001*, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and

Item 14.4 Memorandum - 3770 Hazel Street pursuant to Section 239 (e) of the *Municipal Act, 2001*, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Carried

15. Back to Open Session

Moved by: Councillor Lewis
Seconded by: Councillor McDermott

That: Council does now rise and reconvene from closed session at 8:17 p.m. with report:

Item 14.1 **That:** Council approves Closed Session Minutes - January 27, 2025; and

Item 14.2 **That:** Council approves Closed Session Minutes - February 10, 2025; and

Item 14.3 **That:** Council receives Memorandum - Litigation Update for information purposes, and

Item 14.4 **That:** Council receives Memorandum - 3770 Hazel Street for information purposes.

Carried

16. Motions

16.1 Mayor Redekop

Re: Waverly/Erie Beach Walkway

Mayor Redekop passed the Chair to Councillor McDermott in order to speak to the matter.

Resolution 6

Moved by: Mayor Redekop
Seconded by: Councillor Flagg

Whereas a significant section of the walkway at Waverly Beach/Erie Beach along Lake Erie was demolished by a storm on Halloween night 2019; and

Whereas the Town of Fort Erie has received funding from the provincial government under a Municipal Disaster Relief Program to reconstruct the walkway; and

Whereas there have been numerous delays in proceeding with the reconstruction project, including the Covid pandemic; and

Whereas it is time to proceed with the reconstruction of the walkway without further delay:

Now, therefore, be it resolved,

That: Staff be directed to proceed with the design work for reconstruction of the walkway at Waverly Beach/Erie Beach as close to the original profile as possible as the preferred location; and further

That: All necessary steps be considered, including additional structural reinforcement if necessary, to ensure the sustainability and resilience of the reconstructed walkway; and further

That: The project shall be ready for tendering as soon as possible, and no later than September 15, 2025, so the walkway reconstruction can commence before the end of 2025.

Carried

Councillor McDermott returned the chair to Mayor Redekop.

17. Notice of Motion

17.1 Councillor McDermott - Snow Plowing Sidewalks

Councillor McDermott gave notice of motion regarding snow clearing on sidewalks.

Returnable March 31, 2025

17.2 Councillor Lewis - Parking within the Business Improvement Areas

Councillor Lewis gave notice of motion regarding free business patron parking within the three business improvement areas including municipal lots and street parking.

Returnable March 31, 2025

17.3 Councillor Dubanow - Update on Sewer Servicing in Ward 2

Councillor Dubanow gave notice of motion to request an update on sewer servicing in Ward 2 along the Garrison Road corridor and a construction timeline.

J. Frost advised that there are two main catchment areas along Garrison Road. The Alliston Sanitary Pump Station services the west area, while the east area feeds into the Catherine Street catchment. A collaboration is being made between the Region and a private developer through a co-pay agreement to gather pump flow monitoring data to identify the cause of extraneous flow. This will help determine whether the issue is a pump limitation or something else. Multiple requests have been made in recent weeks to the region for data and reports, with efforts continuing to obtain the analysis this week.

J. Frost also advised that a Wastewater Rehabilitation project is underway in the Catherine Street area, with a draft RFP currently in progress. The project will address extraneous flows by relining sewers to tighten the system. A manhole relining program is also planned, with work dependent

on having 3-5 days of temperatures above 6°C. The liners will be available at the works yard soon if they are not in stock.

Mayor Redekop requested a memorandum to summarize for the Council-in-Committee meeting on March 17th.

Returnable March 31, 2025

18. Consideration of By-laws

Resolution 7

Moved by: Councillor Flagg

Seconded by: Councillor McDermott

That: The by-law package containing:

12-2025 To Amend By-law 70-2023 to Revise the Museum and Cultural Heritage Advisory Committee's Terms of Reference

13-2025 To Name the existing Park located on 3781 Ryan Avenue to Stadium Park

14-2025 To Amend Zoning By-law 129-90, as amended - 986 Ridge Road North

15-2025 To Adopt an Affordable Housing Community Improvement Plan

16-2025 To Authorize the Entry into a Development Agreement with Baden Lawrence Earl – 129 Maple Leaf Avenue North

17-2025 To Adopt the General Capital Budget and the General Levy Operating Budget for the Year 2025

are given first and second reading.

Carried

Resolution 8

Moved by: Councillor McDermott

Seconded by: Councillor Flagg

That: By-laws 12-2025 to 17-2025 inclusive are given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

Carried

Resolution 9

Moved by: Councillor Christensen

Seconded by: Councillor McDermott

That: By-law 18-2025 To Confirm the Actions of Council at its Council-in-Budget Committee Meeting held on January 29, 2025 and its Council-in-Committee

Meeting held on February 10, 2025, and its Council Meeting held on February 24, 2025, is given first and second reading.

Carried

Resolution 10

Moved by: Councillor Lewis
Seconded by: Councillor McDermott

That: By-law 18-2025 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

Carried

19. Scheduling of Meetings

Members of Council announced upcoming Boards and Committees meetings from March 5th to March 12th, 2025.

20. Adjournment

Resolution 11

Moved by: Councillor Dubanow
Seconded by: Councillor Flagg

That: Council adjourns at 8:30 pm to reconvene into a Regular Meeting of Council on March 31, 2025.

Carried

Mayor

Clerk



**The Municipal Corporation of the Town of Fort Erie
Council-in-Committee Minutes**

**Monday, March 17, 2025, 6:00 p.m.
Council Chambers**

1. Call to Order

Mayor Redekop called the meeting to order at 6:01 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, McDermott and Noyes

Staff: A. Carter, R. Firenze, M. Iamarino, J. Janzen, C. McQueen, C. Patton, P. Riley, M. Schmitt and J. Frost.

4. Announcements/Addenda

Mayor Redekop made the following announcements:

St. Patrick's Day 2025

Mayor Redekop wished residents a Happy St. Patrick's Day to all who celebrate.

Community Clean-Up Program

Mayor Redekop noted that Council passed a resolution supporting a community clean-up program on April 22, 2024. He advised that Staff are obtaining information and data relative to the resources required to implement the resolution. Mayor Redekop further advised that several organizations and residents have expressed interest in participating in a formal community clean-up program. Mayor Redekop will be gathering groups for Earth Day, and anyone

interested in participating in the community clean-up can contact either Diana Kelley, Executive Assistant to the Mayor, by email at dkelley@forterie.ca or phone (905) 871-1600 ext. 2236 or Mayor Redekop directly by email at wredkop@forterie.ca or ext. 2235.

King Charles III Coronation Medal Ceremony

Mayor Redekop shared that he attended the King Charles III Coronation Medal Ceremony on Tuesday, March 4, 2025, where MP Tony Baldinelli presented medals to 22 individuals, including three residents of Fort Erie. The medals are awarded to recognize individuals who have made significant contributions to a particular province, territory, region, or community in Canada, or have achieved an outstanding accomplishment abroad that brings credit to the country. Mayor Redekop congratulated Anna Annunziata, Catherine Dannahower and Rick Doan on the award of their medals.

Mayor Redekop attended a second King Charles III Coronation Medal Ceremony on Saturday, March 15, 2025, where his late wife, Cathy Green-Redekop, also received a medal; her family accepted it on her behalf.

5. Declarations of Pecuniary Interest

None.

6. Notice of Upcoming Public Meetings and Open Houses

6.1 Open House - Tree By-law 33-2024 Update

Wednesday, March 19, 2025 - 5:00 p.m. - Council Chambers, Town Hall

6.2 Open House - Climate Change Action Plan Draft Report

Thursday, March 27, 2025 - 5:00 p.m. - Council Chambers, Town Hall

7. Public Meetings

7.1 Public Meeting - Zoning By-law Amendment - 3741 Nigh Road

Owner: Brent King - Applicant: Biglieri Group (c/o Rachelle Larocque)

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

Robin Shugan, Intermediate Development Planner, provided a presentation outlining the proposal and responded to questions from members of Council.

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

The applicant's agent, Rachelle Larocque of Biglieri Group, spoke to the application and answered questions from Council.

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

The following individuals provided oral comments:

- Sam Rutherford, 3755 Nigh Road, spoke on behalf of himself, his wife Janet Rutherford, his neighbours Mary and Joseph Nulty at 3747 Nigh Road and his brother Michael Rutherford at 3773 Nigh Road
- William Thomas, 4065 Village Creek Drive
- Kenneth McGregor, 3843 Nigh Road
- Judy Eggleton, 2916 Cherry Avenue, spoke on behalf of herself and her mom, Helen Eggleton, at 0-8935 Nigh Road
- Wendy Hare, 3725 Nigh Road
- Blaine Wright, 3706 Nigh Road

The Clerk confirmed that no additional written comments were received.

Mayor Redekop declared the Public Meeting closed.

7.2 PBBS-17-2025

Proposed Zoning By-law Amendment Information Report - 3741 Nigh Road

Recommendation 1

Moved by: Councillor Lewis

That: Council receives for information purposes, Report PDS-17-2025 regarding a proposed Zoning By-law Amendment for the lands located at 3741 Nigh Road.

Carried

8. Consent Agenda

Recommendation 2

Moved by: Councillor Dubanow

That: Council approves the Consent Agenda as recommended.

Carried

8.1 Reports

8.1.1 IS-06-2025

Award of Tender for EJ Freeland Community Centre Building Envelope Restoration Project - Contract ISE-25T- EJFB22

That: Council accepts and approves the tender submission for the EJ Freeland Community Centre Building Envelope Restoration Project, Contract ISE-25T- EJFB22 from MJK Construction Inc. in the amount of \$666,893.23 (including 13% HST); and further

That: Council amends the 2025 Capital Budget to supplement the EJ Freeland Community Centre Building Envelope Restoration project (EJFW23), with \$130,242 from the Facilities Maintenance Reserve.

8.1.2 IS-07-2025

Award of Tender for a 2025 Ice Resurfacers

That: Council accepts the tender submission for the purchase of a 2025 Ice Resurfacers, Model 526 from Zamboni Company Ltd. of Brantford, Ontario for a total upset limit of \$120,784.06 (inclusive of H.S.T.), and further

That: Council amends the 2025 Facilities Capital Budget to supplement the purchase of the 2025 Zamboni Replacement, Capital Account CA-85800-ZAMD23 by \$11,890 with funding from the Ice Resurfacers Replacement Reserve.

8.1.3 EDTS-01-2025

Consumption of Alcohol at Community Events Organized by Town Boards or Committees

That: Council approves the amendment to the Town's Alcohol Policy to exempt Town Board and Committee Special Events, excluding the Mayor's Youth Advisory Committee, from Section 1.1 of Schedule A to By-law 72-99 (Municipal Alcohol Policy); and

That: Council directs staff to submit the necessary by-law to amend By-law 72-99.

8.1.4 CS-02-2025

2024 Statement of Remuneration and Expenses for Mayor, Council and Persons Appointed By Council

That: Council receives Report CS-02-2025 regarding the Statement of Remuneration and Expenses for Mayor, Council and persons appointed by Council for information purposes.

8.1.5 CS-03-2025

2024 Annual Investment Review

That: Council receives for information purposes Report CS-03-2025 regarding the 2024 annual investment review.

8.1.6 FES-01-2025

2024 Year-End Report for The Fort Erie Fire Department, Including
Emergency Management

That: Council receives the 2024 Year-End Report for the Fort Erie Fire Department, including Emergency Management, for information purposes.

9. Planning, Building and By-law Services

Chaired by Councillor Christensen

9.1 Presentations and Delegations

9.1.1 Evan Sugden, Associate | Heritage Lead, The Biglieri Group Ltd.

Re: Temporary Heritage Conservation Easement Agreement - Cherry Hill Club at 912 Cherry Hill Boulevard North (Report PBBS-18-2025)

Evan Sugden, Associate, Heritage Lead, with the Biglieri Group Ltd. provided a presentation outlining the Temporary Heritage Conservation Easement Agreement for Cherry Hill Club and responded to questions from members of Council.

9.2 Reports

9.2.1 PBBS-18-2025

Temporary Heritage Conservation Easement Agreement – 912 Cherry Hill Boulevard North

Recommendation 3

Moved by: Councillor Lewis

That: Council directs staff to prepare a by-law authorizing entry into an agreement with Cherry Hill Club Limited for a Temporary Heritage Conservation Easement at 912 Cherry Hill Boulevard North.

Carried

9.2.2 PBBS-19-2025

Extension of Draft Plan Approval – Creekside Estates Subdivision (0-12799 Nigh Road)

Recommendation 4

Moved by: Mayor Redekop

That: Council deems the draft plan of subdivision approval for Creekside Estates not to have lapsed, per Section 51(33.1) of the Planning Act, and the Owner and Regional Municipality of Niagara be so advised, and further

That: Council specifies that draft plan approval will lapse three (3) years from the date of Councils decision, being March 17, 2028, per Section 51(33.3) of the Planning Act, and the Owner and Regional Municipality of Niagara be so advised, and further

That: Council directs that the conditions of approval for the Creekside Estates Draft Plan of Subdivision be amended as detailed in Appendix 4, and further

That: Council determines in accordance with Section 51(47) of the *Planning Act*, that further notice is not required due to the minor nature of the changes.

Carried, as amended

Amendment:

Moved by: Mayor Redekop

That: The second paragraph of the recommendation be amended from three (3) years from the date of Council's decision being March 17, 2028, to two (2) years from the date of Council's decision being April 11, 2027.

Carried

9.3 New Business/Enquiries

9.3.1 Councillor Dubanow - Active Transportation Advisory Committee

Councillor Dubanow requested a memorandum from Staff regarding the dissolution of the Active Transportation Advisory Committee and whether the Committee should be re-established.

M. Iamarino advised that staff could provide a memo by the end of May.

9.3.2 Mayor Redekop - Heritage Property Designation Inquiry

Mayor Redekop inquired whether the *Ontario Heritage Act* restricts municipalities from adding properties to the municipal heritage register for future designation.

M. Iamarino advised that there are no restrictions as long as the municipality follows the proper procedures for identifying those potential heritage properties.

9.4 Business Status Report

No changes.

10. Infrastructure Services

Chaired by Councillor Lewis.

10.1 Presentations and Delegations

None.

10.2 Reports

10.2.1 IS-03-2025

Bay Beach Summary and Usage Policy Review (Stand-Up Paddleboard (SUP) and Kayak Use

(Previously moved by Councillor McDermott on February 10, 2025)

That: Council receives Report IS-01-2025 for information purposes; and

That: Bay Beach operations be amended to permit Stand-Up Paddleboards and Kayaks, Monday to Thursday (excluding holidays) at any time, and Friday to Sunday and holidays except between the hours of 11:00 and 18:00; and

That: Council directs staff to prepare the necessary by-law to amend By-law 119-03 (Parks and Beaches By-law).

Carried

Recommendation 5

Moved by: Mayor Redekop

That: Memorandum Bay Beach SUPs and Kayaks be received for information purposes.

Carried

10.2.2 IS-08-2025

Information Report – Update on Garrison Road Sanitary Servicing

Councillor Dubanow advised that he would be withdrawing his notice of motion made on February 24, 2025.

Recommendation 6

Moved by: Mayor Redekop

That: Council receives Report IS-08-2025 for information purposes.

Carried

10.3 New Business/Enquiries

None.

10.4 Business Status Report

No changes.

11. Corporate and Community Services

Chaired by Councillor Flagg.

11.1 Presentations and Delegations

None.

11.2 Reports

None.

11.3 New Business/Enquiries

None.

11.4 Business Status Report

No changes.

12. Scheduling of Meetings

Members of Council announced upcoming Board and Committee meetings on March 18th.

13. Adjournment

Recommendation 7

Moved by: Councillor Dubanow

That: Council adjourns Council-in-Committee at 8:27 pm.

Carried

Mayor

Clerk

March 3, 2025

Peter Todd
Manager, Legislative Services/Town Clerk
Town of Fort Erie

1 Municipal Centre Drive
Fort Erie, ON
L2A 2S6

Dear Peter,

Thank you for your recent letter, advising Chair Siscoe and our Board of the concerns of the Fort Erie Accessibility Advisory Committee regarding microtransit services. We understand the challenges that have been faced by riders through the introduction of a new service provider and contending with the drastic increase in, and still increasing, demand for the service.

Our Board did not provide direction, but opted to receive the letter for information, so I will address the committee's concerns below. If there are any further questions, please have the committee contact our Client & Community Coordinator, Wendy Middleton who will be happy to assist them. Her email is wendy.middleton@niagratransit.ca.

Vehicles and Ride Allocations

Since the system's amalgamation, we have not assigned a set number of rides to any specific municipality. Through the triple-majority process we were mandated to co-mingle the ondemand and specialty services while maintaining the level of service that was funded by each municipality. The co-mingled system is dynamic, meaning it responds in

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real time to demand and optimizes the number of rides and travel times as much as possible across the network.

To maximize availability within municipal borders and minimize excessive intermunicipal trips, we digitally allocate vehicles to specific communities. Recently, we increased the number of vehicles dedicated to Fort Erie from 6 to 7, with an additional 2 more vehicles to be shared between Fort Erie and Port Colborne. Out of the now 9 vehicles dedicated to Fort Erie, 3 are completely accessible for persons in a wheelchair. While this should improve access to specialized trips, it is important to note that demand for specialized service has increased significantly across the system. Prior to amalgamation, Niagara had 2,230 registered users on specialized transit service. In just two years we have added an additional 1,413 riders-a 63% increase. Regardless of the enhancements made under the current system and level of investment, we will still fall short of being able to meet all the needs of our specialized riders.

We would also like to clarify some claims regarding the number of microtransit vehicles previously operating in Fort Erie. The maximum fleet Fort Erie had at any given time delivering ondemand service was 8 vehicles, but they did not operate all day every day. It would range as low as 2-3 at one time to a maximum of 8 at midday but shift changes at that time meant that vehicles were not all serving riders during that period. The former provider did augment the service with 1-2 vehicles throughout peak periods but this was not specified in their contract nor consistently delivered. In addition to those 8 vehicles providing ondemand services in Fort Erie, the FAST specialized service also had 1 dedicated van to specialized trips per shift per day.

The 7 + 2 Niagara Transit vehicles to be dedicated to Fort Erie will be in service for the full day from 7:00AM-11:00PM. We expect that this will bring us much closer to meeting current demand as this is a significant increase in total vehicle availability for the entire service day for both specialized and microtransit users.

Abandoned Ridership and Complaints

Both specialized services delivered by the contracted service model and those delivered in house within the larger cities have faced significant challenges in meeting demand. In-house services inherited an aging fleet that has required extensive maintenance. The new NTC was not given the capital budget to immediately add to that fleet to deliver more specialized services or ondemand trips within its own complement. As a result, the NTC has had to rely on an external contractor to serve the needs of Niagara's ridership.

No company had ever provided a Niagara-wide co-mingled microtransit service and the ridership of the pilot projects (Niagara Region Transit OnDemand and Fort Erie Transit OnDemand) that it was based on, plus the ridership of specialized services of the Fort Erie Accessible Specialized Transit (FAST) and Niagara Specialized Transit (NST) services, were all collectively artificially deflated due to the COVID-19 pandemic.

Despite these challenges, we remain committed to improving service reliability and minimizing disruptions for riders. Our team continuously monitors trips and proactively reallocates them to ensure prompt service.

Recently, we have taken an active operations management role with Voyago. As a result, we are pleased to report, as mentioned, more vehicles are being dedicated to Fort Erie and more will be arriving to bolster the number dynamically available across Niagara. We are also exploring new strategies to alleviate the burden of ondemand on the system that is being felt by specialized ridership.

We share your passion and commitment to delivering the specialized transit Niagara and our riders deserve. We will continue to work towards a better system to ensure better outcomes for all municipalities. We look forward to sharing our plans for a new approach to specialized and microtransit services, which we believe will significantly improve service delivery. We will update your local Council when we are ready to present these developments.

We would also encourage you to participate during the budget process to help emphasize the importance of transit to our Regional Councillors who make the decision on transit

funding. While we consistently advocate for the needs of our riders, hearing directly from the community has the greatest impact on Council decisions.

Thank you again for your passion and your advocacy for both transit and our specialized service. We look forward to continuing to advocate alongside you and working towards a Niagara that is truly barrier-free and connected through transit.

Sincerely,



Carla Stout, DPA

General Manager
Niagara Transit



Niagara Regional Labour Council

March 18, 2025

Mayor Wayne Redekop
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON
L2A 2S6

Dear Mayor Redekop:

On April 28th, the Niagara Regional Labour Council will observe the National Day of Mourning to remember those who have suffered injury and/or died on the job. As we remember those who have died in workplace catastrophes, those that have been exposed to toxic substances and those who have been injured due to dangerous work conditions, we rededicate ourselves to fight for safe workplaces.

Therefore, as we approach April 28th we are requesting that City Council consider and issue a Proclamation with respect to the "National Day of Mourning".

We are also requesting that all flags be flying at Half-Mast at the City Hall on the 28th, as we remember those who have been injured or were killed in the workplace.

We have also attached the schedule of the ceremonies for the day if you are available to attend.

Thanking you in advance.

Lou Ann Binning

Lou Ann Binning
President
Niagara Regional Labour Council
nrlc.clc@gmail.com

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Partnership for Worker Health & Safety

APRIL 28 NATIONAL DAY OF MOURNING



Niagara Regional Labour Council Events

St. Catharines, 7:30 a.m.

At the monument dedicated to the Fallen Welland Canal Workers, located at Lock 3 on the Welland Canal Parkway – west side of the Canal

St. Catharines, 8:00 a.m.

At the monument dedicated to four fallen workers – under the St. Catharines Skyway. Located on the Welland Canal Parkway – west side of the canal, under the bridge

Niagara-on-the-Lake, 9:15 a.m.

At the monument located at the Centennial Arena at 1557 Four Mile Creek Rd. in Virgil

Niagara Falls, 10:30 a.m.

At the monument located at Niagara Falls City Hall at 4310 Queen St.

Fort Erie, 11:45 a.m.

At the Monument located at Fort Erie City Hall at 1 Municipal Centre Dr., along Highway 3

Port Colborne, 1:00 p.m.

At the Monument located in H.H. Knoll Park on Sugarloaf St., beside the hospital

Welland, 2:00 p.m.

At the Monument located beside the canal in Merritt Park at 151 King St.

Port Robinson, 3:00 p.m.

In memory of Robyn Lafleur, Esquire Canada explosion site (1999) at 125 South St. N.

St. Catharines, 4:00 p.m.

At the Monument located at St. Catharines City Hall at 50 Church St.

Niagara Region, 5:15 p.m.

At the Monument located at the Region of Niagara Headquarters at 1815 Sir Isaac Brock Way

For more information, contact:

nrlc.clc@gmail.com



Trillium Réseau
Gift of Life Trillium pour
Network le don de vie

Thursday, March 27, 2025

Rachel Levy

Manager, Public Education & Marketing
Acute & Hospital-Based Care | Soins aigus et hospitaliers
Trillium Gift of Life Network | Réseau Trillium pour le don de vie
Levy, Rachel <rachel.levy@ontariohealth.ca>

Subject: April is BeADonor Month in Ontario

Good afternoon,

I am reaching out from Trillium Gift of Life Network (TGLN) to ask for your support for BeADonor Month during the month of April. BeADonor Month is an annual campaign led by TGLN to raise awareness about organ and tissue donation and transplantation in Ontario. It's a time to take meaningful action – whether by registering as a donor, having vital conversations with loved ones about your donation wishes, or spreading the word about the impacts of donor registration.

We are asking for your participation to help raise awareness among your network. To support your efforts, I have attached some information about how to get involved, as well as answers to frequently asked questions and key facts about donation and transplantation. I have also attached a template for a BeADonor Month Proclamation (in English and French) should you be able to proclaim April as BeADonor Month.

TGLN relies on support from community leaders and elected officials like you to use their platform to raise awareness about the importance of registering to become an organ and tissue donor. In doing so, you help nurture a strong culture of support for organ and tissue donation and transplantation to save more lives.

Last year in Ontario, 341 deceased donors gave the gift of life, leading to 1,035 organ transplants. Additionally, the lives of thousands were enhanced by the generosity of 1,975 tissue donors and their families. One donor can save up to eight lives through organ donation and improve the lives of up to 75 others through tissue donation.

On average, 1,400 people in Ontario are waiting for a life-saving organ while thousands more are in need of a life-changing tissue donation. Since 2003, almost 25,000 Ontarians have received a life-saving transplant. However, there is more work to be done to ensure no patient dies because they did not receive a transplant in time.

TGLN, as part of Ontario Health, oversees organ and tissue donation and transplantation across Ontario. Dedicated to saving and enhancing lives, TGLN equitably manages transplant waiting lists

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and facilitates the retrieval, distribution and delivery of donated organs and tissues to transplant hospitals or tissue banks. TGLN strives to make organ and tissue donation and transplantation accessible, efficient, and transformative for all patients and their families.

You can learn more about organ and tissue donation and transplantation and how to register to donate at www.beadonor.ca. If you have any questions, I welcome your contact at any time. I can be reached via email at rachel.levy@ontariohealth.ca.

We look forward to your active participation in BeADonor Month.

Sincerely,

Rachel Levy

Rachel Levy

Manager, Public Education & Marketing

Acute & Hospital-Based Care | Soins aigus et hospitaliers

Trillium Gift of Life Network | Réseau Trillium pour le don de vie

Phone: 416 363 4001 ext. 2285

www.ontariohealth.ca | www.ontariohealth.ca/fr



Trillium Réseau
Gift of Life Trillium pour
Network le don de vie

BeADonor Month

April is BeADonor Month. Throughout the month, communities and advocates across the province will unite to encourage Ontarians to register their consent for organ and tissue donation. BeADonor Month is more than a campaign – it's a chance to change lives. Whether you're registering for the first time, sharing your decision with loved ones or encouraging others to sign up, every action counts.

We are asking for your participation to help raise awareness for organ and tissue donor registration among your network.

Want to know how you can get involved? Here are some suggestions!

Marketing Materials

Trillium Gift of Life Network is happy to send you materials to display in your constituency office, including brochures, posters, green ribbons and pens. Please reach out to Rachel.Levy@ontariohealth.ca to request materials and we will mail them directly to your office.

Social Media

Download [graphics](#) to share on your social media accounts throughout the month and check out some sample social media content to use with it. Be sure to tag [@TrilliumGift](#) and use [#BeADonor](#) in your posts so we can help spread the word. Don't forget to link to beadonor.ca to encourage registrations!

Follow TGLN on social media to help amplify our message:

- [Instagram](#)
- [Facebook](#)
- [LinkedIn](#)

Green Shirt Day

On April 7, Canada will recognize National [Green Shirt Day](#), a day that acknowledges the importance of organ and tissue donation. Green Shirt Day was inspired by Logan Boulet, a Humboldt Broncos hockey player who saved six lives through organ donation after he tragically passed away in a bus accident in 2018. His legacy continues to inspire us and demonstrates the positive impact that organ and tissue donation can have. Wear green and share a selfie or post about why you support organ and tissue donation and transplantation on your social media channels to honour Logan and the thousands of donors who have given the gift of life. Don't forget to tag [#GreenShirtDay](#) and [#BeADonor](#).

Quick Facts about Organ and Tissue Donation and Transplantation

You can use these key messages to include a message about BeADonor Month on [social media](#), a [City Council meeting](#) or a [local newsletter](#).

- One donor can save up to eight lives through organ donation and improve the lives of up to 75 others through tissue donation.
- About 1,400 people in Ontario are waiting for a life-saving organ while thousands more need a life-changing tissue donation.
- Every three days someone in Ontario dies waiting for an organ.
- While over 90 per cent of Ontarians support organ donation, only 35 per cent of eligible Ontarians are registered donors.
- Everyone has the potential to be an organ and/or tissue donor regardless of age or medical history.
- People from every major religion have donated. Many religions support donation or respect an individual's choice.
- Visit www.beadonor.ca to register or learn more.

Common Myths and Misconceptions

There are numerous myths and misconceptions surrounding organ and tissue donation. These myth busters are great for use on social media to educate the public and encourage organ and tissue donor registration.

MYTH: A signed donor card is all I need to become a donor.

FACT: Paper donor cards are no longer in use, so you must register to become an organ and tissue donor at www.beadonor.ca or in person at ServiceOntario. Share your donation decision with your loved ones so they know your wishes.

MYTH: I can't be a donor; I am too old or I have existing medical conditions.

FACT: Everyone is a potential donor regardless of age or medical condition. Even individuals with serious illnesses can sometimes be donors. Your decision to register should not be based on whether you think you would be eligible or not. All potential donors are evaluated on a case-by-case basis.

MYTH: Organ donation will delay and impact funeral plans.

FACT: Organ and tissue donation will not delay or interfere with funeral plans. After donation, the family can carry out funeral arrangements as planned, including an open casket funeral, burial or cremation.

MYTH: Families have to pay for the cost of organ donation.

FACT: Donation does not come at a cost to the family. Organ and tissue donation is a gift. The costs of organ and tissue donation and transplantation in Ontario are covered by the Ministry of Health.

MYTH: My religion will not allow for organ donation.

FACT: People from every major religion have donated, and many religions support donation or respect an individual's choice. If you're unsure of your faith's position on donation, consult with your faith leader.

MYTH: I cannot donate blood, so I cannot be an organ donor.

FACT: The regulations for blood donation are different from those for organ and tissue donation. Even if you are not able to donate blood, you may still become an organ and tissue donor.

Share Your Activities

If you are participating in any BeADonor Month activities, our team would love to hear about it. If you're interested in sending us photos – especially video footage – from your BeADonor Month activities, please take a look at this [submission tip sheet!](#)



Crystal Beach Business Improvement Area Board of Management Meeting Minutes

Wednesday, February 12th, 2025 at 6:00 pm
Fort Erie Public Library
Crystal Ridge Branch Meeting Room

1. Call to Order

The Chair called the meeting to order at 6:08 p.m.

2. Roll Call

Present: Kirk Fretz, Tom Lewis, Regan Greatrix, Robin Bannerman, Melissa Dubois

Absent: Chris Hawkswell

3. Disclosure of Pecuniary Interest

None.

4. Adoption of the Agenda

Motion to amend the Agenda to include the following:

- Item 7. I) Supper Market
- Item 7. J) Pavers
- Item 5 – Presentations and Delegations: A presentation by Karen Dobson (Advancing Crystal Beach) on behalf of Jane Seaborne Davies regarding Veterans banners.

Moved by: Melissa Dubois

Seconded by: Tom Lewis

Carried

5. Presentations and Delegations

Karen Dobson on behalf of Jane Seaborne Davies for ACB – seeking support for veterans' banners incorporating a veteran's name, to hang on the Crystal Beach hydro poles. A program could be launched for sponsors / donors at the end of the summer 2025 season. The veterans' banners could be mounted in the Fall. The removal of the turquoise corporate banners would be TBD. Grant monies may be available for this sort of program and are being pursued.

Motion: To support the veterans' banner program as presented.

Moved by: Kirk Fretz
Seconded by: Tom Lewis
Carried

6. Approval of Minutes

Motion: To approve the CB BIA Minutes from regular meeting held January 8th, 2025.

Moved by: Melissa Dubois
Seconded by: Regan Greatrix
Carried

7. Agenda Items

A. Vacant Board Position – Presentations
(5 minutes / candidate – in surname alphabetical order)

- Lori Brant
- Sandra Fishman
- Sarah Lamont
- Keith McTague

First and foremost, thanks to all four candidates who graciously stepped up in the interest of filling the vacant CB BIA Board position.

- Lori Brant has decided to gracefully decline pursuing the role to instead work on the Strategic Planning Committee, headed by Melissa Dubois.
- Sandra Fishman still wishes to be considered for the role however cannot attend the meeting due to car trouble.
- Sarah Lamont expressed interest in the vacant role however once she realized there were 3 other candidates who put their name forward, Sarah redirected her energies toward CB BIA committee work. Sarah Lamont added she and her family are new residents to Crystal Beach from St. Catharines – Sarah and her husband are entertainers and have performed in Crystal Beach more than being home so decided why not move to Crystal Beach?! Sarah works during the school year with Niagara Nutrition at the school level and has previous BIA experience with her former hotel background. Sarah has experience booking bands and has family who are happy to pitch sweat equity into events (Derby Days, for example).
- Keith McTague who formerly held a position on the CB BIA Board approximately 8 years ago. Keith was born and raised in the Beach and he and his wife Ashlynn are celebrating Planks 9th year anniversary and have opened their 2nd retail store location.
- Former Board Member, Irene Bradvica of the Beautification Committee, requested the new appointee to the Board be savvy with Beautification initiatives as well as be conscience regarding cost saving programs as this represents one of the BIA mandates. In addition, the appointee needs be conscience of 2026 being an election year for the BIA Board.
- Tom Lewis added that we need to remember the history and the roots of the BIA and of the Beautification Committee who truly were the founders and creators of the BIA. Tonight, we are faced with a very tough decision. We have two stellar candidates to

- appoint to one position. As Kirk said, we always need helping hands and hope those candidates who are not appointed to the Board will please join a committee
- Keith suggested a retail committee ought to be created to foster the growth of that particular vertical.

The Board did a show of hands in support of the candidates whereby Sandra Fishman received 3 votes and Keith McTague received 2 votes.

This outcome will now be presented to the TOFE for approval. We hope Keith McTague will continue to be involved. Keith made a request to the Board to consider Zoom meetings to better accommodate membership - Melissa Gagnon concurred. The current evening meetings may pose a challenge to those businesses who operate in the evening. We will survey our membership to understand if there is more convenient time to meet for greater attendance. Tom respectively requested *no* Monday evenings based on council meetings. The question was also raised if there can be a Board member added based on the ratio of new businesses in the area? Tom confirmed this is not an option; we don't need more board members rather more active members to be involved.

- B. Motion to support the March of Umbrellas May 10th, 2025 from 10am to 2pm, as organized by Advancing Crystal Beach, and whereby Robin Bannerman and Tom Lewis of the BIA will be present and available for the event.

Moved by Tom Lewis
Seconded by Robin Bannerman
Carried

- C. Motion to support "HER Weekend" April 11th to 13th, 2025, as organized by Lori Brant, with involvement and sponsorship by several Crystal Beach businesses and whereby Robin Bannerman and Tom Lewis of the BIA will be present and available for the weekend long event. <https://www.herweekendniagara.com/>

Moved by Tom Lewis
Seconded by Robin Bannerman
Carried

- D. Volleyball in the Grove – management by JAM Sports Niagara currently in negotiations. Letter of understanding to be circulated with the Minutes from this meeting. Kirk and Tom met with JAM Sports to conduct a site inspection which outcome was very positive and aligned. TOFE will allow the installation of two sand regulation volleyball courts on either side of The Grove stage which will be managed by JAM. JAM will promote their events and we will have a chance to book events for the community in the off times (to be determined). A profit sharing model will be explored. We need to determine who will manage the maintenance of the courts as well as the scheduling. CB BIA to build the courts. Possibility for other league games and clearly a great marketing tool for our business community. Suggestion to post game schedule to avoid conflicts / misunderstandings with scheduled groups. The bleachers from the former Ridgeway H.S. have been donated to CB BIA.

Motion to engage JAM Sports based on their letter of understanding and circulate said letter to the TOFE and Executive.

Moved by Melissa Dubois

Seconded by Kirk Fretz

Carried

- E. Parking in Crystal Beach – Letter received from the TOFE on behalf of Jennifer Pennell-Ajie Secretariat of Traffic Coordinating Committee jpennellajie@forterie.ca on January 24, 2025. The letter requests the feedback from the BIA membership regarding the municipal / public parking lot located on Erie and Derby Road. (Letter will be included with the February Minutes). Feedback is required by the CBBIA by the end of the month. Tom shared the history dating back to 2003 when the discussion regarding paving the parking lot started in an effort to come up with an organized parking lot that is resurfaced and lit. The TOFE has added infrastructure for future paid EV chargers. Tom will investigate which spots are associated with the hotel and the condos, if any. The BIA has historically supported the 2-3 hours of free parking to better support the retail and restaurants with an understanding of paid overnight parking. The CBBIA has historically not supported private parking in what is deemed a public parking lot. Public parking lots are to be respected and not abused. There was also discussion about the need to monitor this lot so that it does not become beach patron parking. Better signage for parking along Erie Road illustrating parking locations would be helpful and compliment the way finding signs installed last year.
- F. Complimentary WiFi in CB Business District – update from Caralee Grummett, TOFE – update from the TOFE attached. Still in process. We ought to gauge the interest of our membership to see who would appreciate the benefit from push down notifications should tourists and visitors be offered complimentary WiFi service.
- G. Strategic Plan update – Lead: Melissa Dubois. Melissa presented the SWOT analysis (Strengths, Weaknesses, Opportunities and Threats) after a successful first meeting held Monday February 10th, 2025 for over two hours. Those present included: Orma Bleeks, Keith McTague, Lori Brant, Heather Coupey, Kim Alvarez, Shannon Stevens, Melissa Gagnon. Melissa Dubois distributed handouts and encouraged all members for their feedback in preparation of the next meeting scheduled February 24th. Of note, and in comparison to other municipalities, Crystal Beach has a significantly higher beach entrance fees and parking fees.
- H. Discussion around toilet trailer in the Grove – In so much as the volleyball courts are to be installed, local businesses ought not be unduly taxed. Tom will ask the TOFE about the feasibility of a toilet trailer installation (considering we have the support of the Hill Association) as well as the access to potable water. Kirk mentioned previously that there is sewer hookup on The Grove property. The washroom at the Ridgeway Village Square was used as an example of what would be beneficial in The Grove. Also, the washrooms at Bay Beach and Waterfront Park should stay open longer potentially for both time of day and season, if possible.
- I. SupperMarket – Kirk commented that our present volunteer base is getting burnt out. The KIN Club analyzed their sales data and have suggested we maintain a 5pm to 9pm event for the 2025 season. We wish to continue with the 80/20 split – KIN / CB BIA. At this time, we chose to not carry a motion. We will invite Dan Strugar to our next meeting to present their 2024 SupperMarket findings.

- J. Pavers – KIN & CB BIA have engaged an admin to assist with the back end organization and call out campaign to extend assurance around the program. We are tasking EACH CB BIA Board member to sell 12 pavers per member and to try to drive further sales. Tom suggested that those who have committed to purchasing a paver should be invoiced or, if they were suggested by someone then that person should be following up for payment.

8. Sub-Committee Report

Treasurer's report

All expenses have been submitted. All banking records as well.

Councillor's Report

Official Plan Review Public Open House. The Town of Fort Erie is hosting a Public Open House to provide our community with the opportunity to review and learn more about the draft updated Official Plan. The Town's updated Official Plan considers the feedback received from the community. Where? Fort Erie Town Hall, 1 Municipal Centre Drive. When? February 20, 2025, from 5:00pm – 7:00pm What is this about? An introductory presentation will be delivered providing an update on the Project, followed by a drop-in style event with opportunities to discuss the draft policies in the updated Official Plan with members of the Project Team. As this is an in-person drop-in event, no registration is required to participate.

He shared that he discussed with the TOFE EDTS to discuss potential marketing opportunities please see handout provided from that discussion as suggestions for the CBBIA and its members.

Tom asked if anyone is planning a festival, fundraiser, concert, or special event in Fort Erie for 2025 that now is your chance to showcase it! Submit your event to Fort Erie's online community calendar and get featured on the Town's website. Plus, eligible events will be included in the 2025/2026 Fort Erie Visitor Guide! Deadline: Friday, February 28, 2025. Submit your event or learn more:

<https://bit.ly/3HxNEKN>

Questions? Contact edts@forterie.ca. Don't miss this opportunity to promote your event to residents and visitors alike!

WiFi was addressed by Robin earlier in the meeting.

Tom mentioned that the website needs to be updated as the business directory is outdated and not accurate.

Tom mentioned the hiring of a bookkeeper for the CBBIA and to reach out to the one doing Ridgeways.

9. New Business

N/A

10. Next Meeting Date

Crystal Beach AGM Wednesday, March 12th, 2025 at 6:00 pm @ the Fort Erie Public Library, Crystal Ridge Branch Meeting Room.

11. Adjournment

Motion to adjourn meeting at 7:58pm.

Moved by Kirk Fretz

Seconded by Robin Bannerman

Carried



Crystal Beach Business Improvement Area Board of Management SPECIAL Meeting Minutes

Sunday March 2nd, 2025 at 2:00 pm
Fretz Heating & Plumbing office – 3998 Erie Road, Crystal Beach

1. Call to Order

The chair called the meeting to order at 2:13pm

2. Roll Call

Present: Kirk Fretz, Tom Lewis, Regan Greatrix, Melissa Dubois

Absent with regrets: Chris Hawkswell, Robin Bannerman

3. Agenda Items

A) The following events were reviewed and approved for 2025:

- **HER Weekend** – April 11, 12 & 13, 2025 – celebrating women – various businesses sponsoring with activities and special offers (previously carried)
- **Crystal Beach MONOPOLY game** – April, May, June 2025 - in lieu of the previously sanctioned monthly pub crawls – a monopoly game featuring ALL businesses in the downtown area plus landmarks, will be created to involve all retail and run for 3 months. Completed cards will be entered to win gift cards / gift certificates.
- **ACB March of Umbrellas** – May 10th, 2025 – ACB invites all to do a stroll in CB (previously carried)
- **Farmers Market** – May 18th – October 12th, 2025 – annual Farmers Market in the Grove on Sundays 9am to 2pm
- **Crystal Beach Civic Celebration** - July 1st – July 4th Festival – CDN & US celebrations in the Grove, beer tent, 2-3 food trucks and bands
- **Groove in the Grove** – Saturday evening live band series to help create a vibe from 5pm to 7:30pm encouraging visitors and locals to discover the downtown area
- **SupperMarket** – Thursday June 26th – Thursday August 29th 5pm to 9pm for 10 consecutive weeks in Waterfront Park – live entertainment on stage, food trucks and beer tent managed by KIN Club
- **Derby Days** – Derby Road closed to vehicular traffic from Erie Road to Lincoln to encourage entertainment and games Friday evenings through Sunday evenings in the summer – June 27th to August 29th
- **Disco on Derby** –Saturday August 30th, 2025 – Derby Road closure from 7pm to 11pm for a disco party in the street.
- **CB5K & FallFest** – CDN Thanksgiving weekend Saturday October 11th, 2025. Annual 5k run along Erie Road (involving road closure from 9am to 3pm). Running times announced on stage in the Grove followed by FallFest activities. Licensed area, live entertainment and 2-3 food trucks.

- **Halloween Walk** – Saturday October 25th, 2025 – 3:00pm to 5:00pm -annual Halloween walk involving Erie & Derby Road closures whereby Trick or Treat'ers stroll the downtown district receiving candy from businesses. Themed activities may also be planned in the Grove.
- **Crystal Beach Derby Road Christmas Market** – December 5th to 7th, 2025
- **Hangover Hustle** – mini marathon on Derby Road at noon on New Year's Day. Road closure on Derby to the Queen's Circle from 10am to 2pm.

Moved by: Melissa Dubois

Seconded by: Regan Greatrix

Carried

B) Digital Property Ownership Policy

Be it resolved that all digital and social media accounts associated with the Crystal Beach Business Improvement Area (CBBIA), including but not limited to the BIA website, LinkedIn, Facebook, Instagram, and event-related accounts (e.g., Supper Market), be linked to the CBBIA's official email rather than personal/individual accounts.

Furthermore, all passwords and membership list/contacts shall be securely maintained by the BIA Treasurer and the appointed Councillor, unless otherwise directed by the CBBIA Board or the Town of Fort Erie.

Moved by: Regan Greatrix

Seconded by: Melissa Dubois

Carried

C) Crystal Beach 2025 Supper Market

Motion to approve the Ridgeway Crystal Beach Kin Club (RCKC) as the operator/vendor of the Beer, Wine, and Music for the Crystal Beach BIA (CBBIA) 2025 Crystal Beach Supper Market. RCKC will have a shared management role, with an 80/20 revenue split between RCKC and CBBIA. Kirk will serve as the primary contact, with Councillor Tom Lewis as an additional board representative on the Supper Market Committee.

Moved by: Regan Greatrix

Seconded by: Melissa Dubois

Carried

4. Next Meeting Date

Crystal Beach AGM Wednesday, March 12th, 2025 at 6:00 pm @ the Fort Erie Public Library, Crystal Ridge Branch Meeting Room.

5. Adjournment

Motion to adjourn meeting at 3:03pm.

Moved by: Melissa Dubois

Carried



**The Municipal Corporation of the Town of Fort Erie
Traffic Coordinating Committee Minutes**

**February 19, 2025, 12:00 p.m.
Conference Room 1**

1. Call to Order

The meeting was called to order by the Chair at 12:05 p.m.

