



**The Municipal Corporation of the Town of Fort Erie  
Committee of Adjustment  
Agenda**

**Thursday, May 15, 2025, 5:00 p.m.  
Council Chambers**

	<b>Pages</b>
<b>1. Call to Order</b>	
<b>2. Roll Call</b>	
Sam Pascia, Chair	
Geena Gambin, Member	
David Gianfrancesco, Member	
Marie Alexander, Member	
<b>3. Declarations of Pecuniary Interest</b>	
<b>4. Adoption of the Agenda</b>	
<b>5. Adoption of Minutes</b>	<b>3 - 7</b>
April 17, 2025 Minutes	
<b>6. Request for Withdrawal or Adjournment</b>	
<b>7. Public Hearings</b>	
7.1 Minor Variance Application A13/25	8 - 30
Address: Unassigned Parcel 0-5866 Neva Road, Fort Erie	
Owner / Applicant: Brian Archibald	
7.2 Minor Variance Application A14/25	31 - 46
Address: 393 Oakwood Avenue, Fort Erie	
Owner / Applicant: Gabriel Barbu and Marina Sochirca	
7.3 Minor Variance File A15/25	47 - 67

	Address: 532 Ridgeway Road, Fort Erie	
	Owner / Applicant: Simran Sangram Singh, Geetika Pathak	
7.4	Minor Variance File A16/25	68 - 88
	Address: 913 Centralia Avenue North, Fort Erie	
	Owner: Allan Ayala	
	Agent: Lou Melone	
7.5	Minor Variance File A17/25	89 - 92
	Address: 179 Garrison Road, Fort Erie	
	Owner: Borders Edge Development Inc.	
	Applicant: Jason Pizzicarola	
7.6	Minor Variance File A18/25	93 - 120
	Address: 247 Ridge Road North, Fort Erie	
	Owner: Nakatomi Developments	
	Agent: Jason Pizzicarola	
7.7	Consent File B46/24	121 - 188
	Address: 1011 Gilmore Road, Fort Erie	
	Owner: Magellan Aerospace Limited	
	Applicant: Roy and Dan Zanatta	
8.	<b>New Business</b>	
9.	<b>Next Meeting Date</b>	
	May 29, 2025	
10.	<b>Adjournment</b>	





**The Municipal Corporation of the Town of Fort Erie  
Committee of Adjustment Minutes**

**April 17, 2025, 5:00 p.m.  
Council Chambers**

**1. Call to Order**

The Chair called the meeting to order at 5:01 p.m.

**2. Roll Call**

Terry Moore, Chair

Marie Alexander, Member

David Gianfrancesco, Member

Michael Reles, Member

Geena Gambin, Member

The Chair gave the roll call.

Present: T. Moore, M. Alexander, D. Gianfrancesco, M. Reles, G. Gambin

Absent:

Staff: D. Morton, C. Ricci, D. Vanderveen and J. Roper

**3. Declarations of Pecuniary Interest**

D. Gianfrancesco declared a pecuniary interest with Item 7.3 as a Conflict of Interest.

**4. Adoption of the Agenda**

**5. Adoption of Minutes**

March 20, 2025 Minutes

**That:** The Minutes for March 20, 2025 be adopted as presented.

Moved by: M. Alexander

Seconded by: D. Gianfrancesco

**Carried**

**6. Request for Withdrawal or Adjournment**

The Secretary-Treasurer confirmed there were no requests for withdrawal or adjournment.

**7. Public Hearings**

**7.1 Minor Variance File 08/25**

Address: 3291 Young Avenue, Fort Erie

Applicant/Owner: Mackenzie Connor

Agent: Franco Gigone and Janet del Rio

The Chair enquired whether the agent or the applicant wished to speak to the application.

The agent and applicant had no comments.

The Chair enquired if anyone present wished to speak to the application.

No one in the audience wished to speak regarding the application.

The Committee considered the Staff report as well as written and oral submissions.

The application was approved as detailed in the Staff report, which recommended approval of the variance application.

Motion: D. Gianfrancesco

Seconded: M. Alexander

**Carried**

**7.2 Minor Variance File A09/25**

Address: 3766 Crystal Beach Drive, Fort Erie

Applicant/Owner: Adam and Hope Smith

Agent: Jeff Davis

The Chair enquired whether the agent or the applicant wished to speak to the application.

M. Alexander sought clarification on the submitted drawing to confirm the side yards shown are already non-conforming and that the proposed work will not further encroach on setbacks.

The applicant confirmed her inquiries were correct.

The Chair enquired if anyone present wished to speak to the application.

The property owner at 3764 Crystal Beach Drive raised concerns about the drawings and the development getting too close to their home.

The applicant clarified that this was not the plan.

The Committee considered the Staff report as well as written and oral submissions.

The application was approved as detailed in the Staff report, which recommended approval of the variance application.

Motion: D. Gianfrancesco

Seconded: M. Reles

**Carried**

7.3 Minor Variance File A10/25

Address: Unassigned Parcel, 0-8468 Prospect Point Road North, Fort Erie

Applicant/Owner: Vaughn Gibbons

Agent: Ethan Laman

The Chair enquired whether the agent or the applicant wished to speak to the application.

The agent and applicant had no comments.

The Chair enquired if anyone present wished to speak to the application.

Alison Taylor, 3650 Hazel Court had inquiries, however T. Moore clarified that they were not related to the Minor Variance application being discussed.

The Committee considered the Staff report as well as written and oral submissions.

The application was approved as detailed in the Staff report, which recommended approval of the variance application.

Motion: M. Alexander

Seconded: G. Gambin

**Carried**

7.4 Minor Variance File A11/25

Address: 578 Crescent Road, Fort Erie

Applicant/Owner: Jonathan Sebastian and Jennie Malagerio

Agent: Jason Pizzicarola

The Chair enquired whether the agent or the applicant wished to speak to the application.

The agent advised that there would be no trees removed from the property.

T. Moore inquired about the addition meeting the setbacks. J. Pizzicarola confirmed yes.

The Chair enquired if anyone present wished to speak to the application.

No one in the audience wished to speak regarding the application.

The Committee considered the Staff report as well as written and oral submissions.

The application was approved as detailed in the Staff report, which recommended approval of the variance application.

Motion: D. Gianfrancesco

Seconded: M. Reles

**Carried**

7.5 Minor Variance File A12/25

Address: 2077 MacDonald Drive, Fort Erie

Applicant/Owner: John Marlette, Cottage 2077 Ltd.

Agent: Jonathan Tucker

The Chair enquired whether the agent or the applicant wished to speak to the application.

The agent and applicant had no comments.

The Chair enquired if anyone present wished to speak to the application.

No one in the audience wished to speak regarding the application.

The Committee considered the Staff report as well as written and oral submissions.

The application was approved as detailed in the Staff report, which recommended approval of the variance application.

Motion: D. Gianfrancesco

Seconded: M. Alexander

**Carried**

**8. New Business**

Resignation of P. Bunnin from the Committee

**9. Next Meeting Date**

May 15, 2025

**10. Adjournment**

**That:** The Committee of Adjustment adjourns at 5:36 p.m.

Moved by: G. Gambin

Seconded by: M. Reles

**Carried**

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Chair

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Secretary-Treasurer



Town of Fort Erie Committee of Adjustment  
Notice of Public Hearing and  
Application for Minor Variance

Minor Variance File A13/25  
Unassigned Parcel 0-5866 Neva Road, Fort Erie  
PLAN 99 LOT 399 CORNER  
Assessment Roll Number: 2703 020 010 5340 00000  
Applicant / Owner: Brian Archibald / James Baker Homes Inc.

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a Minor Variance application, pursuant to the provisions of Sections 45 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, May 15, 2025, at 5:00 PM**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to reduce the minimum lot frontage to permit development of a residential dwelling on an existing lot of record.

**Details of Minor Variance Application:**

The Applicant is requesting the following variance to Section 6.18(e) of the Town of Fort Erie’s Comprehensive Zoning By-law 129-1990, as amended:

- 1. To permit a minimum lot frontage of 11.43 meters whereas 12 meters is required.

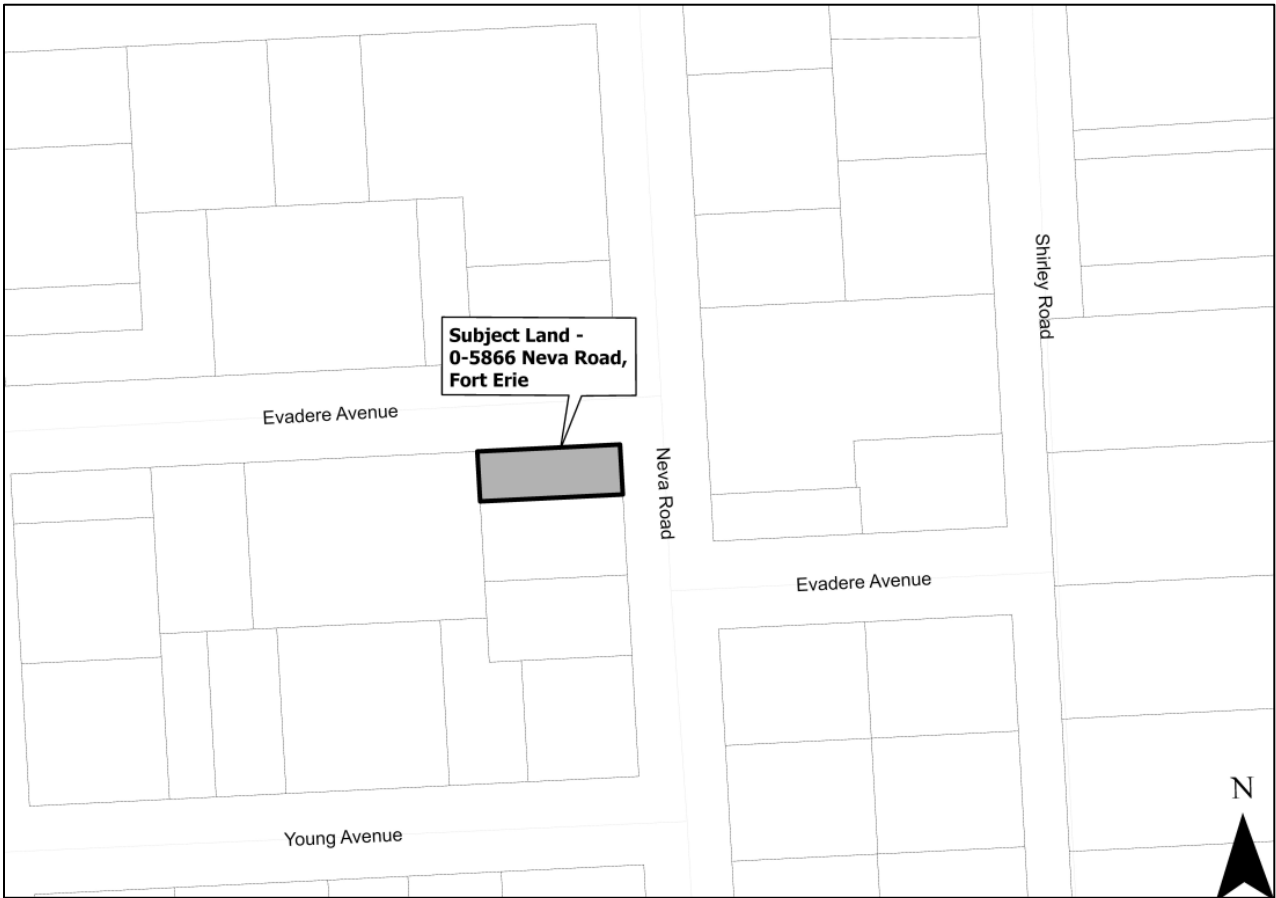
**Current Zoning:**

The subject lands are zoned Residential 1 (R1) Zone, in accordance with the Town of Fort Erie’s Comprehensive Zoning By-law No. 129-1990, as amended.

**Current Official Plan Designation:**

The subject lands are designated Low Density Residential in both the Town’s Official Plan and the Ridgeway-Thunder Bay Secondary Plan

**Key Map:**



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 m radius of the subject lands, or an agency deemed to have an interest in the proceedings. Any person/agency may attend this Hearing and/or make written or verbal representation either in support of, or in opposition to the proposed applications. Please be advised that all written and oral comments received will become part of the applications record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, May 14, 2025 (day prior to Hearing)** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Carleigh Ricci ([cricci@forterie.ca](mailto:cricci@forterie.ca)) who will provide them to the Committee of Adjustment.

If you wish to be notified of the Committee of Adjustment's decision with respect to the proposed applications, you must make a **written** submission to the Secretary-Treasurer of the Committee of Adjustment at the address noted below either **prior to, or at the Hearing**.

Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

## For Additional Information Regarding this Application Contact:

Daryl Vanderveen, Intermediate Planner  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2509 or [dvanderveen@forterie.ca](mailto:dvanderveen@forterie.ca)

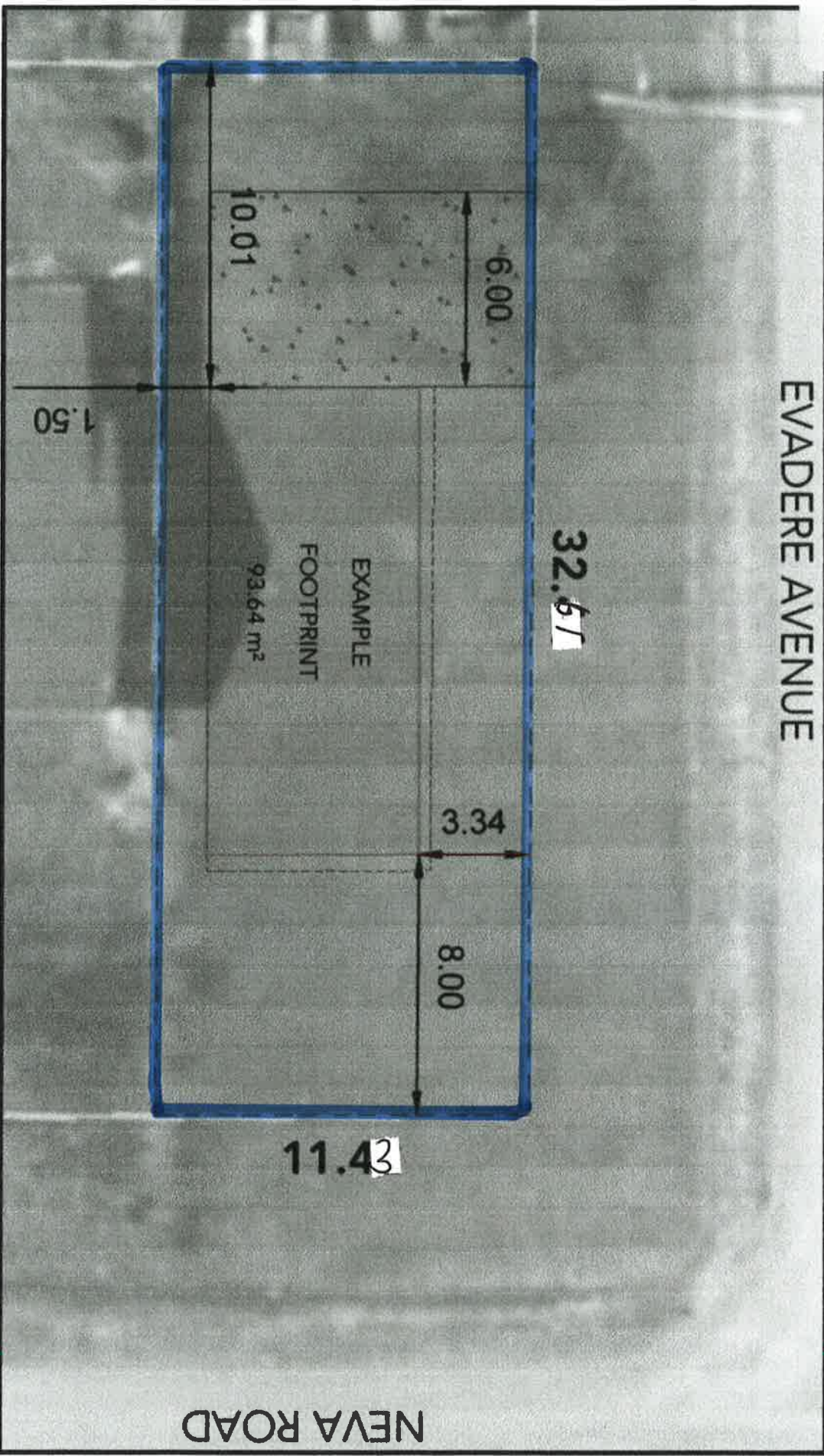
Mailed – April 14, 2025

EVADERE AVENUE

32.61

11.43

NEVA ROAD







## Planning and Development Services

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**Prepared for:** Committee of Adjustment

**Meeting Date:** May 15, 2025

**Application Number:** A13/25

**Address:** 0-5866 Neva Road, Fort Erie

**Owner:** James Baker Homes Inc.

**Applicant:** Brian Archibald

### 1. Title

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Minor Variance Application A13/25 for land located at 0-5866 Neva Road, Fort Erie

### 2. Purpose

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The purpose and effect of this application is to permit reduced lot frontage for an existing lot of record to facilitate development of a single detached dwelling on the subject property.

The application is requesting the following variance to Section 16 (e) of the Town of Fort Erie's Comprehensive Zoning By-law, as amended:

1. To permit a minimum lot frontage of 11.43 metres whereas 12.00 metres is required.

### 3. Recommendations

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Planning staff recommend **APPROVAL** of Minor Variance application A13/25, subject to the following conditions:

1. That the Owner / Applicant submit and receive final approval of a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's Tree By-law 33-2024, as amended, to the satisfaction of the Town.
2. That the Owner / Applicant shall, in the event of any Tree removal requiring replanting on the subject land, submit and receive final approval of an Arborist Report and Landscape Plan prepared by a qualified person demonstrating the re-planting using compensation ratios per Table B.1 of Tree By-law 33-2024, or provide payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

### 4. Analysis

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#### **4.1 Site Context**

The subject land is a corner lot located within the Ridgeway-Thunder Bay neighbourhood area within the Urban Boundary. The subject land is located on the southwest corner of Neva Road and Evadere Avenue. The subject land has 11.43 metres of frontage and is approximately 372.73 square metres in size. The land is currently vacant. The surrounding land uses include the following:

North: Evadere Avenue, Residential (single detached dwellings) and Hazard (floodplain area);  
 South: Residential (single detached dwellings);  
 East: Neva Road, Residential (single detached dwellings and vacant land) and Hazard (floodplain area);  
 West: Residential (single detached dwellings).

#### **4.2 Environmentally Sensitive Areas**

Natural Hazard Area (floodplain) exists nearby, north and east of the subject lands and is regulated by the Niagara Peninsula Conservation Area (NPCA). The NPCA has reviewed this proposal and confirmed that the subject land does not contain nor is impacted by any NPCA-regulated features.

The Town's Environmental Planning staff note that there are no Natural Heritage features present on the subject land. The subject land is regulated by the Town's Tree By-law 33-2024. A Tree Protection Plan is requested as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection via Tree Protection Fencing.

#### **4.3 Four Tests of Minor Variance – Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13**

The Planning Act provides that a minor variance must meet the following four tests to be considered supportable.

##### **4.3.1 Is the proposal minor in nature?**

The proposal to permit a reduced lot frontage from 12.00 metres to 11.43 metres is minor. The subject land is an existing lot of record. The proposed reduction is relatively small and the resulting lot size is similar to other parcels in the area that have less than 12.00 metres of lot frontage. No impacts to neighbours are anticipated as the proposed single detached dwelling meets all of the setback requirements of the Residential 1 (R1) Zone.

##### **4.3.2 Is the proposal desirable for the appropriate development or use of the land, building or structure?**

The proposal to permit a Minor Variance to facilitate development of a fully serviced existing lot of record in the Urban Boundary is appropriate and desirable. The Applicant has included a building footprint on the Application Sketch illustrating that all other regulations of the Residential

1 (R1) Zone can be met. The subject land is similar to other lots in the neighbourhood and development of a single detached dwelling will be compatible with the surrounding area.

#### **4.3.3 Does the proposal meet the general intent and purpose of the Official Plan?**

Secondary Plan / Official Plan Designation: Low Density Residential

The Low Density Residential land use designation permits single detached dwellings and is supportive of development that makes efficient use of municipal infrastructure.

Environmental Planning staff and the NPCA have confirmed that the subject lands are not impacted by Natural Heritage Features or NPCA-regulated areas.

The subject lands are not within an area identified as having archaeological potential in the Town's Official Plan.

Planning staff are of the opinion that this proposal meets the general intent and purpose of the Official Plan.

#### **4.3.4 Does the proposal meet the general intent and purpose of the Zoning By-law?**

Zoning: Residential 1 (R1) Zone

The general intent of regulations for minimum lot frontage is to ensure that a lot is of sufficient size to accommodate an appropriately-sized dwelling and to ensure new development is consistent with other parcels in the area. This intent is maintained. The Applicant has provided an Application Sketch that demonstrates a single detached dwelling can be developed on the subject lands that complies with the Residential 1 (R1) Zone regulations for dwellings. There is enough space on the property for servicing, parking and amenity area. The subject lands are an existing lot of record and is similar in size to other parcels in the neighbourhood.

Therefore, the proposal meets the general intent of the Zoning By-law.

### **5. Comments from Departments, Community and Corporate Partners**

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#### **External Agency Comments**

Cogeco

No objections.

Niagara Peninsula Conservation Authority (NPCA)

No objection. The subject land does not contain nor is impacted by NPCA-regulated features.

Town Staff Comments

Building Division and Landscape Architect

No objections.

Development Engineering

No objections.

It is noted that the subject lands are fully serviced with sanitary sewers, storm sewers and watermains available along Evadere Avenue and Neva Road.

A road widening is not required.

Environmental Planning

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (GALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, GALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.I of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-I of

By-law 33- 2024.

### *Staff Response*

*Planning staff have implemented the requested conditions as part of the recommendations of this report with a slight modification to require a Landscape Plan only when tree replanting is required.*

### Public Comments

At the time of writing this report one written comment was submitted in support of the application.

### **Conclusion**

Based on the above analysis, Planning Staff recommend **APPROVAL** of Minor Variance Application A13/25 subject to the recommended conditions.

### **6. Report Approval**

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Prepared by:

Daryl Vander Veen  
Intermediate Development Planner

Reviewed and submitted by:

Devon Morton, MCIP, RPP  
Supervisor, Development Approvals

### **7. Attachments**

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Appendix 1 – Application Sketch

<b>PDS ZONING REVIEW SHEET:</b>			
<b>FILE NO: A13-25</b>		<b>MUNICIPAL ADDRESS: 0-5866 NEVA ROAD</b>	
<b>PREVIOUS ZONING AMENDMENTS?</b>			
<b>ZONING: Residential 1 (R1)</b>			
<b>INFILL? YES / NO (NO)</b>	<b>PERMITTED</b>	<b>PROVIDED</b>	<b>NOTES:</b>
<b>DWELLING:</b>	Single Detached	Single Detached	YES
<b>MIN. LOT FRONTAGE</b>	12 m (Existing Lot) Section 6.18 (e ) (iv)	11.43 m	Not in compliance. Applied for minor variance to reduce the lot frontage from 12 m to 11.4 m
<b>MIN. LOT AREA</b>	600 sq m	372.7 sq m (Existing)	YES
<b>MAX. LOT COVERAGE</b>	<600 sq m - 25%, 600 sq m to 800 sq m - 30%, >800 sq m 35%	Approx. 24%	YES
<b>MIN. FRONT YARD SETBACK</b>	7.5 m	8 m	YES
<b>MIN. INT. SYSB</b>	1 storey 1.5 m, 2 storey 2.0 m, 2.5 storey 2.5 m - no carport/garage 3.0 m	Min 1.5 m	YES
<b>MIN. EXT SYSB</b>	3m, 6m to carport or garage	3.0 m	YES
<b>MIN. REAR YARD SETBACK</b>	10.0 m	10.0 m	YES
<b>MAX. BLDG HEIGHT</b>	2.5 Storey/ 9.0 m	Not mentioned	Please provide
<b>ACCESS BLDG (Section 6.1) :</b>			
<b>FRONT YARD</b>	No accessory structure permitted		
<b>REAR YARD</b>	1.0 m		
<b>INT. SYSB</b>	1.0 m		
<b>EXT SYSB</b>	Required yard, 6.0 m for a detached garage/carport		
<b>BLDG HEIGHT</b>	1 storey/4.5m		
<b>LOT COVERAGE (10%)</b>	10%		
<b>OTHER:</b>			

# Interoffice Memorandum

File No.: A13-25  
Date: April 27<sup>th</sup>, 2025

**To:** Daryl Vander Veen, Intermediate Development Planner  
**From:** Taylor Boyle, Project Manager, Development Engineering  
**RE:** PDS Engineering Comments for Committee of Adjustment  
**Address:** 0-5866 Neva Road

Purpose and Effect:

To permit the construction of a residential dwelling on an existing lot of record with a frontage of 11.43 meters, whereas 12 meters is required

Details of Minor Variance Application:

1. To permit building on existing lot of record with a frontage of 11.43m whereas 12m is required per Section 6.18e of the Zoning By-Law

**MUNICIPAL SERVICES**

	<b><u>Neva Road</u></b>	<b><u>Evadere Avenue</u></b>
<b>Watermain:</b>	150mm dia. AC (TOFE)	150mm dia. AC (TOFE)
<b>Sanitary Sewer:</b>	250mm dia. PVC (TOFE)	200mm dia. PVC (TOFE)
<b>Storm Sewer:</b>	600mm dia. CONC (TOFE)	600mm dia. CONC (TOFE)

**ROADS**

Neva Road is designated as a Local Road as per the Town’s current Official Plan, with a designated right-of-way width of 20m. The current road width is approximately 20m, therefore a widening is not required at this time.

Evadere Avenue is designated as a Local Road as per the Town’s current Official Plan, with a designated right-of-way width of 20m. The current road width is approximately 20m, therefore a widening is not required at this time.

Town of Fort Erie Development Engineering Staff have reviewed the above noted application and supporting documentation to address the technical concerns regarding the submitted minor variance application.