2. Roll Call

Attendees:

Jordan Frost, P.Eng – Acting Director of Infrastructure Services – Chair
Aaron Hair – Project Manager of Policy – Planning & Development Services
Ann-Marie Noyes – Councillor Ward 6 (Alternate)
Chris McQueen – CAO
Jennifer Pennell-Ajie – EA to the Director of IS & Division Coordinator – Secretariat
Jenny Cornelius – Municipal By-law Enforcement Officer
Jordan Frost, P.Eng – Manager of Engineering
Kevin Beauchamp – Manager of Communications
Manny Rataul – Regional Municipality of Niagara – Public Works
Nick Chevalier – Manager of Roads and Fleet Division
Robert Judd, P.Eng – Municipal Engineer – Infrastructure Renewal
Staff Sgt. Mike Ryan – NRPS
Tom Lewis – Councillor Ward 5 (joined via Teams)
Yashesh Gandhi, EIT – Transportation Engineer in Training

Regrets:

Petar Vujic – Regional Municipality of Niagara – Public Works
Darren Attree – Administrative Assistant, Engineering (alternate Secretariat)

Guests:

n/a

3. Disclosure of Pecuniary Interest

N/A

4. Adoption of the Agenda

Agenda was adopted as written.

5. Adoption of the Minutes

Minutes of the previous meeting on December 4th, 2024, were adopted and on the agenda for the January 27th, 2025, Regular Council meeting.

6. Correspondence

A letter was sent on January 24, 2025, to the Crystal Beach BIA requesting their feedback regarding paid parking at the Erie Rd/Derby Rd parking lot.

7. Delegations

None

8. Review of Outstanding Items

See attached **Appendix 1** for the spreadsheet for review of outstanding items.

9. New Requests

Parking

Parking on South Mill – Behind John Brant School – Request from Fort Erie By-law to review the parking rules on South Mill.

Resolution: Staff will monitor the area and work on solution to alleviate traffic congestion around this school and other schools in Town. A couple of ideas include “Drive to Five” where the area around a school is mapped out for safe and legal parking within a 5 min walk of the school. Parents and caregivers would then drive to those zones and walk the rest of the way to the school with the children. Also proposing a “Walking School Bus” to the schools. Where students would gather at a meeting place in the neighbourhood and meet a responsible adult who would then walk the group to the school.

Accessible Parking Request – A request came in through Councillor Noyes and the Accessible Committee to review the parking options and add an Accessible Parking Space at the Post Office in Stevensville.

Resolution: Councillor Noyes clarified at the meeting that the request was not to have a designated accessible parking space, but rather to eliminate the parking space directly in front of the post office on the road as it impedes the cut out in the sidewalk if a car is parked there, that acts as a ramp up to the door of the post office. Mr. Frost was concerned that then we might be encouraging people to walk out into the road and live

traffic without a crossing, or safety measures in place. Staff will review the options in that area and consult with legal on this potential change.

Traffic Signage

Flashing Stop Sign Request – Nigh and Bernard – Request came in again from Ms. Fare to install flashing lights at the stop signs at this intersection. TCC reviewed this request in the fall, but it has been requested to look at it again.

Resolution: This request has again been denied, as no new accidents or incidents have been reported at this intersection that would warrant the flashing lights at the stop sign.

Elmwood and Rebstock – Request to look at the intersection for safety. Requester states that cars do not stop here. Intersection is already a 4-way stop.

Resolution: Staff will deploy the traffic counters and turn counters to monitor the traffic flow at this intersection before making any recommendations for changes. Roads staff will investigate the overgrown trees on the properties at the intersection to determine whether they are private or town trees and work to have the brush cut back if needed to create better sightlines.

Traffic Calming & Other Requests

Speed limit on Michener between Ridgeway Rd and Schooley – A resident has raised concerns about continued speeding on Michener and would like to lower the speed limit to 50 km/hr in that area.

Resolution: Staff will deploy traffic and speed counters in the area to study the speeds. Once data is analysed, it will be brought back to the group for discussion and recommendations.

Friendship Trail – Request came in to add speed humps on the roads by the Friendship Trail Crossings.

Resolution: The planning department has conducted a safety study for the trail crossings and are reviewing the options for any changes recommended. Budget will determine what if anything is able to get done in 2025.

Memo – Traffic Calming Overview (Appendix 2)

Resolution: Staff reviewed the updates for the traffic calming program.

Memo – Erie Road – Pedestrian Counts (Appendix 3)

Resolution: The Committee approved to move ahead with the ‘TYPE D’ crossings on Erie Rd at Eastwood Ave and Oakwood Ave. Prior to any installation, a review of the area around those crossings to ensure that if pedestrians gather in those areas to cross that there is enough room and to ensure the areas are up to AODA standards or that the work can be completed there to ensure compliance. Staff will also explore the idea of using crossing guards on busy long weekends to help with pedestrian safety while crossing the road.

10. Streetlight Requests

Lewis Street and Kee Lane: Resident would like us to install a new streetlight at this corner for safety reasons.

Resolution: This meets the Town’s policy to have a streetlight at every intersection as Kee Lane is a Town owned classified roadway. Staff will review the existing pole with CNP to see if the pole is able to accommodate a new light. Once determined if the pole can accommodate a light, staff will contract to have one installed. If further infrastructure is needed. A budget will have to be reviewed for possible installation.

11. Requests for Enforcement (NRPS)

Staff Sgt. Mike Ryan informed us that the NRPS has an email that residents can forward any requests for speed enforcement or traffic issues to trafficcomplaints@niagarapolice.ca.

12. New Business

Veterans Crosswalk Painting Location Identification – A request came in to review the possibility of painting a Veterans Crosswalk at a location in town.

Resolution: Staff will engage with the local Legions to find out if this is something they would like and if so, what location would be appropriate. Staff will also research the cost and effectiveness of this type of project before anything will be moved forward.

13. Next Meeting Date

Wednesday, June 4th from 12pm – 2:00pm – Room 1

14. Adjournment

Meeting was adjourned on Wednesday, February 19th, 2025, at 1:33 pm



**The Municipal Corporation of the Town of Fort Erie
Environmental Advisory Committee Minutes**

**March 5, 2025, 7:30 a.m.
Conference Room 1**

1. Call to Order

The Chair called the meeting to order at 5:39 p.m.

2. Roll Call

The Chair gave the roll call.

Present: T.Seburn, D.Ruttan, N.Dubanow, J.Wilwerth, F.Raso, A.Holdsworth

Absent: S.Laroque, N.Litwin, R.Stockton, T.Lewis

Guests: None.

Staff: Jessica Abrahamse

3. Disclosure of Pecuniary Interest

No members declared a pecuniary interest.

4. Adoption of the Agenda

That: The Agenda of the Environmental Advisory Committee be approved as presented.

Moved by: T.Seburn

Seconded by: F.Raso

Carried

5. Adoption of the Minutes

That: The Minutes for January 8, 2025 be adopted as presented.

Moved by: Andrew Holdsworth
Seconded by: Frank Raso
Carried

6. Environmental Plans Review

No plans to review this meeting

7. Outstanding Business

7.1 EAC is interested in learning more if the park design has been completed for the Burleigh South Subdivision

- Staff update, currently there are no updates on this design. Information will be provided as it becomes available.

7.2 New town property - invasive species follow up with absent EAC members

- Waiting for absent members to comment on which property this is

7.3 Further Discussion of 2025 Goals

- Outreach portion of EAC can be a focus (communication with residents)

- Recruitment/Succession Planning

- In past years a native species pamphlet had been developed, and the planning department had distributed it to residents and developers

- The pamphlet could be updated

- Invasive species education, this could be accomplished through social media, scheduled posts through the Town's website. (Did you know?) Subcommittee volunteers - Jim Wilwerth and Andrew Holdsworth (Regenerative agriculture, Native plants and spring planting guide can be added

- Pollinators, information to support the Bee City Initiative

- Bigger picture policy development, Official Plan - EAC members have provided comments

- Climate Change Adaptation Plan - EAC members have provided comments

- Good news story, obtain academic paper from Ian Smith, create a case study and do outreach to farmers in Bertie County

- Council presentation, past, present and future can be prepared

- Presentations at the Library or do a webinar of EAC's contributions to the Town

- Key properties for acquisition to improve the Town's ecosystem (Natural Area's Inventory - read through) birding/eco-tourism - constructed wetlands

- 7.4 Tree By-Law updates, staff member Jessica Abrahamse provided a high level overview of the changes that are being proposed.

8. New Business

a) Public Advisory Committee Member Recruitment

Staff provided an update regarding Resolution No. FA-132-2024, passed at the Board of Directors meeting on December 13, 2024.

- Report No. FA-65-24 was received for further information
- Staff have initiated recruitment process for Public Advisory Committee members.
- Report No. FA-65-24 and the Public Advisory Committee Terms of Reference will be circulated to partner and local area municipalities.
- Questions regarding the recruitment process to be directed to Melanie Davis (mdavis@npca.ca)

b) Public Open Houses

- March 19, Tree By-Law Update
- March 27, Climate Change Action Plan

9. Next Meeting Date

April 9, 2025

10. Adjournment

That: The Environmental Advisory Committee meeting adjourn at 8:06 p.m.

Motion - Nick D.

Secunder - Jim W.

Carried



**The Municipal Corporation of the Town of Fort Erie
Senior Citizens Advisory Committee Minutes**

**February 5, 2025
10:00 a.m.
Conference Room 1**

1. Call to Order

The Chair called the meeting to order at 10:01 am.

2. Roll Call

The Chair gave the roll call.

Present: Graham Rignall, Muriel Beckett, Carolyn Beardwood, Councillor Joan Christensen, Jayne Cruishank, Bill Doyle, Deborah Fairlie, Lida Greenaway, Abi Monard, Peter Grantham, Sandra Peitsch, Rosalie Snyder, Rosalind Tarrant-Dikens, Helen Rignall, Jose Varghese, Ann Jaanus and Felicia Ferrusi.

Absent: Michelle Bearss and Ken Monard.

3. Adoption of Agenda

That: The Agenda for February 5, 2025, be adopted as presented.

Moved by: P. Grantham

Seconded by: A. Jaanus

Carried

4. Adoption of Minutes

That: The Minutes for January 8, 2025, be adopted as presented.

Moved by: C. Beardwood

Seconded by: P. Grantham

Carried

5. Correspondence

D. Fairlie received an email from the Town regarding the WHO Age-Friendly initiative. The Town inquired about participation, but we respectfully declined, citing current workload constraints, and expressed our appreciation for the opportunity.

6. Chair's Report

The Chair provided an update regarding email sent from Ashlea Carter, Town Clerk regarding the Ontario Senior of the Year Award. Deadline is April 30, 2025, to vote- next meeting we will talk about who we want to nominate.

On April 15, 2025, a session with Beth at the Gilmore Lodge regarding Long-Term Care Homes information will be held.

- Attendance is limited to 50 people.
- This is an invitation-only event.
- Please contact G. Rignall, he will be away for most of the month of March, but will be available.
- G. Rignall will place two advertisements in *The Observer* to promote the event.

7. Treasurer's Report

The Treasurer provided an update, noting that he was unavailable last month. He reported receiving only two expense submissions for advertisements in *The Observer*. To date, a total of \$201.00 has been spent on these two expenditures.

8. Council Representative Report

- Councillor Christensen provided an update on the Capital Levy Budget, noting that the Town was granted \$35,000.00, an increase from the previous \$30,000.00.
- The Mayor delivered a presentation to Niagara Health Services regarding Council's position on retaining Douglas Memorial Hospital following its planned closure in 2028, when the new hospital is expected to open. Concerns were raised about the lack of primary care access in the municipality. The Town's position is to advocate for keeping Douglas Memorial Hospital open and to engage in further consultation. Niagara Health Services responded that they are willing to collaborate with the Town.
- Niagara Regional Transit is conducting a survey regarding its services. Many residents have expressed concerns about the challenges the Town has faced since the Region took over the transit system, particularly regarding accessibility for individuals with special needs.

9. Sub-Committee Reports

February Happy Jack's Dinner Review

- A total of 182 people attended the event.
- The proposed budget was \$6,300; however, actual expenses amounted to only \$4,268. The event sold out in just one day.
- Two key concerns:
 - The attendance of 182 people may have exceeded a comfortable capacity.
 - Consideration should be given to hosting the event over two days instead of one to enhance the experience for attendees.

9.1 Bingo & Luncheon Update - March 15

- Location: Beachcombers (Box Lunch)
- Volunteers needed for bingo callers and floor verifiers—requesting volunteers at the next meeting.
- Ken collaborated with Jennifer on poster design.
- Tickets: 75 available; price to be determined.
- Bingo Details:
 - 10 blank bingo cards provided (2 per game).
 - Prize money: \$25 for the first nine games, \$50 for the final full-card game.
 - Additional bingo cards available for \$1 each.

9.2 Information Session - April 15 (LTC Homes Update)

- Date & Time: April 15, 2025 - Room available from 12:00 PM – 4:00 PM
Presentation from 1:00 PM – 3:00 PM.
- The topic of discussion will be differences between Long-Term Care Homes and Retirement Homes, plus an overview of available Senior Community Programs.
- Notices to be published in *The Observer* on March 19, 2025, and April 2, 2025.
- No tickets required, this is a free event. RSVP to G.Rignall. Capacity for the event is 75 people.

9.3 Euchre & Luncheon Update - May 5

- Venue: Hall secured for May 5, 2025.

9.4 Senior's Stepping Out - Volunteerism Event - June 18

- The event will take place at the Leisureplex
- We are expecting 100-200 residents
- This is a free lunch featuring two food trucks.
- Pricing to be determined for those non-residents.
- The event budget is set at \$6,000.
- Various agencies will be present as volunteers, each hosting a booth where residents can connect and network with them.
- Outdoor picnic tables will be available for attendees to enjoy their meals.

10. On-going Business

Fairlie and J. Christensen to give update on senior outdoor fitness meeting with Town Parks and Recreation, S. Hutton.

- Meeting with Town staff, E. Terry and S. Hutton next week.

10.1 A. Jaanus shared information on the WHO Age-Friendly Designation and referenced Report No. CAO-12-2021, which outlines the reasons for the denial.

- Gave an overview of the report and the gaps in an age friendly designation

11. New Business

L. Greenaway provided an update on Public Transit for seniors, summarizing the meeting held at Town Hall on January 30, 2025.

12. Next Meeting Date

Wednesday, March 5, 2025 at 10:00 am.

13. Adjournment

That: The Senior Citizens Advisory Committee adjourned at 11:30.

Moved by: P. Grantham

Seconded by: M. Beckett

Carried



**The Municipal Corporation of the Town of Fort Erie
Accessibility Advisory Committee Minutes**

**February 25, 2025, 4:00 p.m.
Conference Room 1**

1. Call to Order

The February 25, 2025, Accessibility Advisory Committee meeting was called to order at 4:10 p.m.

2. Roll Call

The Staff Resource gave the roll call.

Present: Lori Brant, Chair; Dennis Hernandez Galeano, Vice Chair; Adam McLeod; Gary Kooistra; Marilyn Abbs; Lindsay Davis; Dave Pantano

Absent: Jennica Giesbrecht, Councillor Noyes

Staff Resources: Keegan Gennings, Chief Building Official; Sean Hutton, Manager of Facilities and Parks; Bev Bradnam, Manager of Corporate and Community Initiatives

3. Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest.

4. Adoption of the Agenda

Recommendation 1:

Moved by: Marilyn Abbs
Seconded by: Gary Kooistra

That: The February 25, 2025 agenda of the Fort Erie Accessibility Advisory Committee meeting be approved as printed.

(CARRIED)

5. Adoption of Minutes

Recommendation 2:

Moved by: Marilyn Abbs
Seconded by: Gary Kooistra

That: The January 28, 2025 minutes of the Fort Erie Accessibility Advisory Committee meeting be approved as printed.

(CARRIED)

6. Site Plan Review

6.1 440 Ridge Road North

Keegan presented the site plan for 440 Ridge Road North, a 5 storey, 80 unit building as well as separate town houses, which are shown as a “condo site”. At the previous AAC meeting, members viewed the plans for the adjacent build at 436 Ridge Road North. Keegan explained that there are covered parking spaces, a drop off area, and accessible parking spaces in the front and back. To date there are no floor plans for viewing but Keegan has provided the requirements for accessible path of travel. The drawings do not indicate curb depressions and tactile warning surface indicators and Keegan has requested those be shown in an updated plan. The building has an elevator and roof top terrace.

7. Multi-Year Accessibility Plan 2019-2023

7.1 Review of Survey Responses

The AAC reviewed the first 15 comments on the survey related to “barriers to municipal services”.

Sean noted that the Gibson Centre has some renovations coming up and there will be changes to the internal front entrance.

Discussions took place regarding access to the water, specifically to beach mats going into the water and the possibility of a water wheelchair or chair rails into the water. The AAC viewed a video from Seatrac: <https://seatrac.gr/en/about-seatrac/> which shows how the product (installed in Greece) works. Sean advised that he would look at the beach mats to see what can be done. Lori noted that the Crystal Beach BIA strategy is looking at an inclusive theme. Marilyn asked about the AAC running bingo's to raise money for these projects. Bev advised that she did not think a committee of Council would qualify but would check. Bev noted that most Federal and Provincial funding opportunities are currently for educational purposes and recently the Communications Manager and Deputy Clerk applied for funding for accessible document training and were not successful.

Lori asked about the accessible parking space that was to be placed on Erie Road that was contained in the prior Multi-Year Accessibility Plan. Bev advised that there was one planned but then the parking strategy changed for Erie Road. Bev will follow-up with Engineering.

Sean confirmed that there are currently 4 accessible parking spaces at Bay Beach, 1 in the municipal lot behind Derby Road that will have an additional one added when it is redone. There is also one spot on Lincoln Road, but it was noted that the lot needs work. Sean also confirmed that there are two accessible parking spaces at the Palmwood, one in front of the Waterfront playground and 1 in the main lot at Crystal Beach Waterfront Park.

7.2 Awareness campaign re parking and block of sidewalks

AAC members agreed that social media campaigns with photos work best. Bev advised that she still has access to the City of Burlington's "Respect the Space" campaign material that can be used. Dave advised that he is interested in helping with the sub-committee. Bev will follow up with Communications staff about the campaign. Lori provided two photos of cars blocking a sidewalk for use in the campaign. AAC members were encouraged to take pictures when they witness blocking of sidewalks or blocking accessible parking space access.

7.3 National AccessAbility Week - recognition of 19 businesses that have received StopGap Ramps.

All 19 businesses will be recognized during NAAW, the last week in May. Bev will work with the Mayor's Executive Assistant on certificates for the businesses.

8. Outstanding Business

8.1 Regional Accessibility Advisory Committee

Lori advised that the Regional AAC has reached out to all AACs in Niagara to see if anyone is interested in hosting an event. There have been mixed responses; however, Bev had advised the Region that as it is the 20th anniversary of the AODA it would be great to have one similar to the one Fort Erie hosted for the 10th anniversary. Lori will respond and suggest something be held during National AccessAbility Week in celebration.

8.2 Parking Concerns

Bev advised that she misunderstood Councillor Noyes at the last AAC meeting regarding the Stevensville Post Office space. Councillor Noyes advised that the Traffic Coordinating Committee did review the information sent by the AAC, and she corrected the issue, noting that the illegal spot in front of the ramp blocks access for everyone. The Traffic Coordinating Committee will review options and the AAC also noted that there are still

poles in the middle of the sidewalk and even though someone with a regular wheelchair may be able to pass, some of the larger electric chairs or scooters may have difficulty.

8.3 Barrel Restaurant Access

A follow-up letter was sent on February 7, 2025 together with a copy of the March 17, 2023 initial letter. No response has been received.

8.4 Beatties - accessible door

Bev followed up with the Manager to request an update. Marilyn advised that she went in to Beatties and thanked them for opening the door closest to the accessible parking space.

8.5 A & W toilet dispenser

Keegan advised that staff have spoken with the manager who was unaware that it was changed and not in compliance, staff have also sent a report to the builder noting the deficiency. To date there has been no response.

(Following the meeting, staff reached out on February 26, 2025 and were advised that it has been fixed. Pictures were provided by Keegan).

Remove from outstanding.

8.6 Transit Issues

Lori noted that there was a good article in the Observer covering the January 30, 2025 public session held in the Town Hall atrium. Bev read the Mayor's overview of the meeting held on February 5, 2025 with the Chair of the Niagara Transit Commission and the General Manager.

Lori advised that she booked transit on the weekend and she watched the bus come all the way from Niagara Falls to pick her up and take her to South Coast, a 5 minute drive and questioned how this can be efficient.

Bev advised that she had reached out to the Town Solicitor who confirmed that there is a dispute resolution section/process in the agreement related to termination.

Lori noted that the 10 year Master Plan that was displayed at the January 30, 2025 public session, showed an option that would take 80 minutes to get from Fort Erie to Port Colborne and questioned how this serves Fort Erie residents. All of the options come at a higher price than the Town residents are currently paying. Members suggested that a poll should be sent to residents to ask if they are okay with transit costs for Fort Erie going from \$800,000 - \$1 million when the Town ran it, to now being over \$4 million in 2025, with 400 times less the service. Lori noted that before there was also the ability to get same day booking but now you have to plan two weeks out and share buses with both specialized and non-specialized riders, prolonging trips.

It was agreed that, as an Advisory Committee, members need to share their concerns with Council again and ask for follow-up to the September resolution that was passed, adding in additional details that have since come to light. The biggest concern is that we were promised the same or better service but in reality, it is 4 times the cost with less service, no dedicated buses and more difficulty to book and secure rides. The real issue is that concerns need to be heard and realistic changes made, especially as Transit is now shown as a line item on the property tax bill.

It was agreed that the resolution to Council will be resent with additional details, as follows:

Recommendation 3:

- Whereas:** The Accessibility Advisory Committee has received numerous service-related concerns following Niagara Region Transit's assumption of transit service provision in Fort Erie; and
- Whereas:** Dedicated vehicles are no longer stationed within the Town to provide both OnDemand and Specialized transit services; and
- Whereas:** The current service hours only allow bookings to begin at 7:00 a.m., whereas Fort Erie Transit previously operated from 6:00 a.m., impacting many local employees; and
- Whereas:** Booking availability ends at 10:00 p.m., despite being advertised until 11:00 p.m. in other areas of the Region; and
- Whereas:** The current transit service provision does not adequately meet the needs of the Fort Erie community; and
- Whereas:** Prior to service amalgamation, Fort Erie had six OnDemand vehicles in continuous service, with access to an additional three, as well as three specialized vans dedicated solely to Fort Erie residents; and
- Whereas:** The Accessibility Advisory Committee has been informed that as of March 1, 2025, an additional vehicle will be allocated to Fort Erie, with plans for two more unless a fixed route is established in East Fort Erie; and
- Whereas:** The Accessibility Advisory Committee has become aware of a new policy of the Niagara Transit Commission, whereby drivers are not allowed to pull into driveways under any circumstances whether it be on demand or specialized transit and persons with disabilities are already feeling vulnerable utilizing the service; and.

Whereas: The Accessibility Advisory Committee seeks clarity regarding service provisions and operational concerns.

NOW THEREFORE BE IT RESOLVED THAT:

Council formally requests that representatives from Niagara Region Transit and service provider Voyago attend a future Council meeting to address the following:

- **Service Provisions for Fort Erie:**
 - The number of daily booking slots available for Fort Erie and whether this is a fixed allocation.
 - The overall booking allocation process.
 - The number of vehicles designated for OnDemand and Specialized services and whether a fixed number is assigned to Fort Erie.
- **Operational Standards:**
 - Performance metrics and policies regarding abandoned ridership.
 - Complaints specific to Fort Erie riders and how they have been addressed.
 - Ridership data, including the number of attempted bookings where no ride was available.
 - Niagara Transit Commission consult persons with disabilities before implementing any policy that directly affects people with disabilities.
- **Financial Accountability:**
 - A breakdown of the additional \$3 million in annual funding and the services Fort Erie taxpayers receive in return.
 - The cost of the additional vehicle allocated as of March 1, 2025, as well as the projected costs for the proposed two additional vehicles and/or a dedicated fixed-route service.
- **Community Concerns:**
 - Issues raised by the Accessibility Advisory Committee regarding dedicated vehicles, booking times, pick-up and delivery locations for persons with disabilities, and hours of service.

Committee members also questioned what the cost would be to have Fort Erie take over the transit again (legal, capital, operational), noting that it would still be under the \$4 million that the Region is charging tax payers and the additional costs that may result from the 10 Year Master Plan.

8.7 Accessible Archery

Marilyn advised that she was told by Niagara Falls Archery to check back in May as they will need to determine how many volunteers would be needed to help. Members will also follow-up with Barefoot Bush Craft to see if they could offer accessible archery.

8.8 Senior's Stepping Out Event - June 14, 2025

The AAC has a table booked for this Saturday, June 14, 2025 event and it is hoped that all members will be able to participate.

9. New Business

9.1 Access Now

During a recent speaking engagement in Toronto, Bev was on a panel with Jonathan from Access Now and was excited to learn that they offer an APP that the AAC was looking at using to show accessible businesses and locations within the community. Bev had a Teams meeting with Jonathan Marriott, Director, Partnership with Access Now, who explained the benefits of the APP and its accurate, authentic information that empowers the user. Qualifiers are red, yellow and green and users can also upload photos. Access Now also offers a “verified” feature which is conducted by reviewers with lived experience. They have conducted verified projects for Destination Toronto, Destination Montreal and Destination Ottawa as many other areas. Some of the verifications range from \$500 to \$1,000 per location. Bev explained that currently there is no budget and Jonathan advised that sometime funding does become available and they will also provide a letter of support for any type of funding application.

Jonathan also explained that they offer a “Map Mission” event that is similar to a scavenger hunt that can involve the community and usually takes two hours to do a downtown mapping. On boarding for the mission is usually 40-45 minutes, which can be purchased as well and they also do a reflection session after to capture the “ah ha” moments. Anyone can download the APP and start adding details. Bev had asked if there is ever any push back from businesses and he responded that it is an opportunity to educate business owners on the importance and benefits of making businesses accessible. Jonathan also noted that they also have an “Access Outdoors” link that depicts the accessible features for natural trails using different icons, notes and identification of barriers. Jonathan noted the importance of highlighting if a business has no accessible washroom but there is one in close proximity, say at a library, which will let the user know that there are options within close proximity if they are planning a trip. Dave noted that he has worked with Access Now in the past and may be able to assist with mapping.

9.2 Friendship Trail Access

Lori questioned if there could be an accessible access trail from the Friendship Trail to Rebstock Road, especially with some of the new development in the area. Bev advised that this was asked last year, and the Law Clerk had confirmed that there are no unopened road allowances that would be able to connect directly. Cherry Hill Boulevard is an unimproved, partially unopened road allowance from the Trail to Michener Road, but users would need to travel along Michener Road that has no sidewalks and deep ditches.

10. Next Meeting Date

The next AAC meeting is scheduled to take place on Tuesday, March 25, 2025 at 4:00 p.m. in Conference Room #1 at Town Hall.

11. Adjournment

Recommendation 4:

Moved by: Marilyn Abbs
Seconded by: Adam McLeod

THAT: The February 25, 2025, meeting of the Fort Erie Accessibility Advisory Committee does now hereby adjourn at 5:21 p.m.

(CARRIED)



**The Municipal Corporation of the Town of Fort Erie
Museum and Cultural Heritage Advisory Committee Minutes**

**March 12, 2025, 1:00 p.m.
Conference Room 1**

1. Call to Order

The Chair called the meeting to order at 1:03 p.m.

2. Roll Call

The Chair gave the roll call.

Present: M. McLelland-Papp, K. Ratcliffe, D. Ellsworth, R. MacKay Burton, C. Riou, A. Woolley, N. Dubanow

Guests: D. Bennett

Staff: J. Davies, K. Smith

D. Bennett entered the meeting at 1:50 p.m. and exited at 2:22 p.m.

J. Davies left the meeting at 1:52 p.m.

3. Disclosure of Pecuniary Interest

No disclosures of pecuniary interest.

4. Adoption of the Agenda

That: The Agenda for March 12, 2025 be adopted as presented.

Moved by: N. Dubanow

Seconded by: A. Woolley

Carried

5. Adoption of the Minutes

K. Smith mentioned that the minutes from February were completed early and sent to the Council, but she mistakenly did not send them to the Committee. She confirmed that she would send them.

6. Presentations

No presentations.

7. Reports

7.1 Council Report

N. Dubanow mentioned that Planning and Development Services has now been renamed Planning, Building, and By-law Services. He discussed an upcoming report regarding the Temporary Heritage Conservation Easement for 912 Cherry Hill Blvd. and believes it serves as a great example of successful collaboration, resulting in a positive outcome for all parties involved. He emphasized the importance of promoting our ability to work together effectively. Additionally, he shared his experience attending an Environmental Advisory Committee meeting, where he noticed many parallels between natural and built heritage. They are working on similar initiatives, such as engaging with residents and developing brochures for marketing purposes, which could provide opportunities for collaboration. There is a lot of common ground between their work and the discussions held within this committee.

8. Correspondence

8.1 CHO News

K. Smith advised that she received membership renewal forms for Community Heritage Ontario and the National Trust for Canada. After confirming the prices, the following motion was made:

That: the memberships for both Community Heritage Ontario and the National Trust for Canada be renewed for the 2025 year.

Moved by: R. MacKay Burton

Seconded by: D. Ellsworth

Carried

8.2 Many Voices

The Committee discussed whether they would like to continue distributing *Many Voices* to designated properties. The price of the books and the remaining inventory were confirmed. There was also discussion regarding whether the books and plaques should be funded by the Committee's budget or the Planning Department's budget. K. Smith informed the Committee that there are currently no books left to distribute and that six additional properties have been designated. The following motion was made:

That: six copies of *Many Voices* be purchased to distribute to the designated properties.

Moved by: R. MacKay Burton

Seconded by: K. Ratcliffe

Carried

R. MacKay Burton suggested revisiting the budget in October to discuss whether to continue distributing these books.

9. Business Arising from Previous Meetings

9.1 EDTS Update

M. McLelland-Papp shared that she received a response from Caralee Grummett, which was previously forwarded to the Committee. She mentioned that if the Committee plans to hold any events, there is an online application form. Once submitted, the event will be added to their calendar, allowing the public to be informed and invited to attend.

9.2 Ontario Heritage Conference

M. McLelland-Papp shared that the details have not yet been posted. She plans to wait until the end of March and then follow up for more information.

9.3 Decoration Day/Community Event Permit

M. McLelland-Papp reviewed the application form with the Committee and invited suggestions, ideas, or comments regarding its use for Decoration Day.

J. Davies suggested it might be helpful to note that carpooling is recommended due to limited parking spaces. J. Davies also mentioned that larger events were previously held at the Battle of Ridgeway site, but it can no longer accommodate large crowds. The police have requested that such events cease due to liability concerns related to individuals crossing the highway, which could make the Town liable.

No formal reception is planned for the event, and it is expected that no more than 25 people will attend. Attendees are welcome to bring flowers.

10. Museum Services Standing Committee Business

10.1 Presentations

10.2 Reports

10.2.1 Museum Update

Some of the current Museum Services projects were highlighted including the social media posts, new exhibit case in the Town Hall atrium, exhibit at Crystal Ridge Library, the Digitization Plan, moving

files into TOMRMS, the new Time Capsule exhibit at the Historical, summer students, and the outreach programs at seniors residences.

Roxann inquired about adding information to the library case about the Canadiana plaque in Waterfront Park. Jane noted that this very small case has two goals (to highlight the anniversary of the ferry and to promote Museum Services). Roxann noted that promoting other groups could also be done and Jane agreed to look into how all of the other public resources related to the Canadiana could be recognized within this space.

10.2.2 Museum Financial Update

The Museum's YTD financial statement was distributed. Mary inquired about the Program Support charges. Jane noted that these are expenses incurred by the Finance Dept., HR, Facilities etc. related to their staffing and materials expenses used to support Museum Services. Mary inquired if the Museum has the opportunity to charge other departments when they provide support. Jane responded no, since this accounting process only applies to certain departments. Councillor Dubanow offered to inquire further into this.

10.3 Correspondence

10.4 New Business

11. Municipal Heritage Standing Committee Business

11.1 Presentations

11.2 Reports

11.2.1 3837 Netherby Road - Evaluation

The Committee reviewed the report completed by ARA, which determined that the property meets four criteria under *O. Reg 9/06* of the *Ontario Heritage Act*. Based on this, the Committee agreed that the property is worthy of designation under the *Ontario Heritage Act*. The following resolution was made:

That: *the Museum and Cultural Heritage Advisory Committee recommends the designation of 3837 Netherby Road, Fort Erie, for architectural, historical, and contextual attributes and reason, under Part IV of the Ontario Heritage Act.*

Moved by: R. MacKay Burton
Seconded by: M. McLelland-Papp

Carried

11.3 Correspondence

11.4 New Business

11.4.1 3798 West Main Street - Stairs

K. Smith informed the Committee that Infrastructure had reached out regarding a set of concrete stairs within the road allowance in front of the property. This issue was previously brought to the Committee by R. Shugan, where it was determined that the Committee was not interested in preserving the stairs, as they are not registered as heritage artifacts. Due to an upcoming infrastructure project, the stairs need to be relocated and will be temporarily placed in Stevensville Mini Park. However, they cannot remain there permanently. Infrastructure has asked the Committee if they wish to keep the stairs, and if so, where they should be placed, or if they should advise the contractor to dispose of them. A local resident has mentioned that the stairs were historically used as a transportation stop for locals who worked at sawmills in the area.

The Committee discussed the stairs but noted no historical information beyond the local resident's knowledge. They expressed interest in preserving the stairs and moving them to Stevensville Memorial Park, though K. Smith clarified that this may not be possible as the Parks and Facilities Manager has indicated they cannot be a permanent fixture in another park.

R. MacKay Burton disagreed with preserving them, citing potential costs to move and display them with signage about their historical background. She argued that relocating them would remove them from their original context, and it might be better to dispose of them, given the lack of detailed history.

N. Dubanow suggested it might be worthwhile to keep the stairs and display them in Memorial Park, perhaps in a flower bed or another attractive setting.

The Committee passed the following resolution:

That: the Museum and Cultural Heritage Advisory Committee requests that Infrastructure Services move the stairs from the road allowance in front of 3798 West Main Street to Stevensville Memorial Park for passive display.

Moved by: M. McLelland-Papp

Seconded by: N. Dubanow

Carried

It is noted that R. MacKay Burton was apposed.

11.4.2 Tax Rebate Inspections

K. Smith reported that several applications for the program have been received and inquired if anyone was available to assist with the

inspections. K. Ratcliffe confirmed his availability, and M. McLelland-Papp mentioned she is available on March 24th or 26th.

11.5 Business Arising from Previous Meetings

11.5.1 Pilot Project

The Committee agreed to defer this agenda item until their next meeting.

11.5.2 3718 Netherby Road

M. McLelland-Papp shared her intention to have the property and surrounding area designated as a Heritage Conservation District. This would include the cemetery, parish hall, the manse, the school, and the church, as it forms a unique cluster of buildings in Fort Erie. She emphasized that this cluster is distinct not only in Fort Erie but in Ontario, with very few similar sites remaining.

The Committee discussed that this proposal would need to go back to Council for approval and funding.

N. Dubanow pointed out that creating a heritage district involves much more work than designating a single property. He explained that it requires substantial supporting documentation and is a more complex process. He suggested that there might be more interest in areas like Crystal Beach or Ridgeway, where costs may be more feasible, but ultimately, the Committee should provide Council with its best advice.

M. McLelland-Papp proposed that the Committee make two motions: one to designate the property at 3718 Netherby Road and another for Council to consider designating the surrounding area as a Heritage Conservation District under Part V of the Ontario Heritage Act.

K. Smith confirmed there are no issues with making two motions but cautioned the Committee about the significant costs involved. She explained that the process would require defining a study area, preparing a Heritage Conservation District plan, conducting public consultations, and ensuring ongoing maintenance of the plan.

N. Dubanow noted that additional information regarding the costs and work involved would need to be provided by staff.

R. MacKay Burton stressed the historical importance of the intersection, stating that Stevensville and Snyder were much more significant than Ridgeway or Crystal Beach in the past. She highlighted the several important churches in the area.

The Committee made the following motions:

The Committee reviewed the report completed by ARA, which determined that the property meets five criteria under O. Reg 9/06 of

the Ontario Heritage Act. Based on this, the Committee agreed that the property is worthy of designation under the Ontario Heritage Act. The following resolution was made:

That: *the Museum and Cultural Heritage Advisory Committee recommends the designation of 3718 Netherby Road, Fort Erie, for architectural, historical, and contextual attributes under Part IV of the Ontario Heritage Act.*

Moved by: M. McLelland-Papp
Seconded by: R. MacKay Burton

Carried

That: *the Museum and Cultural Heritage Advisory Committee recommends that the cluster of buildings in Snyder, which is unique to Fort Erie and rare in Ontario, including the church, parish hall, manse, and school, be pursued as a Heritage Conservation District.*

Moved by: M. McLelland-Papp
Seconded by: N. Dubanow
Carried

11.5.3 325 Niagara Blvd.

D. Bennett expressed his concerns to the Committee regarding the recommendation to designate 325 Niagara Blvd. He asked why the Committee is interested in designating the property, stating that both the building and its heritage are already being protected. He pointed out that there are photos and write-ups framed within the building to acknowledge its historical significance, and a large sign in front of the building identifies its importance. He emphasized that the property is already being recognized.

He also mentioned that the building is the third addition to the site, as required, and that it serves as an active parish with the building being an important resource. If the parish needs to make changes to the building, he believes those needs should take precedence over preserving the building's appearance. He clarified that the building is there to serve the community, not the other way around. He concluded by expressing his confusion over the situation.

M. McLelland-Papp explained that there is a misunderstanding about the purpose of designation. She clarified that the Committee is not trying to interfere with how the congregation uses the church; rather, their goal is to protect the building from being demolished. She pointed out that, in changing times, there is always the possibility that the church could be sold, and a developer might decide to tear it down to capitalize on the valuable waterfront property. The Committee's intention is to safeguard and preserve the church for the Town of Fort Erie, as it has been a landmark for many years. She also noted that

the church meets four criteria under the Act, which is very rare and further underscores its significance.

D. Bennett raised a concern about the structure of the Ontario Heritage Act, noting that it could be problematic because the Minister has the authority to halt any alterations. He emphasized that if alterations are necessary, the building needs to be able to change. He argued that the fact the church is a landmark is secondary, as it was designed to be recognizable as a place of worship, not as a monument or landmark. If the ministry were ever to leave, he stated, the building would just be a building with no greater significance.

M. McLelland-Papp responded by explaining that the Committee works with property owners to allow alterations when needed. She also pointed out that historically significant individuals are buried in the church's cemetery, adding another layer of historical importance.

N. Dubanow acknowledged D. Bennett's perspective but clarified that the Committee's concern is not about how the church is currently used or the needs of the congregation, but rather about preserving the building's heritage and its role in the community. Even if the ministry were to cease, the building's historical significance would remain part of the Committee's mandate. He stressed that the Committee is not trying to interfere with the building's use but is focused on protecting its heritage aspects. He suggested having a discussion on how to address D. Bennett's concerns while also fulfilling the Committee's goal of heritage preservation.

R. MacKay Burton noted the Heritage Grant Program that is available.

There was discussion about why the newer addition was not included.

D. Bennett suggested that the wording of the by-law include a provision stating that any alterations to the building be at the discretion of the Corporation of the Parish, in accordance with the Diocese of Niagara, as it is the Diocese's building and the parish are the caretakers. He emphasized that the parish is legally responsible for what happens at St. Paul's. If the parish ever stops using the building, the Corporation would no longer have any say, but the building would remain. He proposed that this approach would address the needs of both the parish and the Town.

N. Dubanow asked K. Smith if there was a way to write the by-law to alleviate their concerns, noting that the parish has demonstrated its commitment to protecting the building's heritage, while the Committee is concerned about the future of the building if it is no longer used for ministry. He inquired whether a compromise could be reached, as both parties share the same goal, but a solution needs to be found to satisfy both sides.

K. Smith responded that it is could be possible to do this, but she would first need to discuss it with the Town's Solicitor, Phil Riley.

12. New Business

D. Ellsworth shared that he received recognition for keeping his farm in the family for 150 years. The Committee discussed other properties that may be eligible and suggested reaching out to 164 Point Abino Road South.

13. Next Meeting Date

April 9, 2025

14. Adjournment

That: The Museum and Cultural Heritage Advisory Committee adjourns at 3:05 p.m.

Moved by: M. McLelland-Papp

Seconded by: D. Ellsworth

Carried



Planning and Development Services

Prepared for: Regular Council

Meeting Date: Monday, March 31, 2025

Title: Memorandum - Response to Public Comments on the Proposed Draft Plan of Common Elements Condominium and Draft Plan of Subdivision for 0-15850 Rebstock Road

Planning staff have prepared responses to the multiple inquiries that were submitted by a member of the public regarding the proposed Draft Plan of Common Elements Condominium and Draft Plan of Subdivision for 0-15850 Rebstock Road. The inquiries are addressed in sequential order below. Staff responses are provided in blue text.

1. Errors in the Recommendations in the online Agenda and Staff Report

The recommendation approving the Draft Plan of Subdivision should say subject to the conditions in Appendix 5, not Appendix 8. The phrase “and a Common Elements Condominium as illustrated in Appendix 2” doesn’t belong. The DPSD is in Appendix 2. The recommendation approving the Draft Plan Common Elements Condominium should say subject to the conditions in Appendix 6, not Appendix 9.

These are typographical errors that have been corrected.

2. OPA 61 and OLT Decision Problems

The Staff Report is incorrect in saying that the OPA was not required. The 8 Feb 2024 OLT Order stated that “... OPA 61 is not currently before the Tribunal for disposition, the Tribunal agrees ... it cannot be Ordered in the present case...”. The OPA has not come forward to Council. Any approvals of the 0-15850 Rebstock By-Law need to be delayed until an OPA has been submitted to revise OPA 56 By-Law 143-2024.

The Ontario Land Tribunal (OLT) noted in their decision that it was not ordering the Town to complete a separate Official Plan Amendment to update the Crystal Beach Secondary Plan to match the density approved for the proposed development. It was agreed upon, through the settlement, that the proposed development was in conformity with the Town of Fort Erie Official Plan land use designation and policies at the time of submission of the Zoning By-law Amendment.

3. Legal Instrument Content and Common Elements Designation Problems

The Appendix 5 Draft Plan of Subdivision (DPSD) and Appendix 6 Draft Plan of Common Elements Condominium (DPCEC) did not use the legal title boxes which were in the Urban Design Brief (Pg 37 and Pg 39). The Minutes of Settlement (Pg 6) (Pg 6) minimum rear yard is

6.3.99 [sic] but staff are using 6.3m. By-Law 36-2024 approved this as 6.30m. The 6.238 setback does not comply with the OLT Order. The DPSD has 11 blocks while the Staff Report is only referring to 10. The DPCEC did not enclose the Park Towns and does not label them as “Not Part of the Comment Element”. The west side swales need to be included in Block 10 so that the condo corporations can be responsible for maintenance, rather than have this split by 16 owners. The Landscape Plan, which is proposing trees on the POTLs and has shared sods, needs to be administered by the condo corporation, along with the driveways, as is done in other developments.

The Applicant has submitted a Plan of Common Elements Condominium and Plan of Subdivision that was prepared and signed by an Ontario Land Surveyor (O.L.S.). The plans have been revised by the O.L.S. to show the correct 6.30 metre setback. The revised plans were submitted to Town Staff on March 19, 2025 and are attached to Report PBBS-16-2025 as Appendix 2 and Appendix 3.

Detailed engineering design review to the satisfaction of Development Engineering and Infrastructure Services Staff will be required as a condition of approval. Similarly, review of the Landscape Plan to the satisfaction of Community Planning Staff will be required as a condition of draft plan approval.

4. OLT and By-Law 36-2024 and Zoning By-Law 144-2021 Approval Problems

The OLT Order and the 18 Mar 2024 Appendix 2 Minutes of Settlement and the original received from the OLT Coordinator had a page missing, however, the Draft Order received from OLT had the missing page which does not refer to the “One Lot for Zoning” provision which appears in By-Law 36-2024. Technically this results in By-Law 36-2024 having been approved without the supporting authority.

The OLT included the amending by-law, later amending By-law 36-2024, as part of their decision/order. The Tribunal was the approval authority. OLT decisions are final unless it can be demonstrated there was an error in law.

The OLT Order and By-Law 36-2024 rescinded By-Law 59-10 rather than the ND-428 designation. By-Law 2010-059 changed Part 1 from ND to R1 for the severed parcel now numbered 3720 Rebstock and Part 2 from ND to ND-428 for 0-15850 Rebstock. This has resulted in the removal of the legal authority for the change for 3720 Rebstock. Geopedia added the RM1-793 to 3720 Rebstock. This will require a correction to re-establish the correct zoning and authority for 3780 Rebstock. Neither changed the Zoning By-Law Schedule A map.

The full repeal of amending By-law 59-2010 appears to be an oversight by the OLT. Repealing amending By-law 59-2010 did impact the zoning of 3720 Rebstock Road, which was included as part of that Zoning By-law Amendment. Planning staff note that the R1 zoning of 3720 Rebstock Road can be corrected through a future housekeeping amendment to the Zoning By-law.

By-Law 36-204 created a number of problems by adding a flawed Block Back-to-Back Townhouse Definition to Section 5 instead of providing a site-specific exception, without

updating the section 14.2 permissions.

By-Law 36-2024 added the ONE LOT FOR ZONING provision, however, the Minutes of Settlement, the Order, and By-Law 36-2024 did not provide a Notwithstanding clause for a site-specific exception to make the block back-to-back townhouses compliant.

Amending By-law 36-2024 added “back-to-back block townhouses” as a permitted use to Subsection 14.2 under part b). The By-law also added site-specific zoning regulations to Subsection 14.3 under part c).

5. Niagara On The Beach Investors Package Problem

<https://niagaraonthebeach.com/>

In 2024, M5V and partner Estate Hill Developments posted this package which targets investors, commuters, and remote workers with hybrid work plans, rather than families, and provides rental profits. The package includes more renderings and plans than were provided in the submission to staff and some of them conflict or are misleading. If there are a large number of “investor owners” this development will be attracting short-term or seasonal rentals which along with other rentals may result in high turnover rates. In the 11 April 2022 CIC meeting, Councillors were told that units would be priced between \$399,900 and 500,000. The Package has the range as \$399,900 to \$599,900 with the 2030 Projection increasing the range from \$545,465 to \$818,063.

Planning staff do not have the ability to control what is marketed to potential buyers by the Owner. It is noted that the approved zoning does not prohibit Short Term Rentals on the subject lands. Any future Short-term Rentals on the subject lands will be subject to the zoning regulations for Short Term Rentals that were introduced by amending By-law 1-2024 and will be required to obtain a Short-term Rental License from the Town.

6. Compliance with the OLT-approved Minutes of Settlement Problems

The Minutes of Settlement, M5V agreed that it would “not submit any site plan for approval by the Town ... that is not in substantial conformity with the ... Preliminary Site Plan and Renderings”. The July 2024 revisions to the Site Plan reduced the 5.0m west side setback but otherwise appear to be substantially compatible, however, the Renderings are totally different, and as such, do not meet the Minutes of Settlement “substantial conformity” test. The Minutes of Settlement provides renderings which had normal roofs and balconies rather than rooftop terraces, are much more compatible.

Planning staff are of the opinion that the most recent plans are in substantial conformity with what was submitted as part of the Minutes of Settlement. The addition of rooftop patios is a minor change and provides some additional amenity area for residents of the proposed development. The rooftop patios conform to the provisions of the Zoning By-law.

7. Access to the Park and Sidewalk Problems

The Staff Report and Urban Design Brief have numerous references to northwest sidewalk providing access to the park. The 2024 Parks and Open Space Plan only refers to connectivity

to trails and active transportation sidewalks adjacent to SWM facilities, not direct access from subdivisions. The proposed sidewalk to the Park requires Town approval to extend and maintain the sidewalk, cost recovery, and conditions to coordinate maintenance and snow removal. Sidewalk drainage to the Park may cause problems.

The Town's Parks and Open Space Master Plan does not prevent future development from incorporating active transportation linkages such as a sidewalk to provide connectivity to a park. This connection is beneficial from a planning perspective. Town staff will review the sidewalk connection as the proposed development moves through the planning process.

8. Servicing and Drive Lane Problems

Many potential problems have been identified e.g. lack of details required by the Town's 2021 Subdivision Guidelines, whether M5V and 272 Ridge Road South are competing for sanitary sewer capacity, excessive number of bathrooms (284 for 90 units), snow storage and Canada Post locations not identified, waste pads with 12 bins for 180 cans and other garbage impacting the view with potential for access and odour problems, headlights projecting into existing and new yards, positioning B2B blocks close to the east property line with terraces increasing the noise, light and overlook problems, sight line reduction, lack of sidewalks on centre drive lanes, etc.

The Town's sanitary sewer consultant GMBLuePlan (now GEI Consultants) completed a peer review of the Applicant's Functional Servicing Report in 2024. The peer review concluded that there was sufficient capacity in the Town's downstream sanitary sewers to accommodate the proposed 90 dwelling units in the Rebstock development and the dwelling units proposed as part of the 272 Ridge Road South development.

Snow storage and removal will be the responsibility of the condominium corporation as all internal roads are private.

Waste collection is arranged in pads on the east side of the development in deep collection units (Molok containers). Waste collection will need to be through a private contractor as Niagara Region does not provide waste collection services for Molok containers.

Light emission from headlights will be mitigated through landscaping and board-on-board fencing along the perimeter of the development.

The Applicant has provided a lighting plan that will be reviewed by Development Engineering Staff as part of the detailed engineering review. A condition of approval of the Plan of Subdivision is that the proposed lighting for the site must not negatively impact any abutting properties with lighting spillover.

Planning staff note that the conceptual site plan for the development does include sidewalks throughout the development, including crosswalks across the private roads within. The internal sidewalks connect to the sidewalk network along Rebstock Road and Crystal Ridge Park.

9. Building Height Problems

The referral to 3 storeys disagrees with the OLT decision and the RM1-793 zoning which requires 2.5 storeys.

The change to slab-on-grade foundations, which should have lowered the height compared to the 2022 plans where basements increased the height, when compared to Block C adjacent grades in results in a grade differential of 2.2m to 2.41m on the building (average 2.3m) and 2.5m and 2.56m (average 2.53m) on the adjacent lands. Adding this average to the proposed 10.844m results in a height of 13.374m above ground level.

Ceiling heights of approximately 10ft and 9ft for the first and second floors could be reduced compensate for these significant grade raises and very tall gable roofs, and also reduce the number of stairs between the floors.

Planning staff note that the OLT-approved zoning permits a maximum height of 2.5 storeys or 11.00 metres, whichever is greater. As per the definition of “Height of Building” in Section 5 – Definitions of the Zoning By-law, building height is measured from finished grade to peak of roof along the front elevation of a building. The proposed block townhouses and block back-to-back townhouses comply with the maximum height of 11.00 metres along the front elevation as required by the zoning. Zoning compliance will be confirmed at the time of building permit review.

10. Common Amenity Area Problems

The Draft Plan of Condominium and Draft Plan of Subdivision have different widths than the Site Plan with 14.451m vs 14.445 between B2B blocks 6/7 and 10.770m vs 10.766m between blocks 8/9.

There are several other problems e.g. swale reducing the amenity space, sod shared with Park Towns, lack of sidewalks to access the amenity areas, building grading lines in the amenity areas in the 2024 Tree Preservation Plan, inability to add pergolas without a retaining wall due to the grade raise, lack of facilities for children, etc.

The claimed discrepancies are less than a centimetre between the Draft Plan of Common Elements Condominium, the Draft Plan of Subdivision and the Site Plan, due to the use of three decimal points. The discrepancy is not significant and does not impact Zoning compliance.

Amenity areas and grading are not mutually exclusive. Development Engineering Staff and Community Planning Staff will review the site grading and landscape plans. Approval of these plans to the satisfaction of Town staff is required as conditions of approval for this development.

Planning staff note that the subject lands are adjacent to a large community park. Facilities are available for children at the adjacent Crystal Ridge Park.

11. Unit Privacy Area Problems

OLT and By-Law 36-2024 approved 3.5m balconies for the B2B Towns. The Urban Design Brief had end unit balconies and rear-yard decks for the 16 Park Towns and balconies for the 74 B2B units. The 10 Park Towns and 74 B2B Towns were changed to rooftop terraces in the Elevations (Pg 5 and Pg 8), which range in size from 6m to 21m, however, the NOTB renderings show terraces on some of the end units. For the B2B Towns, the change to rooftop terraces impacts between 27.7% to 62.35% of the roof area. Providing excessive privacy area space dramatically changes the character of the development for the future residents and the surrounding community. Noise mitigation, privacy and overlook issues, roof load capacity if large parties, furnishings, gardens, green roofs need to be addressed in the Plan of Condominium Conditions.

Other problems include shared sod causing problems as CEC owners expect to have exclusive use of the parts they own, terrace doors opening out creating a problem if excessive snow accumulates, reduction of the privacy area setback from 5.0m to 4.955m in the Site Plan, and interference of the swale with privacy areas.

Planning staff are of the opinion that the addition of rooftop patios is not anticipated to significantly impact privacy on adjacent properties. Most of the rooftop patios are internal to the development as the block back-to-back townhouses face each other. Most of the other dwelling units along the periphery of the development would have views of Crystal Ridge Park and the Crystal Ridge Arena. The dwellings, including doorways and patios, will be required to comply with the Ontario Building Code.

12. Landscaping Plan and Tree Protection Plan Problems

The Landscaping and Tree Protection Plans have been based on the swales and retaining walls not existing on the west, south and east perimeters. There are no rights-of-way along the drive lanes, as is included in the 272 Ridge Road South Condominium Plan, so these trees would be planted on the units which are owned by individuals. These plans have also not considered the feasibility and impact of placing trees on the small sod areas in the front yards along the drive lanes. If the Town wants to place trees on these POTLs, the Town's conditions should include a purchase and sale agreement clause that would inform purchasers that they would need to respect the Landscape Plan and Tree Protection Plan.

The Conditions should require the Grading Plan and other relevant plans to be completed before the Landscape Plan is finalized so that the feasible number, type and suitable location can be considered.

For the east side setback Section 6.21 requires that a strip of land abutting a residential lot line "shall be used for no other purpose than a planting strip" which excludes the swale use.

Planting strips are not necessarily exclusive of swales. Town Development Engineering and Community Planning Staff will review the landscape plan and grading plans to ensure that both are satisfactory to Town Staff. Approval of these plans are conditions of approval for this development. Necessary clauses requiring compliance with these plans will be included in the subdivision and condominium agreement.

13. Building Step-backs and Flat Contiguous Gable Roof Problems

The building step-backs are due to the provision of terraces.

Gable roofs normally have spaces between them to drain to lower level roofs, but these contiguous gables require a complex drainage system to get water to the downspouts to prevent roof drainage from other units going onto adjacent terraces. These create valleys between the units which will accumulate snow. The setbacks result in shared walls of different lengths in the interior of the roof where there are few options to remove water or snow. The terraces will be subject to Lake Erie effects on the weather. With winds reported up to 120km/h, unsecured items may be blown off and may cause damage or injury. Snow levels of 2 to 3m, which are mentioned in newspapers.com, would place heavy loads on the roofs which may cause damage or collapse. The terrace doors, unlike the balconies, open out rather than in. Snow removal will be a major problem.

The OLT-approved Rendering does not have these problems.

The cross-gables with windows at the sides do not agree with the Renderings which have a slanted roof at the sides.

The Town's Building Division will review future building plans to confirm they comply with Ontario Building Code requirements. It is noted that building plans submitted will be required to be stamped by a professional engineer or architect.

14. Surface Drainage Problems

The Servicing Report states that the east side swale will drain uncontrolled to the Park rather than provide a channel that will direct it to the existing Park swale. The fence will be at the bottom of the slope about 2m from the top of the road and may cause water to collect along that area. Developers are generally not permitted to direct flows to other properties. If the Town agrees to a connection to the Park swale, conditions should be included which address construction, maintenance and cost recovery.

The Servicing Report did not consider the drainage coming from adjacent parcels which may still flow to the swales as the fence boards can not be placed at ground level where they will rot. The width of the swale is unknown, but placing a swale and a retaining wall in this narrow area may result in inability to construct the Park Towns and meet the setback requirements and the NPCA SWMM Guidelines requirement for "ponding" to be 4m from the foundation. In addition, the Geotechnical Report, which should have been provided, may identify problems if the groundwater levels could impact the swale feasibility or performance.

Town Development Engineering Staff and Infrastructure Services Staff will be reviewing the detailed engineering design as the development moves through the planning process. The engineering designs submitted by the Owner/Applicant will need to demonstrate that there are no adverse drainage impacts on adjacent lands to the satisfaction of Town Staff.

15. Staff Report PBBS-16-2025 Problems

The Conditions for the DPSD and DPCEC overlap and are inconsistent with conditions established for other Town condominium projects as well as those of other municipalities e.g. The DPCEC, when compared to the MARZ 412 Ridgeway CIC 8 July 2024 Agenda Pg 698 and Pg 704 to Pg 710 differs significantly, e.g. MARZ has conditions 7 to 14 concerning registration and final approval conditions and do not identify specific reports. The focus of the DPCEC should be on those matters which relate to condominium registration, agreements, Town relationships and responsibilities and access to lands, requirements for purchase and sale agreements, other policies that the Town wishes to impose, etc. The DPSD Conditions should relate to what can be built where, when and how, what Town policies and regulatory processes are required, what agreements and payments are needed, etc.

Planning Staff note that development applications are circulated to Town Staff and external agencies for comments and include a request for required conditions of approval. Each individual development may have different conditions depending on the nature of the proposal and the condominium type (standard condominium, common elements condominium, or vacant land condominium). It is noted that this development is unique from the Marz development as it is comprised of both a Plan of Common Elements Condominium and Plan of Subdivision.

The Staff Report Pg 14 states “It is noted that this file predates the Town’s Tree By-law 33-2024, and therefore no compensation ratios are required for tree removal for this development”. The Tree By-Law was passed 18 Mar 2024 and the Draft Plans were submitted 4 Dec 2024, therefore, the condition should be applicable. If staff are relying on the previous application, Legal Services should confirm that the Clergy Principle can be applied to subsequent instruments

The pre-consultation meeting and agreement for this Plan of Common Elements Condominium and Plan of Subdivision and occurred in January 2024, prior to the Tree By-law coming into force and effect. Staff have therefore determined that the tree compensation requirements in the Tree By-law are not applicable to this development as it was not identified in the pre-consultation agreement. The number of trees being proposed for the development, as part of the Landscape Plan, are greater than the number of trees being removed on the subject lands. In total, 57 trees are proposed to be removed from the subject lands. The Applicant’s Landscape Plan is proposing to plant 120 trees.

Offsite Parking – Pg 16 “It is noted that additional overflow parking may be available in Crystal Ridge Park adjacent to the arena and library”. This would remove parking for regular users. The Conditions should have stated this

Planning Staff note that the proposed development is achieving a parking rate of 1.25 parking spaces per dwelling unit which is the parking ratio that was approved by the OLT. Therefore, the development is not deficient in parking. It is not in the Town’s interest to formally utilize Town lands for private parking. Parking infractions can be enforced through the Town’s By-laws.

DPSD Appendix 5 (Pg 3) Condition 20 and DPCEC 6 (Pg 2) Condition 13 duplicate the requirements for a Tree Protection Plan as the Plans are included in Condition 19 and Condition 12, respectively

Some duplication of conditions is required as the Plan of Common Elements Condominium is contained within a block on the Plan of Subdivision. If in the event duplicated conditions are redundant, Town Staff may clear the draft condition as needed.

All of which is respectfully submitted.

Prepared by:
Daryl Vander Veen
Intermediate Development Planner



Planning, Building and By-law Services

Prepared for: Regular Council

Report: PBBS-16-2025

Meeting Date: February 24, 2025

1. Title

Proposed Draft Plan of Subdivision and Draft Plan of Common Elements Condominium Information and Recommendation Report for 0-15850 Rebstock Road

2. Recommendations

That: Council approves the Draft Plan of Subdivision dated October 7, 2024, for the lands known as 0-15850 Rebstock Road, showing 9 blocks intended for 16 block townhouses, 74 back-to-back townhouse dwellings and a Common Elements Condominium as illustrated in Appendix 2 of Report PBBS-16-2025, in accordance with the provisions of the *Planning Act, R.S.O. 1990 c. P. 13* and the Regulations thereunder, subject to the conditions contained in Appendix 8 of Staff Report PBBS-16-2025, and further

That: Council approves the Draft Plan of Common Elements Condominium dated October 7, 2024, for the lands known as 0-15850 Rebstock Road, showing 1 block for common elements as illustrated in Appendix 3 of Report PBBS-16-2025, in accordance with the provisions of the *Planning Act, R.S.O. 1990 c. P. 13* and the Regulations thereunder, subject to the conditions contained in Appendix 9 of Staff Report PBBS-16-2025, and further

That: Council directs staff to circulate the Conditions of Draft Plan Approval in Appendix 5 and Appendix 6 of Staff Report PBBS-16-2025 to the applicable agencies in accordance with the requirements of the *Planning Act*.

3. Relation to Council's Corporate Strategic Plan

Priority: Sustainable and managed growth

4. List of Stakeholders

12778602 Canada Inc. (M5V Inc. / Sherard McQueen) – Owner

NPG Planning Solutions Ltd. (Max Fedchyshak) – Agent

Residents and Property Owners in the Town of Fort Erie

5. Purpose of Report

The purpose of this report is to provide information and a recommendation to Council regarding applications for a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium that are submitted concurrently on lands municipally known as 0-15850 Rebstock Road. The application was submitted by Max Fedchyshak of NPG Planning Solutions Ltd., Agent, on behalf of the Owner, 12778602 Canada Inc. (M5V Inc. / Sherard McQueen). A location map showing the area subject to the application is attached as **Appendix 1**.

The proposed Draft Plan of Subdivision includes 10 blocks. Block 1, Block 4 and Block 7 are intended for 16 block townhouse dwellings. Blocks 2, 3, 5, 6, 8 and 9 are intended for 74 back-to-back townhouse dwellings. Block 10 will contain the Common Elements Condominium that includes visitor parking areas, landscaping, amenity space and internal private roads. The proposed density of the development is approximately 60 units per hectare. The proposed Draft Plan of Subdivision is attached as **Appendix 2**. The proposed Draft Plan of Common Elements Condominium is attached as **Appendix 3**. A Site Plan is attached as **Appendix 4**.

6. Analysis

6.1 Site Context

The subject lands are located on the north side of Rebstock Road and west of Ridge Road South in the Crystal Beach neighbourhood of the Town of Fort Erie. The parcel is an interior lot with approximately 1.50 hectares of lot area and 27.60 metres of frontage along Rebstock Road. The subject lands are currently vacant with a number of existing trees throughout the site.

The subject lands are immediately adjacent to the Town's Crystal Ridge Park, a community park. Crystal Ridge Park also contains the Crystal Ridge Community Centre, the Crystal Ridge Arena, the Crystal Ridge Library and a wooded area in the northern portion of the park.

The subject lands are surrounded by the following uses:

North: Crystal Ridge Park;

East: Single detached dwellings, Ridge Road South and the Town's Fire Station 4;

South: Single detached dwellings;

West: Single detached dwellings and Crystal Ridge Park.

6.2 Planning Context

6.2.1 Planning Act, R.S.O. 1990, c. P.13

The *Planning Act* provides legislative authority to municipalities for all land use planning matters. Sections 2 and 3 of the *Planning Act* require Town Council to have regard for matters of Provincial interest, such as orderly development of safe healthy communities, adequate provision of a full range of housing, location of growth and development, efficient use of infrastructure, and make decisions that are consistent with Provincial and municipal policies and plans regulated under the *Planning Act*.

The *Planning Act* provides criteria for draft plans of subdivision and condominium, including a regard for the welfare of the present and future inhabitants of the municipality, access to utilities and municipal services, whether the draft plan conforms to the official plan, and site plan control

matters.

This proposal conforms to Provincial planning policy, the Niagara Official Plan and the Town's Official Plan. The development is appropriate for the subject lands, represents efficient use of infrastructure and underutilized urban land and provides additional housing variety in an area largely comprised of single detached dwellings. Conditions of approval for the development are attached as **Appendix 5** and **Appendix 6** to this report.

6.2.2 Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 (PPS) direct growths to settlement areas and encourages intensification where infrastructure is planned or available. The PPS places additional emphasis on building homes and sustaining strong and competitive communities by efficiently using land and resources, providing a mix of densities and housing options that address a full range of affordability needs and by promoting active transportation, among other things.

This proposal complies with the PPS intensification of underutilized lands within a settlement area. Furthermore, the proposal will provide additional housing options in the Crystal Beach neighbourhood and makes efficient use of existing municipal infrastructure. The subject lands are also within walking distance to Crystal Ridge Park and will integrate with the existing sidewalk network in the area thereby promoting active transportation.

6.2.3 Niagara Official Plan, 2022

The Niagara Official Plan, 2022 (NOP) identifies the subject lands as Built-up Area. The NOP establishes a minimum residential intensification target of 50% within Built-up Areas for the Town of Fort Erie.

This application conforms to the policies of the NOP through residential intensification of underutilized and serviced residential land within the Built-up Area. This proposal will assist the Town with achieving the intensification target of 50% set for the Town of Fort Erie in the NOP.

6.2.4 Town of Fort Erie Official Plan and Crystal Beach Secondary Plan (2021 Consolidation, as Amended)

Official Plan Schedule A – Land Use, Crystal Beach Secondary Plan Schedule CB-1 – Provincial Compliance within the Urban Area and Schedule CB-2 - Land Use Plan

The subject lands are identified as a Residential Intensification site in the Crystal Beach Secondary Plan and are designated Medium Density Residential. The subject lands are subject to the policies of Subsection 4.22.9.9 of the Crystal Beach Secondary Plan. The current land use designation and site-specific policy permits townhouses and establishes a density range of 25 to 50 units per hectare. The density of the proposed development is approximately 60 units per hectare.

It is noted that the application for the Zoning By-law Amendment that proceeded these applications pre-dated the Crystal Beach Secondary Plan. The subject lands were designated Urban Residential in the Town's Official Plan at that time. The former Urban Residential land use designation effectively permitted all forms of residential development, including townhouses,

and did not have any set density limits or ranges. The Minutes of Settlement (MoS) from the Ontario Land Tribunal (OLT) decision for this development acknowledged that the proposed development complied with the Urban Residential policies in force and effect at the time and therefore a separate Official Plan Amendment is not required in this instance.

Official Plan Subsection 4.22.6 Residential - General

Subsection 4.22.6 of the Official Plan provides some criteria to Council for consideration of Medium Density development and infill residential intensification on vacant land. Planning staff have listed the criteria below and provided a response to each item as follows:

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

- a. The height, bulk and arrangement of buildings and structures to achieve a harmonious design, compatible integration with the surrounding area and not negatively impact on lower density residential uses;

Planning staff note that compatibility does not mean “the same as”. The proposed block townhouses and block back-to-back townhouses have been lowered in height from the original proposal from 3.5 storeys and 13.00 metres in height to 2.5-3 storeys and 10.84 metres in height. Although the built form differs from the surrounding single detached dwellings, planning staff note that the R1 zoning of the neighbouring parcels permits dwellings up to 2.5 storeys and 9.00 metres in height. The subject lands are an irregular flag-shaped parcel and the proposed townhouse dwellings are located a considerable distance away from the existing single detached dwellings on adjacent parcels. It is noted that the site-specific policy that was later implemented for the subject lands by the Crystal Beach Secondary Plan similarly permitted townhouses and apartments up to three stories in height. As noted earlier, the subject lands were also identified in the Secondary Plan as being suitable for residential intensification.

- b. Appropriate open space, including landscaping and buffering to maximize privacy and minimize the impact on adjacent lower density uses;

The proposed development will utilize methods such as solid fencing and landscaping such as trees and shrubs to provide screening for adjacent parcels. The development meets the zoning requirement that 25% of the subject lands be landscaped area. The Site Plan notes that approximately 37% of the subject lands consists of landscaped area via landscaped planting strips, private amenity area and permeable paving.

- c. Landscaping that supports design matters such as, but not limited to, Low Impact Development (LID), biodiversity and shade (to combat the heat island effect).

The proposed development incorporates some LID principles such as landscaped planting strips and permeable paving. A Stormwater Management Plan was submitted to efficiently gather, contain and release stormwater at a rate equivalent to pre-development flows. Town Community Planning and Environmental Planning staff will review the Landscape Plan to ensure that plantings within the development meet Town requirements and contain adequate biodiversity including the planting of native plant species. The current Landscape Plan is

proposing planting of 120 trees, 212 shrubs, 38 ornamental grasses and 118 perennial flowers throughout the development. These plantings will provide shade and assist with offsetting the urban heat island effect.

- d. Parking areas that are sufficient size to satisfy the need of the development and are well designed and properly related to buildings and landscaped areas;

The proposed development has a total of 114 parking spaces, one parking space per dwelling unit and an additional 24 parking spaces for visitors. Several (10) of the visitor parking spaces meet accessible parking standards. The parking ratio of this development is 1.25 parking spaces per dwelling unit, which complies with the RM1-793 zoning of the subject lands. Each dwelling unit has a parking space immediately adjacent to it and visitor parking spaces have been strategically located throughout the development to be as convenient as possible and located next to landscaped amenity areas.

- e. The design and location of refuse pick-up and recycling service areas meets Regional Waste Collection design requirements;

Garbage/refuse collection is proposed to occur via deep collection units arranged in three pads along the east side of the property. The proposed deep collection units do not meet Regional requirements for waste collection and will need to occur via service by a private contractor.

- f. Driveway access, internal roadways and pedestrian walkways that are safe and properly designed;

The access driveway and all internal roadways are 6.00 metres in width which is generally accepted to be suitable for two-way traffic and emergency services. The Fort Erie Fire Department has requested some additional information regarding turning radii in the development. This will be required as a condition of approval of the proposed development. It is noted that there are a series of sidewalks and marked crosswalks throughout the development to facilitate safe pedestrian movement and active transportation. Further, sidewalk connections are provided to Crystal Ridge Park and the sidewalk along Rebstock Road.

- g. Convenient access to a collector or arterial road;

The subject lands front directly onto Rebstock Road, a municipal collector road. Rebstock Road then connects to Ridgeway Road to the west and Ridge Road South to the east, both of which are also municipal collector roads.

- h. Location in regard to the elements of traditional neighbourhood design and within convenient walking distance of the central focus of the neighbourhood;

The subject lands are immediately adjacent to Crystal Ridge Park, a community park that is the central area of interest in the immediate area. Notable features of Crystal Ridge Park include a public library, a community centre, an arena, a playground, a pavilion, a splashpad, several sports fields and a wooded area over 3 hectares in size that also includes

recreational trails. The proposed development provides a direct sidewalk connection to Crystal Ridge Park in the northwest corner of the subject lands.

- i. Building designs that place windows and balconies to overlook pedestrian routes and parking areas to encourage “eyes on the street”; and

All of the townhouse dwellings in the development face toward the internal private roads and parking spaces that are located in front of the units. Windows, porches and rooftop amenity spaces are positioned to facilitate visibility and provide “eyes on the street”.

- j. Site planning considerations that facilitate walking and cycling activity such as secured bike storage, lighting and bikeways.

There are a series of sidewalks and crosswalks in the proposed development that encourage active transportation including connections to Crystal Ridge Park and the sidewalk along Rebstock Road. The Site Plan also includes two areas for bicycles to be parked and secured.

Official Plan Section 13.5 Subdivision Control

Subsection 13.5 II. provides Council with some additional criteria to consider for Plan of Subdivision applications, as follows:

- a. The Plan of Subdivision conforms with the policies of this Plan;

The proposed Plan of Subdivision and Plan of Common Elements Condominium conform with the Urban Residential land use designation that was in effect at the time of submission of the Zoning By-law Amendment for this proposal. The proposed development also conforms with the Medium Density Residential land use designation in the Crystal Beach Secondary Plan. The Secondary Plan identifies the subject lands as an area suitable for residential intensification and the Medium Density Residential land use designation permits use of the land for 3 storey townhouses as proposed.

- b. Adequate servicing such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and disposal, roads, pedestrian facilities and fire and police protection can be provided;

The subject lands front onto Rebstock Road, a travelled municipal collector road. Sidewalks are available along Rebstock Road and provide connection to the larger sidewalk network in the area. The subject lands are able to connect to existing municipal infrastructure in the road allowance that includes a Town water main, sanitary sewer, and storm sewer. Following the OLT appeal the number of dwelling units associated with this proposal was reduced from 154 to 90. The Applicant completed an updated Functional Servicing Report that was peer reviewed by the Town’s sanitary sewer review consultant GMBLuePlan (now GEI Consultants). The peer review confirmed that there is sufficient capacity in the sanitary sewers downstream of the development and that no upgrades or upsizing of the sanitary sewers is required to accommodate the proposed development. The subject lands are eligible for protection by the Fort Erie Fire Department, the Niagara Region Emergency Medical Services and the Niagara Regional Police Service.

- c. The Town is able to provide necessary services without imposing undue increases in taxation on all residents; and

The subject lands have access to existing municipal infrastructure including water, sanitary sewer and storm sewers. Any costs associated with an increase in use of public assets, including roads, parks, etcetera will be covered via cash-in-lieu of parkland dedication and development charges for the new dwelling units. Any costs associated with extending services into the proposed development will be at the sole expense of the developer. No undue increases in taxation of ratepayers will occur as a result of this proposed development.

- d. The Plan of Subdivision is not deemed to be premature, and it is considered necessary in the public interest.

The subject lands are located in a built-up, urban settlement area that has access to full municipal servicing including water, sanitary sewer and storm sewers. Provincial, Regional and Town planning policy encourage infill development within the existing urban area that makes efficient use of existing infrastructure and underutilized urban land. The proposed development is considered to be in the public interest as it complies with the Town's Official Plan and provides additional housing options for residents of the Town.

Official Plan Schedule B - Mineral Aggregate & Petroleum Resources

The subject lands are not within a Petroleum Resource Area as identified on Schedule B of the Official Plan. There are no petroleum wells within 75.00 metres of the subject lands.

Official Plan Schedule C - Natural Heritage Features and Schedule C1 - Natural Hazards and Fish Habitat

There are no natural heritage features on or in the vicinity of the subject lands as identified on Schedule C. Similarly, Schedule C1 of the Official Plan does not identify any natural hazard areas or fish habitat on the subject lands. A Tree Inventory and Preservation Plan and a Landscape Plan were submitted as part of the applications and will be subject to further review by the Town's Community Planning and Environmental Planning staff. The Niagara Peninsula Conservation Authority (NPCA) has confirmed that there are no NPCA-regulated features on the subject lands.

Official Plan Schedule D - Cultural Heritage Archaeological Zones of Potential

Schedule D does not identify the subject lands as being within an area of archaeological potential. Nevertheless, a Stage 1-2 Archaeological Assessment was provided as part of the applications and concludes that there are no significant cultural heritage resources on the subject lands and that no further archaeological assessment is recommended. Niagara Region has recommend that a warning clause be included as a condition in the event archaeological resources are found during the construction phase.

Conclusion

The proposed Plan of Subdivision and Plan of Common Elements Condominium are deemed to conform with the Official Plan and the Crystal Beach Secondary Plan.

6.2.5 Plan of Subdivision Design

The proposed Draft Plan of Subdivision is attached as **Appendix 2** and consists of 9 blocks intended for townhouse dwellings and 1 block intended for the Common Elements Condominium. Blocks 1, 4 and 7 will contain block townhouse dwellings. Blocks 2, 3, 5, 6, 8 and 9 contain the block back-to-back townhouse dwellings. Block 10 contains the Common Elements Condominium. The density of the proposed development is approximately 60 units per hectare.

The Plan of Subdivision will contain 16 block townhouse dwellings and 74 block back-to-back townhouse dwellings. The block townhouse dwellings are located along with west side of the subject lands and are 3 storeys in height. Each block townhouse dwelling has a 5.00 metre private amenity area at the rear of the dwelling unit provided via a deck and landscaped area. The block back-to-back townhouse dwellings are located in the centre of the development and are 2.5-3 storeys in height. Private amenity space is provided on the roof for these dwelling units as they are arranged back-to-back. All townhouse dwelling units have one parking space immediately adjacent to the front of the unit. Following registration of the proposed Plan of Subdivision and Plan of Condominium, individual parcels for each of the dwelling units will be created via future Part Lot Control applications. All of the proposed dwellings will front onto the internal roads within the proposed development.

The site plan for the development is attached as **Appendix 4**. Conditions of Approval for the Draft Plan of Subdivision are attached as **Appendix 5**.

6.2.6 Plan of Common Elements Condominium Design

The proposed Common Elements Condominium is contained in Block 10 on the Plan of Subdivision and contains private amenity areas, landscaping and planting strips, visitor parking spaces, bicycle parking, and internal private roads. The proposed Draft Plan of Common Elements Condominium is attached as **Appendix 2**.

The proposed access driveway width is 6.00 metres in width and is sufficient to accommodate two-way traffic and emergency services. A total of 24 visitor parking spaces are provided with 10 of the parking spaces meeting the requirements for accessible parking spaces (5 Type As and 5 Type Bs). In total there are 114 parking spaces provided on the subject lands. Two areas are also provided for bicycle parking.

The periphery of the site will feature landscaping strips that include plantings, trees and a 1.80 metre high board-on-board fence to provide screening of the development from neighbouring parcels. Sidewalks and crosswalks are provided throughout the site to facilitate pedestrian movement, including sidewalk connections to Crystal Ridge Park and the sidewalk along Rebstock Road. Garbage collection areas are provided along the east property line by way of deep collection units (i.e. Moloks) arranged in three collection pads.

The site plan for the development is attached as **Appendix 4**. Conditions of Approval for the Draft Plan of Common Elements Condominium are attached as **Appendix 6**.

6.2.7 Comprehensive Zoning By-law No. 129-1990

The subject lands are currently zoned site-specific Residential Multiple 1 (RM1-793) Zone in accordance with the Town's Comprehensive Zoning By-law No. 129-90, as amended. This zoning was approved as part of a decision by the Ontario Land Tribunal (OLT) on February 8, 2024 as part of a settlement between the Town and the developer after the Zoning By-law Amendment that preceded these applications was appealed to the OLT.

The RM1-793 Zone permits block townhouse dwellings, block back-to-back townhouse dwellings, and uses, buildings and structures accessory to the foregoing permitted uses. The RM1-793 also added a definition for a Block Back-to-back Townhouse Dwelling, as follows:

“DWELLING, BLOCK BACK-TO-BACK TOWNHOUSE” means a dwelling containing three or more dwelling units having private independent entrances directly from a yard and being attached horizontally in whole or in part above grade and being divided vertically from each other by a common wall and sharing a common rear wall with one or more units, the said dwelling being located on a single lot being held and maintained under one ownership or under condominium ownership pursuant to the *Condominium Act*, 1998, as amended, or any successor legislation.

The RM1-793 also contains several site-specific zoning provisions as follows:

Zoning Regulation	RM1-793 Site-specific Zoning Provisions
Minimum Lot Frontage	27.60 metres
Minimum Lot Area	167.00 square metres per dwelling unit
Minimum Rear Yard	6.30 metres
Maximum Building Height	2.5 storeys or 11.00 metres, whichever is greater
Minimum Landscaped Area	25%
Maximum Number of Dwelling Units	90
Maximum Density	61 units per hectare
Privacy Area for Block Townhouse Dwellings	Notwithstanding the yard requirements, every Block Townhouse Dwelling Unit shall have at least one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 5.00 metres.
Privacy Area for Block Back-to-Back Townhouse Dwellings	None required.

Distance from Building to Internal Driveways, and Parking Areas	<ul style="list-style-type: none"> Any front or rear face of any dwelling shall be no closer than 3.00 metres to any private street. Any side of any townhouse shall be no closer than 1.50 metres to an internal driveway or parking area. Any garage shall be no closer than 5.40 metres to any private street.
Section 14.8	Deleted.
Parking Area Regulations in Section 6.20 (A), (D) and (J)	<ul style="list-style-type: none"> 1 parking space per dwelling unit and 0.25 parking spaces per dwelling unit for visitor parking. Minimum number of parking spaces – 113. Minimum width of two-way drive aisle – 6.00 metres. Parking stall length – minimum 5.40 metres.
Landscaping and Planting Strip Regulations in Section 6.21 (b) – Minimum Planting Strip Width	2.30 metres and 1.00 metre along the north lot line.

The proposed Plan of Subdivision and Plan of Common Elements Condominium comply with the RM1-793 zoning.

6.4. Studies

The following studies and plans were submitted with this application:

- [Elevations, Plans, and Renderings](#)
- [Functional Servicing and Stormwater Management Report](#)
- [Grading and Servicing Plan](#)
- [Landscape Plan](#)
- [Lighting Study](#)
- [Noise Study](#)
- [Reference Plan](#)
- [Stage 1-2 Archaeological Assessment](#)
- [Transportation Brief](#)
- [Tree Inventory and Protection Plan](#)
- [Tree Inventory and Protection Report](#)
- [Urban Design Brief](#)

7. Financial, Staffing and Accessibility (AODA) Implications

All costs associated with processing the application and the development of the subject lands are the responsibility of the Owner, and no staffing implications are expected.

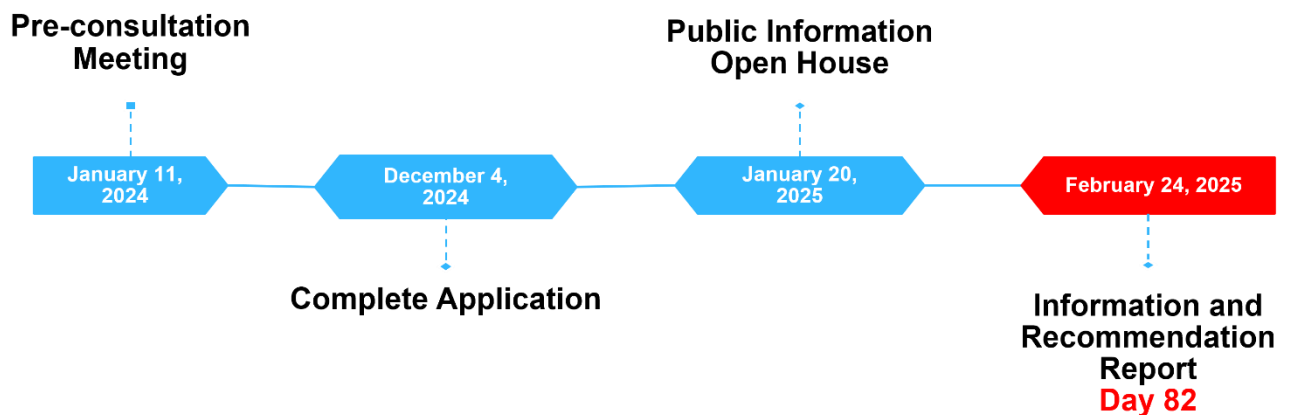
Development charges will be collected at the time of building permit application. Cash-in-lieu of parkland dedication is required as a condition of draft plan approval.

No impediments to the AODA legislation are expected to be developed through the proposed amendment.

8. Policies Affecting Proposal

The proposed Draft Plan of Subdivision and Draft Plan of Common Elements Condominium applications are subject to a 120-day processing and review timeline. Bill 185, the *Cutting Red Tape to Build More Home Act, 2024*, removed the requirement for a portion of application fees to be refunded if the timeline is exceeded. However, if a Council decision is not obtained by April 3, 2025 the Applicant may appeal the application to the Ontario Land Tribunal (OLT) for non-decision.

This application is currently on day 82 of the 180-day timeline as illustrated below:



Following amendments to the Ontario *Planning Act*, R.S.O. 1990, c. P.13 that were implemented by the approval of Bill 23, the *More Homes Built Faster Act, 2022* by the Province of Ontario, the requirement for a statutory Public Meeting was removed for Draft Plan of Condominium applications. An information open house meeting was held for this proposal on January 20, 2025 from 5:00 P.M. to 6:00 P.M. in the Atrium of Town Hall.

Land use policies affecting the subject lands are contained in the Planning Act, PPS, Growth Plan, NOP, and Town Official Plan and Town Zoning By-law.

9. Comments from Departments, Community and Corporate Partners

A request for comments regarding the applications for a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium application was circulated to relevant Departments and Community and Corporate partners on January 13, 2025. Comments received to date are summarized below and are attached as **Appendix 7**.

9.1. Agency Comments

Canada Post

No objection. It is noted that this development is subject to Canada Post’s centralized mail policy. Canada Post requests that a condition of approval be added requiring the owner/developer to notify purchasers that mail delivery will be provided via a centralized mail

box and to work with Canada Post to determine the location of the centralized mail boxes.

Canadian Niagara Power

No objections. It is requested that the developer follow up with CNP to confirm electricity design requirements.

Cogeco and Enbridge

No objections.

Niagara Peninsula Conservation Authority (NPCA)

No objections. The subject lands are not within area under the regulation of the NPCA.

Niagara Region

Provincial and Regional Policies

The subject lands are within a “Settlement Area” under the Provincial Planning Statement, 2024 (“PPS”) and designated “Built Up Area” by the Niagara Official Plan, 2022 (“NOP”).

This proposal will contribute to the Town’s intensification target of 50% as set out within Table 2-2 of the NOP. The NOP also encourages the integration of gentle density and a mixed range of housing options. Based on the available information and the provided policy analysis, staff is generally satisfied that the applications are consistent with the PPS and conform to Provincial and Regional policies.

Noise Impact Brief

The PPS and NOP state major facilities (including transportation corridors) and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants. The proposal is adjacent to the Town of Fort Erie Crystal Ridge Community Centre/arena with rooftop mechanical equipment, which staff noted as potentially impacting the proposed residential uses and their amenity areas. As such, a Noise Impact Study was required as part of the applications.

Regional staff reviewed the Noise Impact Brief (NIB) prepared by RWDI AIR Inc. (dated June 19, 2024) which assessed the stationary noise sources with potential to impact the development in accordance with the Ministry of the Environment, Conservation, and Parks (MECP) Environmental Noise Guidelines NPC-300. The NIB characterized the subject lands as a “Class 1 Area”, which is defined as an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as “urban hum” per NPC-300. The analysis concluded that the predicted sound levels from the nearby commercial use and its equipment would not exceed the applicable Class 1 noise criteria in a “worst-case” scenario for both the outdoor and indoor points of reception modeling. The report highlights the occupants of the proposed development are not expected to be exposed to any perceptibly higher sound levels from the Community Centre when compared to the existing neighbouring residential uses. As the noise levels were

predicted to be in compliance with the noise criteria outlined in the NPC-300 guidelines, the report offers no mitigation measures nor advisory noise clauses for the proposed development. Niagara Region has no objections to the conclusion of the Noise Impact Brief.

Agricultural Resources

Region staff note that the subject lands are within area with archaeological potential as identified in the NOP. A Stage 1-2 Archaeological Assessment, prepared by Detritus Consulting Ltd. And dated June 8, 2021, concluded that no archaeological resources were present and that further archaeological assessment was not recommended. A Letter of Acknowledgement from the Ontario Ministry of Citizenship and Multiculturalism dated April 25, 2022 was also included in the application submission. Regional staff are satisfied with the Archaeological Assessment and Letter.

In recognizing that no archaeological assessment, regardless of intensity, can entirely negate the possibility of discovering deeply buried archaeological materials, Regional staff recommend the inclusion of a standard archaeological resource advisory clause within the Draft Plan Agreement.

Waste Collection

Niagara Region has confirmed that the use of deep collection units as opposed to curbside waste collection. This form of waste collection is not eligible for Regional collection, and as such the Owner will need to coordinate waste collection with a private waste collection contractor.

9.2. Town Staff Comments

Building Department

No objections.

Community Planning

No objections from a policy perspective. 5% cash-in-lieu of parkland dedication will be required for the proposed dwelling units as a condition of approval.

Environmental Planning

Tree Inventory and Preservation Plan

Environmental Planning staff note that two trees on neighbouring parcels are proposed to be removed. Permission from the adjacent landowner is required to remove these trees. Based on GIS data available to the Town, these trees appear to be located on Town land associated with the Rebstock Road road allowance. It is noted that approval from the Town Council is required to remove these trees if this is the case.

Several other technical comments were provided and are included in the staff comments attached to this report. Environmental Planning staff have requested the inclusion of two

conditions of approval requiring the Tree Inventory and Preservation Plan and the Landscape Plan to be prepared to the satisfaction of Town staff. Planning staff have included these conditions in the conditions of approval.

Tree By-law

It is noted that this file predates the Town's Tree By-law 33-2024, and therefore no compensation ratios are required for tree removal for this development.

Fort Erie Fire Department

The proposed water supply is sufficient for fire-fighting purposes. More information is required with respect to the internal private roads and turning radii to confirm if they meet Fire Department requirements. The internal private roads will be marked as Fire Department access routes as per the Ontario Building Code.

Staff Response

Planning staff will require that vehicle turning templates and any other requisite information that is required be provided as a condition of approval to the satisfaction of the Fort Erie Fire Department.

Landscape Architect

No objections. Several detailed comments were provided for the Landscape Plan with respect to the planting plan, hardscape and drainage.

Staff Response

Planning staff will provide the comments on the Landscape Plan to the Applicant. Review and approval of the Landscape Plan by the Town's Community Planning and Environmental Planning staff will be a condition of approval for this project.

9.3 Public Comments

A public Open House was held in the Atrium of Town Hall on January 20, 2025. All property owners within 120 metres of the subject lands were notified of the meeting via a notice mailed by Staff on December 18, 2024. In addition, a notice of complete application and open house meeting sign was installed on site on December 17, 2024.

Town planning staff, the Agent, and the Owner were in attendance at the information open house. In addition, approximately 10 members of the public were in attendance. The members of the public who attended had several questions regarding parking, drainage, and connection to the Crystal Ridge Park. In general, the members of the public were in opposition to the development but recognized that the Zoning By-law Amendment that preceded these applications was approved by the OLT.

One area resident provided two emails in opposition to the proposal via email in addition to

asking several questions about the development. These emails are attached as **Appendix 8** for review. Planning staff have collated comments from the public and provided responses below.

Berm Removal and Drainage Impacts

Will the existing berm on site be removed? How will this impact drainage?

Staff Response

Detailed engineering review of site grading and drainage will be reviewed by Town Development Engineering and Infrastructure Services staff as part of the conditions of approval for this development. Final approval will not be obtained unless the developer can demonstrate that surface drainage will be managed on-site and will not increase off-site stormwater flows above pre-development levels.