**Development Engineering Staff offer the following comments:**

- Development Engineering Staff have no comments for the proposed minor variance application.

**Development Engineering Staff offer the following conditions:**

- Development Engineering staff have no conditions for the proposed Minor Variance Application.

Prepared by: Taylor Boyle, C. Tech., rcsi

Project Manager, Development Engineering

- c. Mark Iamarino, PBBS  
Keegan Gennings, PBBS  
Jordan Frost, IS  
Jessica Goodings, Fire Services



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## May COA Comments

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From Zachary George <ZGeorge@forterie.ca>

Date Tue 4/29/2025 3:27 PM

To Carleigh Ricci <CRicci@forterie.ca>

### **0-5866 Neva**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **393 Oakwood**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Based on the drawing provided by the applicant it appears that the proposed work does not require tree removal, nor are there any effected trees on site.

### **532 Ridgeway**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **913 Centralia**

The subject property is not located within the Town's Urban Boundary and is not within Natural Heritage system. There are no Natural Heritage features present. The Town's tree bylaw does not apply to this property. There are no further environmental comments.

### **179 Garrison**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether the 3 trees at the northern end of the property will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

#### **247 Ridge Road North**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

## **1011 Gilmore**

The subject property is located within the Town's Urban Boundary. There are Natural Heritage features present, including a Provincially Significant Wetland in the eastern portion of the lands and an unevaluated wetland that was identified in an Environmental Impact Study prepared by Ecological and Environmental Solutions (2019). The proposed severance does not cross through either wetland and is located over 120m from each identified wetland. At the time the Environmental Impact Study was completed the Ecological Land Classification identified a Mineral Deciduous Woodland and a Mineral Deciduous Thicket, however since the time the EIS was completed there were several trees removed, (with permission from the Town of Fort Erie) and the land classification would no longer meet the definition of a Mineral Deciduous Woodland. As such, environmental planning staff have no objections to the proposed severance.

The lands are subject to the Town's tree By-law 33-2024. If any trees over 10cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

### **Conditions:**

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.
3. That the Applicant/Owner make payment in the amount of \$1000.00 to the Town of Fort Erie for a boulevard street tree. The Tree will be placed on the road allowance frontage if it is practical to do so, otherwise the tree will be planted elsewhere in the Town to enhance the Tree Canopy Cover.

### **Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

**Zach George**

Junior Environmental Planner

**Town of Fort Erie**

Planning and Development Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2536

[forterie.ca](http://forterie.ca) | [zgeorge@forterie.ca](mailto:zgeorge@forterie.ca)



---

**Re: Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

---

From Kathryn Strachan <KStrachan@forterie.ca>

Date Mon 4/28/2025 4:20 PM

To Carleigh Ricci <CRicci@forterie.ca>

Cc Edward Terry <ETerry@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>

Hi Carleigh,

Please see the landscape comments below:

**0-5866 Neva Road**

No Comments

**393 Oakwood Ave**

No Comments

**532 Ridgeway Road**

No Comments

**913 Centralia Ave**

No Comments

**179 Garrison Road**

Landscaped areas should include amenities for residents, benches, tables etc.

Landscape along Garrison should follow the Fort Erie International Gateway – Garrison Road Design Guidelines

**247 Ridge Road**

No Comments

**1011 Gilmore Road**

No Comments

**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

---

**Minor Variance File A13/25 Unassigned Parcel 0-5866 Neva Road, Fort Erie**

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**From** Nadean Reichelt <NReichelt@forterie.ca>

**Date** Thu 4/24/2025 5:47 PM

**To** Carleigh Ricci <CRicci@forterie.ca>

Building department has no comments.

Respectfully,

**Nadean Reichelt** *C.B.C.O, A.Sc.T., C.P.S.O.*  
Deputy Chief Building Official  
Town of Fort Erie  
nreichelt@forterie.ca  
905-871-1600 x-2523

---

**From:** Carleigh Ricci

**Sent:** Monday, April 14, 2025 4:21 PM

**To:** Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Anamika Dilwaria; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Christopher Smith; Mark Schmitt; Jayne Nahachewsky; Philip Riley; Abdul Malik; Troy Davidson; Sean Hutton; Darren Kearns; Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; doug.crown@cogeco.com; Mike.emberton; rowcentre@bell.ca; planninganddevelopment@bell.ca; newdevelopment@rci.rogers.com; municipalnotices@enbridge.com; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; susan.dunsmore@niagararegion.ca; Escobar, Valentina; Kartiki Sharma; planninginfo@npca.ca; pleithwood@npca.ca; ppearson@npca.ca; smastroianni@npca.ca; tlennard@npca.ca; Rachel Adamsky; Mustafa, Sheraz; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; matthew.prestinaci@ontario.ca; neave.constantine@ontario.ca; Ali, Usama (MTO); real\_estatecanada@cpr.ca; planning@dsbn.org; planning@ncdsb.com

**Subject:** Request for Comments - Committee of Adjustment Hearing - May 15, 2025

Dear Reviewer,

The Town of Fort Erie is requesting your comments related to the following Committee of Adjustment matters. Submission materials may be accessed virtually, by selecting the link below.

 [May 15 Circulation](#)

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**Re: Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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**From** Mike Embleton <mike.embleton@cogeco.com>

**Date** Wed 4/16/2025 8:56 AM

**To** Carleigh Ricci <CRicci@forterie.ca>

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

Good morning Carleigh

Cogeco has no comment on any of these applications in the May 15 Circulation link.

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, Apr 14, 2025 at 4:21 PM Carleigh Ricci <[CRicci@forterie.ca](mailto:CRicci@forterie.ca)> wrote:

Dear Reviewer,

The Town of Fort Erie is requesting your comments related to the following Committee of Adjustment matters. Submission materials may be accessed virtually, by selecting the link below.

☐ [May 15 Circulation](#)

Please provide comments by **April 28, 2025, or earlier when possible**. If we do not receive comments by the deadline, we will assume you have no comments, or objections to the applications.



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**RE: NPCA Comments, Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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From Kartiki Sharma <ksharma@npca.ca>

Date Mon 4/28/2025 4:32 PM

To Carleigh Ricci <CRicci@forterie.ca>

 1 attachment (829 KB)

RE: NPCA Comments, Request for comments - 1011 Gilmore Road, Fort Erie;

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

Good Afternoon Carleigh,

The NPCA has reviewed the CoA Applications for the May 15<sup>th</sup>, 2025 Hearing and can offer the following comments:

**1. 0-5866 Neva Road (ARN 270302001053400), Minor Variance, A13-25 :**

Based on the NPCA mapping there is an unmapped floodplain east of the subject property. The application is currently under review by our technical staff to confirm if the subject property is outside the floodplain.

I will provide the NPCA comments for this file as soon as I hear back from our technical staff, apologies for the delay on this file.

**2. 393 Oakwood Avenue, Minor Variance, A14-25:**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**3. 532 Ridgeway Road, Minor Variance, A15-25:**

- The minor variance application is to permit Short-Term Rental, dedicated as a permitted use whereas the use is not permitted.
- Based on the NPCA mapping, NPCA notes that the subject property is a NPCA regulated back-dune area.
- NPCA notes the confirmation provided in the application:
- That for short term rental the property will not be owner occupied and will be exclusive to short term rental.
- No proposed development or site alteration.
- As such, at this time NPCA has no objections to the short-term rental at the subject property as it will not constitute as development or site alteration.
- Please note that any future proposed development on the subject property will require NPCA review and approval along with possible work permits (associated permit fee would apply).

**4. 913 Centralia Avenue North, Minor Variance, A16-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features

Therefore, the NPCA has no objections.

**5. 179 Garrison Road, Minor Variance File, A17/25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**6. 247 Ridge Road North, Minor Variance, A18-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**7. 1101 Gilmore Road, Consent, B46-24**

Please see the attached email from NPCA on April 10 2025, regarding the comments for 1101 Gilmore Road.

Please let me know if you have any questions.

Kind Regards,

**Kartiki Sharma**  
Watershed Planner

**Niagara Peninsula Conservation Authority (NPCA)**  
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 278  
[[www.npca.ca](http://www.npca.ca)%20][www.npca.ca](http://www.npca.ca)  
[ksharma@npca.ca](mailto:ksharma@npca.ca)

For more information on Permits and 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:** Carleigh Ricci <CRicci@forterie.ca>

**Sent:** April 14, 2025 4:22 PM

**To:** Keegan Gennings <KGennings@forterie.ca>; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberlyn Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Anamika Dilwaria <ADilwaria@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Helie Upadhyay <HUpadhyay@forterie.ca>; Jessica Goodings <JGoodings@forterie.ca>; Christopher Smith <CSmith@forterie.ca>;

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**RE: NPCA Comments, Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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**From** Kartiki Sharma <ksharma@npca.ca>

**Date** Thu 5/1/2025 4:02 PM

**To** Carleigh Ricci <CRicci@forterie.ca>

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

Good Afternoon Carleigh,

I have now heard back from our technical staff , please see the NPCA comments for 0-5866 Neva Road:

**0-5866 Neva Road (ARN 270302001053400), Minor Variance, A13-25 :**

NPCA technical staff have reviewed the subject property and have confirmed that there are no flood concerns for the subject property. NPCA notes that the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

Thank you and please let me know if you have any questions.

Kind Regards,

**Kartiki Sharma**  
Watershed Planner

**Niagara Peninsula Conservation Authority (NPCA)**  
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 278  
[www.npca.ca%20]www.npca.ca  
[ksharma@npca.ca](mailto:ksharma@npca.ca)

For more information on Permits and 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:** Kartiki Sharma <ksharma@npca.ca>

**Sent:** April 28, 2025 4:32 PM

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## Application for Minor Variance File A13/25

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**From** [REDACTED]  
**Date** Tue 4/22/2025 12:59 PM  
**To** Carleigh Ricci <CRicci@forterie.ca>  
**Cc** [REDACTED]

You don't often get email from [REDACTED] [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.**

[REDACTED] would like to go on record that we do NOT object to approval of the variance #A13/25 regarding the property on the corner of Neva and Evadere roads in Ridgeway.

[REDACTED]



Town of Fort Erie Committee of Adjustment  
Notice of Public Hearing and  
Application for Minor Variance

Minor Variance File A14/25  
393 Oakwood Avenue, Fort Erie  
PLAN 64 LOT 665 NP404 REG  
Assessment Roll Number: 2703 030 004 3370 00000  
Applicant / Owner: Gabriel Barbu and Marina Sochirca

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a Minor Variance application, pursuant to the provisions of Sections 45 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, May 15, 2025, at 5:00 PM**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to reduce the minimum driveway width requirement to recognize one legal vehicular parking space on the subject land.

**Details of Minor Variance Application:**

The Applicant is requesting the following variance to Section 12B.3 and 6.20.J(i) of the Town of Fort Erie’s Comprehensive Zoning By-law 129-1990, as amended:

- 1. To permit a reduced interior side yard setback of 2.8 meters, whereas 3.0 meters is required.
- 2. To permit a reduced parking space width of 2.8 meters, whereas 3.0 meters is required for one side obstructed parking space.

**Current Zoning:**

The subject lands are zoned Residential 2B (R2B) Zone, in accordance with the Town of Fort Erie’s Comprehensive Zoning By-law No. 129-1990, as amended.

**Current Official Plan Designation:**

The subject lands are designated Urban Residential in both the Town’s Official Plan and the Crystal Beach Secondary Plan.

**Key Map:**



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 m radius of the subject lands, or an agency deemed to have an interest in the proceedings. Any person/agency may attend this Hearing and/or make written or verbal representation either in support of, or in opposition to the proposed applications. Please be advised that all written and oral comments received will become part of the applications record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, May 14, 2025 (day prior to Hearing)** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Carleigh Ricci ([cricci@forterie.ca](mailto:cricci@forterie.ca)) who will provide them to the Committee of Adjustment.

If you wish to be notified of the Committee of Adjustment's decision with respect to the proposed applications, you must make a **written** submission to the Secretary-Treasurer of the Committee of Adjustment at the address noted below either **prior to, or at the Hearing**.