The Agent has provided a Functional Servicing and Stormwater Management Report that notes that the development will utilize on-site catch basins and a retaining wall to direct, gather and outlet stormwater on-site up to the 100-year storm event. The majority of stormwater will be gathered in an underground storage tank and discharged at a controlled rate to the municipal storm sewer located within Rebstock Road. A small amount of stormwater (approximately 3%) will also sheet drain to Crystal Ridge Park.

Connection to Crystal Ridge Park

Will there be a connection from the development to Crystal Ridge Park?

Staff Response

The Site Plan illustrates that a sidewalk connection to Crystal Ridge Park is planned at the northwest corner of the subject lands.

Fencing

Will there be a fence?

Staff Response

The Site Plan illustrates that the entire site will be surrounded by a 1.80 metre high board-on-board wood fence.

Garbage/Refuse Storage

Where will the garbage/refuse be stored?

Staff Response

The Site Plan indicates that garbage/refuse storage areas will be located along the east property line adjacent to the back-to-back townhouse dwellings. The storage will occur in the form of deep collection units located on three storage pads. If the deep collection units and locations do not meet Regional requirements waste collection will need to occur via a private contractor.

Greenspace/Landscaped Area

Where will the greenspace/landscaped area be located?

Staff Response

The RM1-793 zoning requires a minimum landscaped area of 25% for the subject lands. The Applicant's Site Plan indicates that approximately 37.4% of the subject lands will be landscaped area, including landscaped planting strips, private amenity areas and permeable paving.

Parking/Traffic

How will the Town address parking and traffic issues?

Staff Response

It is noted that there is a sufficient amount of parking spaces within the subject lands for one parking space per dwelling unit. In addition, 24 additional parking spaces are provided for visitor parking for a total of 114 parking spaces on site. Internal private roads will be marked as no-park areas as the road will need to remain clear in the event of an emergency. This includes the access driveway from Rebstock Road. Any illegal parking along Rebstock Road will be subject to By-law Enforcement from the Town. It is noted that additional overflow parking may be available in Crystal Ridge Park adjacent to the arena and library.

Staff note that the Applicant has submitted a Traffic Brief by GHD dated May 4, 2021. The Traffic Brief concluded that the traffic resulting from the proposed development will not have significant impacts on the intersections of Rebstock Road and Ridgeway Road, Rebstock Road and Ridge Road South, or Rebstock Road and the site access. No infrastructure improvements are recommended for any of the studied intersections. A brief summary of the predicted Level of Service at each of the analyzed intersections is as follows:

- Rebstock Road and Ridgeway Road - Level of Service B for all traffic movements at both the AM and PM peak hours.
- Rebstock Road and Ridge Road South – Level of Service A or B for all traffic movements at both the AM and PM peak hours.
- Rebstock Road and site access – Level of Service A for all traffic movements at both the AM and PM peak hours.

Property Tax Impacts

Will the development result in higher property taxes for adjacent property owners?

Staff Response

Planning staff note that most of the assessment value of a property of a parcel in the urban area is tied to the dwelling itself. In general, development may result in higher land values over time which may result in a gradual increase in assessment value of adjacent properties. It is also noted that assessment values tend to increase over time regardless of other development. No undue increases in property taxes are anticipated to result from this development for adjacent

property owners.

Sanitary Sewer Capacity

What are the plans for sanitary sewer capacity?

Staff Response

One of the results of the Minutes of Settlement between the Town and the developer associated with the OLT appeal was a reduction in the total number of dwelling units from 154 to 90 dwelling units. This resulted in the density lowering from 103 units per hectare to 60 units per hectare. The Applicant has provided an updated Functional Servicing Report that was peer reviewed by the Town's sanitary sewer consultant GMBLuePlan (now GEI Consultants). The peer review concluded that all downstream sanitary sewers, including the Town-owned sanitary sewers along Rebstock Road and Ridge Road South, have adequate capacity to accommodate the proposed 90 dwelling units without need for upgrades or upsizing.

Setbacks

How close will the proposed townhouse dwellings be located to adjacent property lines?

Staff Response

The setbacks of the proposed block townhouses and block back-to-back townhouses are as follows:

Block Townhouses – 4.00 metres from end wall/porch to south property line (adjacent to single detached dwellings along Rebstock Road);
 1.94 metres from porch to west property line (adjacent to Crystal Ridge Park);
 4.96 metres from rear wall to west property line (adjacent to Crystal Ridge Park);
 Approximately 6.00 metres from end wall to north property line (adjacent to Crystal Ridge Park).

Block Back-to-back – 12.95 metres from front wall to north property line (adjacent to Crystal Ridge Park);

Townhouses 12.77 metres from end wall to east property line (adjacent to single detached dwellings);
 15.95 metres from front wall to south property line (adjacent to single detached dwellings).

Snow Removal/Emergency Services

How will snow removal or emergency services occur on the subject property.

Staff Response

Snow removal for a Common Elements Condominium will occur via a private contractor. Emergency services will be provided via the access driveway from Rebstock Road. It is noted

that the proposed 6.00 metre driveway widths along the access driveway and within the development are sufficient for emergency services.

Tree Planting

How many new trees will be replanted? Where will the trees be planted? Will the trees be used for screening the development from neighbouring parcels?

Staff Response

The Applicant's Landscape Plan is proposing to replant 120 trees on the subject lands. Of these, 106 of the trees are deciduous and 14 are coniferous. Planning staff will require that the Landscape Plan be subjected to review and approval by the Town's Community Planning and Environmental Planning staff as a condition of approval.

The Site Plan and Landscape Plan illustrate that new trees and other vegetation will be planted along the periphery of the subject lands in an effort to provide screening of the development from adjacent parcels. Detailed review of the plantings and tree species/maturity will occur as part of the future subdivision/condominium process by Town staff.

Tree Removal

How many trees will be removed?

Staff Response

The Tree Inventory and Preservation Report and Plan note that nearly all existing trees on the subject lands will require removal to develop the site. In total, 57 trees will be removed on site. Two trees that are located along the access driveway will be retained. All trees that are located on adjacent land will be retained with several proposed to be protected via vegetation protection zones. Environmental Planning note that two trees on adjacent lands are proposed to be removed. These appear to be Town-owned trees and will require permission from the Town for removal.

Environmental Planning staff note that this development pre-dates the Town's Tree By-law and therefore tree removals will not be subject to the tree compensation policies.

10. Alternatives

Council may decide to deny the applications for a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium for the subject property. Planning staff do not recommend this as the proposed development is consistent with Provincial, Regional and Town planning policy.

11. Communicating Results

Notice of Council's decision will be circulated as required in the *Planning Act*. The application is subject to a 20-day appeal period. If no appeals are received during the appeal period, Council's decision is final. Planning staff note that Council's decision regarding a Draft Plan of Subdivision/Draft Plan of Common Elements Land Condominium is only appealable by the Applicant, the Minister, the Town, a public body, or a 'specified person' as defined by the

Planning Act. The *Planning Act* no longer permits third party appeals by area residents for plan of subdivision or condominium applications.

Further, the Conditions of Approval will be circulated to the Applicant and external agencies in accordance with the requirements of the *Planning Act*.

12. Conclusion

Planning Staff recommend approval of the proposed Draft Plan of Subdivision and Draft Plan of Common Elements Condominium to establish 16 block townhouse dwellings and 74 block back-to-back townhouse dwellings on the subject lands. The proposal aligns with Town, Regional, and Provincial planning policies and complies with the RM1-793 zoning of the subject lands.

13. Report Approval

Prepared by:
Daryl Vander Veen
Intermediate Development Planner

Reviewed by:
Mark Iamarino, MCIP, RPP
Manager, Development Approvals

Submitted by:
Anamika Dilwaria, M.PL., MCIP, RPP
Director, Planning and Development Services

Approved by:
Chris McQueen, MBA
Chief Administrative Officer

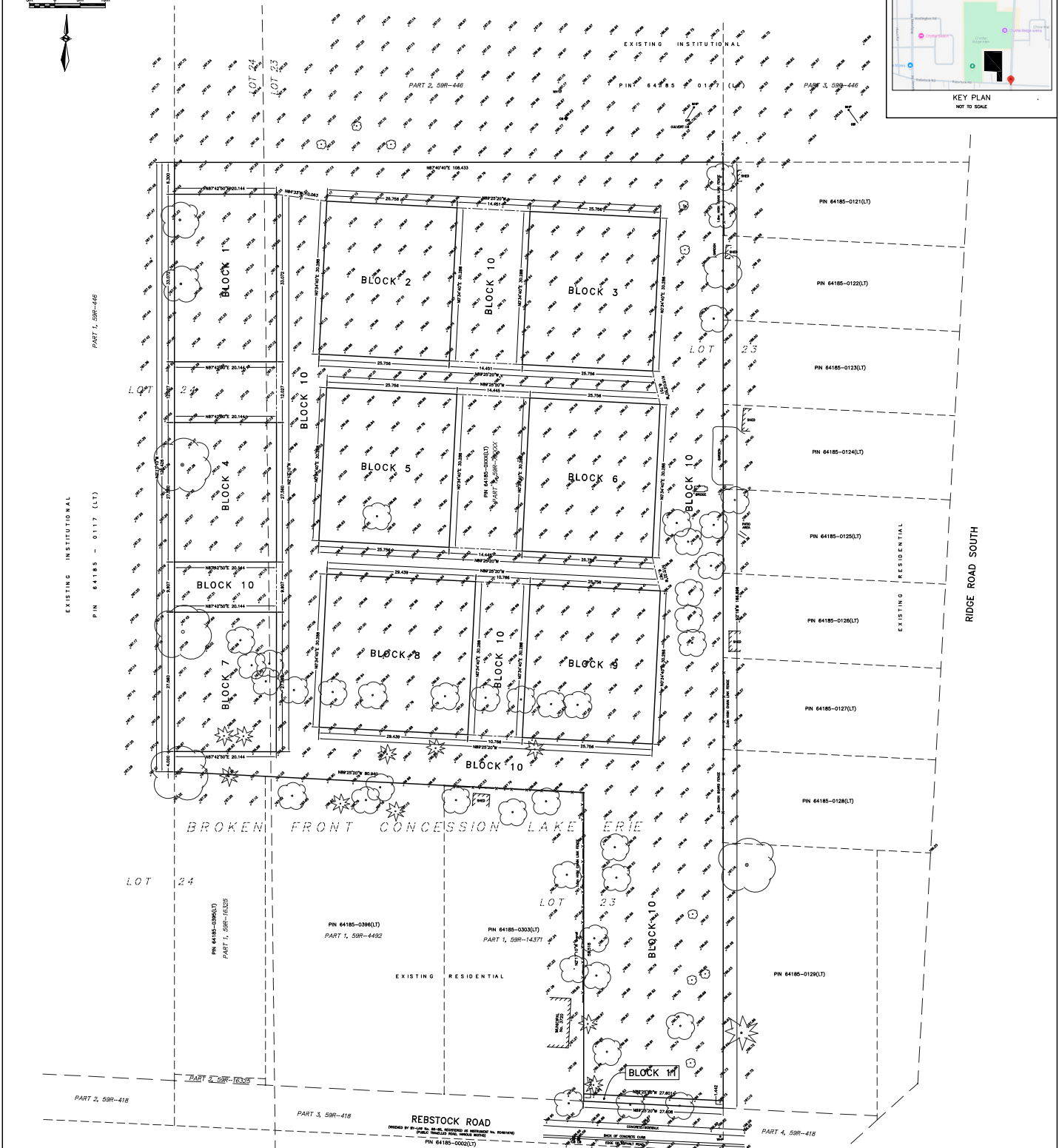
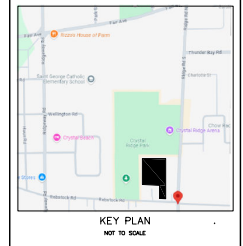
14. Attachments

Appendix 1 – Location Map
Appendix 2 – Draft Plan of Subdivision
Appendix 3 – Draft Plan of Common Elements Condominium
Appendix 4 – Site Plan
Appendix 5 – Conditions of Approval for the Draft Plan of Subdivision
Appendix 6 – Conditions of Approval for the Draft Plan of Condominium
Appendix 7 – Staff and Agency Comments
Appendix 8 – Public Comments

Appendix 2

DRAFT PLAN OF SUBDIVISION
PART OF LOTS 23 & 24
BROKEN FRONT CONCESSION LAKE ERIE
(GEOGRAPHIC BOUNDARY OF BOTTLE)
TOWN OF FORT ERIE
REGIONAL MUNICIPALITY OF NIAGARA

SCALE: 1:250 METRIC
0m 5m 10m



SECTION 51 (17), PLANNING ACT
ADDITIONAL INFORMATION

- (1) AS SHOWN ON DRAFT PLAN
- (2) AS SHOWN ON DRAFT PLAN
- (3) AS SHOWN ON DRAFT PLAN
- (4) AS SHOWN ON DRAFT PLAN
- (5) AS SHOWN ON DRAFT PLAN
- (6) AS SHOWN ON DRAFT PLAN
- (7) AS SHOWN ON DRAFT PLAN
- (8) AS SHOWN ON DRAFT PLAN
- (9) AS SHOWN ON DRAFT PLAN
- (10) AS SHOWN ON DRAFT PLAN
- (11) AS SHOWN ON DRAFT PLAN

METRIC NOTE
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE SUBDIVISION OF THE LAND IS AS SHOWN ON THIS PLAN AND THAT THE RELATIONSHIP OF THE PROPERTY LINES ARE CORRECTLY AND ACCURATELY SHOWN.

Paul Sweeney
DEPT. LAND SURVEYOR
MAR. 6, 2025
DATE

OWNER'S CERTIFICATE
I HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE LAND SHOWN IN THIS PLAN AND I/WE AUTHORIZE THE SUBMISSION OF THIS PLAN FOR APPROVAL.

OWNER: 11788888 CANADA INC.
Shirley Buckler
PRESIDENT
MAR. 6, 2025
DATE

THE LAROCQUE GROUP
O.L.S./PROJECT CONSULTANTS/LAND MANAGEMENT
25 LINDA STREET, ST. CATHARINES, ONTARIO
L7R 4R7
6350 COLEBURN STREET, PORT HURON, ONTARIO
N2S 2G9
905-528-8800
FILE NO.: 315288-2400
DATE: MARCH 5, 2025 DWG/FILE: 315288-2400-13

Appendix 4



SITE PLAN
1:400

Appendix 5

CONDITIONS OF DRAFT PLAN APPROVAL

0-15850 Rebstock Road

Draft Plan of Subdivision

February 24, 2025

The conditions of final approval and registration of the 0-15850 Rebstock Road Plan of Subdivision by 12778602 Canada Inc., file no. SUB-04-2024 in the Town of Fort Erie are as follows:

1. That this approval applies to the 0-15850 Rebstock Road Draft Plan of Subdivision, Part of Lots 23 and 24, Broken Front Concession Lake Erie (Geographic Township of Bertie), being all of PIN 64185-0304(LT), prepared by Brent Larocque on October 7, 2024, showing 9 blocks for a total of 16 block townhouse dwellings (Blocks 1, 4 and 7), 6 blocks for a total of 74 block back-to-back townhouses (Blocks 2, 3, 5, 6, 8 and 9) and 1 block for a Common Elements Condominium (Block 10).
2. That the Developer enter into a Subdivision Agreement with the Town of Fort Erie and satisfy all requirements, financial and otherwise, concerning the provisions and installations of all municipal services both within and external to the Subdivision and including, but not limited to securing the works to be done by a Letter of Credit, municipal fees, development charges, road works, underground sewers and watermains, storm drainage, sidewalks, walkways, noise attenuation structures, fencing and any other matters as may be required and specified by the Town.
3. That all Easements and any Blocks as may be required for utilities, emergency access, servicing and drainage purposes, both internal and external to the Subdivision, be granted and conveyed by the Developer to the Town, or to the appropriate authority, or the future Condominium Corporation.
4. That prior to receiving Final Approval, the owner shall submit, for review and approval by the Town, a Geotechnical Study prepared by a qualified engineer, that verifies the soil bearing capacity, assesses bedrock elevations and groundwater conditions, appropriate sewer pipe design, pipe bedding, backfill and roadway designs and appropriate mitigation measures to address groundwater issues encountered.
5. That the owner prepares a detailed Subdivision Grade Control Plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated from the site, be submitted to the Town of Fort Erie for review and approval.
6. That the owner shall enter into any agreement as required by utility companies for installation of services, including street lighting, all in accordance with the standards of the Town of Fort Erie. All utilities servicing the subdivision shall be underground. Upon installation and acceptance by the Town, streetlights and streetlight electrical supply system will be added to the Town's inventory.
7. That the private street be named to the satisfaction of the Town.

8. That the design drawings for the water, sanitary sewer, and storm water drainage systems, including storm water management facilities, to service this development be submitted to the Town of Fort Erie for review and approval.
9. The Owner adheres to the Town's current Drinking Water Quality Management System requirements and criteria.
10. That prior to approval for the final plan or any on-site grading, the Developer submit a detailed Storm Water Management Plan designed and sealed by a suitably qualified professional engineer, to the Town of Fort Erie for review and approval, indicating the following:
 - a) the manner in which stormwater will be conveyed across and away from the site, in both major and minor systems, using stormwater management techniques in accordance with the Ministry of Environment, Conservation and Parks (MECP) Stormwater Management Practices Planning and Design Manual, March 2003, or latest edition;
 - b) a detailed engineering submission providing an assessment of any downstream and upstream constraints and how these constraints will be addressed;
 - c) an erosion and sediment control plan for the development site indicating the means whereby erosion and sediment and their effects will be minimized onsite during and after construction in accordance with the MECP's Stormwater Management Practices Planning and Design Manual, March 2003, or latest edition; and,
 - d) site grading plans.
11. That prior to final approval and registration of this plan, Ministry of Environment Environmental Compliance Approvals (ECA) be obtained for the necessary servicing for this development.
12. That payment of 5% cash-in-lieu of parkland dedication is made to the Town of Fort Erie in accordance with the Planning Act and By-law No. 69-08.
13. 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
14. 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 does not negatively affect any abutting private properties with lighting spillover greater than 0.10 FC (1.0 Lux) beyond the property lines.
 15. Primary services for the site, shall be designed and certified 'as-constructed' by a Professional Engineering Consultant, to the satisfaction of the Town through a Site Servicing Permit, within the proposed Common Element portion (Block 10 of the Draft Plan of Subdivision) prior to any additional building permits being issued for the Townhouse blocks.
 16. The site shall be rough graded and all perimeter swales installed, certified 'as-constructed' by the Professional Engineering Consultant, to the satisfaction of the Town, prior to any additional building permits being issued for the Townhouse Blocks.
 17. That the applicant submits emergency vehicle turning templates to Town Staff for review and approval.
 18. That a Tree Preservation Plan and Inventory Report be prepared by a Tree Management Professional (I.S.A. Arborist or Equivalent) be submitted. The plan shall be prepared to the satisfaction of the Director of Planning at the Town of Fort Erie.
 19. That a Tree Preservation Plan be prepared by a Tree Management Professional (I.S.A. Arborist or Equivalent) be submitted. The plan shall be prepared to the satisfaction of the Director of Planning at the Town of Fort Erie.
 20. That a Landscape Plan prepared by a Landscape Architect (OALA in good standing or equivalent) be submitted. The plan shall be prepared to the satisfaction of the Director of Planning at the Town of Fort Erie.
 21. That the following warning clause be included in the subdivision agreement between the owner and Town of Fort Erie:

“Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Tourism Culture and Sport (MTCS) (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services Delivery (416-326-8800) must be contacted. In

situations where human remains are associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.”

22. That if final approval is not given to this plan within three years of the approval date and no extensions have been granted, draft approval shall lapse. If the owner wishes to request an extension to the draft period, a written explanation with reasons why the extension is required prior to the lapsing date.
23. The owner shall complete to the satisfaction of the Director of Infrastructure Services of the Town of Fort Erie and Canada Post:
- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i. That the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii. That the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
 - b) The owner further agrees to:
 - i. Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - ii. Install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
 - iii. Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv. Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
 - c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Clearance of Conditions

Prior to granting approval of the final plan, the Town will require written confirmation from the following agencies that their respective conditions have been met satisfactorily:

- Town of Fort Erie - Conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19,

- 20, 21, and 22.
- Canada Post - Condition 23.
1. THE LANDS REQUIRED TO BE REGISTERED UNDER THE LAND TITLES ACT:
 - a) Section 160(1) of the Land Titles Act requires all new plans to be registered in the Land Titles system.
 - b) Section 160(2) allows certain exceptions.
 2. WATER AND SEWER SYSTEMS
Inauguration or extension of a piped water supply, a sewage system or a storm drainage system is subject to the approval of the Ministry of the Environment, Conservation and Parks under Section 52 and 53 of the Ontario Water Resources Act, R.S.O. 1990.
 3. CONVEYING
As the land mentioned above be conveyed to the Municipal Corporation may be more easily described in the conveyance by reference to a registered plan than by “metes and bounds” be it suggested that the description be so worded and be it further suggested the Owner give to the Municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.
 4. In order to assist the agencies listed above in clearing the conditions of final approval and registration of the plan, it may be useful to forward executed copies of the agreement between the Owner and the Town to these agencies. In this instance, this copy should be sent to:

Andrew Carrigan
Officer, Delivery Planning
Canada Post
Phone: (226) 268-5915
Email: Andrew.Carrigan@Canadapost.ca
 5. REVIEW OF CONDITIONS
The applicants are advised that should any of the condition appear unjustified or their resolution appear to be too onerous they are invited to bring their concerns to Council’s attention. Council will consider a request to either revise or delete conditions.
 6. SUBDIVISION AGREEMENT
Prior to final approval for registration, a copy of the executed Subdivision Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

7. NOTES

- Prior to granting final plan approval, the Town must be in receipt of written confirmation that the requirements of each condition have been met and all fees have been paid to the satisfaction of Niagara Region.
- Niagara Region recommends that a copy of the draft agreement also be provided in order to allow for the incorporation of any necessary revision prior to execution.
- Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the Town of Fort Erie. The Town of Fort Erie is also responsible for circulating a copy of the Draft Agreement, and the Region is unable to provide a final clearance letter until the Draft Agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance. In this regard, studies and reports (one hard copy and a PDF digital copy) can be sent directly to the Region with a copy provided to the Town of Fort Erie.

Appendix 6

CONDITIONS OF DRAFT PLAN APPROVAL

0-15850 Rebstock Road

Draft Plan of Common Elements Condominium

February 24, 2025

The conditions of final approval and registration of the 0-15850 Rebstock Road Plan of Common Elements Condominium by 12778602 Canada Inc., file no. CON-01-2024 in the Town of Fort Erie are as follows:

1. That this approval applies to the 0-15850 Rebstock Road Plan of Common Elements Condominium, Part of Lots 23 and 24, Broken Front Concession Lake Erie (Geographic Township of Bertie), being all of PIN 64185-0304(LT), prepared by Brent Larocque on October 7, 2024 showing a block for common elements.
2. That the applicant/developer submit an undertaking to the municipality, once the condominium plan has been registered, which requires the Condominium Corporation to assume the maintenance and responsibilities contained in the Condominium Agreement and that the Condominium Corporation will not object to the registration of the agreement.
3. That immediately following the registration of the Condominium Plan the Condominium Corporation enter into a Condominium Agreement with the Municipality which requires the Condominium Corporation to:
 - a. Assume the maintenance and responsibilities outlined under the Condominium Agreement to be approved by the Town of Fort Erie.
 - b. Provide to the Town security deposits as necessary to ensure completion of all outstanding works.
4. That the owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the Town of Fort Erie concerning the provision of roads, watermain, sewers, drainage, storm water management, sidewalks, fire hydrants, streetlighting, including the upgrading of existing services and the restoration of existing roads damaged during the development of the Plan of Condominium.
5. That the owner agrees to deed any and all easements that may be required for access utility and drainage purposes be granted to the appropriate authorities and utilities free and clear of any mortgage liens or encumbrances.
6. That the agreement includes a clause requiring that each agreement of purchase and sale state that *"Roof downspouts shall discharge only to the ground surface via splash pads to either the front or rear yards. No direct connection to the storm sewer will be permitted nor should downspouts discharge directly to the driveway"*

or a roadway."

7. That the agreement includes a clause requiring that each agreement of purchase and sale state that *"The owner (developer) shall be responsible for installing paved driveway aprons from curb to the property line or from the curb to the sidewalk."*
8. That prior to receiving Final Approval, the owner shall submit, for review and approval by the Town, a Geotechnical Study prepared by a qualified engineer, that verifies the soil bearing capacity, assesses bedrock elevations and groundwater conditions, appropriate sewer pipe design, pipe bedding, backfill and roadway designs and appropriate mitigation measures to address groundwater issues encountered.
9. That the owner prepares a detailed Grade Control Plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated from the site, be submitted to the Town of Fort Erie for review and approval.
10. That all roads within the development shall be private roadways.
11. That the applicant submits emergency vehicle turning templates to Town Staff for review and approval.
12. That a Tree Preservation Plan and Inventory Report be prepared by a Tree Management Professional (I.S.A. Arborist or Equivalent) be submitted. The plan shall be prepared to the satisfaction of the Director of Planning at the Town of Fort Erie.
13. That a Tree Preservation Plan be prepared by a Tree Management Professional (I.S.A. Arborist or Equivalent) be submitted. The plan shall be prepared to the satisfaction of the Director of Planning at the Town of Fort Erie.
14. That a Landscape Plan prepared by a Landscape Architect (GALA in good standing or equivalent) be submitted. The plan shall be prepared to the satisfaction of the Director of Planning at the Town of Fort Erie.
15. That if final approval is not given to this plan within three years of the approval date and no extensions have been granted, draft approval shall lapse. If the owner wishes to request an extension to the draft period, a written explanation with reasons why the extension is required prior to the lapsing date.
16. That the following warning clause be included in the subdivision agreement

between the owner and Town of Fort Erie:

“Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Tourism Culture and Sport (MTCS) (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services Delivery (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.”

Clearance of Conditions

Prior to granting approval of the final plan, the Town will require written confirmation from the following agencies that their respective conditions have been met satisfactorily:

- Town of Fort Erie - Conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

1. THE LANDS REQUIRED TO BE REGISTERED UNDER THE LAND TITLES ACT:

- a) Section 160(1) of the Land Titles Act which requires all new plans to be registered in the Land Titles system.
- b) Section 160(2) allows certain exceptions.

2. WATER AND SEWER SYSTEMS

Inauguration or extension of a piped water supply, a sewage system or a storm drainage system is subject to the approval of the Ministry of Environment under Section 52 and 53 of the Ontario Water Resources Act, R.S.O. 1990.

3. CONVEYING

As the land mentioned above be conveyed to the Municipal Corporation may be more easily described in the conveyance by reference to a registered plan than by “metes and bounds” be it suggested that the description be so worded and be it further suggested the owner give to the Municipality an

undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

4. REVIEW OF CONDITIONS

The applicants are advised that should any of the condition appear unjustified or their resolution appear to be too onerous they are invited to bring their concerns to Council's attention. Council will consider a request to either revise or delete conditions.

5. SITE PLAN AGREEMENT

Prior to final approval for registration, a copy of the executed site plan agreement for the proposed development should be submitted to the Niagara Region Public Works Department (Development Services Division) for verification that the appropriate clauses pertaining to any of these conditions have been included.

Note: The Development Services Division recommends that a copy of the draft agreement also be provided in order to allow for the incorporation of any necessary revisions prior to execution.

6. NOTE

The owner is advised that the appropriate Regional permits must be completed prior to any construction occurring within the regional right-of-way. The owner is advised that Service Connection Permits must be obtained from the Town for connection to existing sewers and watermains.

Appendix 7



CANADA POST
955 Highbury Ave N
London ON N5Y 1A3
CANADAPOST.CA

POSTES CANADA
955 Highbury Ave N
London ON N5Y 1A3
POSTESCANADA.CA

January 23, 2024

DARYL VANDER VEEN
TOWN OF FORT ERIE
1 MUNICIPAL CENTRE DRIVE
FORT ERIE, ONTARIO, L2A 2S6

Re: 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium

Dear Daryl,

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the town of Fort Erie and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) The owner further agrees to:
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.



- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
 - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me.

I appreciate the opportunity to comment on this project.

Regards,

A. Carrigan

Officer, Delivery Planning
(226) 268-5914

Andrew.Carrigan@Canadapost.ca



RE: Request for comments - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

From Mustafa, Sheraz <Sheraz.Mustafa@cnpower.com>

Date Thu 2025-01-16 2:02 PM

To Daryl Vander Veen <DVanderVeen@forterie.ca>

You don't often get email from sheraz.mustafa@cnpower.com. [Learn why this is important](#)

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

Hello Daryl,

CNP has no concerns with this subdivision application, please have developer to follow up with us for hydro design details.

Regards,
Sheraz

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

Sent: January 13, 2025 3:10 PM

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

Subject: Request for comments - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

WARNING: This email originated from outside of FortisOntario. Pause and look for any **RED FLAGS** or signs of phishing. If this is a suspicious email, **before you delete it** use the "Phish Alert Report" in Outlook or log a helpdesk ticket.

Good afternoon,

The Town of Fort Erie has received applications for a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium for 0-15850 Rebstock Road. The subject lands are located in the Crystal Beach neighbourhood in the Town of Fort Erie.

The Plan of Subdivision consists of 10 blocks. Blocks 1, 4 and 7 are intended for block townhouses with a total of 16 dwelling units. Blocks 2, 3, 5, 6, 8 and 9 are intended for back-to-back townhouses with a total of 74 dwelling units. Block 10 is intended for a Common Elements Condominium. The proposed density is approximately 60 units per hectare.

The subject property is designated Medium Density Residential in the Crystal Beach Secondary Plan. The subject lands are zoned Residential Multiple 1 (RM1-793) Zone in accordance with the Town's Zoning By-law 129-90.

Please provide any comments or conditions of approval you may have by **February 3, 2025**. If you or your organization require additional review time please let me know.



Re: Request for comments - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

From Mike Embleton <mike.embleton@cogeco.com>

Date Wed 2025-01-15 8:07 AM

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.

Good morning Daryl,

Cogeco has no comment on either of these Draft Plan applications.

Thank you,
Mike

Mike Embleton

Network Delivery Coordinator
7170 McLeod Rd, Niagara Falls ON, L2H 3H2
C 905-246-8621



Join the conversation
#cogecommunity



On Mon, Jan 13, 2025 at 3:09 PM Daryl Vander Veen <DVanderVeen@forterie.ca> wrote:

Good afternoon,

The Town of Fort Erie has received applications for a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium for 0-15850 Rebstock Road. The subject lands are located in the Crystal Beach neighbourhood in the Town of Fort Erie.



Enbridge Gas Inc.
500 Consumers Road
North York, Ontario M2J 1P8
Canada

January 14, 2025

Daryl Vander Veen, BES
Intermediate Development Planner
Planning & Development Services
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Daryl,

Re: Draft Plan of Subdivision, Draft Plan of Condominium
12778602 Canada Inc (M5V Inc.)
0-15850 Rebstock Road
Town of Fort Erie
File No.: SUB-04-2024, CON-01-2024

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>

The Owner agrees to provide Enbridge Gas Inc. (Enbridge Gas) the necessary easements at no cost and/or agreements required by Enbridge Gas for the provision of local gas services for this project, in a form satisfactory to Enbridge Gas.

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Cornelio'.

Willie Cornelio CET
Sr Analyst Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.



RE: NPCA Response - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

From Taran Lennard <tlennard@npca.ca>
Date Fri 2025-01-24 9:05 AM
To Daryl Vander Veen <DVanderVeen@forterie.ca>

You don't often get email from tlennard@npca.ca. [Learn why this is important](#)

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 subject application. There are no features present that our Agency would regulate.

Thank you for including us on the circulation.

Taran Lennard
Watershed Planner II

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 277
www.npca.ca
tlennard@npca.ca

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 41/24 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

From: Daryl Vander Veen <DVanderVeen@forterie.ca>
Sent: January 13, 2025 3:10 PM
To: Daryl Vander Veen <DVanderVeen@forterie.ca>



Public Works Growth Management & Planning Division

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

Via Email Only

February 12, 2025

Region File: PLSD202500186
PLCD202500187

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 Draft Plan of Subdivision and Draft Plan of Common Elements
Condominium
Town Files: SUB-04-2024 & CON-01-2024
Applicant: Niagara Planning Solutions C/O Max Fedchyshak
Owner: 12778602 Canada Inc (M5V Inc.).
0-15850 Rebstock Road
Town of Fort Erie**

Staff of the Public Works Growth Management and Planning Division have reviewed the above-mentioned Draft Plan of Subdivision and Draft Plan of Common Element Condominium for the lands municipally known as 0-15850 Rebstock Road, in the Town of Fort Erie.

The Draft Plan of Subdivision proposes ten blocks consisting of nine (9) blocks proposed for townhouse (16 units) and back-to-back townhouse residences (74 units). The remaining block is proposed for a common element, which includes the private internal road network, common outdoor amenity areas, open spaces, waste collection pads, and visitor and bicycle parking spaces. The applicant intends to pursue an exemption from part lot control application in the future to allow for individual lots for the 90 residential units.

Staff note the subject property is designated Medium Density Residential in the Crystal Beach Secondary Plan and is zoned Residential Multiple 1 (RM1-793) Zone in accordance with the Town's Zoning By-law 129-90, which permit the proposed development.

A pre-consultation meeting for the proposal was held January 11, 2024, with the applicant, Town and Regional staff in attendance. The following comments are provided from a Provincial and Regional perspective to assist the Town with its consideration of the applications.

Provincial and Regional Policies

The subject lands are within a “Settlement Area” under the Provincial Planning Statement, 2024 (“PPS”) and designated “Built Up Area” by 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. Accordingly, settlement areas are the focus of growth and development as directed by the PPS and the NOP. PPS policy 2.2.1 requires planning authorities to provide for a range and mix of housing options and densities to meet projected needs of current and future residents by permitting and facilitating all housing options to meet social, health, economic and wellbeing requirements for current and future residents. Furthermore, the PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation. Additionally, policy 2.3.1.5 of the PPS encourages planning authorities to establish density targets for designated growth areas, based on local conditions.

A full range of residential uses are generally permitted within the Delineated Built-Up Area designation, subject to availability of adequate municipal services, infrastructure and policies regarding land use compatibility, archaeology, environmental conservation and other matters. Additionally, staff note the proposal will contribute to the Town’s intensification target of 50% as set out within Table 2-2 of the NOP. The NOP also encourages the integration of gentle density and a mixed range of housing options. Based on the available information and the provided policy analysis, staff is generally satisfied that the applications are consistent with the PPS and conform to Provincial and Regional policies, subject to the Town’s satisfaction from a local planning perspective and the below comments.

Land Use Compatibility

The PPS and NOP state major facilities (including transportation corridors) and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants. The proposal is adjacent to the Town of Fort Erie Crystal Ridge Community Centre/arena with rooftop mechanical equipment, which staff noted as

potentially impacting the proposed residential uses and their amenity areas. As such, a Noise Impact Study was required as part of the applications.

Staff has reviewed the Noise Impact Brief (NIB) prepared by RWDI AIR Inc. (dated June 19, 2024) which assessed the stationary noise sources with potential to impact the development in accordance with the Ministry of the Environment, Conservation, and Parks (MECP) Environmental Noise Guidelines NPC-300, "*Environmental Noise Guideline, Stationary and Transportation Sources - Approval and Planning*". The NIB characterized the subject lands as a "Class 1 Area", which is defined as an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum" per NPC-300. The analysis concluded that the predicted sound levels from the nearby commercial use and its equipment would not exceed the applicable Class 1 noise criteria in a "worst-case" scenario for both the outdoor and indoor points of reception modeling. The report highlights the occupants of the proposed development are not expected to be exposed to any perceptibly higher sound levels from the Community Centre when compared to the existing neighbouring residential uses.

As the noise levels were predicted to be in compliance with the noise criteria outlined in the NPC-300 guidelines, the report offers no mitigation measures nor advisory noise clauses for the proposed development. Staff rely upon the information provided by the Acoustical Engineer in the Noise Impact Brief and offer no further requirements with respect to noise impacts.

Archaeological Potential

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, section 4.6.2 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 significant archaeological resources have been conserved or assessed and requirements from the aforementioned policies have been met.

The subject lands are mapped within an Area of Archaeological Potential on Schedule K of the NOP. A Stage 1-2 Archaeological Assessment, prepared by Detritus Consulting Ltd., dated June 8, 2021, was submitted to the Region for the proposed development area as part of the previous Zoning By-law Amendment application for the subject lands. The Stage 2 Assessment resulted in the identification of no archaeological resources, and no further archaeological assessments were recommended by the Licensed Archaeologist. Staff have received the acknowledgement letter from the Ministry of Citizenship and Multiculturalism (formerly Ministry of Heritage, Sport, Tourism, and Culture Industries) dated April 25, 2022, which states the report has been entered into the Ontario Public Register of Archaeological Reports without technical review. As such, staff offer no further requirements with regard to archaeology.

Nonetheless, in recognizing that no archaeological assessment, regardless of intensity, can entirely negate the possibility of discovering deeply buried archaeological materials, Regional staff recommend the inclusion of a standard archaeological resource advisory clause within the Draft Plan Agreement. An appropriate condition has been included within the attached Appendix.

Additionally, the Town of Fort Erie also has jurisdiction on matters related to archaeological resources through its Archaeological Management Plan. Town staff should be satisfied that archaeological resource concerns on the property have been addressed.

Waste Collection

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

Low Density Residential

- No limit blue/grey containers;
- No Limit green containers; and,
- 2 Garbage Containers per unit (Bi weekly)
- Curbside Collection Only

Regional staff have reviewed the provided Site Plan prepared by P3A Architecture, (dated July 29, 2025) and acknowledge the development is proposing refuse collection stations as opposed to curbside collection for each unit. The applicant is advised that this method of waste storage is not eligible for Regional collection, as such, waste collection for the subject property will be the responsibility of the owner through a private waste collection contractor and not the Niagara Region. An appropriate condition has been included within the attached Appendix.

Circular Materials Ontario is responsible for the delivery of residential Blue / Grey Box recycling collection services. The most up to date information regarding recycling can be found using the following link: <https://www.circularmaterials.ca/resident-communities/niagara-region/>.

Conclusion

In conclusion, Public Works Growth Management and Planning Division staff do not object to the proposed Draft Plan of Subdivision and Draft Plan of Common Element Condominium Applications, subject to the recommended Draft Plan Conditions within the Appendix, as Regional staff is satisfied that the proposal is consistent with the PPS and conforms to Provincial and Regional policies.

Appendix 7

PLSD202500186 & PLCD202500187

February 12, 2025

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,



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

Appendix I
Regional Conditions of Draft Plan of Subdivision Approval
0-15850 Rebstock Road, Fort Erie

1. That the Subdivision Agreement between the Owner and Town of Fort Erie include the following warning clause:

“If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C <https://pre.niagararegion.ca/culture-and-environment/pdf/archaeological-management-plan.pdf>.”

2. That the Subdivision Agreement between the Owner and Town of Fort Erie include the following warning clause and a similar clause be inserted into all offers and agreements of Purchase and Sale or Lease:

“This development does not meet the requirements of Niagara Region’s Corporate Policy for Waste Collection therefore waste collection services will be the responsibility of the owner through a private contractor and not Niagara Region.”



Re: Request for comments - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

From Aaron Hair <ahair@forterie.ca>
Date Tue 2025-01-28 2:57 PM
To Daryl Vander Veen <DVanderVeen@forterie.ca>

Good day Daryl,

I don't have any concerns from a policy perspective. With that being said, I do have two comments regarding the Urban Design Brief, pg 16 - Analysis, ends the paragraph with the word "additionally"; is the rest of this sentence missing? On pg 24 - Sence of Place, it references that this development serves as a unique gateway into Smithville. Since Smithville is in West Lincoln, I believe this section needs to be revised.

Best regards,

Aaron Hair, MCIP, RPP
Project Manager – Policy

Town of Fort Erie
Planning & Development Services
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2507
forterie.ca | ahair@forterie.ca



From: Daryl Vander Veen <DVanderVeen@forterie.ca>
Sent: Monday, January 13, 2025 3:09 PM
To: Daryl Vander Veen <DVanderVeen@forterie.ca>
Subject: Request for comments - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

Good afternoon,

The Town of Fort Erie has received applications for a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium for 0-15850 Rebstock Road. The subject lands are located in the Crystal Beach neighbourhood in the Town of Fort Erie.

The Plan of Subdivision consists of 10 blocks. Blocks 1, 4 and 7 are intended for block townhouses with a total of 16 dwelling units. Blocks 2, 3, 5, 6, 8 and 9 are intended for back-to-



Re: Request for comments - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

From Jessica Goodings <JGoodings@forterie.ca>
Date Mon 2025-02-03 3:51 PM
To Daryl Vander Veen <DVanderVeen@forterie.ca>

Hi Daryl,

The water supply looks good to me, but I do not see exact measurements for the roadways and turning radius to ensure that it will meet the requirements for a fire department apparatus.

Private roads will be constructed as a fire department access route as per the Ontario Building Code:

3.2.5.6. (1) A portion of a roadway or yard provided as a required access route for fire department use shall,

- (a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,
- (b) have a centreline radius not less than 12 m,
- (c) have an overhead clearance not less than 5 m,
- (d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,
- (e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,
- (f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and
- (g) be connected with a public thoroughfare.

Please let me know if you require any further information.

Thanks,

Jessica Goodings
Senior Fire Prevention Officer

Town of Fort Erie
Fire Department
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2605 | c: 289-321-0019

forterie.ca | jgoodings@forterie.ca



Re: Request for comments - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

From Kathryn Strachan <KStrachan@forterie.ca>

Date Fri 2025-01-31 2:56 PM

To Daryl Vander Veen <DVanderVeen@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>

Hello Daryl,

We have reviewed the landscape plan for 15850 Rebstock and have the following comments:

Planting Plan

- Replace Pin Oak with species from the approved Tree Species list – Town of Fort Erie
- Replace Winter Gem Korean Boxwood as they are susceptible to blight and the box tree moth
- All boulevard tree plantings shall be guaranteed by the Developer through a Letter of Credit deposit with the Town for the total cost of purchasing, planting and maintaining trees within the Plan of Subdivision (\$500.00 per tree –2012Rate). One (1) tree per lot and two (2) trees per sideyard flankage shall be required in the sodded portion of the road allowance (boulevard) between the front lot line and the roadway curb line.
- The landscape plan should include a legend and the following: streetlights, utility boxes, transformers, driveways, pavement marking and signage, parking spaces, hydrants, super mail box locations

Hardscape

- Clearly label all surface treatments and indicate what is pervious vs impervious.
- Permeable pavers on the sidewalks are noted in the Planning Justification Report on Page 28. Label this in the landscape plan and provide a detail including permeable sub-base material, jointing material and paver type
- The Unit Pavers listed in the landscape notes are not permeable, replace with permeable pavers and indicate where on the plan they are located
- What is the paving around the pergola ? It's not specified
- Missign pergola footing depth/mounting details
- The minimum width of sidewalk shall be 1.50m located 1.00m from the property line.
- Include the location of all curb cuts
- Drive aisle crosswalks should be signed and constructed of materials that are different to the drive aisle, such as interlocking brick paving.

Drainage

- Provide a well-drained snow storage area to prevent toxic runoff into drainage systems.
- Direct roof drainage to landscaped areas where feasible, and distribute runoff through multiple downspouts to minimize impacts on adjacent properties.

Landscape Notes:

Add the following Landscape Notes:

1. Any plant material or play equipment (if applicable) substitutions require the approval of the Town of Fort Erie.
2. Plant material, play equipment (if applicable) and fencing shall be provided by the Owner. Any additions must comply with the Zoning By-law.
3. Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing shall be to the satisfaction of the Town.
4. All landscaping shall be installed prior to the end of the first growing season following occupancy of the development.

Notwithstanding the Maintenance Guarantee period in the agreement, all plant materials shall have a two (2) year warranty.

Kathryn Strachan

Landscape Architect Intern (MLA, BFA)

Town of Fort Erie

Planning and Development Services
 1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
 p: 905-871-1600 ext. 2529

forterie.ca | kstrachan@forterie.ca



From: Daryl Vander Veen <DVanderVeen@forterie.ca>
Sent: Monday, January 13, 2025 3:09 PM
To: Daryl Vander Veen <DVanderVeen@forterie.ca>
Subject: Request for comments - 0-15850 Rebstock Road Draft Plan of Subdivision and Draft Plan of Condominium (files SUB-04-2024 & CON-01-2024)

Good afternoon,

The Town of Fort Erie has received applications for a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium for 0-15850 Rebstock Road. The subject lands are located in the Crystal Beach neighbourhood in the Town of Fort Erie.

The Plan of Subdivision consists of 10 blocks. Blocks 1, 4 and 7 are intended for block townhouses with a total of 16 dwelling units. Blocks 2, 3, 5, 6, 8 and 9 are intended for back-to-back townhouses with a total of 74 dwelling units. Block 10 is intended for a Common Elements Condominium. The proposed density is approximately 60 units per hectare.



Comments/Questions Re: 15850 Rebstock File SUB-04-2024/CON-01-2025

From Monique Therrien [REDACTED]
Date Fri 2025-01-17 9:37 PM
To Daryl Vander Veen <DVanderVeen@forterie.ca>
Cc [REDACTED]

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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

My husband and I wish to put forth our grave concerns for the proposed plan outlined for the above property application.

Many valid concerns were presented at the previous town hall meeting that included the number of bylaws being broken, safety/emergency, density, one entrance/exit, traffic, noise, height of the townhomes, snow removal, dust, overhead lighting, overcrowding, construction mayhem for years to come Etc the list is extremely extensive however it seems that it has all fallen on deaf ears.

There has been very poor communication throughout this process and only now do we find out that the application is complete.

You have devalued our homes and have disrupted our quiet neighborhood with allowing the development of so many townhouse dwellings in such a small space in which the bylaws for such space was intended for single family dwellings, much more suitable for the neighborhood.

These townhouses are intended to be 3 stories and will have a detrimental impact on our properties and privacy.

We intentionally moved from Niagara Falls and chose to buy our house in Crystal Beach in 2022 for the quiet, park side setting and space. We paid a significant amount for our home at that time. I will tell you it is with a heavy heart that we have our property listed as a result of these plans.

We are trying to understand why the city would allow so many bylaws to be broken when they impact so many homeowners and broken so many significant bylaws. The common person does not experience those same leniencies when they want to build a simple garage on their property.

This construction will be an eyesore that no one wants to see in their backyard. Our parks will be overcrowded and the main intersection will be a disaster.

It is truly disgraceful what bylaws the city is ok with changing and proposing to accept for this development....a real demonstration that the residence of Crystal Beach are insignificant and that bylaws

Appendix 8

mean nothing and are only intended for the tax payers to abide and follow.

We wish to be kept abreast and notified on any and all decisions of council on this proposed development moving forth.

Regards
Monique Therrien and
Rick Morocco
3740 Rebstock Rd

Sent from my iPhone



Part II Re: Comments/Questions Re: 15850 Rebstock File SUB-04-2024/CON-01-2025

From Monique Therrien [REDACTED]
Date Sat 2025-01-18 7:08 PM
To Daryl Vander Veen <DVanderVeen@forterie.ca>
Cc [REDACTED]

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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

Questions:

- how many beautiful mature trees will they be taking down
- how many new trees will they be planting
- if they are planting new trees, where will they be planted; will they be mature trees for noise/light reduction as well as reduce impact/barrier/privacy of 3 story townhouses looking into our yards
- are they taking down the berm
- where will the garbage bins be located
- will they be building a fence? If yes, where
- how close to the property line will they be building these monstrosities (also will that be minus or plus the berm)
- where is the green space that they indicated would be part of the plans
- will houses most heavily impacted by the development have a pre and post condition assessment conducted on their homes for crack and vibration monitoring impacts
- will we be paying additional taxes as an additional welcome package to having this development dropped on our front step
- what is the plan for snow removal; emergency equipment
- what are the plans for sewage capacity
- what is the plan for heavy rain/ snow melting drainage. I will tell you our sub pump goes off non stop during rain falls and snow melting as we must be on a water bed

Look forward to your responses to the above
Sent from my iPhone

> On Jan 17, 2025, at 9:37 PM, Monique Therrien [REDACTED] wrote:

>

> My husband and I wish to put forth our grave concerns for the proposed plan outlined for the above property application.

>

> Many valid concerns were presented at the previous town hall meeting that included the number of bylaws being broken, safety/emergency, density, one entrance/exit, traffic, noise, height of the townhomes, snow removal, dust, overhead lighting, overcrowding, construction mayhem for years to



Office of the CAO

Prepared for: Regular Council

Report: CAO-04-2025

Meeting Date: March 31, 2025

1. Title

Land Committee Meeting Minutes – March 20, 2025

2. Recommendations

That: Council receives the March 20, 2025, Land Committee meeting minutes attached as Appendix “1”, and further

That: Council authorizes the entry into a new Licence Agreement with the Crystal Beach Business Improvement Area Board of Management (CBBIA) for the purposes of a Farmer’s Market with an automatic renewal clause for the use of the Erie Road Parking Lot (“the Grove”), and further

That: Council authorizes the entry into a Licence Agreement for a 2025 pilot project between the Town of Fort Erie, the Crystal Beach Business Improvement Area Board of Management (CBBIA), and Jam Sport for the use of “the Grove” for the construction and operation of volleyball courts, subject to the provision of a certificate of insurance in the amount of \$2 million naming The Corporation of the Town of Fort Erie, the Crystal Beach Hill Cottagers’ Organization, and the CBBIA as additional insured, with the further conditions that no evening games take place and no alcohol be permitted on-site.

3. Relation to Council’s Corporate Strategic Plan

Land Committee Minutes are provided to Council together with recommendations associated with property and land matter requests.

4. List of Stakeholders

Residents, organizations and businesses of Fort Erie as contained in the report.

5. Purpose of Report

The purpose of this report is to ensure that members of Council are provided with current land information and staff’s deliberations associated with the land matters discussed at the March 20, 2025, Land Committee meeting.

Land Committee minutes are intended to be presented to Council for approval on a regular basis.

While not all reports will provide recommendations for Council's deliberations, they will provide background information on land matters discussed.

6. Analysis

Attached as Appendix "1" to the Report is a copy of the March 20, 2025, Land Committee meeting minutes.

The Committee passed two recommendations related to:

- 1) Continued use of the Erie Road Parking Lot ("the Grove"), by the Crystal Beach BIA for the purposes of a Farmer's Market; and
- 2) The entry into a Licence Agreement for a 2025 pilot project with Jam Sport for the use of "the Grove" for the construction and operation of volleyball courts.

As the pilot project is time sensitive, the Land Committee report has been placed on the Regular Agenda of March 31, 2025 and the By-law to enter into the Licence Agreement, if authorized by Council, will come forward at the April 14, 2025 Council-in-Committee meeting.

Members of the Land Committee will be in attendance during Council's deliberation to answer any questions arising from the minutes.

7. Financial, Staffing and Accessibility (AODA) Implications

Detailed in the March 20, 2025, Land Committee meeting minutes.

8. Policies Affecting Proposal

By-law No. 168-91, as amended, established and appointed members to the Land Committee. The By-law sets out the role of the Land Committee and defines mandates and responsibilities of the members. The Sale of Land Policy is governed by By-law No. 60-2017. Encroachments are governed by the Town's Encroachment Policy governed by By-law No. 89-07, as amended.

9. Comments from Departments, Community and Corporate Partners

The Land Committee is represented by the Mayor, the Chief Administrative Officer, the Director of Corporate Services, the Director of Planning and Development Services, the Director of Infrastructure Services and the Manager, Economic Development and Tourism Services. The Executive Director of the Fort Erie Native Friendship Centre also attends the Land Committee meetings, when available.

Other staff members are invited to participate in the Land Committee meetings depending upon their specific duties, responsibilities and specific area of expertise.

10. Alternatives

While Council has the option to decline the two requests from the Crystal Beach BIA, doing so is not recommended. The BIA has a proven track record of successfully hosting Farmers' Markets at this location and aims to further enhance community engagement by organizing additional

events in “The Grove”. These initiatives not only attract tourists but also encourage longer visits, contributing to the local economy and fostering a vibrant community atmosphere.

11. Communicating Results

Not applicable.

12. Report Approval

Prepared and submitted by:
Bev Bradnam, DPA, CMM III

Manager of Corporate and Community Initiatives

Approved by:
Chris McQueen, MBA
Chief Administrative Officer

13. Attachments

Appendix 1 – March 20, 2025 Land Committee Meeting Minutes



Appendix “1” to CAO-04-2024

Meeting: Land Committee

Meeting Date, Time, and Location

Thursday, March 20, 2025 at 9:00 a.m. in Conference Room #1

Members

Mayor Wayne Redekop
C. McQueen, Chief Administrative Officer, Chair
J. Janzen, Director of Corporate Services
A. Dilwaria, Director of Planning and Development Services (regrets)
C. Grummett, Manager of Economic Development and Tourism Services
J. Frost, Acting Director of Infrastructure Services

Support Staff

R. Firenze, Deputy Clerk
J. Nahachewsky, Law Clerk
B. Bradnam, Manager of Corporate and Community Initiatives
M. Iamarino, Manager of Development Approvals

MINUTES

1) New Business

1) Crystal Beach BIA Farmers’ Market at the parking lot on the far east side on Erie Road

A memorandum outlining the request by the Crystal Beach BIA to enter into a new Licence Agreement for the use of the Erie Road Parking Lot (“the Grove”) to host the Crystal Beach Farmer’s Market was reviewed. The request also included an automatic renewal for the Agreement. The CAO advised that positive feedback has been received on hosting the Market at this location and Town staff should ensure that garbage collection and receptacles are made available. The following recommendation was passed by the Committee.

1) New Business, continued

1) Crystal Beach BIA Farmers' Market at the parking lot on the far east side on Erie Road, continued

Recommendation 1:

THAT: Land Committee supports the entry into a new Licence Agreement with the Crystal Beach Business Improvement Area Board of Management for the purposes of a Farmer's Market with an automatic renewal clause for the use of the Erie Road Parking Lot ("the Grove").

(Carried)

2) Crystal Beach BIA & Jam Sports – Volleyball Courts in the 'the Grove'

A memorandum outlining the request from the Crystal Beach BIA for a proposed partnership with Jam Sports for the installation, administration, operation, maintenance and promotion of new beach volleyball courts to be located in the parking lot on the east side of Erie Road ("the Grove"), was reviewed by the Committee. It was noted that the primary use for the Town leasing the lot from the Crystal Beach Hill Cottagers' Organization (CBHCO) is for a parking lot but other community events have taken place and Jam Sports is a very reputable company. The CBHCO had no objection to the partnership but did request that all games end at dusk and no alcohol be permitted. Land Committee members agreed that a pilot project could take place in 2025 with the conditions requested by the CBHCO. It was noted that the Fire Chief prefers this location due to the easy of emergency access. The removal of a stump and preparation of the site would be the responsibility of the CBBIA and Jam Sports. The following recommendation was passed by the Land Committee.

Recommendation 2:

THAT: the Land Committee supports the entry into a Licence Agreement for a 2025 pilot project between the Town of Fort Erie, the Crystal Beach Business Improvement Area Board of Management (CBBIA), and Jam Sport for the use of 'The Grove' for the construction and operation of volleyball courts, subject to the provision of a certificate of insurance in the amount of \$2 million naming The Corporation of the Town of Fort Erie, the Crystal Beach Hill Cottagers' Organization, and the CBBIA as additional insured, with the further conditions that no evening games take place and no alcohol be permitted on-site.

(Carried)

2) Outstanding Matters

1) Old Ridgeway Public Works Yard

Discussion took place regarding the marketing and potential use of the property. Remain on outstanding.

2) Property off of Queen Street/Douglas Street

The Acting Director of Infrastructure Services advised that staff are working with a Surveying firm as the survey technologist position is currently vacant. The adjacent property owner to the north has not allowed the firm onto the property in question. Surveying will be attempted using the pin at the east corner and determine the magnitude of the encroachment and staff will then follow-up with the property owner and request removal of any identified encroachments. It was noted that the two properties to the east of the laneway have been waiting to purchase their portion of the Town property. Remain on outstanding.

3) Coal Docks

The Mayor noted that the Peace Bridge Authority is celebrating its' 100th anniversary in 2027 and perhaps the development of the Coal Docks as a community parkette could be a joint signature project with involvement from the Niagara Parks Commission (NPC), Peace Bridge Authority and Town. The Mayor and CAO will follow up with the NPC on the status of the lease agreement.

4) Request to Purchase 0-2902 Jarvis Street

The Manager of Economic Development and Tourism Services confirmed that the appraisal has been completed and the potential sale has been circulated to internal and external agencies, with no objections. The Manager will follow-up with the prospective buyer's realtor. Land Committee members confirmed that the Town does not pay a commission fee unless they are marketing a property on behalf of the Town. Once an application is provided and the applicable fee submitted, the Land Sale Policy process will take affect with respect to contacting adjacent property owners.

3) Other Matters

1) Request for Town to purchase estate property

A request for the Town to purchase an estate property was forwarded by a Council member. Discussion took place with respect to the location, other parks in the area, as well as potential subdivision development in close proximity. The CAO will notify the Councillor and individual submitting the request that the offer to purchase the estate property has been declined.

3) Other Matters, continued

2) Potential location of a new elementary school

The CAO advised that he has not had further dialogue with the District School Board of Niagara (DSBN) with respect to the potential location of a new elementary school. The Mayor advised that the new High School and John Brant Elementary School are both over capacity. The Mayor advised that the Town needs to identify where we think would be the best location, based on transportation, infrastructure, etc. It was noted that the new Minister of Education was the former Minister of Municipal Affairs and Housing, Paul Calandra, and the Town had a successful meeting with the Minister at ROMA, and there may be an opportunity to follow-up with the Ministry of Education. The CAO will follow-up with the DSBN.

4) Next Meeting Dates and Adjournment

The next meeting date has been scheduled for Thursday, April 17, 2025, from 9:00 a.m. to 10:30 a.m. in Conference Room #1 at Town Hall.

The March 20, 2025, Land Committee meeting adjourned at 9:47 a.m.

Meeting minutes recorded and prepared by:

Original Signed

Bev Bradnam, DPA, CMM III
Manager of Corporate and Community Initiatives

Meeting minutes approved by:

Original Signed

Chris McQueen, MBA
Chief Administrative Officer



Memorandum

Legal and Legislative Services

Prepared for: Regular Council

Meeting Date: Monday, March 31, 2025

Title: Chair and Vice-Chair of Business Subdivisions for the 2022-2026 Council Term

Section 18.7 of the Council Rules of Procedure By-law, as amended, prescribes the selection process and timeline for Chairs and Vice-Chairs of Business Subdivisions. The Council term is divided into three 16-month periods, with Chairs and Vice-Chairs switching positions at the 8-month mark of each 16-month portion. Initially, the Chair and Vice-Chair of each Subdivision are appointed by by-law at the Inaugural Meeting of Council. Subsequent selections of Chairs and Vice-Chairs for Business Subdivisions are executed by resolution of Council in the last month of the 16 months. No formal resolution is required when Chairs and Vice-Chairs switch roles.

The table below outlines the prescribed timelines, along with the timelines that have occurred thus far in the term.

Prescribed Timeline (16 Months)	Actual Timeline	Number of Months	Meeting Date and Resolution
November 2022 to February 2024	November 21, 2022, to March 14, 2024 Roles should have switched in June 2023	17 Months	November 21, 2022 Recommendations 2, 3 and 8
March 2024 to June 2025	March 14, 2024, to July 27, 2025 Roles should have switched in October 2024	17 Months	February 26, 2024 Resolution 7
July 2025 to October 2026	To be determined		

Council has closely followed the 16-month prescribed timelines for appointing Chairs and Vice-Chairs of Business Subdivisions. However, the first switch of the Chair and Vice-Chair roles did not take place at the 8-month mark, in part due to transitions within Legislative Services. For the current 16-month period, Council has not yet switched Chair and Vice-Chair roles.

Council is currently operating from the following Resolution passed on February 26, 2024, which expires on **July 27, 2025**:

Resolution 7

Moved by: Councillor McDermott

Seconded by: Councillor Christensen

Whereas: Section 18.8 of Council's Rules of Procedure By-law states that Prior to April 1 in the second year of the term, Council meets in open session and selects the Chair and Vice-Chair for each Business Subdivision for the second sixteen-month period of the term.

Now, therefore, be it resolved,

That: Council appoints the following Chair and Vice-chair for the Business Subdivisions of Council-in-Committee for the period of March 14, 2024, to July 27, 2025:

Planning and Development Services

Councillor Christensen, Chair

Councillor Dubanow, Vice-Chair

Infrastructure Services

Councillor Lewis, Chair

Councillor Noyes, Vice-Chair

Corporate and Community Services

Councillor Flagg, Chair

Councillor McDermott, Vice-Chair

On the November 18, 2024, Regular Council Meeting Agenda, the selection of Chairs and Vice-Chairs for Business Subdivisions from November 18, 2024, to July 21, 2025, was included under New Business. This item was to inform Council of switching the Chair and Vice-Chair roles according to the Rules of Procedure and not to reselect new Chairs and Vice-Chairs of each Business Subdivision. Council deferred the item to the December 2, 2024, meeting.

At the December 2, 2024, Special Council Meeting, Council deferred the item to the March 31, 2025, Regular Council Meeting.

The table below outlines the selection of Business Subdivision Chairs and Vice-Chairs thus far for the 2022-2026 Council term.

Timelines	Subdivision	Members of Council
November 2022, to March 14, 2024 Councillors did not switch roles until March 2024 (start of the new 16-month timeline)	Corporate and Community Services	Chair: Councillor McDermott Vice-Chair: Councillor Flagg
	Infrastructure Services	Chair: Councillor Noyes Vice-Chair: Councillor Lewis
	Planning, Building and By-law Services	Chair: Councillor Dubanow Vice-Chair: Councillor Christensen
March 14, 2024, to July 27, 2025 Councillors did not switch roles in October 2024	Corporate and Community Services	Chair: Councillor Flagg Vice-Chair: Councillor McDermott
	Infrastructure Services	Chair: Councillor Lewis Vice-Chair: Councillor Noyes
	Planning, Building and By-law Services	Chair: Councillor Christensen Vice-Chair: Councillor Dubanow

Options

Council retains full discretion in determining the most effective approach for Chair and Vice-Chair appointments while ensuring alignment with the Rules of Procedure. Staff are requesting direction from Council on their desired approach for managing the Chair and Vice-Chair roles for Business Subdivisions for the remainder of the term.

Council could choose to remain in their current roles within their current subdivisions for the remaining four months of the current 16-month period; this decision would balance out the fact that roles were not switched for the first 16-month period and is most in line with Council's Rules of Procedure. No resolution from Council is required for this action.

Council could choose to switch the Chair and Vice-Chairs' roles for the remaining 4 months instead of the usual 8 months. No resolution from Council is required for this action.

Council could appoint new Chairs and Vice-Chairs early and establish the last term period for 19 months instead of 16. A Resolution from Council would be required for this action, selecting Chairs and Vice-Chairs for April 1, 2025, to October 13, 2026.

Council could split the final 19 months of the term into two 9.5-month periods and select new Chairs and Vice-Chairs for both periods. A Resolution from Council would be required for this action, selecting Chairs and Vice-Chairs for April 1, 2025, to December 5, 2025. The selection of Chairs and Vice-Chairs for the final 9.5-month period would return to Council in November 2025 for the final resolution.

Prepared by:
Ashlea Carter, AMP, Dipl. M.A.
Acting Manager of Legislative Services/Town Clerk



Memorandum

Planning and Development Services

Prepared for: Regular Council

Meeting Date: Monday, March 31, 2025

Title: Lions Sugarbowl Bandshell Donation

Dear Mayor and Council,

Staff are pleased to inform you that the Fort Erie Underwater Recovery Unit has generously donated \$20,000 to the Bandshell in Lions Sugarbowl Park (SUGP23). This contribution will significantly support the design and construction of the Bandshell, while also advancing cultural development, fostering community engagement, and promoting tourism in Fort Erie.

We sincerely appreciate The Fort Erie Underwater Recovery Unit's commitment to building a vibrant and inclusive community, and their belief in the work the Town is doing to make a meaningful impact. This donation not only provides valuable resources but also demonstrates the community's confidence in our mission.

Staff recommend that Council formally acknowledge and express gratitude for this donation. A letter of appreciation or recognition during the March 31st, 2025, Council meeting could be considered an appropriate measure. A member from the Fort Erie Underwater Recovery Unit will attend the council meeting.

Thank you for your attention to this matter. Please advise if further action or additional information is required.

Prepared by:
Kathryn Strachan BFA MLA
Landscape Architect



The Corporation of the Town of Fort Erie By-law 19-2025

Being a By-law to Authorize the Entry into a Grant Funding Agreement to Upgrade Ophthalmology Equipment with Dr. Patricia Teal

Whereas By-law 25-2024 was passed by the Municipal Council of the Town of Fort Erie on February 26, 2024, to adopt a Physician Recruitment, Retention Plan and Medical Education Incentive Policy for the Town of Fort Erie; and

Whereas Report COS-01-2025 was considered and approved at the Council-in-Committee meeting held on February 10, 2025, recommending the entry into a Grant Funding Agreement with Dr. Teal for the Upgrading of the Ophthalmology Equipment; and

Whereas it is deemed desirable to enter into a Grant Funding Agreement with Dr. Patricia Teal for the above-mentioned purposes

Now, therefore, the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the entry into a Grant Funding Agreement with Dr. Patricia Teal, for upgrading the Ophthalmology Equipment, is authorized and approved.
2. **That** the Mayor and Clerk are authorized and directed to execute the Grant Funding Agreement, in a form satisfactory to the Town Solicitor and the Chief Administrative Officer, and to affix the corporate seal thereto.
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 31st day of March 2025.

Mayor

Clerk



The Corporation of the Town of Fort Erie By-law 20-2025

Being a By-law to Amend Zoning By-law No. 129-90, as amended Spears Garden Subdivision

Whereas an application was received from William Heikoop of Upper Canada Consultants on behalf of the Owner, Yiliming International Real Estate Limited, to amend the Town's Comprehensive Zoning By-law 129-90, as amended, for the lands known as the Spears Garden Subdivision; and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act, R.S.O. 1990, c. P.13* was held on February 24, 2025; and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law 129-90, as amended, pursuant to the recommendations of Report PBBS-15-2025 considered and approved at the Council meeting held on February 24, 2025; and

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** Schedule "A" of Comprehensive Zoning By-law 129-90, as amended, is further amended by changing the zoning of the subject lands known as the Spears Garden Subdivision and shown on the attached Schedule "A" from "Residential 2 (R2-525) Zone" and "Residential Multiple 1 (RM1-526) Zone" to a further amended "Residential 2 (R2-525) Zone" and "Residential Multiple 1 (RM1-526) Zone" and "Open Space (OS-813) Zone".
2. **That** Section 11 – Exceptions to the Residential 2 (R2) Zone, of Comprehensive Zoning By-law 129-90, as amended, is hereby further amended by adding to the "R2-525 Zone" the following provisions:

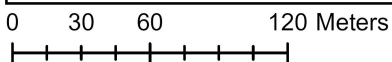
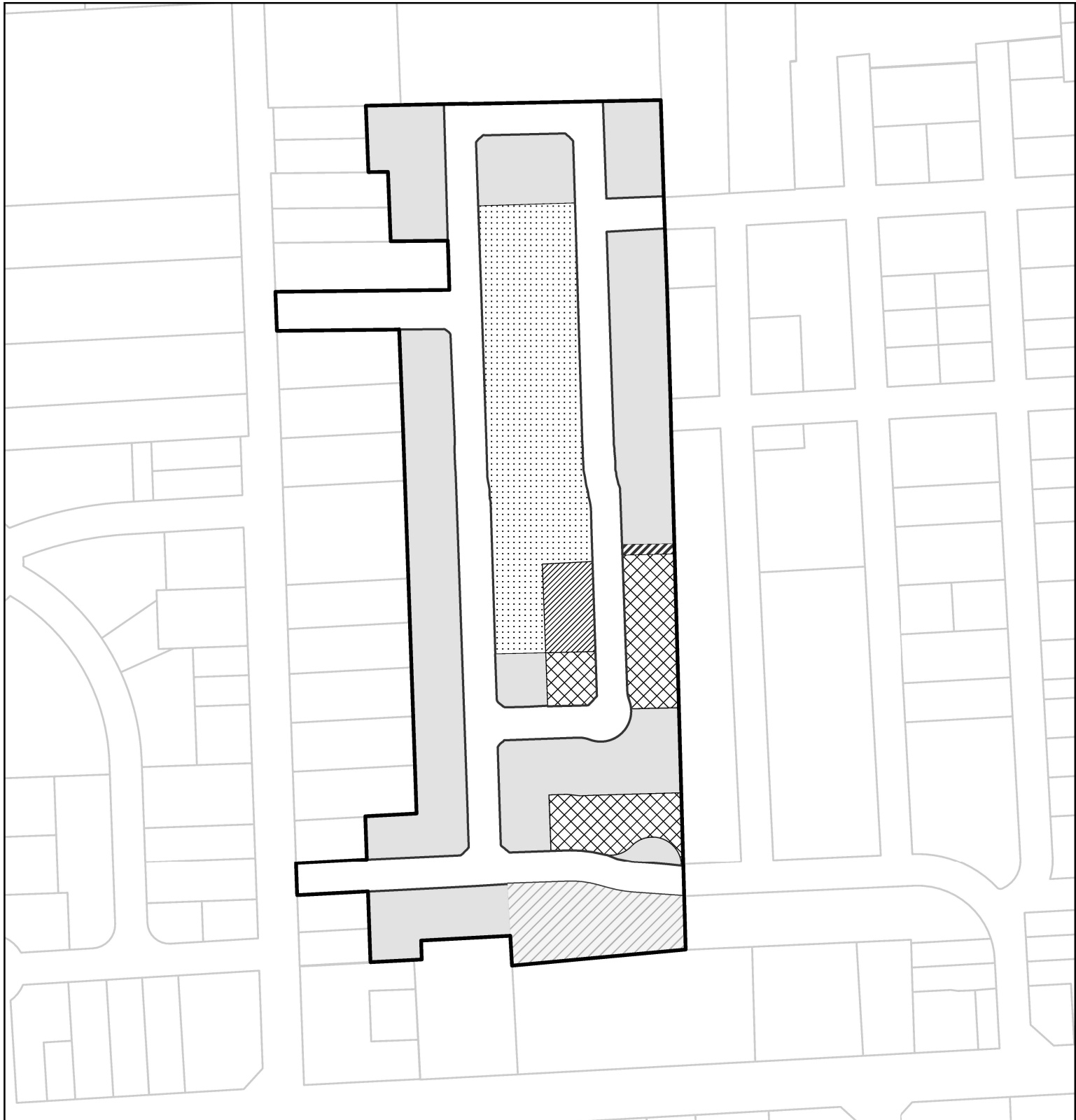
R2-525 (72-2015 and 20-2025) Spears Garden Subdivision

a) Notwithstanding the Regulations in Section 11.3, Zone Regulations, and By-law 72-2015, as it relates to Minimum Lot Frontage and Minimum Lot Area for single detached dwellings, the following shall apply:

- | | | |
|-----|----------------------|-------------------------------|
| i. | Minimum Lot Frontage | 10 m
13 m for a corner lot |
| ii. | Minimum Lot Area | 300 sq m |








b) Notwithstanding the Regulation in Section 6.45, Lot Composed of Two or More Lots, the following shall apply:

- i. Nothing in this by-law shall prevent the erection, alteration, extension or enlargement of a building or structure on lands composed of two or more contiguous lots, and such lots may be treated as one lot when calculating lot coverage and yard setback requirements, provided all of the requirements of the appropriate zone are complied with, and the owner of the lands has entered into an agreement with the Town of Fort Erie in accordance with Section 51 of the Planning Act R.S.O. 1990 c. P. 13 as amended from time to time or any successor thereto together with any regulations made thereunder.



BY-LAW 20-2025

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW 129-90 PASSED THIS 31st DAY OF MARCH 2025

-  Subject lands - Spears Garden Subdivision, Fort Erie
-  Part 1 - Residential 2 (R2-525) Zone
-  Part 2 - From Residential 2 (R2-525) Zone to Residential Multiple 1 (RM1-526) Zone
-  Part 3 - Residential Multiple 1 (RM1- 526) Zone
-  Part 4 - From Residential Multiple 1 (RM1 - 526) Zone to Residential 2 (R2-525) Zone
-  Part 5 - From Residential 2 (R2-525) Zone to Open Space (OS-813) Zone
-  Part 6 - Open Space (OS- 527) Zone



The Corporation of the Town of Fort Erie By-law 21-2025

**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 86

Spears Gardens Subdivision

Yiliming International Real Estate Limited (Matt Kernahan) – Owner

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 86 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 31st day of March 2025.

Mayor

Clerk

**AMENDMENT 86
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 86 to the Official Plan adopted by By-law 150-06 of the Fort Erie Planning Area.

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

Part “B”, the Amendment, consisting of the following text and map (designated Schedule “A”) constitutes Amendment 86 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 establish a Site Specific Policy Area that adds Street Townhouse Dwellings as a permitted use and supports a maximum residential density of 22 units per hectare in the existing Low Density Residential designation in the Spears-High Pointe Secondary Plan.

SECTION 3

LOCATION OF THIS AMENDMENT

The lands, which are the subject of this Amendment, are known as the Spears Gardens Subdivision 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;

The addition of Street Townhouse Dwellings as a permitted use will increase housing supply and facilitate a mix of built forms and densities that results in an efficient use of land and compact built form.

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 are in an established neighbourhood consisting primarily of low and medium density built forms on municipal services.

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 a large vacant lot within the built-up area and are not constrained by Natural Heritage features. Any proposed tree removal is subject to the requirements of the Town's (Tree) [By-law No. 33-2024](#).

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

1. The adequacy of the existing and proposed streets in relation to the development of such proposed areas;

The subject lands front onto Pettit Road, a designated Arterial Road. The proposed public street network will be constructed to a municipal standard with an urban cross section (sidewalks on a minimum of one side of the public street). The subject lands are proposed to be serviced by two points of ingress and egress (John Bright Avenue and Terry Drive) with a minimum width of 20.0 metres, sufficient to accommodate two-way vehicular traffic.

2. The convenience, accessibility, and safety of the site for vehicular and pedestrian traffic; and

The subject lands are proposed to be serviced by two points of ingress and egress from a designated Arterial Road (Pettit Road). A public street network is proposed with a minimum width of 20.0 metres. The proposed 20.0-metre-wide road width is sufficient to accommodate the safe movement of two-way vehicular traffic. An urban cross section (sidewalks on a minimum of one side of the public street) will be implemented as it relates to the public street network.

3. 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, Conservation and Parks, and the Niagara Region Public Health Department and any other appropriate authority deemed advisable.

Municipal services are available to the subject lands. Any capacity constraints would need to be addressed by the Applicant through future upgrades.

Registered Plan 59M-469 created a stormwater management facility for stormwater retention that has been conveyed to the Town.

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

The applications propose development of single and street townhouse dwellings, a built form commonly found throughout the surrounding neighbourhood and Fort Erie.

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

The proposed development is not anticipated to have depreciating or deteriorating effects on adjoining properties. The subject lands are surrounded by complementary residential and open space uses and an area proposed for a future stormwater management facility. The proposed public roadway will be constructed to municipal development standards.

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

The proposed use is not anticipated to negatively impact the financial position of the Town. Residential taxes will be generated from the proposed development and development charges would be collected.

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

The subject lands are not constrained by Natural Heritage features. Any proposed tree removal is subject to the requirements of the Town's (Tree) [By-law No. 33-2024](#).

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 86 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 “Low Density Residential - Site Specific Policy Area 54.”
2. The subject lands described as Low Density Residential - Site Specific Policy Area 54 on Schedule “A” attached hereto are hereby redesignated to:

SPEARS GARDENS SUBDIVISION (Site Specific Policy Area 54)

The lands designated on Schedule “A” as “Low Density Residential - Site Specific Policy Area 54” shall generally be governed by the Low Density Residential policies of Section 4.17.6 of the Spears-High Pointe Secondary Plan and Section 4.7 of the Official Plan. However, notwithstanding the permitted uses stated in Section 4.17.6(a) and density stated in Section 4.17.6(d), the following shall apply:

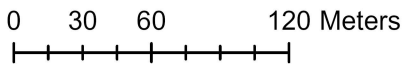
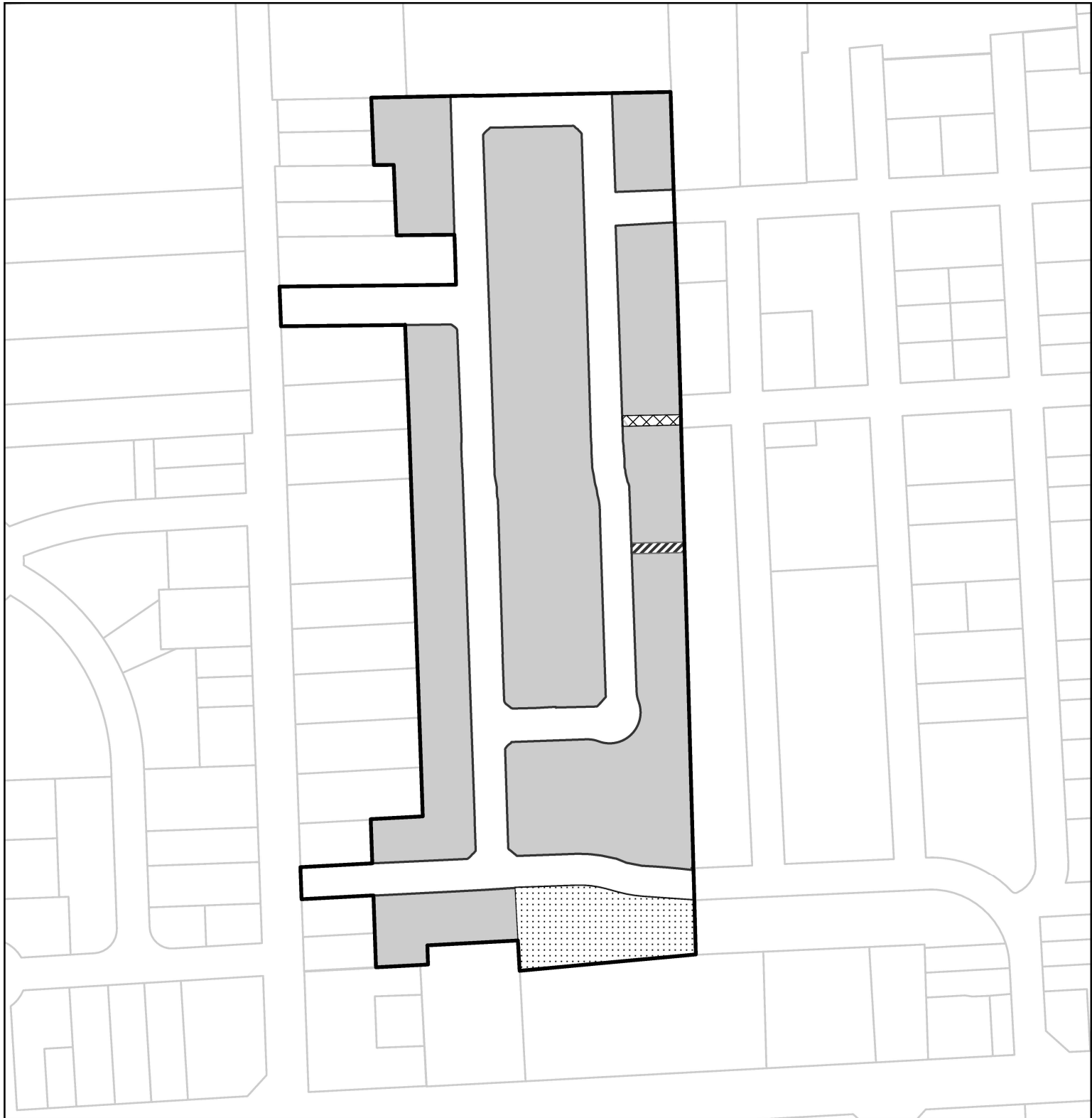
1. In addition to the permitted uses in Section 4.17.6(a), street townhouse dwellings shall also be permitted.
2. The subject lands shall have a maximum gross density of 22 units per hectare.

PART “C” – THE APPENDICES

Appendix 1 – Notice of Public Meeting






Appendix 2 – Public Meeting Minutes

Appendix 3 – Circulation Comments



BY-LAW 21-2025

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO THE OFFICIAL PLAN
PASSED THIS 31st DAY OF MARCH 2025**

-  Subject lands - Spears Garden Subdivision, Fort Erie
-  Part 1 - From Low Density to Low Density Residential Special Policy Area 54
-  Part 2 - Open Space
-  Part 3 - From Low Density Residential to Open Space
-  Part 4 - From Open Space to Low Density Residential Special Policy Area 54



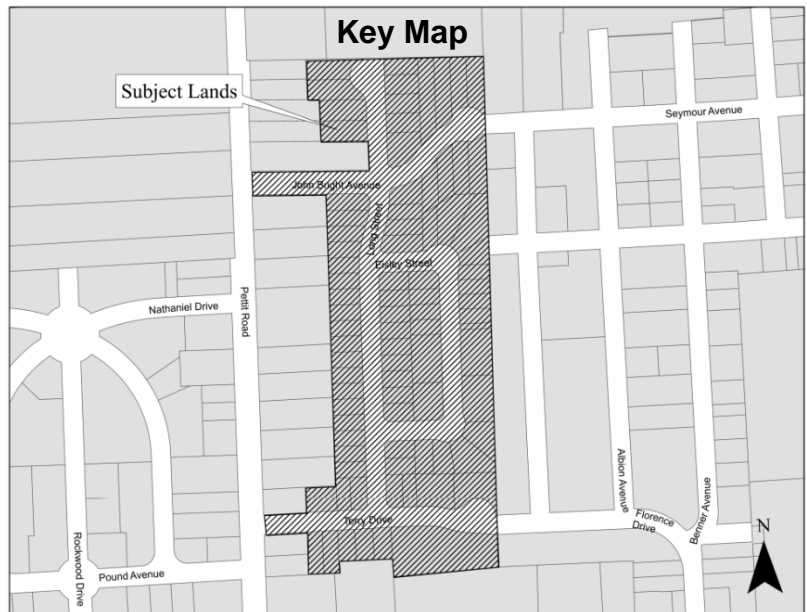
NOTICE OF COMPLETE APPLICATION AND OPEN HOUSE

Municipal Address: Spears-High Pointe Subdivision (multiple addresses, see key map below), Fort Erie
Owner: Yiliming International Real Estate Ltd.
Applicant: Upper Canada Consultants c/o William Heikoop
File Number(s): ZBA-14-2024, OPA-05-2024, PLC-06-2024

The Planning, Building and By-law Services Department received Official Plan and Zoning Amendment Applications, pursuant to Sections 17(34) and 34 of the Planning Act, 1990.

The applications were deemed complete on December 13th, 2024.

The subject lands are designated Low Density and Open Space in the Spears-High Pointe Secondary Plan and zoned Residential 2 (R2-525) Zone, Residential Multiple 1 (RM1-526) Zone and Open Space (OS-527) Zone in accordance with the Town’s Comprehensive Zoning By-law 129-90, as amended.



The purpose and effect of the Official Plan Amendment application is to establish a site-specific, Low Density, policy area that permits street townhouses as a permitted use and a maximum residential density of 22 units per hectare.

The purpose and effect of the Zoning By-law Amendment application is to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 residential lots, 14 blocks for residential purposes (119 single detached dwellings and 84 street townhouse dwellings) and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the site specific Open Space (OS-527) Zone is proposed (stormwater management pond).

The subject lands are also subject to an application for Removal of Part Lot Control (Municipal File Number PLC-06-2024) that proposes to realign and redesign the road network and lot and block fabric within the Spears-High Pointe Subdivision.

PUBLIC PARTICIPATION

The Town of Fort Erie is seeking your comments on the Applications. The Open House meeting is an initial opportunity for public input prior to scheduling a legislated Public Meeting on the matter, preparing a staff recommendation, and Council making a decision.

To participate in the Open House, you may:

- Attend the Open House meeting in-person, as follows:
Date: Tuesday, January 7th, 2025
Time: 5:00 PM – 6:00 PM
Location: Atrium, Town Hall, 1 Municipal Centre Drive, Fort Erie
- Submit written comments / questions to Devon Morton, Supervisor of Development Approvals, by email (dmorton@forerie.ca) or by regular mail (1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6). All written submissions will become part of the public record and will be provided to Council.

NOTICE OF COMPLETE APPLICATION AND OPEN HOUSE

If you wish to be notified of the decision of Council on the proposed Applications, you must make a written request to Devon Morton, Supervisor of Development Approvals.

APPEAL INFORMATION

Only the Minister, the applicant, specified persons, public bodies, and the registered owner of the land to which the by-law would apply, as defined in the *Planning Act*, may appeal the decision of Council to the Ontario Land Tribunal (OLT).

If a person or public body would otherwise have an ability to appeal the decision of Council to the OLT, but the 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 is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the OLT, there are reasonable grounds to do so.

MORE INFORMATION

Application materials are available for review on the Town's website (forterie.ca/resource/planningApplications.xsp), or by contacting Devon Morton, Supervisor of Development Approvals, by email. New or revised application materials will be uploaded to the Town's website at the link above as they become available. Please check the Town's website for updates.

CONTACT

Devon Morton, MCIP, RPP
Planning, Building and By-law Services
dmorton@forterie.ca
905-871-1600 x. 2514

Dated at the Town of Fort Erie on December 20, 2024

NOTICE OF PUBLIC MEETING

Municipal Address: Spears-High Pointe Subdivision (multiple addresses, see key map below), Fort Erie
Owner: Yiliming International Real Estate Ltd.
Applicant: Upper Canada Consultants c/o William Heikoop
File Number(s): ZBA-14-2024, OPA-05-2024

The Planning, Building and By-law Services Department received Official Plan and Zoning Amendment Applications, pursuant to Sections 17(34) and 34 of the Planning Act, 1990.

The applications were deemed complete on December 13th, 2024.

The subject lands are designated Low Density and Open Space in the Spears-High Pointe Secondary Plan and zoned Residential 2 (R2-525) Zone, Residential Multiple 1 (RM1-526) Zone and Open Space (OS-527) Zone in accordance with the Town’s Comprehensive Zoning By-law 129-90, as amended.



The purpose and effect of the Official Plan Amendment application is to establish a site-specific, Low Density, policy area that permits street townhouses as a permitted use and a maximum residential density of 22 units per hectare.

The purpose and effect of the Zoning By-law Amendment application is to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 residential lots, 14 blocks for residential purposes (119 single detached dwellings and 84 street townhouse dwellings) and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the site-specific Open Space (OS-527) Zone is proposed (stormwater management pond).

The subject lands are also subject to an application for Removal of Part Lot Control (Municipal File Number PLC-06-2024) that proposes to realign and redesign the road network and lot and block fabric within the Spears-High Pointe Subdivision.

PUBLIC PARTICIPATION

The Town of Fort Erie is seeking your comments on the Applications. The Public Meeting is an opportunity for public input prior to Council making a decision.

To participate in the Public Meeting, you may:

- Attend the Public meeting, as follows:
Date: Monday, February 24, 2025
Time: 6:00 PM
Location: Council Chambers, Town Hall, 1 Municipal Centre Drive, Fort Erie

Residents can participate in the Public Meeting in-person in the Town Council Chambers, or virtually by registering with Peter Todd, Town Clerk by email (clerk@forterie.ca).

The Public Meeting is also available to view on live stream at youtube.com/townofforterie, or by clicking on the YouTube icon on the Town’s website: forterie.ca

NOTICE OF PUBLIC MEETING

2. Submit written comments/questions to Devon Morton, Supervisor of Development Approvals by email (dmorton@forterie.ca) or regular mail (1 Municipal Centre Drive, Fort Erie, ON L2A 2S6). All written submissions will become part of the public record and will be provided to Council.

If you wish to be notified of the decision of Council on the proposed Applications, you must make a written request to Devon Morton, Supervisor of Development Approvals.

APPEAL INFORMATION

Only the Minister, the applicant, specified persons, public bodies, and the registered owner of the land to which the by-law would apply, as defined in the *Planning Act*, may appeal the decision of Council to the Ontario Land Tribunal (OLT).

If a person or public body would otherwise have an ability to appeal the decision of Council to the OLT, but the 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 is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the OLT, there are reasonable grounds to do so.

MORE INFORMATION

The Staff Report accompanying the Public Meeting will be available for review by 5:00 PM on **Thursday, February 20, 2025** by accessing the Council agenda through the Town's Website: forterie.ca/en/town-hall/council-meetings.aspx

Application materials are available for review on the Town's website (forterie.ca/resource/planningApplications.xsp), or by contacting Devon Morton, Supervisor of Development Approvals by email (Refer to 1278 Terry Drive, Fort Erie). New or revised application materials will be uploaded to the Town's website at the link above as they become available. Please check the Town's website for updates.

CONTACT

Devon Morton, MCIP, RPP
Planning, Building and By-law Services
dmorton@forterie.ca
905-871-1600 x. 2514

Dated at the Town of Fort Erie on February 3, 2025



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

**Monday, February 24, 2025, 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. Invocation

The Clerk read the Invocation.

4. Roll Call

The Clerk gave the roll call.

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

Also Present: Regional Councillor Insinna

Absent: Councillor Noyes

Staff: A. Carter, R. Firenze, A. Dilwaria, J. Frost, J. Janzen, C. Patton and P. Riley.

5. Announcements/Addenda

There was one addendum that updated Report PBBS-16-2025 and By-law 14-2025.

Mayor Redekop made the following announcements:

Certificate of Appreciation from Canadian National

The Town of Fort Erie received a "Rail Safety Ambassador" certificate from Canadian National Railway in recognition of proclaiming Rail Safety Week in 2024 and of the Town's support for this initiative.