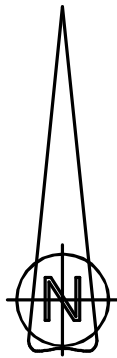
Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

## For Additional Information Regarding this Application Contact:

Helie Upadhyay, Planning Technician  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2535 or [hupadhyay@forterie.ca](mailto:hupadhyay@forterie.ca)

**Mailed – April 14, 2025**



ASHWOOD AVENUE (PLAN 404)

OAKWOOD AVENUE (PLAN 402)

## PART 2 – REPORT

### DESCRIPTION OF LAND

ALL OF LOT 665, PLAN 404,  
GEOGRAPHIC TOWNSHIP OF BERTIE, TOWN OF FORT ERIE,  
REGIONAL MUNICIPALITY OF NIAGARA  
BEING ALL OF PIN 64180-0140 (LT)

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY  
NONE

BOUNDARY FEATURES  
AS SHOWN ON PLAN

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS  
NOT CERTIFIED BY THIS REPORT

ADDITIONAL REMARKS  
NONE

THIS REPORT WAS PREPARED FOR GABRIEL BARBU & MARINA SOCHIRCA AND THE  
UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES

SURVEYOR'S REAL PROPERTY REPORT  
PART 1 : PLAN SHOWING  
**ALL OF LOT 665**  
**PLAN 404**  
GEOGRAPHIC TOWNSHIP OF BERTIE  
**TOWN OF FORT ERIE**  
REGIONAL MUNICIPALITY OF NIAGARA

0 5 10 15 20m  
SCALE 1 : 200  
RASCH & HYDE LTD.  
ONTARIO LAND SURVEYORS

## LEGEND

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
- SSIB DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
- IB DENOTES IRON BAR (15mmX15mmX60cm)
- IBØ DENOTES ROUND IRON BAR (20mm DIA X 60cm)
- CC DENOTES CUT CROSS
- CM DENOTES CONCRETE MONUMENT
- CP DENOTES CONCRETE PIN
- PB DENOTES PLASTIC BAR
- WIT DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- P1 DENOTES PLAN 404
- AC DENOTES AIR CONDITIONER
- BF DENOTES BOARD FENCE
- WIF DENOTES WROUGHT IRON FENCE
- WS □ DENOTES WOOD STAKE
- PROP DENOTES PROPORTIONED

N=NORTH, S=SOUTH, E=EAST, W=WEST

## BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
WEST LIMIT OF OAKWOOD AVENUE, AS SHOWN ON PLAN 404  
HAVING A BEARING OF N00°00'00"E.

## 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 CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE  
WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND  
THE REGULATIONS MADE UNDER THEM.
  - THIS SURVEY WAS COMPLETED ON THE 24th DAY OF NOVEMBER 2023.

DECEMBER 22, 2023  
DATE

*Harold D. Hyde*  
HAROLD D. HYDE  
ONTARIO LAND SURVEYOR

© COPYRIGHT, Rasch & Hyde Ltd., OLS's, 2023

**RASCH + HYDE LTD.**  
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B  
DUNNVILLE, ONT, N1A 2X1  
DUNNVILLE: 905-774-7188 FORT ERIE: 905-871-9757  
(FAX 905-774-4000)

HAROLD D. HYDE O.L.S.

SCALE 1 : 200 SURVEY : 23F128 DRWN BY : T. Matheson



## Planning and Development Services

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**Prepared for:** Committee of Adjustment

**Meeting Date:** May 15, 2025

**Application Number:** A14/25

**Address:** 393 Oakwood Avenue, Fort Erie

**Applicant / Owner:** Gabriel Barbu Mihai and Marina Sochirca

### 1. Title

---

Minor Variance Application A14/25 for land located at 393 Oakwood Avenue, Fort Erie.

### 2. Purpose

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The purpose and effect of this application is to reduce the minimum driveway width and interior side yard setback requirement to recognize one legal vehicular parking space on the subject land.

The applicant is requesting the following variances to Sections 12B.3 and 6.20.J(i) of the Town of Fort Erie's comprehensive Zoning By-law 129-1990, as amended:

1. To permit a reduced interior side yard setback of 2.8 meters, whereas 3.0 meters is required.
2. To permit a reduced parking space width of 2.8 meters, whereas 3.0 meters is required for one side obstructed parking space.

### 3. Recommendations

---

Planning staff recommend **APPROVAL** of Minor Variance application A14/25, subject to the following condition:

1. That the Owner / Applicant shall remove the existing southerly concrete walkway leading to the rear yard to the satisfaction of the Director of Planning, Building and By-law Services.

### 4. Analysis

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#### 4.1. Site Context

The subject land is located within the Town's Urban Boundary in the Crystal Beach Secondary Plan Area on the west side of Oakwood Avenue. The subject land contains a single detached



dwelling. The surrounding land use is predominately residential comprised of single detached dwellings and includes the following:

**North:** Residential (Single detached dwellings)

**South:** Residential and Commercial (Erie Road, Single detached dwellings)

**East:** Residential (Oakwood Avenue, Single detached dwellings)

**West:** Residential (Astwood Avenue, Single detached dwellings)

## **4.2. Environmentally Sensitive Areas**

The Town's Environmental Planner notes that the subject land is not within the Natural heritage System and no Natural Heritage features are present.

The Niagara Peninsula Conservation Authority (NPCA) has confirmed that there are no NPCA Regulated features on or impacting the site.

## **4.3. Four Tests of Minor Variance – Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13**

The Planning Act provides that a minor variance must meet the following four tests to be considered minor and supportable.

### **4.3.1. Is the proposal minor in nature?**

#### *Reduced Interior Side Yard Setback*

The proposed variance to permit a reduced interior side yard setback of 2.8 meters is minor in nature. The relief requested is related to an existing situation that, to the best of Staff's knowledge, operates without conflict. Planning staff are satisfied the requested variance will not result in negative impacts to abutting properties. Furthermore, enough space will remain in the interior side yard for maintenance and access among other things.

#### *Reduced Parking Space Width*

The proposed variance to permit a reduced parking space width of 2.8 metres is minor in nature. The relief requested is related to an existing situation that, to the best of Staff's knowledge, operates without conflict. Furthermore, the reduced parking space width does not impede the functionality of the parking space or negatively impact neighboring properties or the surrounding area.

### **4.3.2. Is the proposal desirable for the appropriate development or use of the land, building or structure?**

The proposed variances to permit a reduced interior side yard setback and a reduced parking space width for the recognition of legal vehicular parking are considered appropriate and desirable. The requested relief supports the functionality and usability of the subject land without negatively impacting neighboring properties or the surrounding area. The continued use of the subject property for residential purposes, with recognition of existing conditions through the requested relief, is compatible with and well-integrated into the surrounding context.

**4.3.3. Does the proposal meet the general intent and purpose of the Official Plan?**

Official Plan Designation: Low Density Residential

The subject land is designated Low Density Residential within the Crystal Beach Secondary Plan. The Low-Density Residential designation permits single detached dwellings and accessory uses.

Therefore, Planning Staff is of the opinion that the requested variances maintain the general intent and purpose of the Town's Official Plan.

**4.3.4. Does the proposal meet the general intent and purpose of the Zoning By-law?**

Zoning: Residential 2B (R2B) Zone

*Reduced Interior Side Yard Setback*

The general intent of regulations for interior side yard setbacks is to ensure there is sufficient space for maintenance, access and drainage, among other things. The requested variance to reduce the side yard to 2.8 metres represents a minor departure from the requirements of the Zoning By-law. It is noted that the 2.8 metre interior side yard setback is an existing situation. To the best of Staff's knowledge, there are no conflicts related to maintenance, access or drainage.

Therefore, Planning staff is of the opinion that the requested variance maintains the general intent and purpose of the Town's Zoning By-law 129-90, as amended.

*Reduced Parking Space*

The general intent of regulations for minimum parking space width is to ensure safe, functional and accessible parking that can accommodate a vehicle without negatively impacting neighboring properties, among other things. As this is an existing situation, that, to the best of Staff's knowledge, operates without conflict, Planning staff is of the opinion that the requested variance maintains the general intent and purpose of the Town's Zoning By-law 129-90, as amended.

**5. Comments from Departments, Community and Corporate Partners**

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Niagara Peninsula Conservation Authority

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

Development Engineering

Development Engineering Staff have no comments or conditions for the proposed minor variance application.

Environmental Planning Staff

The subject property is located within the Town's Urban Boundary but not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the

subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Based on the drawing provided by the applicant it appears that the proposed work does not require tree removal, nor are there any effected trees on site.

#### Building and Landscape Architect

No objections.

#### Zoning

The walkway must be removed in the area designated for parking.

*Staff Response: This has been included as a condition of approval.*

#### Public comments

At the time of writing this report, one written comment was submitted in support of the application.

### **6. Conclusion**

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Based on the above analysis, the Planning staff recommend **APPROVAL** of Minor Variance Application A14/25 subject to the recommended condition.

### **7. Report Approval**

---

Prepared by:  
Helie Upadhyay  
Planning Technician

Reviewed and Submitted by:  
Devon Morton, MCIP, RPP  
Supervisor, Development Approvals

### **8. Attachments**

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Appendix 1 – Site Plan  
Appendix 2 – Comments

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**RE: NPCA Comments, Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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From Kartiki Sharma <ksharma@npca.ca>

Date Mon 4/28/2025 4:32 PM

To Carleigh Ricci <CRicci@forterie.ca>

 1 attachment (829 KB)

RE: NPCA Comments, Request for comments - 1011 Gilmore Road, Fort Erie;

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

Good Afternoon Carleigh,

The NPCA has reviewed the CoA Applications for the May 15<sup>th</sup>, 2025 Hearing and can offer the following comments:

**1. 0-5866 Neva Road (ARN 270302001053400), Minor Variance, A13-25 :**

Based on the NPCA mapping there is an unmapped floodplain east of the subject property. The application is currently under review by our technical staff to confirm if the subject property is outside the floodplain.

I will provide the NPCA comments for this file as soon as I hear back from our technical staff, apologies for the delay on this file.

**2. 393 Oakwood Avenue, Minor Variance, A14-25:**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**3. 532 Ridgeway Road, Minor Variance, A15-25:**

- The minor variance application is to permit Short-Term Rental, dedicated as a permitted use whereas the use is not permitted.
- Based on the NPCA mapping, NPCA notes that the subject property is a NPCA regulated back-dune area.
- NPCA notes the confirmation provided in the application:
- That for short term rental the property will not be owner occupied and will be exclusive to short term rental.
- No proposed development or site alteration.
- As such, at this time NPCA has no objections to the short-term rental at the subject property as it will not constitute as development or site alteration.
- Please note that any future proposed development on the subject property will require NPCA review and approval along with possible work permits (associated permit fee would apply).

**4. 913 Centralia Avenue North, Minor Variance, A16-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features

Therefore, the NPCA has no objections.

**5. 179 Garrison Road, Minor Variance File, A17/25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**6. 247 Ridge Road North, Minor Variance, A18-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**7. 1101 Gilmore Road, Consent, B46-24**

Please see the attached email from NPCA on April 10 2025, regarding the comments for 1101 Gilmore Road.

Please let me know if you have any questions.

Kind Regards,

**Kartiki Sharma**  
Watershed Planner

**Niagara Peninsula Conservation Authority (NPCA)**  
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 278  
[[www.npca.ca](http://www.npca.ca)%20][www.npca.ca](http://www.npca.ca)  
[ksharma@npca.ca](mailto:ksharma@npca.ca)

For more information on Permits and 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:** Carleigh Ricci <CRicci@forterie.ca>

**Sent:** April 14, 2025 4:22 PM

**To:** Keegan Gennings <KGennings@forterie.ca>; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberlyn Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Anamika Dilwaria <ADilwaria@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Helie Upadhyay <HUpadhyay@forterie.ca>; Jessica Goodings <JGoodings@forterie.ca>; Christopher Smith <CSmith@forterie.ca>;

# Interoffice Memorandum

File No.: A14-25  
Date: April 27<sup>th</sup>, 2025

**To:** Helie Upadhyay, Planning Technician  
**From:** Taylor Boyle, Project Manager, Development Engineering  
**RE:** PDS Engineering Comments for Committee of Adjustment  
**Address:** 393 Oakwood Avenue

Purpose and Effect:

Short-term Rental License and request legal parking. The applicant is seeking a variance to reduce the width requirement for the driveway from 3m to 2.8m. The driveway is located on the south side of the dwelling

Details of Minor Variance Application:

## MUNICIPAL SERVICES

	<u>Oakwood Ave</u>
<b>Watermain:</b>	150mm dia. AC (TOFE)
<b>Sanitary Sewer:</b>	200mm dia. PVC (TOFE)
<b>Storm Sewer:</b>	375mm dia. PVC (TOFE)

## ROADS

Oakwood Avenue is designated as a Local Road as per the Town's current Official Plan, with a designated right-of-way width of 20m. A widening is not required at this time.

Town of Fort Erie Development Engineering Staff have reviewed the above noted application and supporting documentation to address the technical concerns regarding the submitted minor variance application.

**Development Engineering Staff offer the following comments:**

- Development Engineering Staff have no comments for the proposed minor variance application.

**Development Engineering Staff offer the following conditions:**

- Development Engineering staff have no conditions for the proposed Minor Variance Application.

Prepared by: Taylor Boyle, C. Tech., rcsi  
Project Manager, Development Engineering

c. Mark Iamarino, PBBS  
Keegan Gennings, PBBS  
Jordan Frost, IS  
Jessica Goodings, Fire Services

### **393 Oakwood**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

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Based on the drawing provided by the applicant it appears that the proposed work does not require tree removal, nor are there any effected trees on site.

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**Minor Variance File A14/25 393 Oakwood Avenue, Fort Erie**

---

**From** Nadean Reichelt <NReichelt@forterie.ca>

**Date** Thu 4/24/2025 5:48 PM

**To** Carleigh Ricci <CRicci@forterie.ca>

Building department has no comments.