Upcoming Open Houses

Two open houses will be held in March:

- Tree Bylaw Update: March 19th, 5:00 PM - 7:00 PM
- Climate Change Action Plan Draft Report: March 27th, 5:00 PM - 7:00 PM

Support for Douglas Memorial Hospital Funding

The City of Niagara Falls supported the Town's resolution, passed in October, calling for continued funding for the hospital. On February 20th, Regional Council unanimously approved this resolution. This approval is seen as recognition of the importance of maintaining urgent care, diagnostic services, palliative care beds, and chronic care beds in Fort Erie. Mayor Redekop thanked his regional colleagues and stated that the Town continues to press both the provincial government and Niagara Health to support the continued services at the hospital beyond the expected opening of the new hospital in 2028 or 2029.

Everyday Influencer Conference

Mayor Redekop and Councillor Christensen attended the Everyday Influencer Conference at Greater Fort Erie Secondary School, which was organized by students, including McKenzie Arts, the Chair of the Mayor's Youth Advisory Committee and other members of the Committee. The conference had participation from 200 students across several high schools in Niagara. The event included breakout sessions that were deemed inspirational, showcasing the future potential of the youth in the community. The conference was a great success, and other schools want to replicate it.

Clarification on Facebook Post Regarding Endorsement

Mayor Redekop addressed a Facebook post that falsely suggested he had endorsed a candidate for the upcoming provincial election. He clarified that no such endorsement had been made. The Mayor responded to the post to correct the misinformation and reassure the community that no endorsement has occurred or will occur prior to the election.

Reminder to Vote in Provincial Election

Mayor Redekop reminded the community about the upcoming provincial election on February 27th. Mayor Redekop encouraged all eligible voters to participate in the election, emphasizing the importance of voting as a fundamental right and responsibility in a democratic society. It is through voting that citizens shape the future of their communities.

6. **Declarations of Pecuniary Interest**

6.1 Councillor Flagg declared a pecuniary interest regarding the following items:

- Public Meeting - Zoning By-law Amendment and Draft Plan of Subdivision - 0-10747 Kraft Road - Crescent Acres Subdivision
- PBBS-14-2025
- Public Meeting - Official Plan and Zoning By-law Amendments- Spears High-Pointe Subdivision
- PBBS-15-2025

The Councillor's residence and place of business are within the catchment area of notification.

7. **Notice of Upcoming Public Meetings and Open Houses**

7.1 Public Meeting - Zoning By-law Amendment - 3741 Nigh Road

Owner: Brent King - Applicant: Biglieri Group (c/o Rachele Larocque) - Monday, March 17, 2025 - 6:00 p.m. - Council Chambers, Town Hall

8. **Regional Councillor Report**

Regional Councillor Insinna gave the following report:

Niagara Regional Housing (NRH) Crescent Road Facility

The Niagara Regional Housing building on Crescent Road is expected to be ready for occupancy by March of this year. The move-in process, initially planned for several months ago, was delayed due to construction deficiencies.

Consolidated Housing Master Plan

The Niagara Regional Housing Board was presented with the Consolidated Housing Master Plan last week. Currently, NRH owns 3,051 units, with a target of 6,037 units by 2050. This goal will focus on existing land and intensifying current properties. The plan prioritizes new unit developments followed by intensification of existing buildings. The plan proposes selling specific properties and using the proceeds to fund affordable housing development. Potential funding sources include:

- 6% from end-of-mortgage payments (\$120 million)
- 1% from land sales (\$17.5 million)
- A proposed 0.2% increase in the general levy
- Government grants (funding levels undetermined) There are no development charges (DCs) available, so funding will need to come from regional, provincial, or federal sources. The plan also explores partnerships with non-profit agencies and private developers.

The excess land surrounding the new Gilmore Lodge and the old site has not been included in the plan as Niagara Regional Housing does not own it. The plan is considered fluid and subject to adjustments as time progresses. If funding is secured, six projects in the plan would impact Fort Erie, with potential development in the next 3-5 years. The Housing Master Plan will be shared and explained at the Town of Fort Erie Affordable Housing Committee.

9. Presentations and Delegations

9.1 Mary McLelland Papp and Keith Ratcliffe, Co-Chairs, Fort Erie Museum and Cultural Heritage Committee

Re: Presentation of Heritage Plaques

M. McLelland Papp introduced the Museum and Cultural Heritage Advisory Committee, their role and the property designations. K. Ratcliffe introduced each property and its owner and presented the Heritage Plaques with Mayor Redekop;

- 164 Point Abino Road South: Edwin, Tony and Susan McGowan
- 3555 Yacht Harbour Road: Heather Hicks - Absent
- 304 Ridge Road North: Karen and John Arbour

Mayor Redekop thanked the Museum and Cultural Heritage Committee for their hard work and dedication. He also acknowledged the significant effort of the volunteer members and thanked them for the time and energy they invested in the initiatives. Mayor Redekop also thanked property owners for their cooperation in designating their properties for heritage preservation, recognizing the importance of this effort in preserving the community's history and guiding its future. The Mayor also acknowledged the hard work of the committee and staff in ensuring clear communication with property owners and emphasized continued collaboration moving forward.

9.2 Max Fedchyshak, Senior Planner and Jeremy Tran, Manager of Urban Design & Development Planning, NPG Planning Solutions

Re: 0-15850 Rebstock Road - Subdivision and Condominium Applications (Report PBBS-16-2025)

Max Fedchyshak, Senior Planner and Jeremy Tran, Manager of Urban Design & Development Planning, NPG Planning Solutions, provided a presentation summarizing the Application and responded to questions from members of Council.

J. Tran requested that Item 12.1 PBBS-16-2025 be moved up in the agenda to be considered after the presentation.

Council generally agreed to consider Item 12.1 PBBS-16-2025 following the presentation. However, the minutes reflect the agenda as printed.

10. Public Meetings

10.1 Public Meeting - Zoning By-law Amendment and Draft Plan of Subdivision - 0-10747 Kraft Road - Crescent Acres Subdivision

Owner: Crescent Acres Inc. - Applicant: Upper Canada Consultants, Joe Tomaino

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

Robin Shugan, Intermediate Development Planner, provided a presentation outlining the proposal and responded to questions from members of Council.

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

The applicant's agent, Joe Tomaino of Upper Canada Consultants spoke to the application and answered questions of Council.

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

Mark Charlong, 958 Crescent Road, provided oral comments on behalf of himself and his neighbour at 964 Crescent Road.

The Clerk confirmed that no additional written comments were received.

Mayor Redekop declared the Public Meeting closed.

10.2 PBBS-14-2025

Proposed Zoning By-law Amendment and Redline Revision to a Draft Plan of Subdivision Information and Recommendation Report for 0-10747 Kraft Road (Crescent Acres Subdivision)

Resolution 1

Moved by: Councillor Christensen

Seconded by: Councillor McDermott

That: Council approves the amendments to the Town's Zoning By-law 129-90 and Redline Revision to the Draft Plan of Subdivision as detailed in Report PBBS-14-2025 for the lands known as 0-10747 Kraft Road (Crescent Acres Subdivision).

That: Council approves the Crescent Acres Draft Plan of Subdivision Redline Revision dated April 4, 2024, showing 86 lots for single detached dwellings, 4 blocks for 8 semi-detached dwellings, 24 blocks for 144 town house dwellings, 1 block for a watercourse, 1 block for a stormwater pond and 1 block for a future road connection as attached as Appendix '4' of Report No. PBBS-14-2025, in accordance with the provisions of the

Planning Act, R.S.O 1990 c.P. 13 and the Regulations thereunder, subject to the conditions contained in Appendix '5' of Report No. PBBS-14-2025

That: Council directs staff to submit the necessary by-law

Carried

10.3 Public Meeting - Official Plan and Zoning By-law Amendments- Spears High-Pointe Subdivision

Owner: Yiliming International Real Estate Ltd. - Applicant: Upper Canada Consultants c/o William Heikoop

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

Devon Morton, Supervisor of Development Approvals, provided a presentation outlining the proposal and responded to questions from members of Council.

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

The applicant's agent, William Heikoop of Upper Canada Consultants, spoke to the application and answered questions of Council. Matt Kernahan thanked Planning Staff and answered questions of Council.

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

Italia Reeves, 1178 Pettit Road, provided oral comments.

The Clerk confirmed that no additional written comments were received.

Mayor Redekop declared the Public Meeting closed.

10.4 PBBS-15-2025

Proposed Official Plan and Zoning By-law Amendments Recommendation Report for lands located at 1278 Terry Drive (Spears-Garden Subdivision), Fort Erie

Resolution 2

Moved by: Councillor Dubanow

Seconded by: Councillor Lewis

That: Council approves the amendment to the Town's Consolidated 2021 Official Plan as detailed in Report PBBS-15-2025 for the lands known as 1278 Terry Drive (Spears-Garden Subdivision), Fort Erie, and further

That: Council approves the amendment to the Town's Zoning By-law 129-90 as detailed in Report PBBS-15-2025 for the lands known as 1278 Terry Drive (Spears-Garden Subdivision), Fort Erie, and further

That: Council directs that a Holding Provision under Section 36(1) of the Planning Act, R.S.O. 1990 be applied to the subject lands and not be removed until such time as:

1. The Owner / Applicant shall satisfy Regional waste collection requirements, to the satisfaction of the Niagara Region.
2. The Owner / Applicant shall provide written confirmation from a Qualified Professional, as defined under Oil, Gas and Salt Resources Act, that the proposed development is located greater than 75m from a private gas well. If the proposed development is within 75m of a private gas well, the Owner / Applicant shall provide confirmation from the Ministry of Natural Resources and Forestry that the private gas well has been decommissioned, in accordance with Provincial standards, prior to any demolition, construction, grading or other soil disturbances occurring on the subject property, to the satisfaction of Niagara Region and the Town's Director of Planning, Building and By-law Services.
3. The Owner / Applicant shall demonstrate drainage and stormwater management of this development and adjacent lands is accommodated as set out in the Spears High-Pointe Neighbourhood Master Servicing Study (By-law 39-2023) and Spears High-Pointe Secondary Plan ([By-law 131-2012](#)), to the satisfaction of the Town's Director of Infrastructure Services.
4. The Owner / Applicant submits and receives final approval of a revised Functional Servicing Report prepared and certified by a licensed Professional Civil Engineer with respect to the development's sanitary sewer proposal and proposed peak flows, and are able to demonstrate sufficient capacity within the sanitary system, to the satisfaction of the Town's Director of Infrastructure Services.

That: Council directs staff to submit the necessary Official Plan and Zoning By-law Amendment By-laws.

Carried

11. Consent Agenda

Resolution 3

Moved by: Councillor Flagg

Seconded by: Councillor McDermott

That: Council approves the consent agenda as recommended.

Carried

11.1 Minutes

11.1.1 Regular Council Meeting - January 27, 2025

11.1.2 Council-in-Budget Committee Meeting - January 29, 2025

11.1.3 Special Council Meeting - February 3, 2025

11.1.4 Council-in-Committee Meeting - February 10, 2025

11.1.5 Special Council Meeting - February 11, 2025

11.2 Correspondence

11.2.1 Proclamation - Autism Ontario - April 2, 2025 as World Autism Day

That: Council proclaims April 2, 2025 as "World Autism Day", and approves their flag be flown at Town Hall.

Carried

11.2.2 Receive and Support - Great Lakes and St. Lawrence Cities Initiative - Strong Response to Trade War

That: This correspondence be further circulated to Niagara MP's and MPP's and the Association of Municipalities of Ontario.

Carried

11.2.3 Proclamation - The Canadian Amyloidosis Support Network - March 2025 as Amyloidosis Awareness Month

That: Council proclaims March as "Amyloidosis Awareness Month".

Carried

11.3 Board/Committee Minutes

11.3.1 Receive - Mayor's Youth Advisory Committee - January 27, 2025

11.3.2 Receive - Crystal Beach Business Improvement Area Board of Management - January 8, 2025

11.3.3 Receive - Accessibility Advisory Committee - January 28, 2025

11.3.4 Receive - Senior Citizens Advisory Committee - January 8, 2025

11.3.5 Receive - Community Health Care Services Committee - February 6, 2025

11.3.6 Receive - Museum and Cultural Heritage Advisory Committee - February 12, 2025

11.3.7 Receive - Community Gaming Development Corporation - November 27, 2024

11.4 Reports

12. Reports

12.1 PBBS-16-2025

Proposed Draft Plan of Subdivision and Draft Plan of Common Elements Condominium Information and Recommendation Report for 0-15850 Rebstock Road

Resolution 4

Moved by: Councillor Lewis

Seconded by: Councillor Dubanow

That: Council approves the Draft Plan of Subdivision dated October 7, 2024, for the lands known as 0-15850 Rebstock Road, showing 9 blocks intended for 16 block townhouses, 74 back-to-back townhouse dwellings and a Common Elements Condominium as illustrated in Appendix 2 of Report PBBS-16-2025, in accordance with the provisions of the *Planning Act, R.S.O. 1990 c. P. 13* and the Regulations thereunder, subject to the conditions contained in Appendix 8 of Staff Report PBBS-16-2025, and further

That: Council approves the Draft Plan of Common Elements Condominium dated October 7, 2024, for the lands known as 0-15850 Rebstock Road, showing 1 block for common elements as illustrated in Appendix 3 of Report PBBS-16-2025, in accordance with the provisions of the *Planning Act, R.S.O. 1990 c. P. 13* and the Regulations thereunder, subject to the conditions contained in Appendix 9 of Staff Report PBBS-16-2025, and further

That: Council directs staff to circulate the Conditions of Draft Plan Approval in Appendix 5 and Appendix 6 of Staff Report PBBS-16-2025 to the applicable agencies in accordance with the requirements of the *Planning Act*.

Amendment:

Moved by: Councillor Lewis

Seconded by: Councillor Christensen

That: Report PBBS-16-2025 be deferred to the next Regular Council meeting on March 31, 2025.

Carried

13. New Business/Enquiries

None.

13.1 Councillor McDermott - Downtown Sidewalk Snow Clearing

Councillor McDermott stated that the minimum standard for snow clearing is 8 cm of snow; however, he is concerned about the severe ice we have been managing. He further noted that Infrastructure Services advised that they would need direction from Council to change the minimum standard.

J. Frost advised that winter maintenance staff have been on almost continuous deployment since noon Friday, February 14th. J. Frost further informed that in recent years, the Town has taken on the responsibility of sidewalk clearing and hired a contractor for approximately \$250,000 to \$300,000 per year to plow, salt and sand sidewalks. Infrastructure Services has spent considerable time, resources and budget this year on winter maintenance. J. Forst noted that in order to go above this minimum standard, staff would need direction and guidance from Council to take that action and spend additional funds.

Councillor McDermott noted that his request is specific to the business improvement areas.

Mayor Redekop advised that Councillor McDermott must bring forward a Notice of Motion and then have Council vote on a Motion.

Councillor Lewis requested that Councillor McDermott's Motion consider the three business improvement areas.

Councillor Dubanow suggested that staff consider GPS tracking of snowplows, as more information is helpful to Council and residents. Mayor Redekop advised that he and C. McQueen have discussed this, and he supports it.

14. Closed Session

Resolution 5

Moved by: Councillor McDermott

Seconded by: Councillor Flagg

That: Council goes into Closed Session at 7:59 p.m. to consider the following:

Item 14.1 Closed Session Minutes - January 27, 2025; and

Item 14.2 Closed Session Minutes - February 10, 2025; and

Item 14.3 Memorandum - Litigation Update pursuant to Section 239 (2) (e) of the *Municipal Act, 2001*, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and

Item 14.4 Memorandum - 3770 Hazel Street pursuant to Section 239 (e) of the *Municipal Act, 2001*, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Carried

15. Back to Open Session

Moved by: Councillor Lewis
Seconded by: Councillor McDermott

That: Council does now rise and reconvene from closed session at 8:17 p.m. with report:

Item 14.1 **That:** Council approves Closed Session Minutes - January 27, 2025; and

Item 14.2 **That:** Council approves Closed Session Minutes - February 10, 2025; and

Item 14.3 **That:** Council receives Memorandum - Litigation Update for information purposes, and

Item 14.4 **That:** Council receives Memorandum - 3770 Hazel Street for information purposes.

Carried

16. Motions

16.1 Mayor Redekop

Re: Waverly/Erie Beach Walkway

Mayor Redekop passed the Chair to Councillor McDermott in order to speak to the matter.

Resolution 6

Moved by: Mayor Redekop
Seconded by: Councillor Flagg

Whereas a significant section of the walkway at Waverly Beach/Erie Beach along Lake Erie was demolished by a storm on Halloween night 2019; and

Whereas the Town of Fort Erie has received funding from the provincial government under a Municipal Disaster Relief Program to reconstruct the walkway; and

Whereas there have been numerous delays in proceeding with the reconstruction project, including the Covid pandemic; and

Whereas it is time to proceed with the reconstruction of the walkway without further delay:

Now, therefore, be it resolved,

That: Staff be directed to proceed with the design work for reconstruction of the walkway at Waverly Beach/Erie Beach as close to the original profile as possible as the preferred location; and further

That: All necessary steps be considered, including additional structural reinforcement if necessary, to ensure the sustainability and resilience of the reconstructed walkway; and further

That: The project shall be ready for tendering as soon as possible, and no later than September 15, 2025, so the walkway reconstruction can commence before the end of 2025.

Carried

Councillor McDermott returned the chair to Mayor Redekop.

17. Notice of Motion

17.1 Councillor McDermott - Snow Plowing Sidewalks

Councillor McDermott gave notice of motion regarding snow clearing on sidewalks.

Returnable March 31, 2025

17.2 Councillor Lewis - Parking within the Business Improvement Areas

Councillor Lewis gave notice of motion regarding free business patron parking within the three business improvement areas including municipal lots and street parking.

Returnable March 31, 2025

17.3 Councillor Dubanow - Update on Sewer Servicing in Ward 2

Councillor Dubanow gave notice of motion to request an update on sewer servicing in Ward 2 along the Garrison Road corridor and a construction timeline.

J. Frost advised that there are two main catchment areas along Garrison Road. The Alliston Sanitary Pump Station services the west area, while the east area feeds into the Catherine Street catchment. A collaboration is being made between the Region and a private developer through a co-pay agreement to gather pump flow monitoring data to identify the cause of extraneous flow. This will help determine whether the issue is a pump limitation or something else. Multiple requests have been made in recent weeks to the region for data and reports, with efforts continuing to obtain the analysis this week.

J. Frost also advised that a Wastewater Rehabilitation project is underway in the Catherine Street area, with a draft RFP currently in progress. The project will address extraneous flows by relining sewers to tighten the system. A manhole relining program is also planned, with work dependent

on having 3-5 days of temperatures above 6°C. The liners will be available at the works yard soon if they are not in stock.

Mayor Redekop requested a memorandum to summarize for the Council-in-Committee meeting on March 17th.

Returnable March 31, 2025

18. Consideration of By-laws

Resolution 7

Moved by: Councillor Flagg

Seconded by: Councillor McDermott

That: The by-law package containing:

12-2025 To Amend By-law 70-2023 to Revise the Museum and Cultural Heritage Advisory Committee's Terms of Reference

13-2025 To Name the existing Park located on 3781 Ryan Avenue to Stadium Park

14-2025 To Amend Zoning By-law 129-90, as amended - 986 Ridge Road North

15-2025 To Adopt an Affordable Housing Community Improvement Plan

16-2025 To Authorize the Entry into a Development Agreement with Baden Lawrence Earl – 129 Maple Leaf Avenue North

17-2025 To Adopt the General Capital Budget and the General Levy Operating Budget for the Year 2025

are given first and second reading.

Carried

Resolution 8

Moved by: Councillor McDermott

Seconded by: Councillor Flagg

That: By-laws 12-2025 to 17-2025 inclusive are given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

Carried

Resolution 9

Moved by: Councillor Christensen

Seconded by: Councillor McDermott

That: By-law 18-2025 To Confirm the Actions of Council at its Council-in-Budget Committee Meeting held on January 29, 2025 and its Council-in-Committee

Meeting held on February 10, 2025, and its Council Meeting held on February 24, 2025, is given first and second reading.

Carried

Resolution 10

Moved by: Councillor Lewis
Seconded by: Councillor McDermott

That: By-law 18-2025 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

Carried

19. Scheduling of Meetings

Members of Council announced upcoming Boards and Committees meetings from March 5th to March 12th, 2025.

20. Adjournment

Resolution 11

Moved by: Councillor Dubanow
Seconded by: Councillor Flagg

That: Council adjourns at 8:30 pm to reconvene into a Regular Meeting of Council on March 31, 2025.

Carried

Mayor

Clerk

Memo

To: Devon Morton, Supervisor of Development Approvals

From: Taylor Boyle, Project Manager, Development Engineering

Date: February 20th, 2025

File No.: ZBA-14-2024

RE: **Official Plan Amendment, Zoning By-Law Amendment, Removal of Part Lot Control – 1st Submission – Spears Gardens (Formerly Lulongping Gardens)**

Town of Fort Erie Development Engineering Staff have reviewed the above noted application to address the technical concerns related to the Official Plan Amendment, Zoning By-law Amendment and Removal of Part Lot Control Application submission for Spears Gardens.

The proposed amendments are to facilitate a redesign of the Registered Plan of Subdivision, to establish a change to the road and lot/block pattern to accommodate 119 single detached lots and 14 blocks for 84 street townhouse units. The existing stormwater management facility and block for pedestrian connection to the east will continue to remain in their current locations. The internal street network will be redesigned as a looping grid pattern, with Terry Drive and Bright Avenue remaining in their current location, to provide for a more efficient lot/block pattern.

Town Staff have reviewed the following documentation for the purpose of this application:

- Functional Servicing Report, prepared by Upper Canada Consultants, dated November 2024;
- Revised Draft Plan of Subdivision, prepared by Upper Canada Consultants, dated June 19, 2024;

The following comments and conditions shall be addressed to the satisfaction of the Director of Infrastructure Services. Note that further comments are to be forthcoming on subsequent submissions.

General Comments:

Following a detailed review of the supporting documentation submitted as part of the Official Plan Amendment, Zoning By-Law Amendment and Removal of Part Lot Control Applications, Development

Engineering Staff recommend that a holding provision be placed upon the Zoning By-Law Amendment Application until such a time that the following comments/conditions are addressed to the satisfaction of the Director of Infrastructure Services.

Stormwater Management:

1. The subject lands are located within the Spears-High Pointe Secondary Plan Area within the Town's Official Plan. Within this Secondary Plan area there is an existing Master Servicing Study, Spears-High Pointe Neighbourhood Master Servicing Study, which outlines the recommended stormwater management strategy for the Secondary Plan area.

Pursuant to By-Law 39-2003, which adopted the 2002 Spears – High Pointe Neighbourhood Master Servicing Study, prepared by Earth Tech Canada Ltd., dated December 2002, Staff require that the Stormwater Management strategy for the proposed development be reviewed and revised to conform with the Spears – High Pointe Master Servicing Study and By-Law 39-2003.

2. In general, Town staff are committed to better environmental stewardship. In accordance with the Niagara Region's Stormwater Management Guidelines, Town Staff require that water quality control be to an Enhanced level (80% TSS removal).
3. Is there an opportunity to implement a treatment train BEFORE the oil-grit separator to reduce the burden of facility maintenance in the future?

Condition:

1. **A detailed Stormwater Management Report shall be prepared, certified, and implemented for this development by a Professional Civil Engineer in accordance with the Town's Standards, as amended, and in accordance with By-Law 39-2003 and the Spears – High Pointe Neighbourhood Master Servicing Study, to the satisfaction of the Project Manager, Development Engineering;**

Functional Servicing Report:

4. The Functional Servicing Report shall be peer-reviewed by the Town's Sanitary Sewer Consultant, GEI Consultants. The analysis by the Town's Consultant shall comment on and provide recommendations for the existing downstream system, if any. The submission of this Functional Servicing component and recommendations thereof to the downstream system, if any, as a result of the peer-review, shall be required as a condition of the Zoning Bylaw Amendment, and a HOLD Provision applied to the lands, until such time as the recommendations for improvements, if any, are implemented accordingly at 100% responsibility of the Owner.

5. The Owner shall also make themselves familiar with the requirements of the Town's current Sanitary Sewer Consolidated Linear Infrastructure license, and ensure these requirements are met, prior to the Town authorizing connections to the existing sewer system.

Condition:

2. **The Owner submits to the Town for review and approval a revised Functional Servicing Report prepared and certified by a licensed Professional Civil Engineer with respect to the development's sanitary sewer proposal and proposed peak flows, to the satisfaction of the Director, Infrastructure Services**

Proposed Road Network

6. As the proposed development is located within the Spears – High Pointe Secondary Plan area, Staff require that the Owner/Developer demonstrate how the proposed road network is proposed to integrate with Secondary Plan's recommended overall road network.

Condition:

3. **The Owner / Applicant shall demonstrate the proposed road network is compatible with the Spears High-Pointe Secondary Plan to the satisfaction of the Town's Director of Infrastructure Services.**

Development Engineering have no further comments or conditions to impose regarding the submitted Applications, subject to the above conditions.

Regards,



Taylor Boyle, C. Tech., rcsi
Project Manager, Development Engineering
Planning, Building and By-Law Services

Interoffice Memorandum

February 19, 2025
File No. 350308-0104

To: Devon M. Morton, Supervisor of Development Approvals
From: R.D. Judd, Municipal Engineer - Infrastructure Renewal
Subject: **ZONING BY-LAW AND OFFICAL PLAN AMENDMENTS APPLICATIONS,
SPEARS GARDEN/ LULONGPING SUBDIVISION**

Engineering Services Division has completed a high level review of the above noted Zoning By-law and Official Plan Amendments. It is our understanding that Development Engineering staff are responsible to complete a detailed review and provide comments too.

Official Plan Amendment

The purpose and effect of the Official Plan Amendment application is to establish a site specific, Low Density, policy area that permits street townhouses as a permitted use and a maximum residential density of 22 units per hectare.

- We have no comments regarding the proposed Official Plan Amendment.

Zoning By-law Amendment

The purpose and effect of the Zoning By-law Amendment application is to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 residential lots, 14 blocks for residential purposes (119 single detached dwellings and 84 street townhouse dwellings) and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the site specific Open Space (OS-527) Zone is proposed (stormwater management pond).

The subject lands are also subject to an application for Removal of Part Lot Control (Municipal File Number PLC-06-2024) that proposes to realign and redesign the road network and lot and block fabric within the Spears-High Pointe Subdivision.

- We note that this proposed concept will add an additional 100 residential units to the existing plan.
- Sewer collection system capacity analysis for a proposed development on the west side of Pettit Road found that there were system capacity limitations. The FSR in support of Spears Gardens provides no analysis of downstream system capacity and a peer review is required. Some flow monitoring was done November and December by a developer partnership. We are uncertain if Spears Garden was part of this partnership and results of the flow monitoring have not been received by the Engineering Dept yet.
- Proposed road network is not compatible with Spears- High Pointe Neighbourhood Secondary Plan (By-law 131-12) Figure SHP-4. Road connections to lands to north should be provided as per SHP-4.
- Adding 100 units to the development will increase the development's impervious area and storm run off. More details are required to confirm that the existing storm water management pond can accommodate the additional storm run off flows.

- The Spears - High Pointe Neighbourhood Master Servicing Study (By-law 39-2003) indicated that adjacent lands to the east were to be included in the storm water management (SWM) facility. It is not preferred to have several small ponds for multiple developments. Where possible, a single SWM facility should service multiple developments to provide better land use and more efficient on-going maintenance of the facility.

**REQUESTED CONDITIONS OF ZONING BY-LAW AMENDMENT:
SPEARS GARDEN/ LULONGPING SUBDIVISION**

- A. We recommend the inclusion of a Holding Provision (H) in the amending Zoning By-law to ensure that the sanitary sewer system capacity is confirmed to be available, to the satisfaction of the Director of Infrastructure Services, for the proposed 119 single detached dwellings and 84 street townhouse dwellings.
- B. We recommend the inclusion of a Holding Provision (H) in the amending Zoning By-law to ensure that storm water management can be accommodated in the Spears Gardens existing pond block.
- C. We recommend the inclusion of a Holding Provision (H) in the amending Zoning By-law to ensure that drainage and storm water management of adjacent lands is accommodated within Spears Gardens as set out in the Spears -High Pointe Neighbourhood Master Servicing Study (By-law 39-2003) and Spears- High Pointe Neighbourhood Secondary Plan (By-law 131-12), to the satisfaction of the Director of Infrastructure Services.
- D. We recommend the inclusion of a Holding Provision (H) in the amending Zoning By-law to ensure the Spears Gardens road network is compatible with the Spears -High Pointe Neighbourhood Plan (by-law131-12), to the satisfaction of the Director of Infrastructure Services.

I trust this is sufficient for your purposes, please contact me if you have any questions.

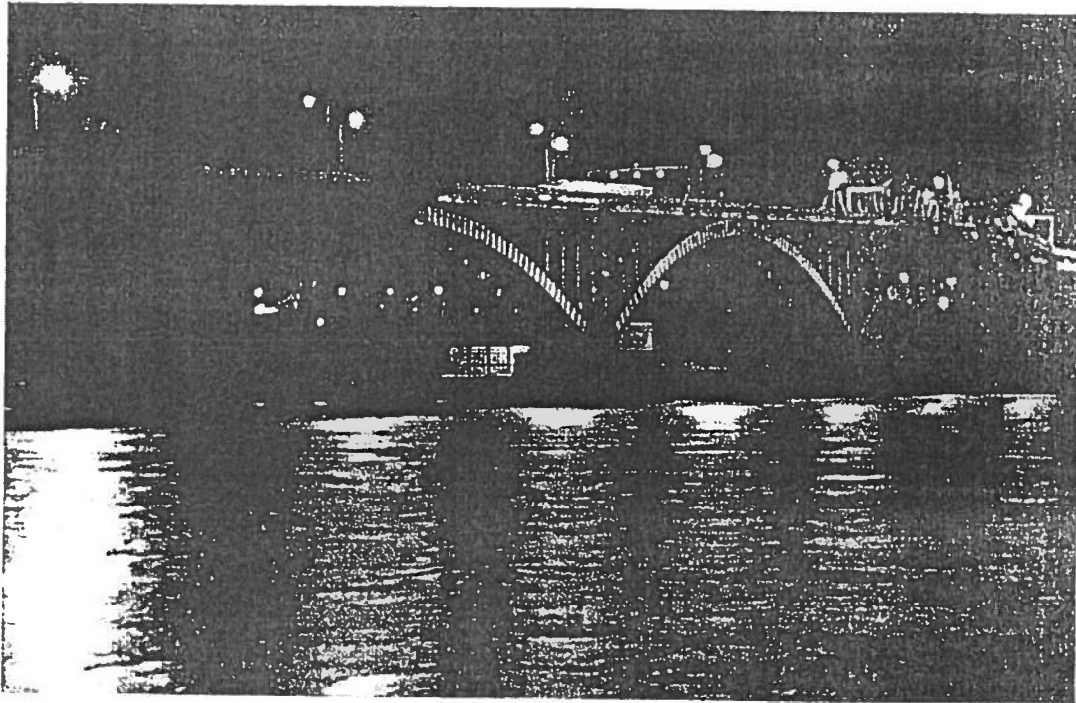


Robert D. Judd, P.Eng.
Municipal Engineer – Infrastructure Renewal

RDJ:
ecc. J. Frost , Acting Director of Infrastructure Services
M. Iamarino, Manager of Development Approvals
T. Boyle, Project Manager, Development Engineering, Planning and Development Services



Spears and High Pointe Neighbourhoods Master Servicing Plan



Prepared for:
The Corporation of The Town
of Fort Erie
Municipal Centre
1 Municipal Drive
Fort Erie, L2A 2S6

Prepared by:
Earth Tech Canada Inc.
Corbloc Building
80 King Street, 2nd Floor
St. Catharines, Ontario, L2R 7G1

Final Report – December, 2002

TABLE 4-7

**COST ESTIMATES FOR REQUIRED WORKS FOR ALTERNATIVE 3 – COMMERCIAL FLOWS TO
GILMORE ROAD PUMPING STATION**

ITEM	LENGTH (M)	DESCRIPTION OF WORK	COST
High Pointe Neighbourhood – Trunk Sewers	1,750	200 mm D Sewer	\$262,050
Spears Neighbourhood – Trunk Sewers	3,582	200 mm D Sewer	\$537,300
Spears Neighbourhood – Trunk Sewers	1,616	250 mm D Sewer	\$323,200
Replacement Sewers	500	200 mm D Sewer	\$100,000
	2,363	300 mm D Sewer	\$649,825
	210	300 mm D Sewer (under OEWS)	\$168,000
Manholes		101	\$920,000
Reconnection of Private Drains		136 @ 10 m	\$204,000
Sub Total			\$3,164,375
Engineering & Contingencies (20%)			\$632,875
Total for Alternative 3			\$3,800,000
Cost per Dwelling			\$2,533

4.6. Storm Sewer Systems

The “end-of-pipe” alternative was selected to provide the required stormwater management works for the new development. This alternative incorporates wet/dry ponds based on local topography and availability of outlet.

Figure 4-4 shows the drainage areas tributary to the stormwater management areas, proposed locations of stormwater management facilities, overland flow routes and existing/proposed storm sewers.

The SWMHYMO stormwater computer package was used to analyze existing and proposed storm sewer areas. This program is widely applied in stormwater management projects. A model of the proposed development area was constructed and used to estimate drainage area run-off hydrographs for sizing the extended detention wet ponds. For study purposes only the 2 and 100 year return storm period were modelled. The following criteria and assumptions were used in the stormwater management analysis.

- For purposes of this study, it was assumed that Extended Detention Wet Ponds (EDWP) will be used to provide stormwater quality (as required by the MOE), erosion and quantity control for all new development areas. The EDWP consists of a permanent pool of water to facilitate settling of solids and an extended detention zone with a 24-hour release time to provide water quality and erosion control benefits. The EDWP design also includes a quantity control zone

that will provide detention storage by restricting flows to predevelopment levels. The EDWP will incorporate a bypass for dewatering and maintenance.

During the design phase of each development area, detailed studies should be completed to determine the most applicable stormwater management practice, methodology and design, considering the following:

- The EDWP outlet pipe to the storm outlet or existing storm system will be sized for the equivalent to the 2-year return storm, predevelopment peak run-off.
- All works identified, including stormwater management facilities and works outside the road allowance, are Schedule 'B' Environmental Assessment projects unless they are carried out as part of a Plan of Subdivision.
- Imperviousness factors were calculated for various areas based on proposed land uses, as defined in the Neighbourhood Plans.
- A summary of hydrologic analysis and required EDWP facilities for the neighbourhood areas, including volume and land requirements is provided in Appendix "B".

The following assumptions were used in the stormwater calculations:

- Percent imperviousness was increased by 25% for the 100-year storm to account for antecedent conditions.
- The **Town of Fort Erie Intensity Duration Frequency curves** for the 100 year return storm were used, the following values: A = 628, B = 6.652 and C = 0.790. The 4-hour Chicago storm distribution was used to derive the storm hyetograph.
- Storm sewer designs were based on the Fort Erie 2-year storm – design requirement.
- Pipe slopes were assumed to be 0.20% to connect into the existing system on Garrison Road. However, inverts for the existing system were not confirmed.

The storm sewer design sheets are included in Appendix "B" and the drainage areas are shown on Figure 4-4. Sewers were designed for the two-year design storm using a 0.20% slope. Actual sewer sizes will vary slightly from the proposed as slopes vary from the standard.

The flowchart schematic of the SWMHYMO models are attached in Appendix "B".

4.6.1. System Description – High Pointe Neighbourhood

The subdivision was divided into two areas as the land currently drains to two drainage courses. The western half of High Pointe drains to Frenchman drain and the eastern side drains to the Kraft drain. Due to this natural division the site requires two EDWP. The results of the two SWMHYMO runs are in Table 4-8 and the input, output and detail calculations are attached in Appendix "B".

	KRAFT DRAIN – DRAINAGE AREA	FRENCHMAN DRAIN – DRAINAGE AREA
Predevelopment Area	11.43 ha	12.56 ha
Predevelopment 2 year peak flow	0.438 m ³ /sec	0.442 m ³ /sec
Predevelopment 100 year peak flow	1.603 m ³ /sec	1.619 m ³ /sec
Quantity Volume Storage required	691 m ³	3,177 m ³
Quality Volume Storage required	2,509 m ³	2,652 m ³
Total Volume Storage required	3,200 m ³	5,839 m ³
Total Area Required	5,249 m ²	5,056 m ²
Required Depth	1.10 m	2 m

Table 4-8 presents a summary of works required to provide storm sewers and stormwater management facilities for the High Pointe Development in Fort Erie. Required works include storm sewers, storm outfalls and extended detention wet ponds. Estimated construction, engineering and contingency costs are also provided. Cost estimates for the sewers are based on the following:

- Storm sewers within the development areas assumed no surface restoration and native backfill
- Storm sewers within new roads assumed granular backfill.
- Storm sewers with in existing roads assumed granular backfill and trench restoration.
- Depth of storm sewer 3.0 metres.
- Good soil conditions – no rock excavation
- Road restoration consisted of: 400 mm Granular 'A' road base, 50 mm HL8 and 40 mm HL3 asphalt for trench restoration.

Cost estimates and preliminary pond size requirements for extended detention wet ponds are based on the following:

- 10:1 pond side slopes
- 3 metre wide buffer around perimeter of pond
- 5:1 pond length to width ratio
- 0.5 metre minimum depth of permanent pool
- Extended detention wet pond cost estimates include excavation, inlet and outlet structures, environmental vegetation, topsoil, hydro seeding and land acquisition.
- EDWP cost estimates are based on unit costs provided in the MOE Stormwater Practices Manual and re-evaluated for 2002 prices. No allowances for rock excavation, or operation and maintenance costs are provided.

- 20% Contingencies and Engineering fees are included.
- All costs are in 2002 dollars, GST included and are attached in Appendix "B".

TABLE 4-9

COST ESTIMATES FOR REQUIRED STORM SYSTEM WORKS FOR HIGH POINTE NEIGHBOURHOOD

ITEM	LENGTH (M)	DESCRIPTION OF WORK	COST
High Pointe Neighbourhood – Trunk Sewers	215	675 mm D Sewer	\$ 64,500
	660	750 mm D Sewer	\$247,500
	592	825 mm D Sewer	\$236,800
	383	1050 mm D Sewer	\$229,800
	328	1200 mm D Sewer	\$180,400
	137	1350 mm D Sewer	\$ 82,200
Manholes		25	\$ 75,000
Catch basins		50	\$170,000
Frenchman Pond			\$105,000
Kraft Pond			\$100,000
Ditch Upgrades	680	--	\$20,050
Sub Total			\$1,575,600
Engineering & Contingencies (20%)			\$315,120
Total			\$1,890,720
Cost per Dwelling			\$7,443

4.6.2. System Description – Spears Neighbourhood

The subdivision drains naturally from the north to the south and outlets to the Kraft drain. Due to the area and land grades of the site two EDWP were sized and sited for the residential areas. The commercial area not currently serviced by a storm water facility (northern portion) was run as a separate area since the final SWM facility may vary from a wet pond. The drainage areas and locations of the proposed ponds are shown on Figure 4-4. The results of the SWMHYMO runs are in Table 4-10 and the input, output and detail calculations are attached in Appendix "B".

TABLE 4-10

SWMHYMO RESULTS FOR SPEARS NEIGHBOURHOOD

	KRAFT # 2	KRAFT # 3	COMMERCIAL
Predevelopment Area	43.43 ha	54.60 ha	16 ha
Predevelopment 2 year peak flow	6.855 m ³ /sec	1.028 m ³ /sec	0.433 m ³ /sec
Predevelopment 100 year peak flow	3.852 m ³ /sec	4.615 m ³ /sec	1.609 m ³ /sec
Quantity Volume Storage required	8,042 m ³	5,538 m ³	3,392 m ³
Quality Volume Storage required	9,844 m ³	12,376 m ³	6,450 m ³
Total Volume Storage required	17,886 m ³	17,914 m ³	9,842 m ³
Total Area Required	14,151 m ²	17,092 m ²	10,125 m ²
Required Depth	1.55 m	1.28 m	1.39 m

Table 4-11 presents a summary of works required to provide storm sewers and stormwater management facilities for the Spears Neighbourhood in Fort Erie. Required works include storm sewers, storm outfalls and extended detention wet ponds. Estimated construction, engineering and contingency costs are also

provided. Cost estimates for the sewers are based on the assumptions noted under Section 4.5.1 and are attached in Appendix "B":

ITEM	LENGTH (M)	DESCRIPTION OF WORK	COST
Spears Neighbourhood - Trunk Sewers	200	900 mm D Sewer	\$110,000
	4,260	1050 mm D Sewer	\$2,516,000
	1,783	1200 mm D Sewer	\$1,090,250
	1,796	1350 mm D Sewer	\$1,077,600
	395	1500 mm D Sewer	\$266,625
	430	1800 mm D Sewer	\$322,500
Manholes		94	\$282,000
Catch basins		188	\$639,200
Kraft # 2			\$259,000
Kraft # 3			\$259,000
Commercial			\$189,000
Ditch Upgrades	1,300		\$273,000
Sub Total			\$7,284,375
Engineering & Contingencies (20%)			\$1,456,875
Total			\$8,741,250
Cost per Dwelling			\$7,000

The preliminary analysis of the stormwater management requirements was completed for planning purposes based on available information. During the design process for each development area, a detailed Stormwater Management Practices Study should be undertaken. This study will screen available stormwater management alternatives for the site and ensure that the proposed stormwater management facilities comply with the watershed goals and objectives of the municipality, MNR, MOE, NPCA and other agencies. Detailed site design and analysis is required to confirm the type, sizing and configuration of stormwater management facilities to meet the site requirements of these agencies.

4.6.3. Alternative Stormwater Considerations

During progress meetings, the Town requested that Earth Tech investigate diverting storm flow to the adjacent golf course ponds for irrigation purposes.

The only storm flows that can realistically be diverted would be the Frenchman Pond in High Pointe as the remainder of the developments are in a different watershed.

An agreement would have to be entered into between the Town and the course operator with specific details on:

- Pond operation such as how much water can be retained
- Maintaining flows to Frenchman drain
- Responsibility in the event of pond failure
- In case the course was sold for future development, conditions must be maintained
- Pond Maintenance such as debris and sedimentation clean out
- Minimum water levels for quality control
- Maximum outlet flows

4.7. Water Distribution System

System Description

New development in the neighbourhoods will be provided with water from the Rosehill Water Treatment Plant via a 300 mm D watermain located on Garrison Road.

The Town's water distribution system model, updated in 1977, was utilized to determine development impacts on the water system. We note that the model has not been calibrated since 1997. The current model pump controls were based on an average day operation. In order to complete our analysis two pump controls were adjusted to allow for the required flow from the WTP. The two controls, which were modified, are as follows:

- Pump # 4 was left running from 19:00 hrs to 24:00 hours instead of having the pump shut off at 22:00 hrs
- Pump #3 was shut off from 22:00 hrs to 24:00 hours

The neighbourhood densities were added in accordance with the neighbourhood plans to determine the system demands – calculations are attached in Appendix "C". This was used to recommend system upgrades and expansion requirements.