Respectfully,

**Nadean Reichelt** *C.B.C.O, A.Sc.T., C.P.S.O.*  
Deputy Chief Building Official  
Town of Fort Erie  
nreichelt@forterie.ca  
905-871-1600 x-2523

---

**From:** Carleigh Ricci

**Sent:** Monday, April 14, 2025 4:21 PM

**To:** Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Anamika Dilwaria; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Christopher Smith; Mark Schmitt; Jayne Nahachewsky; Philip Riley; Abdul Malik; Troy Davidson; Sean Hutton; Darren Kearns; Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; doug.crown@cogeco.com; Mike.emberton; rowcentre@bell.ca; planninganddevelopment@bell.ca; newdevelopment@rci.rogers.com; municipalnotices@enbridge.com; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; susan.dunsmore@niagararegion.ca; Escobar, Valentina; Kartiki Sharma; planninginfo@npca.ca; pleithwood@npca.ca; ppearson@npca.ca; smastroianni@npca.ca; tlennard@npca.ca; Rachel Adamsky; Mustafa, Sheraz; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; matthew.prestinaci@ontario.ca; neave.constantine@ontario.ca; Ali, Usama (MTO); real\_estatecanada@cpr.ca; planning@dsbn.org; planning@ncdsb.com

**Subject:** Request for Comments - Committee of Adjustment Hearing - May 15, 2025

Dear Reviewer,

The Town of Fort Erie is requesting your comments related to the following Committee of Adjustment matters. Submission materials may be accessed virtually, by selecting the link below.

 [May 15 Circulation](#)



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**Re: Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

---

From Kathryn Strachan <KStrachan@forterie.ca>

Date Mon 4/28/2025 4:20 PM

To Carleigh Ricci <CRicci@forterie.ca>

Cc Edward Terry <ETerry@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>

Hi Carleigh,

Please see the landscape comments below:

**0-5866 Neva Road**

No Comments

**393 Oakwood Ave**

No Comments

**532 Ridgeway Road**

No Comments

**913 Centralia Ave**

No Comments

**179 Garrison Road**

Landscaped areas should include amenities for residents, benches, tables etc.

Landscape along Garrison should follow the Fort Erie International Gateway – Garrison Road Design Guidelines

**247 Ridge Road**

No Comments

**1011 Gilmore Road**

No Comments

**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

<b>PDS ZONING REVIEW SHEET:</b>				
<b>FILE NO: A14-25</b>		<b>MUNICIPAL ADDRESS: 393 OAKWOOD AVENUE</b>		
<b>PREVIOUS ZONING AMENDMENTS?</b>				
<b>ZONING: RESIDENTIAL 2B (R2B)</b>		<b>2 YR LIMIT?</b>		
<b>INFILL? YES / NO</b>	<b>PERMITTED</b>	<b>PROVIDED</b>	<b>YES/ NO?</b>	<b>NOTES:</b>
<b>DWELLING: Single-Detached</b>	Single Detached	Single Detached	YES	
MIN. FRONTAGE	10.0 m, * 15m+ frontage - R2 (11.3)	Existing	Existing	
MIN. LOT AREA	260 sq m	Existing	Existing	
MAX. LOT COVERAGE	1 storey - 50 percent Anything greater than 1 storey –40 percent	Existing	Existing	
MIN. FRONT YARD SETBACK	6m to garage 3m to other parts of dwelling	Existing	Existing	
MIN. INT. SYSB (SECTION 12B.3)	1 storey 1.2m, 1.5 storey 1.5m, - no carport/garage 3m	2.8 m (No Attached Garage or Carport)	NO	A minor variance has been applied to reduce the interior side yard setback from 3.0 meters to 2.8 meters in cases where there is no attached garage.
MIN. EXT SYSB	N/A	Existing	Existing	
MIN. REAR YARD SETBACK	1 storey - 5m Anything greater than 1 storey – 7 m	Existing	Existing	
MAX. BLDG HEIGHT	i) 1.5 storey ii) 7.5 m	Existing	Existing	
DIMENSION OF THE PARKING SPACE (ONE SIDE OBSTRUCTED) (SECTION 6.20.J.(i))	3.0 m	2.8 m	NO	A minor variance is required to reduce the parking space dimension (one side obstructed) from 3.0 m to 2.8 m
<b>ACCESS BLDG:</b>				
FRONT YARD				
REAR YARD				
INT. SYSB				
EXT SYSB				
BLDG HEIGHT	1 storey/4.5m			
LOT COVERAGE (10%)	10%			
<b>OTHER:</b>				
1	The walkway must be removed in the area designated for parking.			
2				
3				
4				

---

**Minor Variance File A14/25**

---

**From** [REDACTED]  
**Date** Mon 4/21/2025 1:39 PM  
**To** Carleigh Ricci <CRicci@forterie.ca>

You don't often get email from [REDACTED] [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.**

Attn: Carleigh Ricci

I am replying in regards to the request for variance for Minor Variance File A14/25, roll number 2703030 004 3370 00000.

We have no opposition to this variance.

Regards

[REDACTED]

---

Minor Variance File A14/25

---

From [REDACTED]  
Date Mon 4/21/2025 1:39 PM  
To Carleigh Ricci <CRicci@forterie.ca>

You don't often get email from [REDACTED] [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.

Attn: Carleigh Ricci

I am replying in regards to the request for variance for Minor Variance File A14/25, roll number 2703030 004 3370 00000.

We have no opposition to this variance.

Regards

[REDACTED]



Town of Fort Erie Committee of Adjustment  
Notice of Public Hearing and  
Application for Minor Variance

Minor Variance File A15/25  
532 Ridgeway Road, Fort Erie  
PLAN 7333 PT LOT 1 NP367 RP  
59R4775 PART 1  
CORNER

Assessment Roll Number: 2703 030 001 0790 00000  
Applicant / Owner: Simran Singh and Pathak Geetika

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a Minor Variance application, pursuant to the provisions of Sections 45 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, May 15, 2025, at 5:00 PM**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to convert an existing dwelling into a Dedicated Short-Term Rental.

**Details of Minor Variance Application:**

The Applicant is requesting the following variance to Section 34.2 of the Town of Fort Erie’s Comprehensive Zoning By-law 129-1990, as amended:

- 1. To permit Short-Term Rental, Dedicated as a permitted use whereas the use is not permitted.

**Current Zoning:**

The subject lands are zoned Hazard (H) Zone and Residential 2B (R2B) Zone, in accordance with the Town of Fort Erie’s Comprehensive Zoning By-law No. 129-1990, as amended.

**Current Official Plan Designation:**

The subject lands are designated as Urban Residential and Environmental Protection in the Town’s Official Plan, and as Low Density Residential and Environmental Protection under the Crystal Beach Secondary Plan.

**Key Map:**



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 m radius of the subject lands, or an agency deemed to have an interest in the proceedings. Any person/agency may attend this Hearing and/or make written or verbal representation either in support of, or in opposition to the proposed applications. Please be advised that all written and oral comments received will become part of the applications record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, May 14, 2025 (day prior to Hearing)** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Carleigh Ricci ([cricci@forterie.ca](mailto:cricci@forterie.ca)) who will provide them to the Committee of Adjustment.

If you wish to be notified of the Committee of Adjustment's decision with respect to the proposed applications, you must make a **written** submission to the Secretary-Treasurer of the Committee of Adjustment at the address noted below either **prior to, or at the Hearing**.

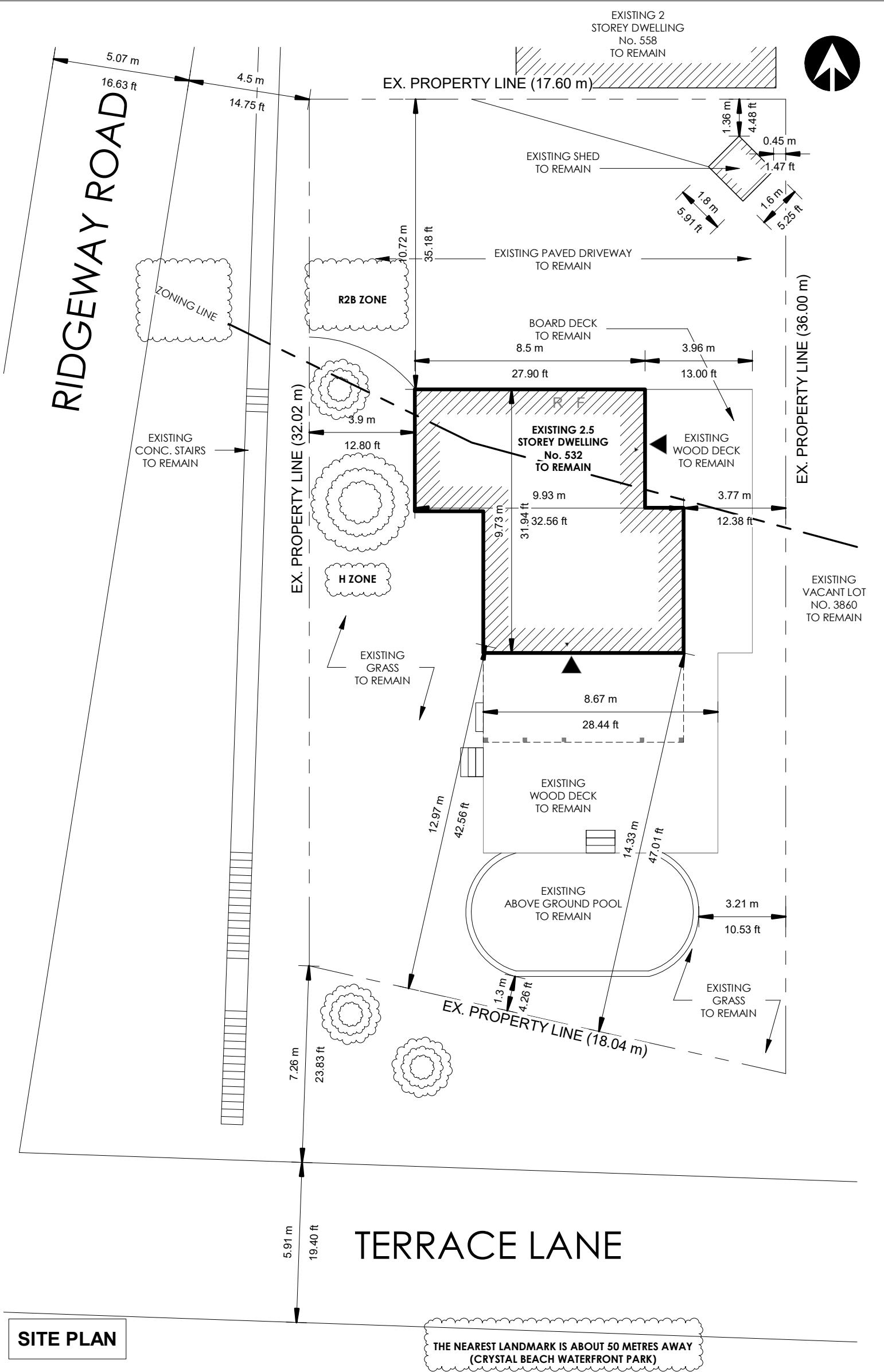
Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

## For Additional Information Regarding this Application Contact:

Robin Shugan, Intermediate Planner  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2527 or [rshugan@forterie.ca](mailto:rshugan@forterie.ca)

Mailed – April 14, 2025



SITE PLAN

THE NEAREST LANDMARK IS ABOUT 50 METRES AWAY  
(CRYSTAL BEACH WATERFRONT PARK)



## Planning and Development Services

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**Prepared for:** Committee of Adjustment

**Meeting Date:** May 15, 2025

**Application Number:** A15/25

**Address:** 532 Ridgeway Road North, Fort Erie

**Owner / Applicant:** Simran Singh

### 1. Title

---

Minor Variance Application A15/25 for land located at 532 Ridgeway Road North, Fort Erie

### 2. Purpose

---

The purpose and effect of this application is to convert an existing dwelling into a Dedicated Short-Term Rental.

The Applicant is requesting the following variance to Section 34.2 of the Town of Fort Erie's Comprehensive Zoning By-law 129-1990, as amended:

1. To permit Short-Term Rental, Dedicated, as a permitted use whereas the use is not permitted.

### 3. Recommendations

---

That Minor Variance Application A15/25 be **APPROVED**, subject to the following condition:

1. That the Owner / Applicant shall submit and receive final approval of a Legal Affidavit to the satisfaction of the Director of Planning, Building and By-law Services.

### 4. Analysis

---

#### 5.1. Site Context

The subject lands are located within the Crystal Beach Secondary Plan Area, on the east side of Ridgeway Road and north side of Terrace Lane. The subject property currently contains an existing single detached dwelling used for residential purposes. The land uses surrounding the subject land include:

- |        |                                                   |
|--------|---------------------------------------------------|
| North: | Residential (Single Detached Dwelling)            |
| South: | Lake Erie                                         |
| East:  | Residential and Hazard (Vacant)                   |
| West:  | Residential and Hazard (Single Detached Dwelling) |



## 5.2. Environmentally Sensitive Areas

The norther portion of the subject land is zoned Hazard. The Town's Environmental Staff have stated that there are no natural heritage features on the subject land. The Niagara Peninsula Conservation Authority has indicated that the subject land is within the NPAC's regulated Back Dune Area. The NPCA have no objection as the dedicated short-term rental does not constitute as development and site alteration is not anticipated.

## 5.3. Section 45(2)(b) of the Planning Act, R.S.O. 1990, c. P.13

This application has been filed under the provisions of Section 45 2(b) of the *Planning Act*.