Model Results

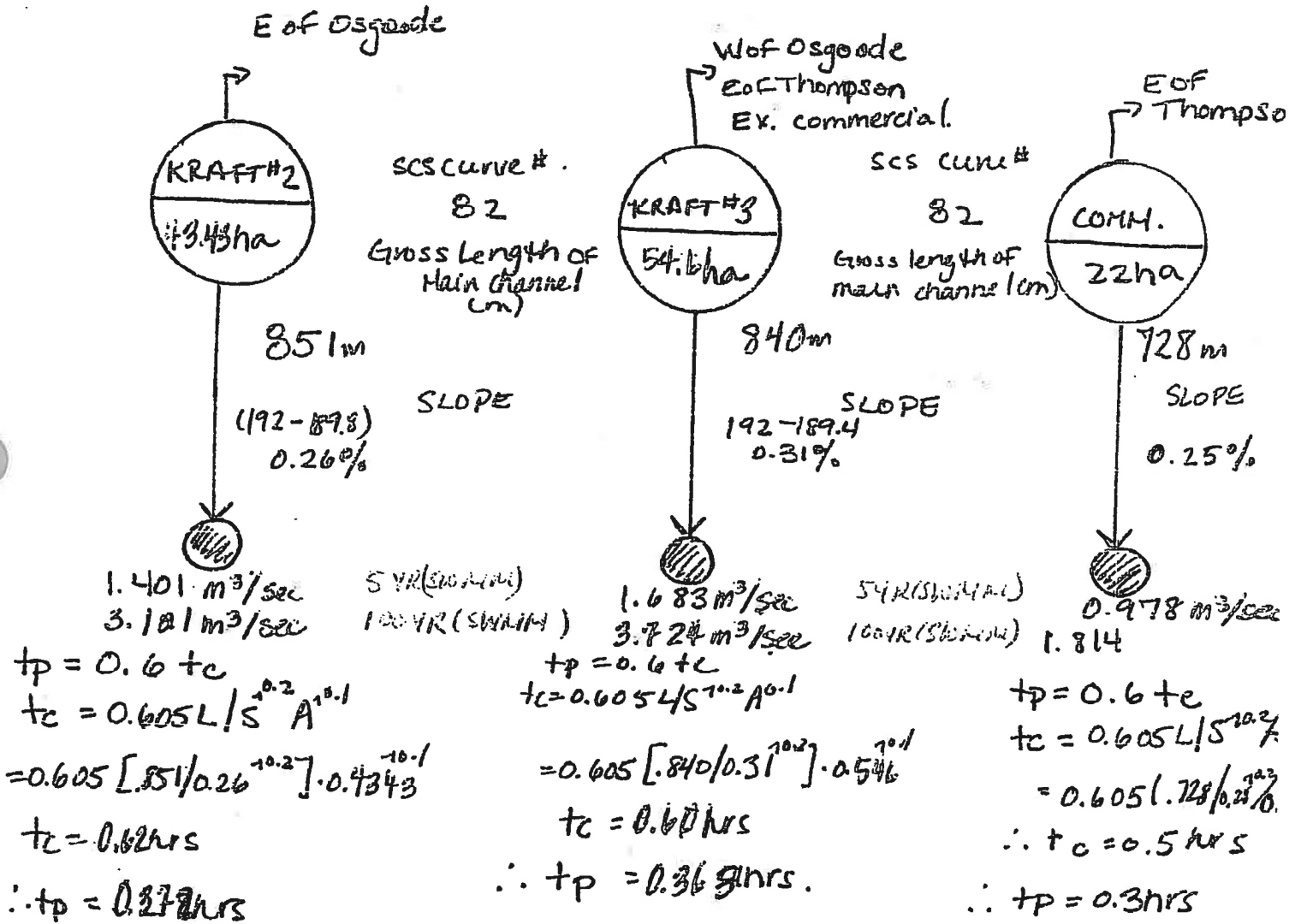
Modeling results from a water system analysis conducted are summarized below and are attached in Appendix "C". Modeling results show pressure and flow differences between existing and proposed new development demands. The model was also run with a series of simulated fire flows at nodes where new development is to be located. Fire flow test results are provided in Appendix "C".

June 17, 2002
DMA

54049
1 2

SWM FOR SPEARS

PRE-DEVELOPMENT



100 YR FLOW ~ See Input & Output files

STORM SEWER DESIGN

Spears Development
Town of Fort Erie

PROJECT:
MUNICIPALITY:
DISTRICT OR SUBDIV. NAME:

DESIGN Return Period: 2 Year n = 0.013

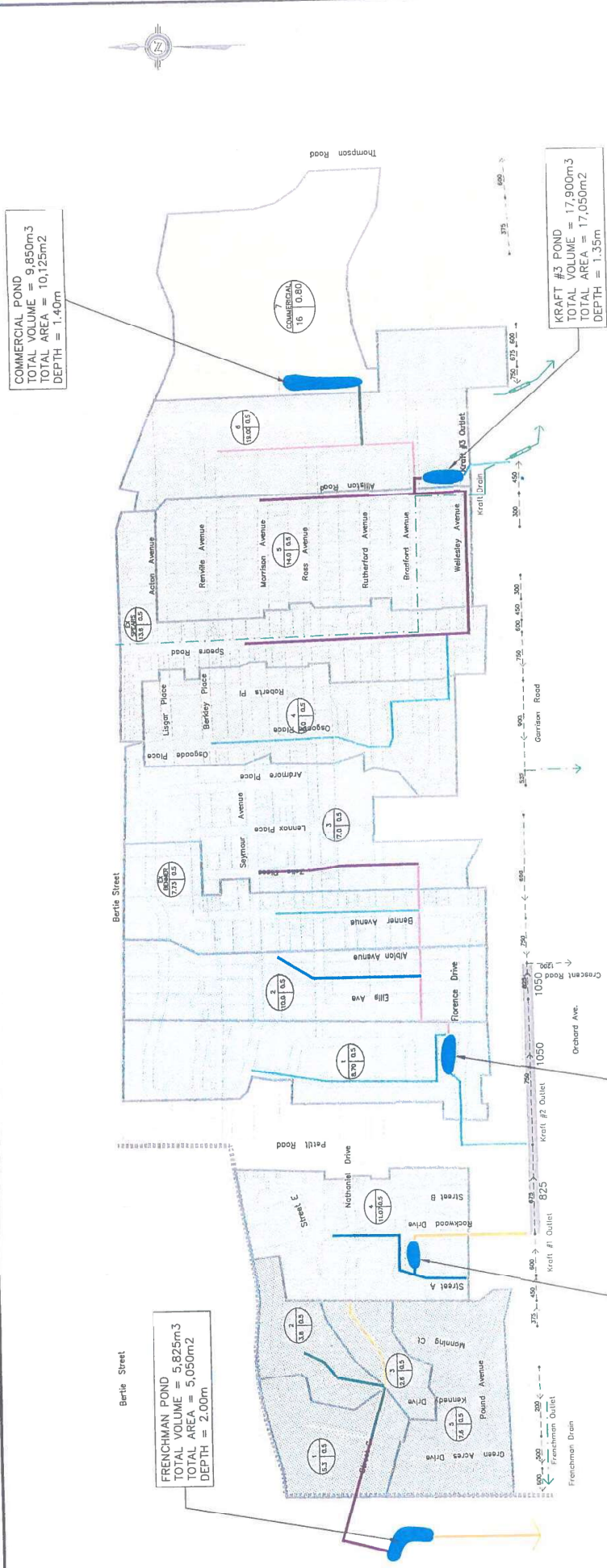
Location	M.H. From	M.H. To	Runoff		Total Section	Total Lateral	Total Trunk	Intensity I mm/Hr.	Q. L/s	Length of Pipe m.	Size of Pipe mm	Pipe Slope %	Critical Pipe Slope %	Slope Used to Calculate Capacity	Actual Capacity Q. L/s	Actual Velocity m/s	Time (Entry 10 Min.)		Accum. Min.
			Area(A) hectares	R.													Secl.	Min.	
Area 1 - to Kraft #2			8.70	0.50	4.35		4.35	102	1232	727.5	1050	0.20%	0.89%	0.20%	1274.7	1.43	8.51	18.51	ok
Area 2 - to Kraft #2			10.00	0.50	5.00		5.00	102	1416	848.0	1200	0.20%	0.85%	0.20%	1818.2	1.56	9.08	19.08	ok
Ex. Area to Benner			7.73	0.50	3.87		3.87	102	1094	978.6	1050	0.20%	0.89%	0.20%	1274.7	1.43	11.44	21.44	ok
Area 3 - to Kraft #2			17.00	0.50	8.50		8.50	102	2407	1229.0	1350	0.20%	0.81%	0.20%	2492.1	1.69	12.15	22.15	ok
Area # 2, Benner & #3							17.37	54	2823	375.0	1500	0.20%	0.79%	0.20%	3298.0	1.81	3.46	25.61	ok
Inlet to Kraft #2 Pond							21.72	48	2925	20.0	1500	0.25%	0.79%	0.25%	3687.3	2.02	0.16	25.77	ok
Area 4 - to Kraft #3			8.00	0.50	4.00		4.00	102	1133	1318.0	1050	0.20%	0.89%	0.20%	1274.7	1.43	15.41	25.41	ok
Ex. Area to Spears			13.80	0.50	6.80		6.80	102	1926	1096.0	1350	0.20%	0.81%	0.20%	2492.1	1.69	10.84	20.84	ok
Area 5 - to Kraft #3			14.00	0.50	7.00		7.00	102	1882	687.0	1350	0.20%	0.81%	0.20%	2492.1	1.69	6.79	16.79	ok
Area 6 - to Kraft #3			18.00	0.50	9.50		9.50	102	2690	567.2	1500	0.20%	0.79%	0.20%	3298.0	1.81	5.23	15.23	ok
Area #4 & Spears							10.80	49	1484	410.0	1200	0.20%	0.85%	0.20%	1818.2	1.56	4.39	29.80	ok
Kraft #3 Inlet							27.30	43	3263	20.0	1800	0.20%	0.74%	0.20%	5364.4	2.04	0.16	10.16	ok
Kraft Outlet #1									1041	209.0	1050	0.20%	0.89%	0.20%	1274.7	1.43	2.44	12.44	ok
Kraft Outlet #2									1250	173	1050	0.20%	0.89%	0.20%	1274.7	1.43	2.02	12.02	ok
Commerical Area Inlet			22	0.85	18.7		18.7	102	1041	500.0	1050	0.20%	0.89%	0.20%	1274.7	1.43	5.85	15.85	ok
Commerical Area Outlet									737	200	900	0.20%	0.83%	0.20%	843.6	1.29	2.59	12.59	ok

Calculated By: D.M Angeloni
Checked By: SMD

Calculated on: May 28, 2002
Revised on: 01-Oct-02



A tyco INTERNATIONAL LTD. COMPANY



COMMERCIAL POND
 TOTAL VOLUME = 9,850m³
 TOTAL AREA = 10,125m²
 DEPTH = 1.40m

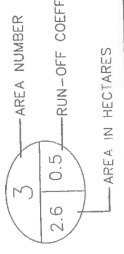
FRENCHMAN POND
 TOTAL VOLUME = 5,825m³
 TOTAL AREA = 5,050m²
 DEPTH = 2.00m

KRAFT #1 POND
 TOTAL VOLUME = 2,500m³
 TOTAL AREA = 5,250m²
 DEPTH = 1.10m

KRAFT #2 POND
 TOTAL VOLUME = 17,900m³
 TOTAL AREA = 14,150m²
 DEPTH = 1.75m

KRAFT #3 POND
 TOTAL VOLUME = 17,900m³
 TOTAL AREA = 17,050m²
 DEPTH = 1.35m

- LEGEND**
- PROPOSED 675 mm D STORM SEWER
 - PROPOSED 750 mm D STORM SEWER
 - PROPOSED 825 mm D STORM SEWER
 - PROPOSED 900 mm D STORM SEWER
 - PROPOSED 1050 mm D STORM SEWER
 - PROPOSED 1200 mm D STORM SEWER
 - PROPOSED 1350 mm D STORM SEWER
 - PROPOSED 1500 mm D STORM SEWER
 - EXISTING STORM SEWER AND SIZE
 - EXISTING STORM UPGRADE WITH RECOMMENDED SIZE
 - EXISTING DRAIN



TOWN OF FORT ERIE

**HIGH POINTE / SPEARS NEIGHBOURHOOD
 STORM DRAINAGE PLAN AND
 LOCATION OF SWM FACILITIES**

FIGURE 4-4

SCALE 0 100 200 300m

DATE: JULY 2002 Drawing No. 54049report.dwg



Earth Tech (Canada) Inc. St. Catharines, Ontario 905-668-4272

PDS ZONING REVIEW SHEET:				
FILE NO: 350309-0448		MUNICIPAL ADDRESS: Spears garden Subdivision		
PREVIOUS ZONING AMENDMENTS?				
ZONING: Open Space (OS-527) Section 33				
INFILL? YES / NO (NO)	PERMITTED	Proposed	Compliance	NOTES:
USE:	Storm Water Management Facility	Pedestrian Access	NO	Zoning relief is requested to add the Pedestrian Access as a use
MIN. LOT FRONTAGE	15 m	6.0 m	NO	Zoning relief is requested
MIN. LOT AREA	8000 sq. m.	195 sq m	NO	Zoning relief is requested
MAX. LOT COVERAGE	10 percent	0%	NO	Zoning relief is requested
MIN. FRONT YARD SETBACK	7.5 m	7.5 m	Not Applicable	No zoning relief is requested
MIN. SYSB	7.5 m	7.5 m	Not Applicable	No zoning relief is requested
MIN. EXTERIOR SYSB	7.5 m	7.5 m	Not Applicable	No zoning relief is requested
MIN. REAR YARD SETBACK	7.5 m	7.5 m	Not Applicable	No zoning relief is requested
MAX. BLDG HEIGHT	i) 3 storeys ii) 12 m	i) 3 storeys ii) 12 m	Not Applicable	No zoning relief is requested

PDS ZONING REVIEW SHEET:				
FILE NO: 350309-0448	MUNICIPAL ADDRESS: Spears garden Subdivision			
PREVIOUS ZONING AMENDMENTS?				
ZONING: Residential Multiple 1 (RM1-526)	Section 14			
INFILL? YES / NO	PERMITTED	Proposed	Compliance	NOTES:
DWELLING:	Street townhouses	Street townhouses	Unable to determine compliance	No zoning relief is requested
MIN. LOT FRONTAGE	6m for street townhouse lots and 9m for street townhouse corner lots	6m for street townhouse lots and 9m for street townhouse corner lots	Unable to determine compliance	No zoning relief is requested
MIN. 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	172 sq m	NO	Zoning relief is requested
MAX. LOT COVERAGE	55%	55%	Unable to determine compliance	No zoning relief is requested
MIN. FRONT YARD SETBACK	6m to front face of the garage 4.5 m to front face of the dwelling	6m to front face of the garage 4.5 m to front face of the dwelling	Unable to determine compliance	No zoning relief is requested
MIN. INT. SYSB	1.2 m	1.2 m	Unable to determine compliance	No zoning relief is requested
MIN. EXT SYSB	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.	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.	Unable to determine compliance	No zoning relief is requested
MIN. REAR YARD SETBACK	6m	6m	Unable to determine compliance	No zoning relief is requested
MAX. BLDG HEIGHT	i) 3 storeys ii) 12 m	i) 3 storeys ii) 12 m	Unable to determine compliance	No zoning relief is requested
MINIMUM LANDSCAPED AREA	50% including Privacy Areas, except 25% for street townhouse lots	50% including Privacy Areas, except 25% for street townhouse lots	Unable to determine compliance	No zoning relief is requested
MAXIMUM NUMBER OF UNITS IN A ROW	8	8	Unable to determine compliance	No zoning relief is requested
MINIMUM DISTANCE BETWEEN BUILDINGS ON THE SAME LOT	9m 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	9m 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	Unable to determine compliance	No zoning relief is requested
MAXIMUM DENSITY	35 units/ha	52.17 units/ ha	NO	Zoning relief is requested
PRIVACY AREA	Notwithstanding the yard requirements above, every dwelling unit shall have at least one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 4.5m	Notwithstanding the yard requirements above, every dwelling unit shall have at least one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 4.5m	Unable to determine compliance	No zoning relief is requested
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 than 1.5m 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 than 1.5m to an internal driveway or parking area	Unable to determine compliance	No zoning relief is requested
PLANTING STRIPS	In accordance with Section 6.21 and 4.5 m where it abuts a street, except for points of ingress/egress	In accordance with Section 6.21 and 4.5 m where it abuts a street, except for points of ingress/egress	Unable to determine compliance	No zoning relief is requested
MIN. # PARKING SPACES	Per section 6.20, 1 space per dwelling unit	Per section 6.20, 1 space per dwelling unit	Unable to determine compliance	No zoning relief is requested

PDS ZONING REVIEW SHEET:				
FILE NO: 350309-0448	MUNICIPAL ADDRESS: Spears Garden Subdivision			
PREVIOUS ZONING AMENDMENTS?				
ZONING: Residential 2 (R2-525)				
INFILL? NO	PERMITTED	PROPOSED	IN COMPLIANCE?	NOTES:
DWELLING:	Single Detached	Single Detached	Unable to determine compliance	No zoning relief is requested
MIN. FRONTAGE	15.0 m and 17.0 m for corner lot	10.0 m and 13.0 m for corner lot	NO	Zoning relief is requested
MIN. LOT AREA	460 sq m	300 sq m	NO	Zoning relief is requested
MAX. LOT COVERAGE	50%	50%	Unable to determine compliance	No zoning relief is requested
MIN. FRONT YARD SETBACK	6.0 m to the garage and 4.5 m to the front face of the dwelling units	6.0 m to the garage and 4.5 m to the front face of the dwelling units	Unable to determine compliance	No zoning relief is requested
MIN. INT. SYSB	1.2 m	1.2 m	Unable to determine compliance	No zoning relief is requested
MIN. EXT SYSB	3m, except that an attached garage or attached carport which faces an exterior side lot line shall be located no closer than 6m to the exterior side lot line.	3.0 m	Unable to determine compliance	No zoning relief is requested
MIN. REAR YARD SETBACK	7.5 m	3.0 m	Unable to determine compliance	No zoning relief is requested
MAX. BLDG HEIGHT	2 storey/ 10.5 m	2 storey/ 10.5 m	Unable to determine compliance	No zoning relief is requested
MIN. # PARKING SPOTS	1 space for for each dwelling units			

Re: Request for Comments - Spears Garden Subdivision

From Aaron Hair <ahair@forterie.ca>

Date Fri 2025-01-31 12:04 PM

To Devon Morton <DMorton@forterie.ca>

Good day Devon,

As part of the Official Plan project the Town is reviewing all of the existing secondary plans and their density requirements, as such we would like to recommend that the OPA to increase density and the inclusion of townhomes be limited to the subject site only.

The additional 100 units should be required to contribute towards parkland dedication.

Best regards,

Aaron Hair, MCIP, RPP
Project Manager – Policy

Town of Fort Erie
Planning & Development Services
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2507
forterie.ca | ahair@forterie.ca



Re: Spears Garden Subdivision

From Jessica Abrahamse <JAbrahamse@forterie.ca>

Date Fri 2025-01-31 2:39 PM

To Devon Morton <DMorton@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>

Cc Robert Judd <RJudd@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>

Good Afternoon Devon,

Senior Environmental Planning staff have reviewed the proposed Official Plan Amendment, Zoning By-Law Amendment and removal of Part Lot Control submitted by Upper Canada Consultants and offer the following comments:

- The owner is applying for these amendments to facilitate a redesign of the registered plan of subdivision to establish a change to the road and lot/block pattern to accommodate 119 single detached lots and 14 blocks for 84 street townhouse units.
- The existing stormwater management facility and block for pedestrian connection to the east will continue to remain in their current locations. The internal street network will be redesigned as a looping grid pattern, with Terry Drive and Bright Avenue remaining in their current location, to provide for a more efficient lot/block pattern.
- The Official Plan Amendment application seeks to permit townhouse units in the Spears High-Point Secondary Plan Low Density Residential designation and an increase in density of up to 22 units/ha.
- The Zoning By-law Amendment proposes to amend the site specific exceptions for the single detached lots to permit small lot frontage and area and amend the site specific exceptions for the street townhouse units to permit a smaller lot area and increased density and to recognize the lot frontage and area for the pedestrian walkway block.
- The application for the removal of Part Lot control will provide for the establishment of the new lot/block and road pattern.

As the site-specific modifications relate to frontage, lot area and density and the site has been cleared previously, there are no objections to what is being proposed from an Environmental perspective. Please note that if any further trees are required to be removed they will be subject to the Town's Tree By-Law 33-2024, however this is unlikely as most of the site has been cleared.

Regards,

Jessica Abrahamse M.E.S.

Senior Environmental Planner

Town of Fort Erie

Planning and Development Services

Re: Request for Comments - Spears Garden Subdivision

From Kathryn Strachan <KStrachan@forterie.ca>

Date Wed 2025-01-29 11:25 AM

To Devon Morton <DMorton@forterie.ca>

Cc Elizabeth Latif <ELatif@forterie.ca>

Hi Devon,
Just one small comment:

1. Rendering should be updated to show the connection from Terry Drive to Florence Drive



Kathryn Strachan

Landscape Architect Intern (MLA, BFA)

Town of Fort Erie

Planning and Development Services

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

p: 905-871-1600 ext. 2529

forterie.ca | kstrachan@forterie.ca



Public Works Growth Management & Planning Division

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

905-980-6000 Toll-free:1-800-263-7215

Via Email Only

January 17, 2025

Region File: PLOPA202401931

PLZBA202401932

Devon Morton
Supervisor of Development Approvals
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6

Dear Mr. Morton:

**Re: Regional and Provincial Comments
Proposed Official Plan Amendment and Zoning By-law Amendment
Town Files: ZBA-14-2024, OPA-05-2024
Applicant: Upper Canada Consultants C/O William Heikoop
Owner: Yiliming International Real Estate Ltd.
Spears Garden/ Lulongping Subdivision – 1278 Terry Drive
Town of Fort Erie**

Staff of the Public Works Growth Management and Planning Division have reviewed the above-mentioned Official Plan Amendment (“OPA”) and Zoning-By-law Amendment (“ZBA”) for the lands encompassed by the Spears Garden Subdivision (Plan 59M-469), which consist of lots on Terry Drive, Bright Avenue, Long Street and Easley Street, in the Town of Fort Erie, as delineated on the ‘Revised Plan of Subdivision’ circulated with this submission (dated November 12, 2024). The applications propose to facilitate the redesign of the existing Lulongping Gardens Subdivision (formerly Spears Garden) through a part-lot control exemption request for the addition of 100 residential units, for a total of 203 units.

The subject lands are designated Low Density and Open Space in the Spears-High Pointe Secondary Plan. The OPA application proposes to maintain the low density residential designation and permit street townhouses and a maximum residential density of 22 units per hectare. The ZBA application proposes to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific

Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 single detached residential lots (formerly 76 were proposed), and 14 blocks for 84 street townhouse units (formerly 6 blocks for 27 townhomes were proposed), and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the Site-Specific Open Space (OS-527) Zone is proposed.

Phase 1 of the existing subdivision has been serviced with primary services although the lots remain vacant with no units built. Phase 2 of the subdivision has had its topsoil stripped and stockpiled although it remains vacant and undeveloped.

The OPA and ZBA applications were submitted concurrently with a Part-Lot Control Application to address changes in road configurations and lot fabric of the subdivision. It is staff's understanding based on additional information provided by Town staff that, in addition to the part-lot control exemption application, the applicant has requested that the lands currently part of the road fabric be transferred to their ownership to facilitate the modifications to the plan of subdivision (Plan 59M-469, registered on May 2, 2019). In addition, Town staff noted that the registered subdivision agreement would need to be amended to reflect the new lot and road fabric and that the Town is reviewing the process further prior to initiating the part-lot control or any other Planning Act approval process required to modify the subdivision.

A pre-consultation meeting for the proposal was held July 11, 2024, with the applicant, City and Regional staff in attendance. The following comments are provided from a Provincial and Regional perspective to assist the Town with its consideration of the applications.

Provincial and Regional Policies

The subject land is within a "Settlement Area" under the *Provincial Planning Statement, 2024 (PPS)*, and designated as "Designated Greenfield Area" under the *Niagara Official Plan, 2022 (NOP)*.

Settlement areas are the focus of growth and development as directed by the PPS and the NOP. PPS section 2.2.1 requires planning authorities to provide for a range and mix of housing options and densities to meet projected needs of current and future residents by permitting and facilitating all housing options to meet social, health, economic and wellbeing requirements for current and future residents. Additionally, the PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation. Further, the PPS encourages planning authorities to establish density targets for designated growth areas (lands within settlement areas designated for growth).

Similarly, per the NOP, Designated Greenfield Areas are areas within settlement areas that have been designated for development and are to be planned in a manner that

ensures development is sequential, orderly and continuous with existing built-up areas, uses proactive planning tools such as District Plans and Secondary Plans as appropriate, ensuring infrastructure capacity is available and its location is supporting active transportation and encouraging integration to public transit service. Furthermore, NOP 2.2.2.23 outlines that Designated Greenfield Areas are to achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire region. Policy 2.2.2.24 requires Municipalities to achieve, and encourages them to exceed, the minimum density across the municipality.

Staff has reviewed the Planning Justification Report prepared by Upper Canada Consultants (dated November 2024) and are in general agreement with its findings. This development supports the NOP's growth management policies for the Urban Area via development of vacant land adjacent to developed areas, as well as providing a mix of housing options to the community. The concept plan proposes a unit mix of smaller single detached and townhouse units, when in contrast with the registered subdivision plan, which the PJR addresses as an opportunity for addressing housing attainability and increasing the housing supply and housing diversity from traditional larger residential development. This is in alignment with NOP policy 2.3.1.1, which encourages development of a range and mix of densities, and unit sizes and housing types, including affordable and attainable housing throughout the urban area in order to meet housing needs at all stages of life.

As the Greenfield Density Calculation in the PJR does not use census data, staff calculated the density to align with the standard Regional approach when determining greenfield density. In accordance with our calculation the proposal would yield a density of approximately 50 people and jobs per hectare over 9.329 hectares of land (119 single detached units [2.4 persons per unit], 84 townhouse units [2.0 persons per unit] - Fort Erie 2021 Census data). Staff note this calculation assumes a 5% home employment rate per the PJR. As such, the development meets the minimum density target of 50 people and jobs per hectare for Designated Greenfield Areas. The Town is to monitor developments to ensure that the overall Greenfield density target will be achieved on a municipal-wide basis.

Based on this analysis, staff note the proposed development is consistent with and conforms to Provincial and Regional growth management policies for designated growth areas and Designated Greenfield Areas, respectively, subject to the discussion below. Regional staff further acknowledge that local compatibility considerations and interface with neighbouring land uses are local planning matters to be addressed by Town Planning staff and Council.

Land Use Compatibility

The PPS and NOP state major facilities (including transportation corridors) and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants. The subdivision is within 70 metres of Garrison Road (Regional

Road 3), which has a 14,800 Annual Average Daily Traffic (AADT) count and is north of various commercial plazas (which include automotive shops among others) with rooftop mechanical equipment. As such a Noise Impact Study was required as part of the applications.

Staff has reviewed the Environmental Noise Feasibility Study (ENFS) prepared by Valcoustics Canada Limited (dated October 29, 2024), which assessed the transportation and stationary noise sources with potential to impact the development in accordance with the Ministry of the Environment, Conservation, and Parks (MECP) Environmental Noise Guidelines NPC-300, "*Environmental Noise Guideline, Stationary and Transportation Sources - Approval and Planning*". Road traffic volumes for Garrison Road and Pettit Road were forecasted to 2044 using a 2% growth rate. The analysis concluded traffic related noise would not exceed the daytime/nighttime noise guidelines limits nor the outdoor living area (OLA) daytime limit; as such, mitigation was not required. The report highlighted that exterior wall and window construction meeting the minimum non-acoustical requirements of the Ontario Building Code (OBC) would be sufficient to achieve the indoor sound level criteria of the MECP, with no special ventilation requirements.

The ENFS found Garrison Automotive Services automotive repair shop to be a stationary source with the potential for significant impact. The closest noise sensitive receptors at the subject site with exposure to the stationary noise sources would be the residential dwellings on Lots 1 to 8. The study found that in both the non-emergency sources scenario and the emergency generator testing scenario, the dBA guideline limits (50 and 55 respectively) were not exceeded, as such mitigation measures were not required. Nonetheless, warning clauses for Lots 1 to 8 and 111 to 119 were deemed appropriate to inform prospective owners / occupants of the proximity to various commercial businesses whose sound levels may at times be audible. This requirement can be addressed through the future Subdivision Agreement amendment.

Staff rely upon the information provided by the Acoustical Engineer in the Environmental Noise Feasibility Study and offer no further requirements with respect to noise impacts.

Archaeological Potential

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, section 4.6.2 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 significant archaeological resources have been conserved or assessed and requirements from the aforementioned policies have been met.

The subject lands are mapped within an Area of Archaeological Potential on Schedule K of the NOP. Staff recognize these applications are to facilitate a revision to a previously approved subdivision for which an archaeological assessment was not requested due to the lands not meeting Provincial criteria (i.e. prior to the Regional Archaeological

Management Plan and mapping). As outlined by the applicant, through the completion of the subdivision's Phase 1, a portion of the lands have been serviced and disturbed, and the remainder of the lands have had the topsoil stripped through Phase 2. Furthermore, staff visited the location in July 2024 and note the site shows visible soil alterations through this aforementioned work. As such, an archaeological assessment was not deemed necessary as part of the application.

However, in recognizing that there is always the possibility of discovering deeply buried archaeological materials through construction works, staff offer the below archaeological resource advisory clause for inclusion within the future amended Subdivision Agreement.

If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the Niagara Regional Police Service and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C.
<https://pre.niagararegion.ca/culture-and-environment/pdf/archaeological-management-plan.pdf>

Additionally, The Town of Fort Erie also has jurisdiction on matters related to archaeological resources through its Archaeological Management Plan. Town staff should be satisfied that archaeological resource concerns on the property have been addressed.

Natural Heritage

The subject property is impacted by the Region's Natural Environment System (NES), consisting of Significant Woodlands. NOP policy 3.1.9.8.1 typically requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 metres of a Significant Woodland. However, as the Spears Garden Subdivision was previously approved and registered, in order to satisfy NOP Policy 3.1.30.3.7, staff required a technical brief addressing how the modifications to the Plan have been designed to reduce impacts to the natural environment.

Staff have reviewed the Environmental Impact Assessment Brief (prepared by Ecological & Environmental Solutions, dated October 28, 2023). The Brief confirms that the revised subdivision will not result in a reduction to previously approved woodland setbacks and indicates that there is no change in land use being proposed but rather an increase in density of residential dwellings backing on the woodland (8 additional lots). Further, the Brief states that revisions to the road network (e.g., removal of the cul-de-sac) and orientation of some lots reduces potential impacts to the woodland (e.g., removal of streetlighting requirements adjacent to the woodland boundary, positive changes to drainage patterns, among others). Staff do not object to the findings of the

circulated brief. As such, provided the mitigation measures recommended in the brief are implemented, staff are satisfied that the applications are in compliance with applicable Provincial and Regional natural heritage policies from an environmental perspective.

As it relates to the OPA and ZBA applications, staff offer no objections from a natural heritage perspective. Staff will recommend conditions of approval and/or appropriate clauses when future Planning Act applications/Subdivision Agreement amendment are circulated to ensure implementation of the mitigation measures recommended in the brief.

Waste Collection

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

Low Density Residential

- No limit blue/grey containers;
- No Limit green containers; and,
- 2 Garbage Containers per unit (Bi weekly)
- Curbside Collection Only

Staff reviewed the submitted revised plan of subdivision (1241-SUB4), prepared by Upper Canada Consultants (dated November 12th, 2024) and note that the curb radii is not indicated for the new road network. Staff request that the Regional Waste Collection Vehicle Turning Template be overlaid onto the site plan showing the truck entering and exiting in both directions to ensure that a waste collection vehicle is able to maneuver on site or that the radii be added to the drawing to ensure they are acceptable. In addition, staff request that any future Planning Act applications required to implement the proposed revised road and lot fabric be circulated to the Region for review. Additionally, staff note although the revised plan of subdivision illustrates changes to the area, a temporary easement will still be required at the end of Terry Drive over lots 115-119 for waste collection purposes. As such, staff recommend a Holding Provision on the amending by-law regarding the revised engineering plans and easement agreement.

Circular Materials Ontario is responsible for the delivery of residential Blue / Grey Box recycling collection services. The most up to date information regarding recycling can be found using the following link: <https://www.circularmaterials.ca/resident-communities/niagara-region/>.

January 17, 2025

Conclusion

In conclusion, Public Works Growth Management and Planning Division staff do not object to the proposed Official Plan and Zoning By-law Amendment Applications, in principle, provided that land use compatibility and natural heritage comments are addressed through any future Planning Act applications and/or amended Subdivision Agreement. Further, Regional staff recommend the revised engineering plans and easement agreement with relation to waste collection be addressed prior to the applications being brought forward to Town Council or alternatively as a holding (H) provision in the amending by-law. On this basis, Regional staff is satisfied that the proposal is consistent with the PPS and conforms to Provincial and Regional policies.

Additionally, granted the above items are satisfied, the proposed OPA would be exempted from Regional Council approval in accordance with NOP Policy 7.4.1.6 and 7.4.1.7.

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 City's decision on these applications.

Kind regards,



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

NPCA Response: Notice of Complete Application and Open House - Spears Garden Subdivision

From Taran Lennard <tlennard@npca.ca>
Date Fri 2025-01-17 8:25 AM
To Devon Morton <DMorton@forterie.ca>

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

Hi Devon,

The NPCA does not offer objection to this application.

In 2017 at the time of Draft Approval, the NPCA offered comments respecting stormwater management. The MOU on this item has progressed to the Region of Niagara since that time. As such, we would defer to their Agency for any SWM comments.

Thank you.



Taran Lennard
Watershed Planner II

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 277

www.npca.ca

tlennard@npca.ca

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 41/24 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

From: Devon Morton <DMorton@forterie.ca>

Sent: December 20, 2024 5:21 PM

To: Ann-Marie.Norio@niagararegion.ca; clerk@niagararegion.ca; valentina.escobar@niagararegion.ca; devtplanningapplications@niagararegion.ca; David Deluce <ddeLUce@npca.ca>; Sarah Mastroianni

<smastroianni@npca.ca>; Paige Pearson <ppearson@npca.ca>; radamsky@niagaraparks.com; SBarnhart@niagaraparks.com; sheraz.mustafa@cnpower.com; kris.watson@cnpower.com; MunicipalPlanning@enbridge.com; Circulations@wsp.com; karen.singer@bell.ca; mike.embleton@cogeco.com; newdevelopment@rci.rogers.com; Ash.Neville@rci.rogers.com; John.Armstrong@rci.rogers.com; LandUsePlanning@HydroOne.com; ExecutiveVP.LawAndDevelopment@opg.com; abby.laforme@mncfn.ca; Adam.LaForme@mncfn.ca; Mark LaForme <Mark.LaForme@mncfn.ca>; ExecutiveDirector@fenfc.org; pontdj@hotmail.com; sue.mabee@dsbn.org; Bert.Poort@dsbn.org; Michelle.McPhee@dsbn.org; planning@dsbn.org; alexandria.pasquiniSmith@ncdsb.com; Clark.Euale@ncdsb.com; Jennifer.Lanese@ncdsb.com; planning@ncdsb.com; AAazouz@cscmonavenir.ca; planification@csdccc.edu.on.ca; mr18enquiry@mpac.ca; brian.gordon@mpac.ca; Andrew.Carrigan@canadapost.ca; Usama.Ali@ontario.ca; Rami.Elmawed@ontario.ca; Peter.Deluca@ontario.ca; Vereen.Rattigan@ontario.ca; Jatinbhai.Patel@ontario.ca; Usman.Akhtar@ontario.ca; Lyndsay.Dunville@ontario.ca

Subject: Fw: Notice of Complete Application and Open House - Spears Garden Subdivision

Dear Reviewer,

The Planning, Building and By-law Services Department received Official Plan and Zoning Amendment Applications, pursuant to Sections 17(34) and 34 of the Planning Act, 1990. The applications were deemed complete on December 13th, 2024 and propose to establish a site-specific, Low Density, policy area that permits street townhouses as a permitted use and a maximum residential density of 22 units per hectare and to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 residential lots, 14 blocks for residential purposes (119 single detached dwellings and 84 street townhouse dwellings) and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the site specific Open Space (OS-527) Zone is proposed (stormwater management pond).

Submission materials may be accessed digitally here:

<https://www2.forterie.ca/resource/planningApplications.xsp> (refer to 1278 Terry Drive) or by contacting me directly.

We request your review and **comments by January 17, 2024**, so they may be included in the Information Report to Council.

Should you have any questions or concerns, please contact me directly. Apologies in advance if you received a duplicate circulation, there were a number of bounce backs.

Thank you,

Devon M. Morton

Supervisor of Development Approvals

Town of Fort Erie

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2514



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



January 31, 2025

Project Name: Spears Garden Subdivision
DOCA Project Number: 2025-0006
Proponent: **unknown**
Project Location: Town of Fort Erie

Dear Devon Morton,

This letter is to confirm receipt of the project-related correspondence sent by the Town of Fort Erie, on January 31, 2025, regarding the Spears Garden Subdivision.

The Mississaugas of the Credit First Nation (MCFN) are the Treaty Holders of the land on which the project will take place – specifically, the Mississaugas Treaty at Niagara #381. The MCFN holds Indigenous and Treaty Rights specific to the project location and its environs, which may be adversely impacted by it. The Department of Consultation and Accommodation (DOCA) is designated by the MCFN to handle consultation matters on its behalf.

The DOCA consultation team has filed the project-related correspondence identified above. **We have no questions or comments for you at this time.** This does not indicate a position of support for the project, that the Duty to Consult and Accommodate the MCFN has been met, or that there are no adverse impacts to the MCFN's Indigenous and Treaty Rights.

DOCA expects to be notified of any and all future project updates and/or changes. Additionally, DOCA must be notified of, invited to participate in, and provided the opportunity to review any environmental and/or archaeological assessments. At its discretion, DOCA may request capacity funding from the proponent for its consultation and engagement activities relating to the project.

If you have any questions for the DOCA consultation team, please feel free to contact us.

Thank you,

Megan DeVries

Megan DeVries
Manager of Consultations
Department of Consultation and Accommodation
Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225



Phone: 905-768-4260

Email: megan.devries@mncfn.ca

CC

Abby LaForme, Consultation Coordinator, abby.laforme@mncfn.ca



Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225



Fort Erie - Part of Lots 1 and 2, Concession 4, Niagara River Bertie - PLC-06-2024

From AMIN Pranav <Pranav.Amin1@HydroOne.com>

Date Mon 2025-01-06 3:55 PM

To Devon Morton <DMorton@forterie.ca>

You don't often get email from pranav.amin1@hydroone.com. [Learn why this is important](#)

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

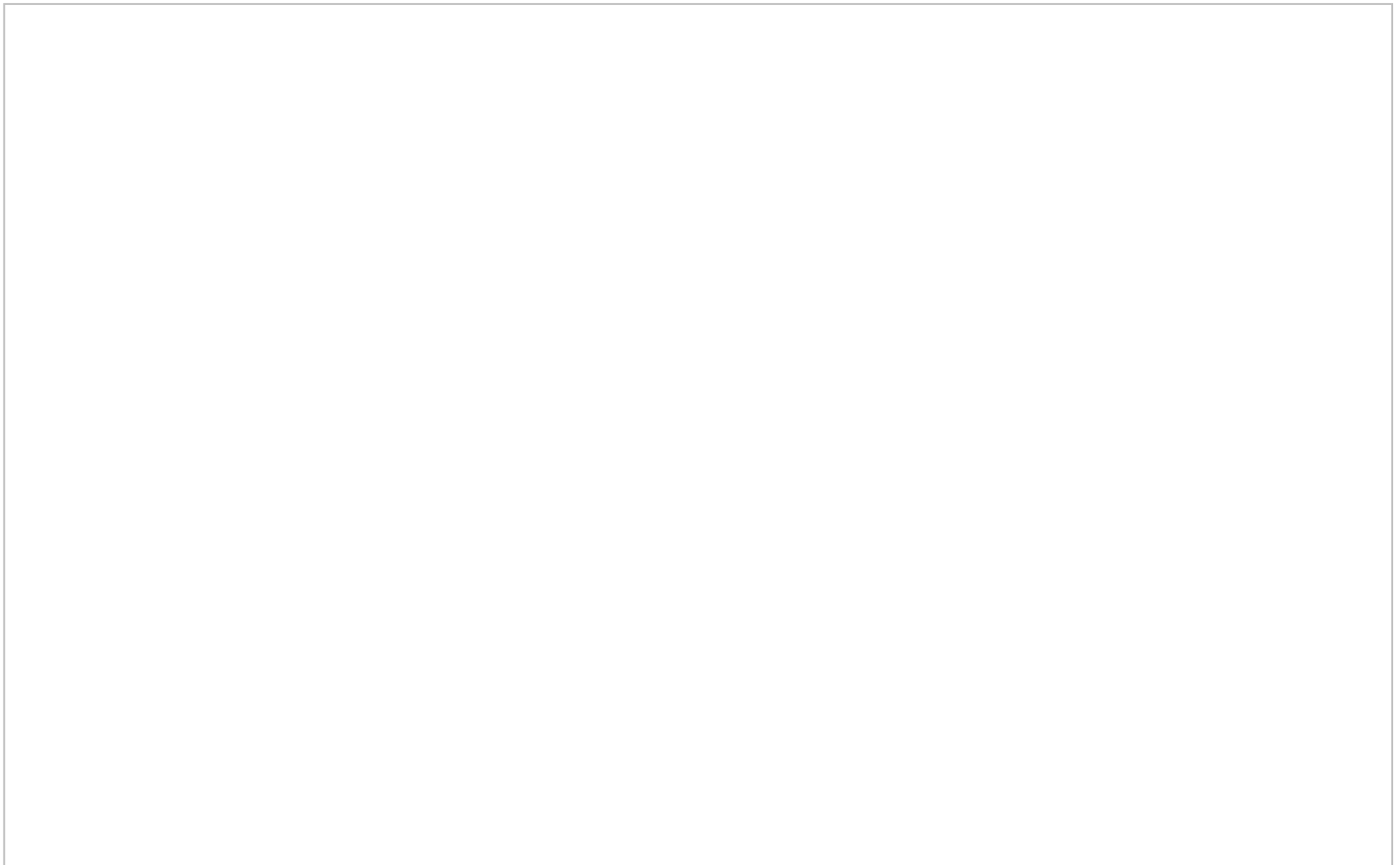
Hello,

We are in receipt of your Application for Consent, PLC-06-2024 dated 2024-12-20. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link: [Stormcentre \(hydroone.com\)](#).

Please select "Search" and locate the address in question by entering the address or by zooming in and out of the map.



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango

Specialized Services Team Lead,

Real Estate Department

Hydro One Networks Inc.

Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

RE: Notice of Complete Application and Open House - Spears Garden Subdivision

From Municipal Planning <MunicipalPlanning@enbridge.com>

Date Sat 2024-12-21 1:26 PM

To Devon Morton <DMorton@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>

It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. Any service relocation required due to a severance would be at the cost of the property owner. For any encroachments, please contact ONTLands@enbridge.com.

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: Devon Morton <DMorton@forterie.ca>

Sent: Friday, December 20, 2024 5:21 PM

To: Ann-Marie.Norio@niagararegion.ca; clerk@niagararegion.ca; valentina.escobar@niagararegion.ca; devtplanningapplications@niagararegion.ca; ddeluce@npca.ca; smastroianni@npca.ca; ppearson@npca.ca; radamsky@niagaraparks.com; SBarnhart@niagaraparks.com; sheraz.mustafa@cnpower.com; kris.watson@cnpower.com; Municipal Planning <MunicipalPlanning@enbridge.com>; Circulations@wsp.com; karen.singer@bell.ca; mike.embleton@cogeco.com; newdevelopment@rci.rogers.com; Ash.Neville@rci.rogers.com; John.Armstrong@rci.rogers.com; LandUsePlanning@HydroOne.com; ExecutiveVP.LawAndDevelopment@opg.com; abby.laforme@mncfn.ca; Adam.LaForme@mncfn.ca; Mark LaForme

<Mark.LaForme@mncfn.ca>; ExecutiveDirector@fenfc.org; pontdj@hotmail.com; sue.mabee@dsgn.org; Bert.Poort@dsgn.org; Michelle.McPhee@dsgn.org; planning@dsgn.org; alexsandria.pasquiniSmith@ncdsb.com; Clark.Euale@ncdsb.com; Jennifer.Lanese@ncdsb.com; planning@ncdsb.com; AAazouz@cscmonavenir.ca; planification@csdccc.edu.on.ca; mr18enquiry@mpac.ca; brian.gordon@mpac.ca; Andrew.Carrigan@canadapost.ca; Usama.Ali@ontario.ca; Rami.ElmaWed@ontario.ca; Peter.Deluca@ontario.ca; Vereen.Rattigan@ontario.ca; Jatinbhai.Patel@ontario.ca; Usman.Akhtar@ontario.ca; Lyndsay.Dunville@ontario.ca
Subject: [External] Fw: Notice of Complete Application and Open House - Spears Garden Subdivision

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

Dear Reviewer,

The Planning, Building and By-law Services Department received Official Plan and Zoning Amendment Applications, pursuant to Sections 17(34) and 34 of the Planning Act, 1990. The applications were deemed complete on December 13th, 2024 and propose to establish a site-specific, Low Density, policy area that permits street townhouses as a permitted use and a maximum residential density of 22 units per hectare and to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 residential lots, 14 blocks for residential purposes (119 single detached dwellings and 84 street townhouse dwellings) and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the site specific Open Space (OS-527) Zone is proposed (stormwater management pond).

Submission materials may be accessed digitally here:

<https://www2.forterie.ca/resource/planningApplications.xsp> (refer to 1278 Terry Drive) or by contacting me directly.

We request your review and **comments by January 17, 2024**, so they may be included in the Information Report to Council.

Should you have any questions or concerns, please contact me directly. Apologies in advance if you received a duplicate circulation, there were a number of bounce backs.

Thank you,

Devon M. Morton

Supervisor of Development Approvals

Town of Fort Erie

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2514

forterie.ca | dmorton@forterie.ca



Fwd: Fw: Notice of Complete Application and Open House - Spears Garden Subdivision

From Mike Embleton <mike.embleton@cogeco.com>

Date Thu 2025-01-02 8:25 AM

To Devon Morton <DMorton@forterie.ca>

 1 attachment (312 KB)

Notice of Complete Application and Open House Spears Garden.pdf;

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

Good morning Devon,

Cogeco has no comment on this application.