Section 45 2(b) of the Planning Act states:

In addition to its powers under subsection (1), the committee, upon any such application,

*(b) where the uses of land, buildings or structures permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose that, in the opinion of the committee, conforms with the uses permitted in the by-law R.S.O. 1990, c. P.13, s. 45 (2).*

The applicant seeks approval for the proposed use of a Short Term Rental, Dedicated, on the basis that the use is similar to a permitted use (structure associated with an existing use).

The Crystal Beach Secondary Plan designates the northern half of the subject lands Low Density Residential and southern half Environmental Protection. The Low-Density Residential Designation supports the use of single detached dwellings. The portion of the lands designated Environmental Protection does not permit residential uses.

The subject land is dually zoned. The northern portion is zoned Residential 2B (R2B) Zone and the southern portion is zoned Hazard (H) Zone. The R2B Zone permits single detached dwellings. Section 6.58(c) permits dedicated short-term rentals in single detached dwelling within residential zones. The Hazard Zone permits structures associated with existing uses, subject to approval by the Niagara Peninsula Conservation Authority (NPCA) but does not permit dedicated short-term rentals. The subject lands have an existing single detached dwelling that the Applicant claims has always been used for residential purposes. The applicant has provided an affidavit that the residential use has been continuous since 1976, however, this has not yet been accepted by the Town's Legal Department. As such, a condition of approval has been included that requires final acceptance and approval of the affidavit.

It can be considered appropriate to include the dedicated short-term rental within the Hazard Zone as the subject property is currently being used for residential purposes. The NPCA has reviewed the application and offer no objection to dedicated short term rental use within the Hazard portion of the subject lands. In addition, no site alterations are proposed thus negative impacts are not anticipated.

## 5. Comments from Departments, Community and Corporate Partners

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### Niagara Peninsula Conservation Authority

The NPCA mapping indicates the subject property is within the regulated back dune area. NPCA offer no objection to the short-term rental as it will not constitute as development or site

alteration.

#### Environmental Planning Staff

Subject property is located within the Town's Urban Boundary but is not within the Natural Heritage system. No natural heritage features are present. The lands are subject to the Town's Tree By-law 33-2024, should any trees be proposed to be removed.

Staff Response:

No site alteration is taking place and tree removal is not anticipated.

#### Development Engineering

No comments

### **6. Conclusion**

---

Based on the above analysis, it is the opinion of Planning Staff, pursuant to the provisions of Section 45 2(b) of the *Planning Act*, the proposed dedicated short-term rental is considered appropriate as similar use within the portion of the subject lands zoned Hazard. Therefore, Planning Staff recommends **APPROVAL** of Minor Variance Application A15/25, subject to the condition.

### **7. Report Approval**

---

Prepared by:  
Robin Shugan, CPT, ACST  
Intermediate Development Planner

Reviewed and Submitted by:  
Devon Morton, MCIP, RPP  
Supervisor of Development Approvals

### **8. Attachments**

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Appendix 1 – Sketch Plan

# Interoffice Memorandum

File No.: A15-25  
Date: April 27<sup>th</sup>, 2025

**To:** Robin Shugan, Intermediate Development Planner  
**From:** Taylor Boyle, Project Manager, Development Engineering  
**RE:** PDS Engineering Comments for Committee of Adjustment  
**Address:** 532 Ridgeway Road

Purpose and Effect:

Addition of use for dedicated short-term rental on property

Details of Minor Variance Application:

Addition of use – for using property for short-term rental purposes for when the property is not in use by the owners.

Change in personal circumstances have led the owners to not use the property much. Using it for short term rental would help keep the property in use and thereby support its upkeep and beautification.

## MUNICIPAL SERVICES

	<u>Ridgeway Road</u>
<b>Watermain:</b>	150mm dia. PVC (TOFE)
<b>Sanitary Sewer:</b>	200mm dia. PVC (TOFE)
<b>Storm Sewer:</b>	UNKNOWN dia. RCP (TOFE)

## ROADS

Ridgeway Road is designated as a Local Road as per the Town's current Official Plan, with a designated right-of-way width of 20m. The current road width is approximately 20m, therefore a widening is not required at this time.

Town of Fort Erie Development Engineering Staff have reviewed the above noted application and supporting documentation to address the technical concerns regarding the submitted minor variance application.

Development Engineering Staff offer the following comments:

- Development Engineering Staff have no comments for the proposed minor variance application.

Development Engineering Staff offer the following conditions:

- Development Engineering staff have no conditions for the proposed Minor Variance Application.

Prepared by: Taylor Boyle, C. Tech., rcsi  
Project Manager, Development Engineering

- c. Mark Iamarino, PBBS  
Keegan Gennings, PBBS  
Jordan Frost, IS  
Jessica Goodings, Fire Services

---

**Re: Zoning Compliance request- 532 Ridgeway Road, Fort Erie , Ontario L0S1B0**

---

**From** Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>

**Date** Fri 4/4/2025 11:29 AM

**To** Preeti Mangal <preeti@tsclaw.ca>

**Cc** Amar Sarkaria <amar@tsclaw.ca>; geetika.bhardwaj2011@gmail.com <geetika.bhardwaj2011@gmail.com>; Vikram <vikramchahal21@gmail.com>; Devon Morton <DMorton@forterie.ca>; Simran Singh <smrssingh@gmail.com>; Carleigh Ricci <CRicci@forterie.ca>; Robin Shugan <RShugan@forterie.ca>

Hello Preeti,

Good morning!

I believe a zoning compliance letter is not required for the minor variance application for 532 Ridgeway Road. I have forwarded the submitted documents to the respective planner for review. If any additional documents are needed to establish the legal non-conforming status, the planner will follow up accordingly.

Please let me know if you have any questions.

**Kind Regards,**

**Mohammad Kamruzzaman, CPT**

Zoning Technician

**Town of Fort Erie**

Planning and Development Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2521

[forterie.ca](http://forterie.ca) | [mkamruzzmaman@forterie.ca](mailto:mkamruzzmaman@forterie.ca)



**To:** Mohammad Kamruzzaman

**Cc:** Amar Sarkaria; geetika.bhardwaj2011@gmail.com; Vikram; Devon Morton; Simran Singh

**Subject:** RE: Zoning Compliance request- 532 Ridgeway Road, Fort Erie , Ontario L0S1B0

You don't often get email from preeti@tsclaw.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.**

Good Morning Mohammad,

Please see enclosed the executed copy of affidavit along with the MPAC Report and recently pulled parcel page.

Kindly advise if you need anything else.

Also I have cc'd the owners of the property in this email for further communication.

**Thanks & Regards,**

**Preeti Mangal | Law Clerk  
TSC Law Professional Corporation**



218 Export Blvd., Suite 510, Mississauga, Ontario L5S 0A7 | T: [905-678-6300](tel:905-678-6300) | ALT: [905-796-7526](tel:905-796-7526) | F: [905-795-8338](tel:905-795-8338) | ALT: [905-796-7636](tel:905-796-7636) | E: [preeti@tsclaw.ca](mailto:preeti@tsclaw.ca) W: [www.TSCLaw.ca](http://www.TSCLaw.ca)

**Warning**

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---

**From:** Mohammad Kamruzzaman <[MKamruzzaman@forterie.ca](mailto:MKamruzzaman@forterie.ca)>

**Sent:** March 21, 2025 11:30 AM

**To:** [preeti@tsclaw.ca](mailto:preeti@tsclaw.ca)

**Cc:** Devon Morton <[DMorton@forterie.ca](mailto:DMorton@forterie.ca)>

**Subject:** Re: Zoning Compliance request- 532 Ridgeway Road, Fort Erie , Ontario L0S1B0

Hello Preeti,

Good Morning!

Thank you for your email and for the conversation earlier today.

532 Ridgeway Road is zoned Residential 2 (R2B) Zone and Hazard (H) Zone. Please note that the existing dwelling is located within the Hazard (H) Zone, and this zone does not permit any single detached dwelling.

In order to establish the property's Legal Non-Conforming status for the existing use, the applicant will need to provide a legal affidavit along with supporting documentation. I have attached both the Legal Non-Conforming Uses Guide and an example of a legal affidavit for your reference.

The submitted affidavit and documents must clearly demonstrate that the existing structure was in place prior to the passing of Zoning By-law 590-1976 (dated May 10, 1976) and that the use has continued without interruption.

If the Town's Legal department is satisfied with the submission and confirms the Legal Non-Conforming use, the next step would be to apply for a Zoning Compliance Letter.

Please feel free to reach out if you have any questions or need further clarification.

Best regards,

**Kind Regards,**

**Mohammad Kamruzzaman, CPT**

Zoning Technician

**Town of Fort Erie**

Planning and Development Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2521

[forterie.ca](http://forterie.ca) | [mkamruzzaman@forterie.ca](mailto:mkamruzzaman@forterie.ca)



---

**From:** Preeti Mangal

**Sent:** Friday, March 21, 2025 9:37 AM

**To:** Mohammad Kamruzzaman

**Cc:** Amar Sarkaria

**Subject:** Zoning Compliance request- 532 Ridgeway Road, Fort Erie , Ontario L0S1B0

You don't often get email from [preeti@tsclaw.ca](mailto:preeti@tsclaw.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.**

Good Moring Mohammad,

It was nice speaking to you this morning.

As discussed over the phone, our clients are seeking information regarding the zoning and use of the subject property. Additionally, they would like to confirm whether the property is considered legal non-conforming.

Could you kindly advise us on the next steps to obtain the requested information? Any guidance you can provide would be greatly appreciated.

**Thanks & Regards,**

**Preeti Mangal | Law Clerk**  
**TSC Law Professional Corporation**



218 Export Blvd., Suite 510, Mississauga, Ontario L5S 0A7 | T: [905-678-6300](tel:905-678-6300) | ALT: [905-796-7526](tel:905-796-7526) | F: [905-795-8338](tel:905-795-8338) | ALT: [905-796-7636](tel:905-796-7636) | E: [preeti@tsclaw.ca](mailto:preeti@tsclaw.ca) W: [www.TSCLaw.ca](http://www.TSCLaw.ca)

**Warning**

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**Minor Variance File A15/25 532 Ridgeway Road, Fort Erie**

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**From** Nadean Reichelt <NReichelt@forterie.ca>

**Date** Thu 4/24/2025 5:49 PM

**To** Carleigh Ricci <CRicci@forterie.ca>

Building department has no comments.

However, owner is to be made aware that there is an open building permit on the property with outstanding inspections and one of the conditions of an STR licence is that there are no open building permits.

Respectfully,

**Nadean Reichelt** *C.B.C.O, A.Sc.T., C.P.S.O.*  
Deputy Chief Building Official  
Town of Fort Erie  
nreichelt@forterie.ca  
905-871-1600 x-2523

---

**From:** Carleigh Ricci

**Sent:** Monday, April 14, 2025 4:21 PM

**To:** Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Anamika Dilwaria; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Christopher Smith; Mark Schmitt; Jayne Nahachewsky; Philip Riley; Abdul Malik; Troy Davidson; Sean Hutton; Darren Kearns; Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; doug.crown@cogeco.com; Mike.embleton; rowcentre@bell.ca; planninganddevelopment@bell.ca; newdevelopment@rci.rogers.com; municipalnotices@enbridge.com; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; susan.dunsmore@niagararegion.ca; Escobar, Valentina; Kartiki Sharma; planninginfo@npca.ca; pleithwood@npca.ca; ppearson@npca.ca; smastroianni@npca.ca; tlennard@npca.ca; Rachel Adamsky; Mustafa, Sheraz; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; matthew.prestinaci@ontario.ca; neave.constantine@ontario.ca; Ali, Usama (MTO); real\_estatecanada@cpr.ca; planning@dsbn.org; planning@ncdsb.com

**Subject:** Request for Comments - Committee of Adjustment Hearing - May 15, 2025

Dear Reviewer,

The Town of Fort Erie is requesting your comments related to the following Committee of Adjustment matters. Submission materials may be accessed virtually, by selecting the link

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## May COA Comments

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From Zachary George <ZGeorge@forterie.ca>

Date Tue 4/29/2025 3:27 PM

To Carleigh Ricci <CRicci@forterie.ca>

### **0-5866 Neva**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **393 Oakwood**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Based on the drawing provided by the applicant it appears that the proposed work does not require tree removal, nor are there any effected trees on site.

### **532 Ridgeway**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **913 Centralia**

The subject property is not located within the Town's Urban Boundary and is not within Natural Heritage system. There are no Natural Heritage features present. The Town's tree bylaw does not apply to this property. There are no further environmental comments.

### **179 Garrison**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether the 3 trees at the northern end of the property will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

#### **247 Ridge Road North**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

## **1011 Gilmore**

The subject property is located within the Town's Urban Boundary. There are Natural Heritage features present, including a Provincially Significant Wetland in the eastern portion of the lands and an unevaluated wetland that was identified in an Environmental Impact Study prepared by Ecological and Environmental Solutions (2019). The proposed severance does not cross through either wetland and is located over 120m from each identified wetland. At the time the Environmental Impact Study was completed the Ecological Land Classification identified a Mineral Deciduous Woodland and a Mineral Deciduous Thicket, however since the time the EIS was completed there were several trees removed, (with permission from the Town of Fort Erie) and the land classification would no longer meet the definition of a Mineral Deciduous Woodland. As such, environmental planning staff have no objections to the proposed severance.

The lands are subject to the Town's tree By-law 33-2024. If any trees over 10cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

### **Conditions:**

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.
3. That the Applicant/Owner make payment in the amount of \$1000.00 to the Town of Fort Erie for a boulevard street tree. The Tree will be placed on the road allowance frontage if it is practical to do so, otherwise the tree will be planted elsewhere in the Town to enhance the Tree Canopy Cover.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

**Zach George**

Junior Environmental Planner

**Town of Fort Erie**

Planning and Development Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2536

[forterie.ca](http://forterie.ca) | [zgeorge@forterie.ca](mailto:zgeorge@forterie.ca)



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**Re: Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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From Kathryn Strachan <KStrachan@forterie.ca>

Date Mon 4/28/2025 4:20 PM

To Carleigh Ricci <CRicci@forterie.ca>

Cc Edward Terry <ETerry@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>

Hi Carleigh,

Please see the landscape comments below:

**0-5866 Neva Road**

No Comments

**393 Oakwood Ave**

No Comments

**532 Ridgeway Road**

No Comments

**913 Centralia Ave**

No Comments

**179 Garrison Road**

Landscaped areas should include amenities for residents, benches, tables etc.

Landscape along Garrison should follow the Fort Erie International Gateway – Garrison Road Design Guidelines

**247 Ridge Road**

No Comments

**1011 Gilmore Road**

No Comments

**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

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**RE: NPCA Comments, Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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From Kartiki Sharma <ksharma@npca.ca>

Date Mon 4/28/2025 4:32 PM

To Carleigh Ricci <CRicci@forterie.ca>

 1 attachment (829 KB)

RE: NPCA Comments, Request for comments - 1011 Gilmore Road, Fort Erie;

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

Good Afternoon Carleigh,

The NPCA has reviewed the CoA Applications for the May 15<sup>th</sup>, 2025 Hearing and can offer the following comments:

**1. 0-5866 Neva Road (ARN 270302001053400), Minor Variance, A13-25 :**

Based on the NPCA mapping there is an unmapped floodplain east of the subject property. The application is currently under review by our technical staff to confirm if the subject property is outside the floodplain.

I will provide the NPCA comments for this file as soon as I hear back from our technical staff, apologies for the delay on this file.

**2. 393 Oakwood Avenue, Minor Variance, A14-25:**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**3. 532 Ridgeway Road, Minor Variance, A15-25:**

- The minor variance application is to permit Short-Term Rental, dedicated as a permitted use whereas the use is not permitted.
- Based on the NPCA mapping, NPCA notes that the subject property is a NPCA regulated back-dune area.
- NPCA notes the confirmation provided in the application:
- That for short term rental the property will not be owner occupied and will be exclusive to short term rental.
- No proposed development or site alteration.
- As such, at this time NPCA has no objections to the short-term rental at the subject property as it will not constitute as development or site alteration.
- Please note that any future proposed development on the subject property will require NPCA review and approval along with possible work permits (associated permit fee would apply).

**4. 913 Centralia Avenue North, Minor Variance, A16-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features



Therefore, the NPCA has no objections.

**5. 179 Garrison Road, Minor Variance File, A17/25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**6. 247 Ridge Road North, Minor Variance, A18-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**7. 1101 Gilmore Road, Consent, B46-24**

Please see the attached email from NPCA on April 10 2025, regarding the comments for 1101 Gilmore Road.

Please let me know if you have any questions.

Kind Regards,

**Kartiki Sharma**  
Watershed Planner

**Niagara Peninsula Conservation Authority (NPCA)**  
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 278  
[[www.npca.ca](http://www.npca.ca)%20][www.npca.ca](http://www.npca.ca)  
[ksharma@npca.ca](mailto:ksharma@npca.ca)

For more information on Permits and 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>.

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**From:** Carleigh Ricci <CRicci@forterie.ca>

**Sent:** April 14, 2025 4:22 PM

**To:** Keegan Gennings <KGennings@forterie.ca>; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberlyn Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Anamika Dilwaria <ADilwaria@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Helie Upadhyay <HUpadhyay@forterie.ca>; Jessica Goodings <JGoodings@forterie.ca>; Christopher Smith <CSmith@forterie.ca>;



Town of Fort Erie Committee of Adjustment  
Notice of Public Hearing and  
Application for Minor Variance

Minor Variance File A16/25  
913 Centralia Avenue, Fort Erie  
PLAN 135 LOTS 509 TO 511 PT  
LOT 508 NP475 REG  
Assessment Roll Number: 2703 020 023 0850 00000  
Applicant / Owner: Allan Ayala  
Agent: Lou Melone

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a Minor Variance application, pursuant to the provisions of Sections 45 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, May 15, 2025, at 5:00 PM**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to increase the maximum lot coverage to facilitate development of a new single detached dwelling (bungalow).

**Details of Minor Variance Application:**

The Applicant is requesting the following variance to Section 9.3 of the Town of Fort Erie’s Comprehensive Zoning By-law 129-1990, as amended:

- 1. To permit a maximum lot coverage of 16% whereas 15% is required.

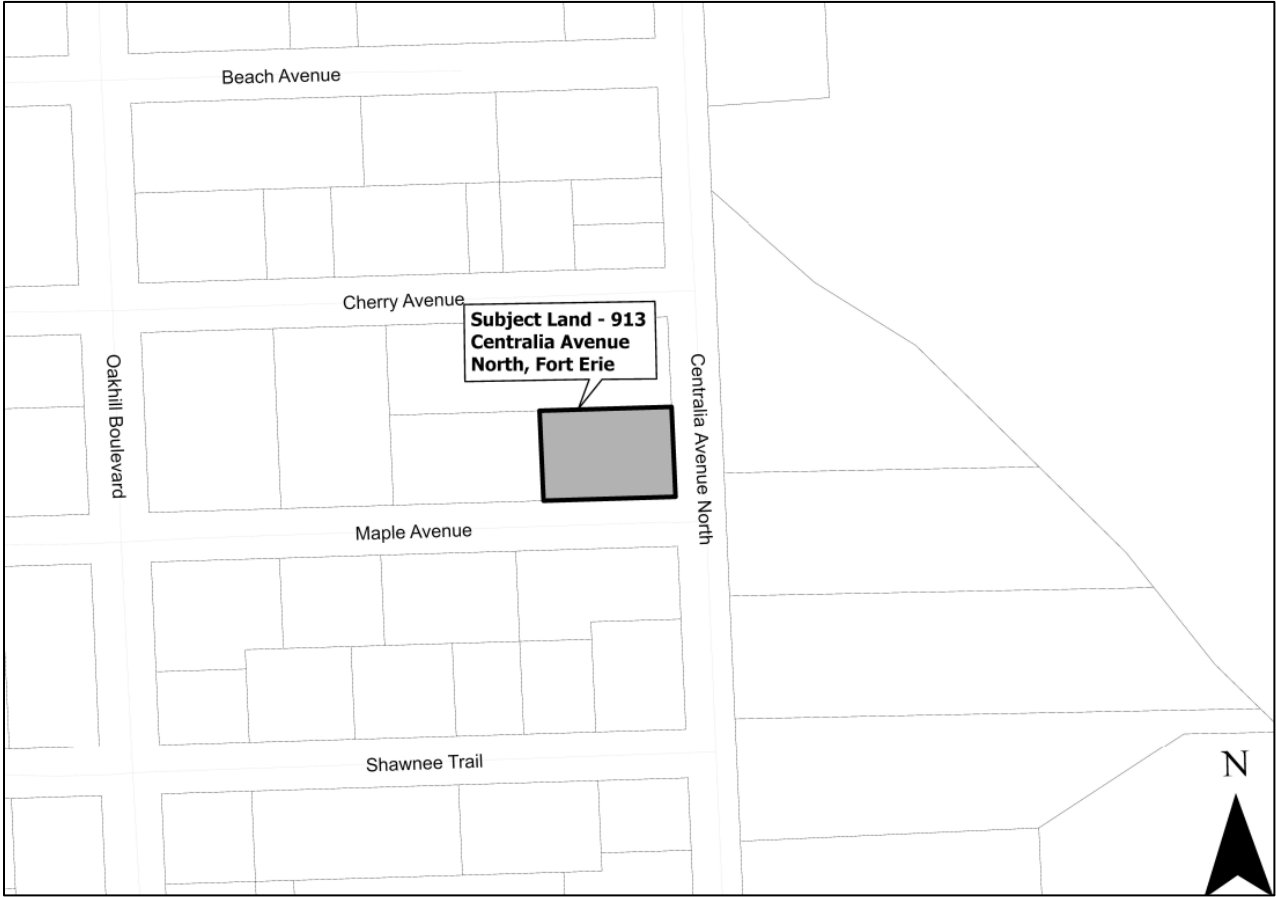
**Current Zoning:**

The subject lands are zoned Rural Residential (RR) Zone, in accordance with the Town of Fort Erie’s Comprehensive Zoning By-law No. 129-1990, as amended.

**Current Official Plan Designation:**

The subject lands are designated Rural Residential in the Town’s Official Plan.

**Key Map:**



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 m radius of the subject lands, or an agency deemed to have an interest in the proceedings. Any person/agency may attend this Hearing and/or make written or verbal representation either in support of, or in opposition to the proposed applications. Please be advised that all written and oral comments received will become part of the applications record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, May 14, 2025 (day prior to Hearing)** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Carleigh Ricci ([cricci@forterie.ca](mailto:cricci@forterie.ca)) who will provide them to the Committee of Adjustment.

If you wish to be notified of the Committee of Adjustment's decision with respect to the proposed applications, you must make a **written** submission to the Secretary-Treasurer of the Committee of Adjustment at the address noted below either **prior to, or at the Hearing**.

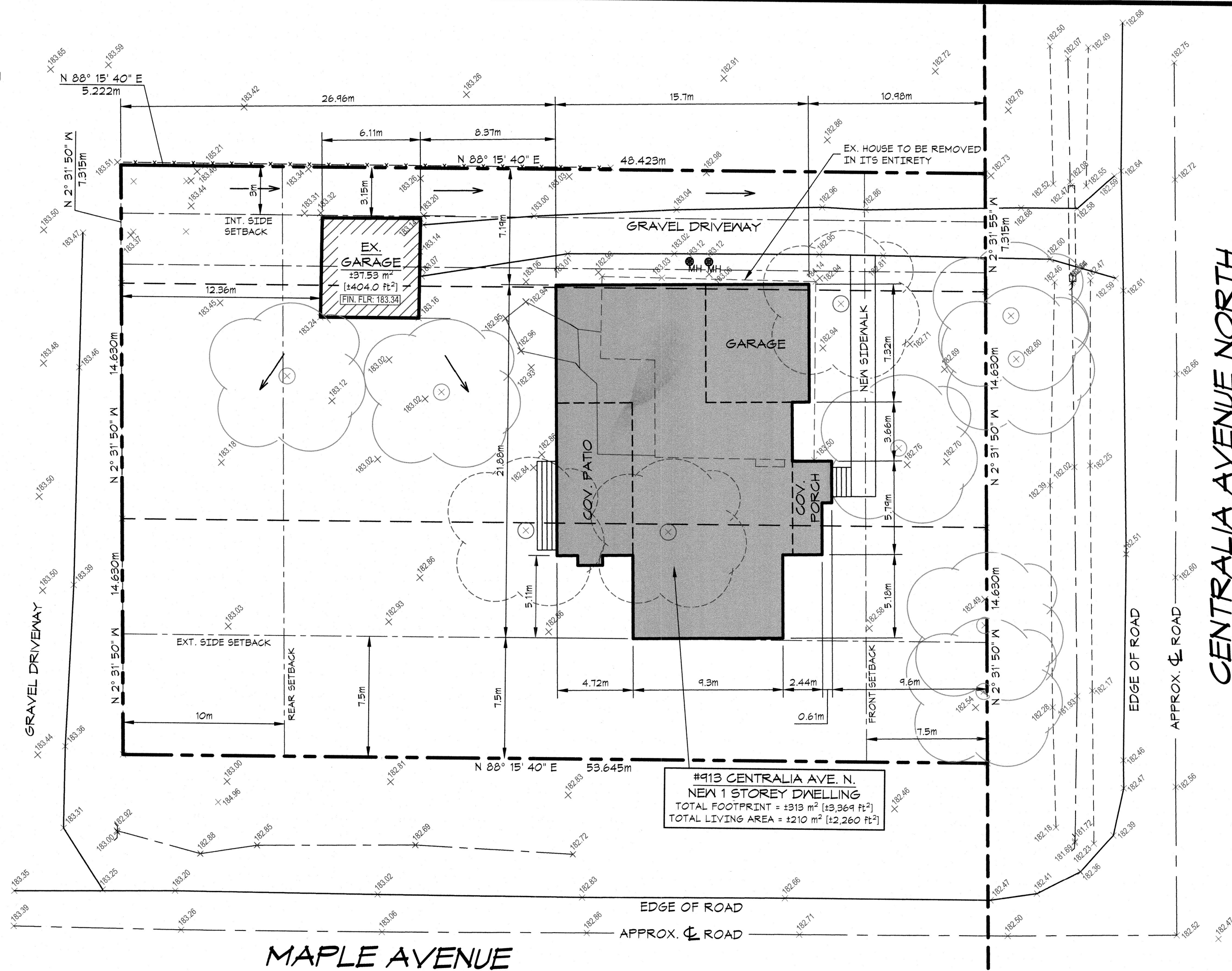
Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

## For Additional Information Regarding this Application Contact:

Jeremy Roper, Intern  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2526 or [jroper@forterie.ca](mailto:jroper@forterie.ca)

Mailed – April 14, 2025



**SITE PLAN**  
SCALE: 1:200

NOTE: THIS IS NOT A LEGAL PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

**NOTES:**

- DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
- BOUNDARY INFORMATION HAS BEEN DERIVED FROM AVAILABLE RECORDS AND/OR FIELD MEASUREMENTS. THIS IS NOT A PLAN OF SURVEY.