Thank you,
Mike

Mike Embleton

Network Delivery Coordinator
7170 McLeod Rd, Niagara Falls ON, L2H 3H2
C 905-246-8621



Join the conversation

#cogecommunity



----- Forwarded message -----

From: **Devon Morton** <DMorton@forterie.ca>

Date: Fri, Dec 20, 2024 at 5:20 PM

Subject: Fw: Notice of Complete Application and Open House - Spears Garden Subdivision

To: Ann-Marie.Norio@niagararegion.ca <Ann-Marie.Norio@niagararegion.ca>, clerk@niagararegion.ca <clerk@niagararegion.ca>, valentina.escobar@niagararegion.ca <valentina.escobar@niagararegion.ca>, devtplanningapplications@niagararegion.ca <devtplanningapplications@niagararegion.ca>, ddeluce@npca.ca <ddeluce@npca.ca>, smastroianni@npca.ca <smastroianni@npca.ca>, ppearson@npca.ca <ppearson@npca.ca>

radamsky@niagaraparks.com <radamsky@niagaraparks.com>, SBarnhart@niagaraparks.com <SBarnhart@niagaraparks.com>, sheraz.mustafa@cnpower.com <sheraz.mustafa@cnpower.com>, kris.watson@cnpower.com <kris.watson@cnpower.com>, MunicipalPlanning@enbridge.com <MunicipalPlanning@enbridge.com>, Circulations@wsp.com <[circulations@wsp.com](mailto:Circulations@wsp.com)>, karen.singer@bell.ca <karen.singer@bell.ca>, mike.embleton@cogeco.com <mike.embleton@cogeco.com>, newdevelopment@rci.rogers.com <newdevelopment@rci.rogers.com>, Ash.Neville@rci.rogers.com <Ash.Neville@rci.rogers.com>, John.Armstrong@rci.rogers.com <John.Armstrong@rci.rogers.com>, LandUsePlanning@HydroOne.com <LandUsePlanning@hydroone.com>, ExecutiveVP.LawAndDevelopment@opg.com <ExecutiveVP.LawAndDevelopment@opg.com>, abby.laforme@mncfn.ca <abby.laforme@mncfn.ca>, Adam.LaForme@mncfn.ca <Adam.LaForme@mncfn.ca>, Mark LaForme <Mark.LaForme@mncfn.ca>, ExecutiveDirector@fenfc.org <executivedirector@fenfc.org>, pontdj@hotmail.com <pontdj@hotmail.com>, sue.mabee@dsbn.org <sue.mabee@dsbn.org>, Bert.Poort@dsbn.org <Bert.Poort@dsbn.org>, Michelle.McPhee@dsbn.org <Michelle.McPhee@dsbn.org>, planning@dsbn.org <planning@dsbn.org>, alexandria.pasquiniSmith@ncdsb.com <alexandria.pasquiniSmith@ncdsb.com>, Clark.Euale@ncdsb.com <Clark.Euale@ncdsb.com>, Jennifer.Lanese@ncdsb.com <Jennifer.Lanese@ncdsb.com>, planning@ncdsb.com <planning@ncdsb.com>, AAazouz@cscmonavenir.ca <AAazouz@cscmonavenir.ca>, planification@csdccc.edu.on.ca <planification@csdccc.edu.on.ca>, mr18enquiry@mpac.ca <mr18enquiry@mpac.ca>, brian.gordon@mpac.ca <brian.gordon@mpac.ca>, Andrew.Carrigan@canadapost.ca <Andrew.Carrigan@canadapost.ca>, Usama.Ali@ontario.ca <Usama.Ali@ontario.ca>, Rami.Elmawed@ontario.ca <Rami.Elmawed@ontario.ca>, Peter.Deluca@ontario.ca <Peter.Deluca@ontario.ca>, Vereen.Rattigan@ontario.ca <Vereen.Rattigan@ontario.ca>, Jatinbhai.Patel@ontario.ca <Jatinbhai.Patel@ontario.ca>, Usman.Akhtar@ontario.ca <Usman.Akhtar@ontario.ca>, Lyndsay.Dunville@ontario.ca <Lyndsay.Dunville@ontario.ca>

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We request your review and **comments by January 17, 2024**, so they may be included in the Information Report to Council.

Should you have any questions or concerns, please contact me directly. Apologies in advance if you received a duplicate circulation, there were a number of bounce backs.

Thank you,

Devon M. Morton

Supervisor of Development Approvals

Town of Fort Erie

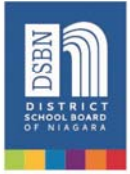
Planning, Building and By-law Services

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

p: 905-871-1600 ext. 2514

forterie.ca | dmorton@forterie.ca





January 13, 2025

Devon M. Morton
Supervisor of Development Approvals
Planning, Building and By-law Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Mr. Morton,

**Re: Applications for Official Plan and Zoning By-law Amendment and Removal of Part Lot Control
Spears Garden Subdivision Plan 59M-469**

Thank you for circulating the District School Board of Niagara (DSBN) the above noted applications for Official Plan and Zoning By-law amendment and Removal of Part Lot Control for the Spears Garden Subdivision. We understand that the purpose of the applications is to facilitate a redesign of the registered Spears Garden plan of subdivision to establish a change to the road and lot/block pattern to accommodate 119 single detached lots and 14 blocks for 84 street townhouse units. The proposed Official Plan and Zoning By-law amendment applications will establish and redesignate the lands accordingly to facilitate the development.

DSBN Planning staff has completed its review and has no objections to the applications. Board staff request that, as a condition of approval, sidewalks be constructed within the development to facilitate student travel to the school/bus stop locations. At this time, students from this area would attend Garrison Road PS (Gr. JK-8) and Greater Fort Erie Secondary School (Gr. 9-12).

If you have any questions, please feel free to contact Michelle McPhee, Planning Services at 905-641-2929 Ext 54228.

Sincerely,

Associate Director of Education, Corporate Services

Provided on behalf of the Niagara Catholic District School Board

January 14, 2025

Electronic Copy

Attention:

Devon Morton
Town of Fort Erie
Municipal Centre Drive,
Fort Erie, ON, L2A 2S6
dmorton@forterie.ca

Re:

COMMENT LETTER

Application for Official Plan and Zoning Amendment
Location: 1278 Terry Drive, Fort Erie (Spears-High Pointe Subdivision)
File No.: ZBA-14-2024, OPA-05-2024, PLC-06-2024

Dear Devon Morton,

On behalf of the Niagara Catholic District School Board, we confirm receipt of the Official Plan and Zoning Amendment application [ZBA-14-2024, OPA-05-2024] dated December 20, 2024. A total of [203] units are proposed for this development. With respect to this application, the following comments are submitted:

Location:

This development falls within the attendance boundaries of:

- St Philomena Catholic Elementary School (JK-8)
- Lakeshore Catholic High School (9-12)

Comments:

Although the impact of this development will be minimal, the local elementary school is operating above its built capacity and may not accommodate all students from new development. Interim accommodation measures such as portables may be required to accommodate students from this proposed development.

At this time, sufficient space exists within the local secondary school to accommodate additional students from the development as proposed.

We will continue to monitor development growth in the municipality on behalf of the NCDSB as it relates to the cumulative impact on local schools. The NCDSB also requests notification of any modifications, community consultations, appeals, or notices of decision related to this application.

Please note that further to the comments provided, the NCDSB reserves the right to revise their position as needed without further notice. Should you require additional information regarding these comments, please contact planning@ncdsb.com.

Sincerely,

Jordan Cook,
Consultant
Watson & Associates Economists Ltd.

vw@watsonecon.ca

Office: 905-272-3600

Fax: 905-272-3602

cc: Clark Euale, clark.euale@ncdsb.com

Niagara Catholic District School Board



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

BY-LAW NO. 39-2003

**BEING A BY-LAW TO ADOPT THE 2002 SPEARS – HIGH POINTE
NEIGHBOURHOOD MASTER SERVICING STUDY**

WHEREAS Section 11 of the *Municipal Act, 2001* provides for spheres of jurisdiction, and

WHEREAS public utilities is a sphere of jurisdiction permitting municipalities to pass by-laws respecting matters related to the collection of sanitary sewage, collection of storm water and other drainage from land and water distribution, and

WHEREAS Report No. PCS-16-2003 was approved at the Council-in-Committee Meeting of February 17, 2003 as follows:

THAT: Report No. PCS-16-2003 regarding the Spears – High Pointe Servicing Plan be received for information purposes, and further

THAT: Council adopt by by-law the 2002 Spears – High Pointe Neighbourhood Master Servicing Study, prepared by Earth Teach Canada Ltd., dated December, 2002, as amended, and further

THAT: The findings and recommendations contained in the 2002 Spears – High Pointe Neighbourhood Master Servicing Study be utilized and form the basis of the Area Specific Development Charges Study for the Spears – High Pointe Neighbourhood, and further

THAT: The findings of the Spears – High Pointe Neighbourhood Development Charges Study be integrated into the 2004 Capital Project Planning Process and the 5-year Capital Expenditure forecast.

WHEREAS it is deemed expedient to adopt the 2002 Spears – High Pointe Neighbourhood Master Servicing Study prepared by Earth Tech Canada Ltd. dated December 2002, as amended and annexed hereto as Schedule “A” to this by-law;

NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

1. **THAT** the 2002 Spears – High Pointe Neighbourhood Master Servicing Study prepared by Earth Tech Canada Ltd. dated December 2002, as amended, in the form of Schedule “A” annexed hereto to this by-law be and it is hereby authorized, approved and adopted.
2. **THAT** the findings and recommendations contained in the aforesaid Study shall be utilized to form the basis of the area-specific Development Charges Study for the Spears – High Pointe Neighbourhood.

By-law No. 39-2003

Page Two

3. **THAT** any capital expenditures associated with the aforesaid Study shall be determined by Council through its annual budget deliberations.

4. **THAT** in concert with the 2004 Capital Budget planning process, staff shall revisit the existing infrastructure master plans in order to incorporate the servicing needs and infrastructure rehabilitation of neighbourhood plans.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24th DAY OF FEBRUARY, 2003.



MAYOR

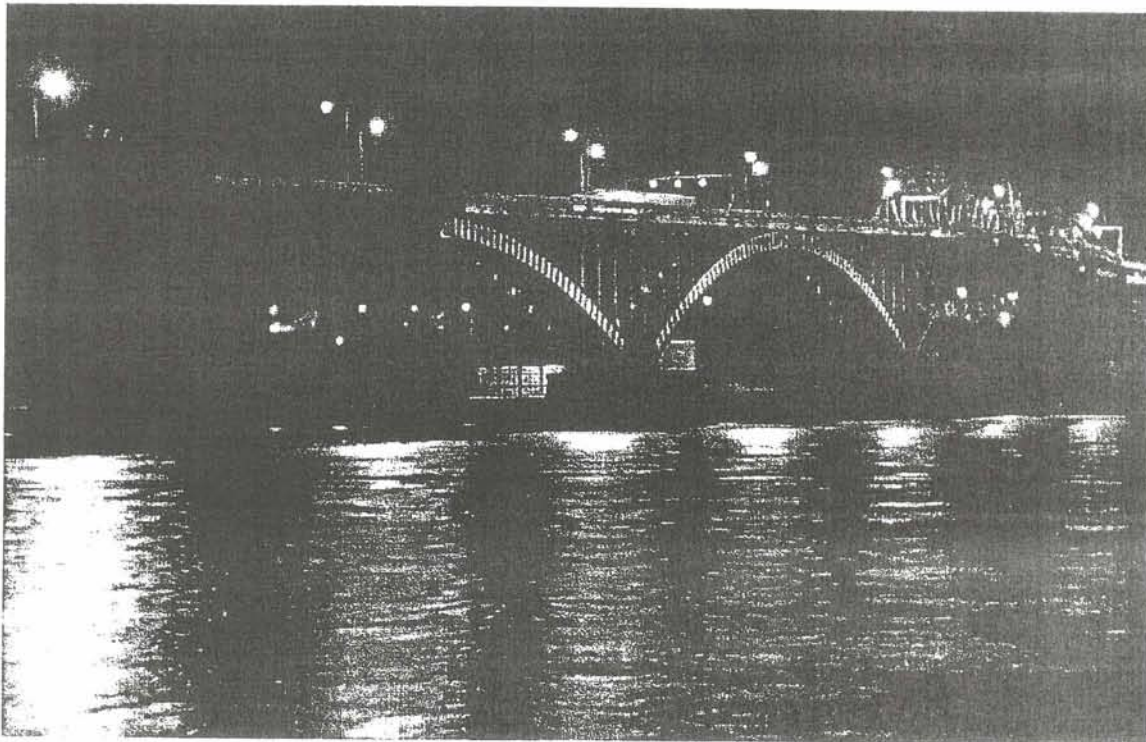


CLERK

I, the Clerk, Carolyn J. Kett, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. 39-2003 of the said Town. Given under my hand and the seal of the said Corporation this day of _____, 2003.



Spears and High Pointe Neighbourhoods Master Servicing Plan



Prepared for:
The Corporation of The Town
of Fort Erie
Municipal Centre
1 Municipal Drive
Fort Erie, L2A 2S6

Prepared by:
Earth Tech Canada Inc.
Corbloc Building
80 King Street, 2nd Floor
St. Catharines, Ontario, L2R 7G1

Final Report – December, 2002

December 10, 2002

Project EO 54049

Mr. Michael Benner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario
L2A 2S6

Subject: Spears and High Pointe Neighbourhoods Master Servicing Plan

Dear Mr. Benner:

Earth Tech is pleased to submit five (5) copies of the Spears and High Pointe Neighbourhoods Master Servicing Plan to the Town of Fort Erie. The report contains the previously submitted Executive Summary, and evaluations of infrastructure and servicing systems for the neighbourhoods: water, stormwater, sanitary and roads/transportation. The related recommendations include cost estimates and timing where appropriate.

Telephone

905.688.4272

800.263.9803

Facsimile

905.688.581

We would like to thank the Town of Fort Erie for the opportunity to work on this most interesting project. If you have any questions, or require further clarification please feel free to contact Earth Tech at your convenience.

Very truly yours,

Earth Tech Canada Inc.



Mark, A. Swan, P. Eng.
Project Manager

KMW/cb

File Location: P:\eo\2002\54049 - Spears and high pointe neighbourhood\document\Report Cover Letter.doc

- Construct storm water ponds at the beginning of Neighbourhood development, as most sediment loading occurs during the construction phase of a development.
- Construct the pond for the Frenchman Creek drainage area in High Pointe on golf course lands west of the Neighbourhood. An agreement with the golf course owner/operator will be required that sets operational constraints on the pond.
- The cost of the new storm system including all pond construction is \$10,560,000.

Road System

- Upgrade Pettit Road to at least a 16.2 m urban collector cross-section (allows for shared bike/auto lane each way) with a 36 m wide road allowance.
- Upgrade Florence Drive, Benner Avenue south of Florence Drive, Spears Road and Bertie Street to 9.5 m urban collector cross-sections with a 36 m wide road allowance.
- Proposed layout for internal road systems will allow for the free flow of traffic within the two neighbourhoods while minimizing impacts on local boundary roads.
- The neighbourhood plans should include a network for pedestrian and bicycling routes that will provide linkages to adjacent areas and pedestrian and cycling networks. The network developed for the area should be coordinated with the Region of Niagara's Bikeway Master Plan to foster an increase in local bicycle commuting and recreational cycling.
- Traffic calming features should be considered on the local and collector residential streets where a reduction in vehicular speed is required, to discourage through traffic movements that have diverted from the arterial road network, to improve the neighbourhood environment and to minimize conflicts between street users and should be implemented on an area wide basis. The type and location of the features differs from community to community and requires support from the municipalities for implementation. Types of treatments include curb extensions, reduced curb radii, raised crosswalks, raised median islands, roundabouts, etc.



Memorandum

Planning and Development Services

Prepared for: Regular Council

Meeting Date: Monday, March 31, 2025

Title: **Crescent Acres – Additional Questions from Council**

On February 24, 2025, a Public Meeting was held to discuss a proposed Zoning By-law Amendment and a Revision to the Draft Approved Plan of Subdivision for the Crescent Acres Subdivision, presented in [Recommendation Report PBBS-14-2025](#). During the Public Meeting, members of Council engaged in discussion and sought additional clarification from staff on several follow-up questions regarding the proposed applications.

1. Will the sidewalk on the east side of Crescent Acres be constructed to extend to Garrison Road?

Staff Response: The sidewalk will be required to be constructed to Garrison Road. Condition 21 of the Draft Conditions states *“That the Owner agrees to construct a sidewalk on the easterly side of Crescent Road to the northerly access/egress point to Garrison Road.”*

2. Will there be consideration for a traffic light at intersection of Garrison Road?

Staff Response: The revised TIS indicated that no upgrades were recommended at the intersection of Crescent and Garrison Road. The TIS was revised by Infrastructure Services staff. Comments provided by Infrastructure Services on February 14, 2025, indicate that the TIS accounted for 100% of traffic heading towards Garrison Road, although traffic may also head south along Crescent Acres, and that traffic is also expected to utilize the signalized intersection of Daytona Drive/Pettit Road and Garrison Road.

3. Will hydro lines be located underground?

Staff Response: Planning Staff sent a follow up email to Canadian National Power. CNP has indicated that hydro lines will be buried underground.

4. What is the student capacity at Garrison Road Public School and St. Philomena Catholic School?

Staff Response: Planning Staff sent a follow up email after the public meeting to both the District School Board of Niagara and Niagara Catholic District School Board.

The DSBN did not provide the student capacity number of Garrison Public School, but confirmed that the 18 additional dwellings will not create a capacity issue. The DSBN provided information for the School Board's Long Term Accommodation Plan. Council may visit the website regarding [Long Term Accommodation Plan \(LTAP\)](#) for further details regarding growth, enrolment projection methodology and accommodation tools.

The NCDSB did not provide a follow up response at the time this memo was written. The NCDSB, did not provide comments for the proposed 18 additional single detached dwelling units.

Prepared by:
Robin Shugan, CPT, ACST
Intermediate Development Planner



The Corporation of the Town of Fort Erie By-law 22-2025

Being a By-law to Amend Zoning By-law 129-90, as amended Crescent Acres Subdivision (0-10747 Kraft Road)

Whereas Report PDS-38-2023 was considered and approved at the Council-in-Committee meeting held on May 8, 2023, to rezone the lands from “Open Space (OS) Zone”, “Residential 2 (R2) Zone”, “Residential Multiple 1 (RM1) Zone” and Environmental Conservation (EC) Overlay Zone” to “Residential Multiple 1 (RM1-779) Zone” (Part 1) and from “Residential Multiple 1 (RM1) Zone” and Environmental Conservation (EC) Overlay Zone” to “Environmental Protection (EP) Zone” (Part 2); and

Whereas By-law 91-2023 was passed to amend Zoning By-law 129-90 for Crescent Acres Ltd. (0-10747 Kraft Road, Owner - Mark Basciano) pursuant to Report PDS-38-2023 on May 29, 2023; and

Whereas an application was received and deemed complete on December 5, 2025, from Joseph Tomaino of Upper Canada Consultants on behalf of the owners, Crescent Acres Ltd. (Mathew Vartanian), to amend the Town’s Comprehensive Zoning By-law 129-90, as amended, for the lands known municipally as 0-10747 Kraft Road; and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act, R.S.O. 1990, c. P.13* was held on February 24, 2025; and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law 129-90, as amended, pursuant to the recommendations of Report PBBS-14-2025 considered and approved at the Council meeting held on February 24, 2025, and repeal By-law 91-2023;

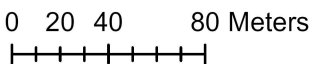
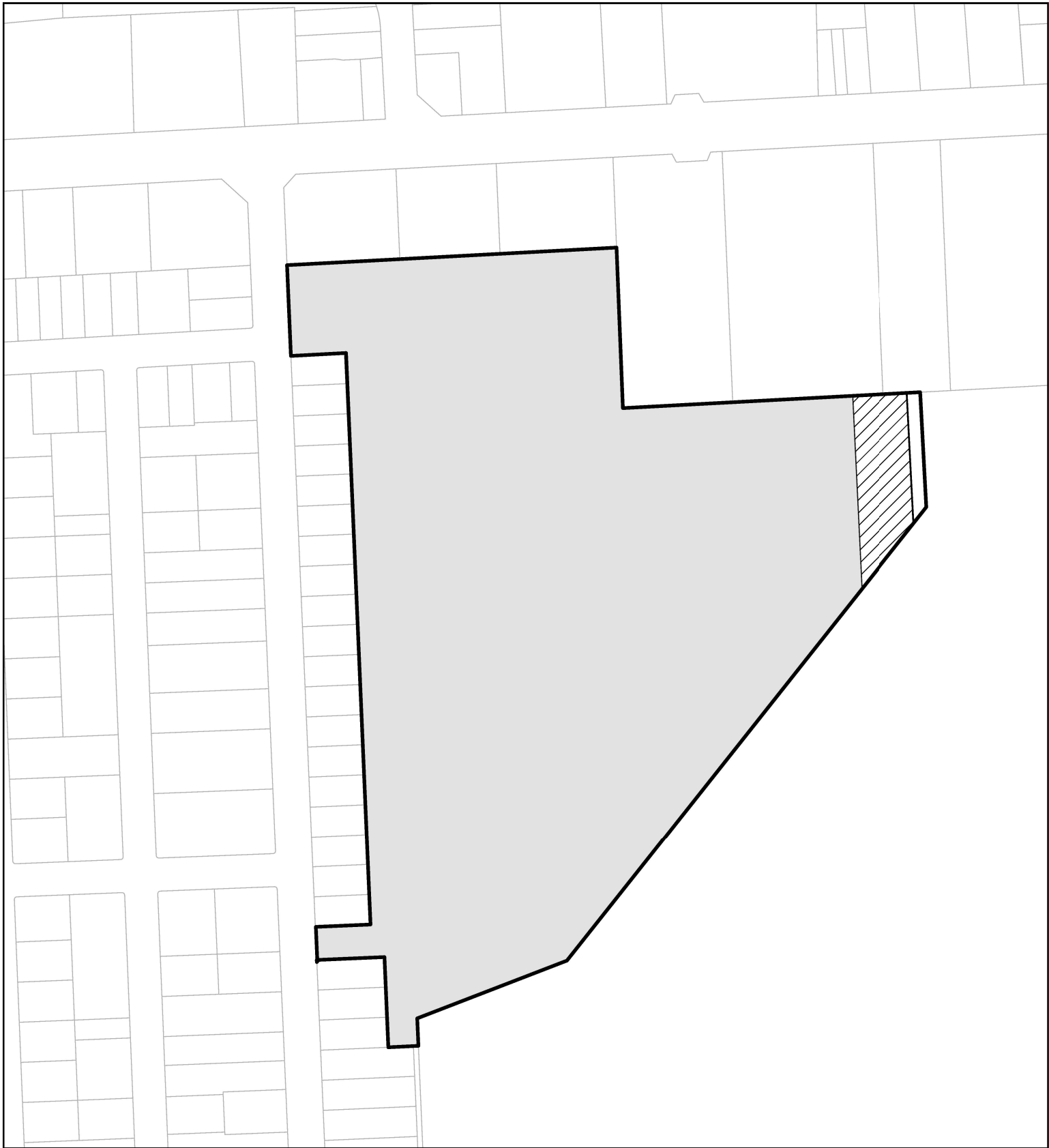
Now, therefore, the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** Schedule A of Comprehensive Zoning By-law 129-90, as amended, is further amended by changing the zoning on the subject lands, known municipally as 0-10747 Kraft Road, from “Residential Multiple 1 (RM1-779) Zone” to “Residential Multiple 1 (RM1-814) Zone,” and maintaining the “Environmental Protection (EP) Zone” and “Residential Multiple 1 (RM1) Zone,” as shown on the attached Schedule A.
2. **That** Comprehensive Zoning By-law 129-90, as amended, is further amended by adding to “Section 14 – Residential Multiple 1 (RM1) Zone” Subsection – “Exceptions to the Residential Multiple 1 (RM1) Zone” the following exception:

RM1-814 (22-2025) Crescent Acres Subdivision (0-10747 Kraft Road)





These lands are zoned “Residential Multiple 1 (RM1-814) Zone”, and all of the provisions that relate to lands zoned “Residential Multiple 1 (RM1) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 1 (RM1-814) Zone” subject to the following special provisions:

- a) Notwithstanding the list of “Permitted Uses” in Subsection 14.2, the lands may also be used for a stormwater management facility.
- b) Notwithstanding the Zone Regulations in Subsection 14.3, as it relates to Minimum Lot Area, Minimum Interior Side Yard, Maximum Lot Coverage, Planting Strips, and the minimum distance between a driveway and an intersection of street lines, the following special provisions shall apply to street townhouse dwellings:

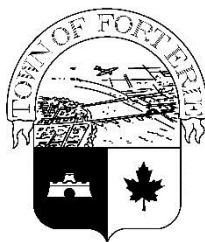


BY-LAW 22-2025

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW 129-90 PASSED THIS 31st DAY OF MARCH 2025

-  Subject Lands - Crescent Acres Subdivision (0-10747 Kraft Road, Fort Erie)
-  Part 1 - Residential Multiple 1 (RM1-779) to Residential Multiple 1 (RM1 -814)
-  Part 2 - Remains Environmental Protection (EP) Zone
-  Part 3 - Remains Residential Multiple (RM1) Zone





The Corporation of the Town of Fort Erie By-law 23-2025

Being a By-law to Authorize the Execution of a Subdivision Agreement with 5035003 Ontario Ltd. (Faraz Moin) 0-10972 Seymour Avenue

Whereas Draft Plan of Subdivision was approved, with conditions, by Council on October 3, 2022 to create a total of eight (8) lots for on-street townhouse dwellings, per Staff Report PDS-69-2022; and

Whereas an application for final subdivision agreement has since been applied for and all conditions of Draft Plan approval have been satisfied by the Owner; and

Whereas it is deemed desirable to enter into a Subdivision Agreement with 5035003 Ontario Ltd. in order to control the development of the lands described in Schedule "A" of the Subdivision Agreement, and also attached hereto as Schedule "A," and forming part of this by-law;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

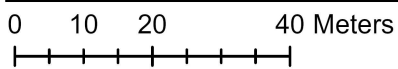
- 1. That** the entry into a Subdivision Agreement with 5035003 Ontario Ltd. (the "Developer"), in a form satisfactory to the Town's Solicitor, is authorized and approved.
- 2. That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, 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 31st day of March 2025.

Mayor

Clerk

BY LAW 23-2025 - SCHEDULE "A"



LOCATION MAP

Proposed Draft Plan of Subdivision - 0-10972 Seymour Avenue



Subject Lands - 0-10972 Seymour Avenue, Fort Erie

N





The Corporation of the Town of Fort Erie By-law 24-2025

Being a By-law to Assume Primary Services within Plan 59M-516 (Alliston Woods, Phase 1) 2835033 Ontario Inc. (Mitchell Williams)

Whereas By-law 81-2022 authorized the Mayor and Clerk to execute the Subdivision Agreement for Alliston Woods, Phase 1; and

Whereas Section 10.8 of the Subdivision Agreement provides that municipal services shall be assumed by the Town in two stages, namely, by Council first passing an Assumption By-law for Primary Services after the Director of infrastructure Services approves the Certificate of Final Acceptance for Primary Services, and second, an Assumption By-law for Secondary Services after the Director of infrastructure Services approves the Certificate of Final Acceptance for Secondary Services; and

Whereas the Director of Infrastructure Services has approved the Certificate of Final Acceptance for Primary Services for Phase 1 of the said subdivision; and

Whereas it is deemed desirable to assume the Primary Services for Phase 1 within Plan 59M-516;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the following Primary Services identified on the approved servicing plans for Phase 1 of the Subdivision registered as Plan 59M-516 are assumed by the Town of Fort Erie, namely:
 - a. Water Distribution System and Appurtenances; and
 - b. Sanitary Sewer System and Services; and
 - c. Storm Drainage System, including Storm Water Management Facility, and
 - d. Concrete Curb and Gutter, and
 - e. HL8 Base Asphalt, and
 - f. Electrical Distribution System and Streetlighting
2. **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 31st day of March 2025.

Mayor

Clerk



The Corporation of the Town of Fort Erie By-law 25-2025

Being a By-law to Assume Secondary Services within Plan 59M-470 (Peace Bridge Village Subdivision, Phase 1) Ashton Homes (Western) Limited – Aldo Vercillo

Whereas By-law 123-2018, as amended by By-law 72-2019, authorized the Mayor and Clerk to execute the Subdivision Agreement and Amending Subdivision Agreement, respectively, for Peace Bridge Village Subdivision - Phase 1; and

Whereas Section 10.8 of the Subdivision Agreement provides that municipal services shall be assumed by the Town in two stages, namely, by Council first passing an Assumption By-law for Primary Services after the Director of Infrastructure Services approves the Certificate of Final Acceptance for Primary Services, and second, an Assumption By-law for Secondary Services after the Director of Infrastructure Services approves the Certificate of Final Acceptance for Secondary Services; and

Whereas the Director of Infrastructure Services has approved the Certificate of Final Acceptance for Secondary Services for Phase 1 of the said subdivision; and

Whereas it is deemed desirable to assume the Secondary Services installed pursuant to the Subdivision Agreement for Peace Bridge Village Subdivision, Phase 1, including certain highways within Registered Plan 59M-470;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the following Secondary Services identified on the approved servicing plans for Phase 1 of the Peace Bridge Village Subdivision registered as Plan 59M-470 are assumed by the Town of Fort Erie, namely:
 - a. Municipal roads (including boulevards);
 - b. Driveway Aprons;
 - c. Sidewalks; and
 - d. Landscaping and tree plantings,pursuant to the Certificate of Final Acceptance for Secondary Services for Phase 1, dated March 3, 2025.
2. **That** the following parcels of land situated in the Town of Fort Erie are assumed as public highway:
 - a. Burwell Street, Plan 59M-470, being PIN 64218-0563(LT):
 - b. Viking Street, Plan 59M-470, being PIN 64218-0564(LT); and
 - c. Brady Court, Plan 59M-470, being PIN 64218-0565(LT)

- 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 31st day of March 2025.

Mayor

Clerk



The Corporation of the Town of Fort Erie By-law 26-2025

Being a By-law to Designate 241 Ridge Road North as Being of Cultural Heritage Value or Interest

Whereas Section 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended, authorizes the Council of a municipality to pass a by-law to designate a property within the municipality to be of cultural heritage value or interest; and

Whereas at the Regular Council meeting held on August 12, 2024, the Municipal Council of the Town of Fort Erie approved the Museum and Cultural Heritage Advisory Committee's recommendation through report number PDS-55-2024 to designate 241 Ridge Road North under the *Ontario Heritage Act*; and

Whereas in accordance with subsection 29(3) of the *Ontario Heritage Act*, Council of the Town of Fort Erie has caused to be served upon the owners of the lands municipally known as 241 Ridge Road North and legally described in accordance with "Schedule A" and upon the Ontario Heritage Trust, a Notice of Intention to Designate the property as being of cultural heritage value or interest, and has caused the Notice of Intention to Designate to be published in the Fort Erie Observer, a newspaper having general circulation in the Town of Fort Erie; and

Whereas it is deemed desirable to designate 241 Ridge Road North as having Cultural Heritage Value or Interest, under the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the property legally described in accordance with Schedule A and municipally known as 241 Ridge Road North is hereby designated as having cultural heritage value or interest for architectural, historical, and contextual attributes and reasons under the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended, for the reasons set out in the Statement of Significance attached as "Schedule B" and forming part of this by-law.
- 2. 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 31st day of March 2025.

Mayor

Clerk

Schedule "A" to By-law Number 26-2025

LEGAL DESCRIPTION

241 RIDGE ROAD NORTH

Legal Description

241 Ridge Road North is legally described as PT LT SCHOOL HOUSE PL 349 VILLAGE OF RIDGEWAY; PT LT 18 E/S SOUTH MILL ST PL 349 VILLAGE OF RIDGEWAY; PT LT 17 E/S SOUTH MILL ST PL 349, in the Town of Fort Erie.

Schedule “B” to By-law Number 26-2025

STATEMENT OF SIGNIFICANCE

241 RIDGE ROAD NORTH

(THE MASONIC HALL)

Description of the Property

The property is municipally known as 241 Ridge Road North and is legally described as PT LT SCHOOL HOUSE PL 349 VILLAGE OF RIDGEWAY; PT LT 18 E/S SOUTH MILL ST PL 349 VILLAGE OF RIDGEWAY; PT LT 17 E/S SOUTH MILL ST PL 349, in the Town of Fort Erie.

241 Ridge Road North is in the core historic Ridgeway on the west side of the road. The property features a former school building influenced by Italianate architecture, positioned with a modest setback from the road at the southern edge of the commercial core, surrounded by other buildings originally constructed as residences.

Statement of Cultural Heritage Value or Interest

241 Ridge Road North is a representative example of the Italianate style. 241 Ridge Road North is a representative example of a former school built with Italianate architecture style influences. The two-storey red brick T-shaped plan includes the 1869-1880 schoolhouse. The running bond red brick building is laid on a stone foundation. The symmetrical façade contains two arched entrances with single doors topped by ornate fanlights. Each of the visible elevations are symmetrically balanced with rhythmically placed tall arched windows which are typical features of Italianate buildings. Additionally, the subject building includes Classical detailing including the oculus window with quatrefoil window finished design and a hexagonal belfry which are additional features associated with institutional Italianate buildings. The 1911 addition, while sympathetic with the schoolhouse, does not exhibit the Italianate style elements.

241 Ridge Road North has historical value as an early public school established in Ridgeway to serve the educational needs of the community. Initially established as the School Section No.11 in 1844 on or near the subject property the brick building was constructed in 1869, with subsequent expansion/addition in 1880 and 1911, to serve the growing educational needs of the community. The location of the subject property, as a school bridging the historic commercial centre of the community and the outlying residential areas, made a clear influential contribution to the pattern of settlement and development in the community as the residential area expanded around the school.

241 Ridge Road has historical value for its association with the Disher family who were prolific property owners in the area, and influential in the economic success of Ridgeway. The Disher family (Enos Disher) donated the land on which the school was built. R. Disher, who eventually became owner of the land, was a teacher at the school

and was integral to the construction of the extant school building. The prominent role and influence of the family in the community is also expressed with the naming of Disher Road, which is located immediately to the north of the subject property.

241 Ridge Road North reflects the work of Eber Cutler a builder noted by the Town of Fort Erie as “the largest builder in the area at the time”. Cutler was responsible for the construction of the 1880 portion of the schoolhouse. In addition to his work on the subject property, at least two other extant Cutler-built houses remain on within the commercial core along Ridge Road North. (the Part IV Designated Culter/Morin House at 348 Ridge Road North and 356 Ridge Road North).

241 Ridge Road North is important in supporting the 19th century character of the historic commercial core of Ridgeway. The commercial streetscape of Ridge Road North is comprised of predominantly one-and-a-half to three storey commercial buildings of various architectural styles and narrow setbacks that widen toward the periphery. The two-storey brick former schoolhouse is important in supporting and maintaining the character of this section of Ridge Road North, comprised of predominantly residential and institutional buildings located at the periphery of the core. There are two other redbrick Italianate buildings (224 and 264 Ridge Road North) in this area. 241 Ridge Road acts as a physical and historical anchor. The subject property is important in defining and supporting this transitional area made up of commercial, residential and institutional buildings, thus tying in the commercial core in with the outer lying residential areas through its massing and decorative details consistent with the character of the historic commercial core.

241 Ridge Road North is considered a landmark in the community. 241 Ridge Road North’s construction is consistent with the character of the neighbourhood and streetscape, the structure at 241 Ridge Road North is considered a visual landmark by the community.

Description of Heritage Attributes

Key elements that contribute to the heritage value of 241 Ridge Road North include:

- Overall height, scale, massing, and legibility as a former school
- Two-storey former schoolhouse with Italianate influences
- Red brick building constructed to a T-shaped plan
- Symmetrical and balanced façade
- Cross-gable roof with wide overhanging eaves
- Hexagonal belfry with classical decorative detailing
- Oculus window with quatrefoil window
- Rhythmically placed arched window openings with stone sills and brick voussoirs
- Four recessed arched entryways, with brick voussoirs and stone thresholds, three with fanlights
- Location along Ridge Road North



The Corporation of the Town of Fort Erie By-law 27-2025

Being a By-law to Amend By-law 136-2024 (Municipal Property Occupancy Policy) and By-law 111-2019, as amended (Administrative Penalty System) and to Repeal By-laws 52-2020 and 53-2020

Whereas By-law 136-2024 was passed by the Municipal Council of the Town of Fort Erie on December 16, 2024, to adopt a policy for the occupancy of municipal property (the "Municipal Property Occupancy Policy"); and

Whereas the Municipal Property Occupancy Policy contains provisions for penalties, including fines for contravention of the policy; and

Whereas Section 4.5 of By-law 136-2024 currently provides that any person who contravenes any provision of the By-law is liable to an administrative penalty to be issued in accordance with Administrative Penalty System By-law 111-2019, as amended; and

Whereas it is deemed desirable to amend Section 4.5 of By-law 136-2024 to establish a fixed administrative penalty in the amount of Three Hundred Dollars (\$300.00) for violations of the Municipal Property Occupancy Policy; and

Whereas By-law 111-2019, as amended, establishes a system for Administrative Penalties and applies to any penalty notice issued under By-law 136-2024, and it is therefore necessary to amend By-law 111-2019 to designate By-law 136-2024 under the Administrative Penalty System; and

Whereas By-laws 52-2020 and 53-2020 were previously enacted to amend By-laws 120-2015 and 111-2019, respectively, to implement an administrative penalty for non-compliance of the Highway Occupancy Policy (By-law 120-2015) and to include By-law 120-2015 as a designated by-law under the Administrative Penalty System; and

Whereas By-law 120-2015 has since been repealed, rendering By-laws 52-2020 and 53-2020 obsolete;

Now, therefore, the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** Section 4.5 of By-law 136-2024 is hereby repealed and replaced with the following:

"4.5 Every person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty By-law 111-2019, be liable to pay to the Town an Administrative Penalty in the amount of Three Hundred Dollars (\$300.00), in the manner and in accordance with that By-law, as amended or replaced from time to time."
- 2. That** Appendix "1" to Schedule "A" of By-law 111-2019, as amended, is repealed and replaced with Schedule "A" attached hereto and forming part of this by-law.
- 3. That** By-law 52-2020 is hereby repealed.
- 4. That** By-law 53-2020 is hereby repealed.

5. **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 31st day of March 2025.

Mayor

Clerk

Schedule “A” to By-law 27-2025

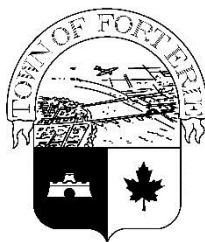
APPENDIX”1” to By-law No. 111-2019

**TOWN OF FORT ERIE ADMINISTRATIVE PENALTY OFFENCES
BY-LAW NO. 111-2019**

DESIGNATED BY-LAWS

Designated By-law	By-law Number
Municipal Property Occupancy Policy	136-2024
Lot Maintenance	92-2019
Waterworks	66-2016
Fences	71-2016
Snow and Ice Removal	17-2009
Noise and Nuisance	30-2009
Swimming Pool	149-2008
Property Standards	186-2008
Sewage and Drainage	68-2006
Motorized Snow Vehicles	24-2006
Business Licensing	217-05
Parks and Beaches	119-03
Open Air Burning	167-03
Animal Welfare, Protection, and Control	73-2021
Tree By-law	33-2024

Note: References to By-laws include as they may be amended or replaced.



The Corporation of the Town of Fort Erie By-law 28-2025

Being a By-law to Amend By-law 72-99 (Municipal Alcohol Policy)

Whereas By-law 72-99 (Municipal Alcohol Policy) was passed by the Municipal Council of the Town of Fort Erie on May 10, 1999; and

Whereas the Municipal Alcohol Policy By-law 72-99, as amended, prohibits the consumption of alcohol in public parks and Town Boards and Advisory Committees at Special Events unless Council grants annual approval, with the exception that the Mayor's Youth Advisory Committee is not eligible for such approval; and

Whereas Report EDTS-01-2025 was considered and approved at the Council-in-Committee meeting held on March 17, 2025, to amend By-law 72-99 (Municipal Alcohol Policy) to permit consumption of alcohol at Town Board and Advisory Committee Special Events on an ongoing basis, subject to applicable regulations; and

Whereas it is deemed desirable to amend the Municipal Alcohol Policy pursuant to the recommendations of Report EDTS-01-2025;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** Section 1 of Schedule A to By-law 72-99 is amended to add the following:
 - 1.3 Town-appointed Board and Advisory Committees, excluding the Mayor's Youth Advisory Committee, are exempt from Section 1.1 upon obtaining a Special Event Permit issued in accordance with the Town's event permitting process.
2. **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 31st day of March 2025.

Mayor

Clerk



The Corporation of the Town of Fort Erie By-law 29-2025

Being a By-law to Amend By-law 54-2017 (Management, Supervisory and Exempt Employees Salary Administration Plan)

Whereas By-law 54-2017 adopted the Management, Supervisory and Exempt Employees Salary Administration Plan for the years 2017 through 2020; and

Whereas By-law 122-2020 amended By-law 54-2017 to approve the Management, Supervisory and Exempt Employees Salary Administration Plan for the years 2021 through 2024; and

Whereas By-law 51-2024 amended By-law 54-2017, as amended, to update the Management, Supervisory and Exempt Employees Salary Administration Plan for the years 2021 through 2024; and

Whereas at the Regular Council meeting held on April 22, 2024, Council approved the Confidential Report CAO-05-2024 Management, Supervisory and Exempt Employees Salary Administration Plan in which Council approved a commitment to the Conference Board of Canada's Annual Compensation Planning Outlook which projects the average non-unionized salary increase; and

Whereas it is deemed desirable to further amend the Management, Supervisory and Exempt Employees Salary Administration Plan annually to reflect this commitment and ensure alignment with industry standards;

Now, therefore, the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** By-law 54-2017, as amended, to Adopt the Management, Supervisory and Exempt Employee Salary Administration Plan is further amended by deleting Schedule A and replacing it with Schedule A attached to and forming part of this By-law.
- 2. That** in subsequent years, the Management, Supervisory, and Exempt Employee Salary Administration Plan shall be adjusted in accordance with the Conference Board of Canada's Annual Compensation Planning Outlook, which projects the average non-unionized salary increase, subject to annual budget approval.
- 3. That** the Management, Supervisory and Exempt Employee Salary Administration Plan shall be reviewed by March 31, 2028, to align with industry standards.
- 4. 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 31st day of March 2025.

Mayor

Clerk

Schedule A to By-law 29-2025

2.50%

Band	2024		2025	
	Min	Max	Min	Max
13	230,047	276,056	235,798	282,957
12	161,606	193,927	165,646	198,775
11	128,983	154,779	132,208	158,648
10 (1950)	118,385	142,062	121,345	145,614
9 (1950)	109,911	131,894	112,659	135,191
8 (1950)	100,240	120,288	102,746	123,295
8 (2080)	106,923	128,308	109,596	131,516
7 (1950)	89,884	107,861	92,131	110,558
7 (2080)	95,872	115,047	98,269	117,923
6 (1950)	82,909	99,491	84,982	101,978
5 (1950)	78,345	94,014	80,304	96,364
5 (2080)	83,572	100,286	85,661	102,793
4 (1950)	69,222	83,066	70,953	85,143
3 (1950)	66,296	79,555	67,953	81,544
2 (hrly)	24.57	29.48	25.18	30.22
1 (hrly)	20.35	21.28	20.86	21.81

Committee of Adjustment	2024	2025
Chair (per meeting)	102.07	104.62
Member (per meeting)	82.96	85.03

Volunteer Firefighters	2024	2025
Officers (Annual)	4,898	5,020
District/Section Chief	4,098	4,200
Deputy District/Section Chief	3,279	3,361
Captain	2,114	2,167
Acting Captain	544	558
Response & Training (Hourly)		
Firefighter Rate 5	31.00	31.78
Firefighter Rate 4	27.90	28.60
Firefighter Rate 3	25.11	25.74
Firefighter Rate 2	22.60	23.17
Public Education	22.21	22.77
Recruit	19.99	20.49



The Corporation of the Town of Fort Erie By-law 30-2025

Being a By-law to Confirm the Actions of Council at its Council-in-Committee Meeting Held on March 17, 2025, and its Council Meeting Held on March 31, 2025

Whereas it is desirable to have the actions and proceedings of Council adopted, ratified and confirmed by by-law; and

Now, therefore, the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the actions of Council at its Council-in-Committee Meeting held on March 17, 2025, and its Council Meeting held on March 31, 2025, including all motions, resolutions and other actions are adopted, ratified and confirmed as if they were expressly embodied in this by-law, except where the law requires the prior approval of any authority.
- 2. That** where no individual by-law has been or is passed with respect to the taking of any action authorized in or with respect to the exercise of any powers by the Council, then this by-law is deemed for all purposes to be the by-law required for such authorization or exercise of any powers.
- 3. That** the Mayor and officers of The Corporation of the Town of Fort Erie are authorized and directed to do all things necessary to give effect to such actions or to obtain approvals where required.
- 4. That** except where otherwise provided, the Mayor and the Clerk are authorized and directed to execute all documents arising from such actions.
- 5. 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 31st day of March 2025.

Mayor

Clerk