**LEGEND:**

- 100.0 X EXISTING GRADE EL.
- 100.0 X NEW GRADE EL.
- GROUND WATER FLOW
- SWALES

LAND USE SCHEDULE - ZONE RR		
TOTAL LOT AREA	±1,960.30 m² [±21,100.49 ft²]	100.0%
TOTAL EX. LOT COVERAGE (EX. GARAGE + EX. HOUSE + EX. SHED)	±122.65 m² [±1,320.19 ft²]	10.8%
EXISTING GARAGE COVERAGE	±37.53 m² [±404.0 ft²]	1.9%
PROP. NEW HOUSE COVERAGE	±313 m² [±3,369 ft²]	16.0%
TOTAL PROPOSED COVERAGE	±350.53 m² [±3,733 ft²]	17.9%

REVISION DATE

**SAM DE ROSE, P.ENG.**  
162 MARTINDALE ROAD, UNIT #505  
ST. CATHARINES, ONTARIO L2S 3S4  
TEL: (905) 324-4394



PROJECT:  
#913 CENTRALIA AVENUE NORTH  
FORT ERIE, ON

DRN BY: G.C.H.

DATE: APR 1, 2025

SCALE: AS STATED

PRINT DATE:

DWG TITLE:

SITE PLAN

PROJ. NO.: -

DWG No:

S1  
DWG 1 of 1





## Planning and Development Services

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**Prepared for:** Committee of Adjustment

**Meeting Date:** May 15, 2025

**Application Number:** A16/25

**Address:** 913 Centralia Avenue North, Fort Erie

**Applicant/Owner:** Allan Ayalla

**Agent:** Lou Melone

### 1. Title

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Minor Variance Application A16/25 for land located at 913 Centralia Avenue North, Fort Erie.

### 2. Purpose

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The purpose and effect of this application is to increase the Maximum Lot Coverage to facilitate development of a new single detached dwelling (bungalow).

The Applicant is requesting the following variance to Section 9.3 of the Town of Fort Erie's comprehensive Zoning By-law No. 129-90, as amended:

1. To permit a Maximum Lot Coverage of 16%, whereas 15% is required.

### 3. Recommendations

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Planning Staff recommend **APPROVAL** of Minor Variance Application A16/25, subject to the following conditions:

1. That the Owner / Applicant shall apply for and receive final approval of a septic tank decommissioning permit to the satisfaction of the Niagara Region.
2. That the Owner / Applicant shall apply for and receive final approval of a new Class 4 sewage system permit to the satisfaction of the Niagara Region.

### 4. Analysis

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#### 6.1. Site Context

The subject land is located outside the Urban Boundary of the Town of Fort Erie. The subject land is a corner lot. There is a 1-storey detached dwelling and a detached accessory structure

(garage) on the subject land. The surrounding land use is predominantly residential, being generally comprised of single-detached dwellings on larger lots:

North: Residential (single-detached)

East: Public road (Centralia Avenue North) and residential (single-detached)

South: Public road (Maple Avenue) and residential (single-detached)

West: Residential (single-detached)

## **6.2. Environmentally Sensitive Areas**

The Niagara Peninsula Conservation Authority (NPCA) has confirmed that the subject land does not contain, nor is impacted by, NPCA Regulated Features. Therefore, the NPCA has no objections.

Town of Fort Erie Environmental Planning Staff have noted the subject land is not located within the Town's Urban Boundary and is not within the Natural Heritage System. There are no Natural Heritage features present. The Town's tree by-law does not apply to the subject land. There are no further environmental comments.

## **6.3. Four Tests of Minor Variance – Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13**

The Planning Act provides that a minor variance must meet the following four tests to be considered minor and supportable.

### **6.3.1. Is the proposal minor in nature?**

Planning Staff note that the proposal meets the general intent and purpose of the Official Plan and the Zoning By-law. Planning Staff also note that the proposal is desirable for the appropriate development and use of the land, with potential negative massing effects on the surrounding land uses mitigated by trees, roads, and separation. Given the preceding points and the minimal proposed departure (1%) from the required Maximum Lot Coverage, Planning Staff view the proposal to be minor in nature.

### **6.3.2. Is the proposal desirable for the appropriate development or use of the land, building or structure?**

Planning Staff note that both the land use and built form are permitted and will be maintained. Additionally, Planning Staff consider that, while the subject land is one of the smaller lots in the area and the proposal will increase the Maximum Lot Coverage, the subject land is a corner lot that is buffered from adjacent properties by trees, public roads, and a substantial undeveloped rear yard. It is the view, therefore, of Planning Staff, that the application is desirable for the appropriate development and use of the land.

Planning Staff advise the Applicant that a grading plan will be required at the building permit stage to ensure drainage concerns are addressed.

**6.3.3. Does the proposal meet the general intent and purpose of the Official Plan?**

Official Plan Designation: Rural Residential

The subject land is designated Rural Residential in the Town's Official Plan. The Rural Residential designation permits a range of residential uses and built forms including single-detached dwellings. Planning Staff regard the requested variance as meeting the general intent and purpose of the Official Plan.

**6.3.4. Does the proposal meet the general intent and purpose of the Zoning By-law?**

Zoning: Rural Residential (RR) Zone

The general intent of the Maximum Lot Coverage regulation is to provide sufficient undeveloped space for drainage, landscaping, parking, and private septic systems, among other things. Planning Staff note the dwelling includes a proposed attached garage that will accommodate future vehicular parking spaces. The requested relief is 1%, being an increase from 15% coverage to 16% coverage. In consideration of the preceding points and comments received, Planning Staff take the view that sufficient space remains to accommodate the items noted above and that the proposal therefore meets the general intent and purpose of the Zoning By-law.

**5. Comments from Departments, Community and Corporate Partners**

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Niagara Region

The proposal is to increase the maximum lot coverage to facilitate development of a new single detached dwelling (bungalow). The applicant is requesting to permit a maximum lot coverage of 16% whereas 15% is required.

No records were found for the current class 4 sewage system servicing the existing dwelling. The existing septic tank is located North of the dwelling, the location of the inground leaching field is unknown. The existing septic system is considered legal non-conforming and will be required to be properly decommissioned.

Our Department has received a proposed sewage system design using a Class 4 Tertiary Treatment system. This system was designed for a flow rate of 2025 L/Day and meets the required setbacks of the Ontario Building Code. According to the building plans received the proposed dwelling will contain 3 bedrooms, 29.5 Fixture Units and 210m<sup>2</sup> of living space. The septic design will need to be slightly revised considering the flow rate of the proposed dwelling according to the floor plans is 2075L/Day. The revised flow rate will not change the overall footprint of the septic system and the required changes can be dealt with during the septic permit application stage.

Therefore, our department has no objection to the proposed minor variance application provided that the applicant applies for a septic tank decommissioning permit and a new Class 4 sewage system permit is applied for to accommodate the proposed dwelling.

*Planning Staff Response: These requirements have been included as conditions of approval.*

Public Comments:

*Planning Staff Response: As of the time of writing, no public comments have been received.*

## **6. Conclusion**

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Based on the above analysis, Planning Staff recommend **APPROVAL** of Minor Variance Application A16/25, subject to the recommended conditions.

## **7. Report Approval**

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Prepared by:  
Jeremy Roper  
Planning Intern

Reviewed and Submitted by:  
Devon M. Morton, MCIP, RPP  
Supervisor, Development Approvals

## **8. Attachments**

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Appendix 1 – Site Plan  
Appendix 2 – Comments



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## Interoffice Memorandum

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File No.: A16-25  
Meeting Date: May 15<sup>th</sup>, 2025

**To:** Jeremy Roper, Planning Intern  
**From:** Taylor Boyle, Project Manager, Development Engineering  
**RE:** PDS Engineering Comments for Committee of Adjustment  
**Address:** 913 Centralia Ave North

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Purpose and Effect:

To construct a new bungalow with a lot coverage of 16%, whereas 15% is required.

Details of Minor Variance Application:

The Applicant is requesting the following variance to Section 9.3 of the Town of Fort Erie's Comprehensive Zoning By-law 129-1990, as amended:

1. To permit a maximum lot coverage of 16% whereas 15% is required.
- 

### MUNICIPAL SERVICES

#### Centralia Ave N

**Watermain:** 200mm dia. AC (TOFE)

**Sanitary Sewer:**

**Storm Sewer:**

### ROADS

**Centralia Avenue North** is designated as an Arterial Road as per the Town's current Official Plan, with a designated right-of-way width of 23m. Development Engineering Staff will not be requiring a road widening at this time.

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Town of Fort Erie Development Engineering Staff have reviewed the above noted application and supporting documentation to address the technical concerns regarding the submitted minor variance application.

Development Engineering Staff offer the following comments:

- Development Engineering Staff have no comments for the proposed minor variance application.

Development Engineering Staff offer the following conditions:

- Development Engineering staff have no conditions for the proposed Minor Variance Application.

Prepared by: Taylor Boyle, C. Tech., rcsi  
Project Manager, Development Engineering

c. Mark Iamarino, PBBS  
Keegan Gennings, PBBS

Jordan Frost, IS  
Jessica Goodings, Fire Services

---

**Minor Variance File A16/25 913 Centralia Avenue, Fort Erie**

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**From** Nadean Reichelt <NReichelt@forterie.ca>

**Date** Thu 4/24/2025 5:50 PM

**To** Carleigh Ricci <CRicci@forterie.ca>

Building department has no comments.

Respectfully,

**Nadean Reichelt** *C.B.C.O., A.Sc.T., C.P.S.O.*  
Deputy Chief Building Official  
Town of Fort Erie  
nreichelt@forterie.ca  
905-871-1600 x-2523

---

**From:** Carleigh Ricci

**Sent:** Monday, April 14, 2025 4:21 PM

**To:** Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Anamika Dilwaria; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Christopher Smith; Mark Schmitt; Jayne Nahachewsky; Philip Riley; Abdul Malik; Troy Davidson; Sean Hutton; Darren Kearns; Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; doug.crown@cogeco.com; Mike.embleton; rowcentre@bell.ca; planninganddevelopment@bell.ca; newdevelopment@rci.rogers.com; municipalnotices@enbridge.com; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; susan.dunsmore@niagararegion.ca; Escobar, Valentina; Kartiki Sharma; planninginfo@npca.ca; pleithwood@npca.ca; ppearson@npca.ca; smastroianni@npca.ca; tlennard@npca.ca; Rachel Adamsky; Mustafa, Sheraz; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; matthew.prestinaci@ontario.ca; neave.constantine@ontario.ca; Ali, Usama (MTO); real\_estatecanada@cpr.ca; planning@dsbn.org; planning@ncdsb.com

**Subject:** Request for Comments - Committee of Adjustment Hearing - May 15, 2025

Dear Reviewer,

The Town of Fort Erie is requesting your comments related to the following Committee of Adjustment matters. Submission materials may be accessed virtually, by selecting the link below.

 [May 15 Circulation](#)

<b>PDS ZONING REVIEW SHEET:</b>				
<b>FILE NO: A17-25</b>		<b>MUNICIPAL ADDRESS: 913 CENTRALIA AVENUE NORTH</b>		
<b>PREVIOUS ZONING AMENDMENTS?</b>				
<b>ZONING: Rural Residential (RR) Section 9.3</b>				
<b>INFILL? YES / NO</b>	<b>PERMITTED</b>	<b>PROVIDED</b>	<b>IN COMPLIANCE?</b>	<b>NOTES:</b>
<b>DWELLING:</b>	Single-detached Dwelling	Single-detached Dwelling		
MIN. FRONTAGE	60 m	36.5 m (Exisitng)		
MIN. LOT AREA	4000 sq m	1960 sq m (Existing)		
MAX. LOT COVERAGE	15%	16%	Not in Compliance	A minor Variance has been applied to increase the lot coverage form 15% to 16%
MIN. FRONT YARD SETBACK	7.5 m	10.9 m		
MIN. INT. SYSB	3.0 m	7.5 m		
MIN. EXT SYSB	7.5 m	Not Applicable		
MIN. REAR YARD SETBACK	10.0 m	Approx. 26.9 m		
MAX. BLDG HEIGHT	2 and 1/2 storey, 9m	1 Storey		
<b>ACCESS BLDG:</b>				
FRONT YARD				
REAR YARD				
INT. SYSB				
EXT SYSB				
BLDG HEIGHT	1 storey/4.5m			
LOT COVERAGE (10%)	10%			
<b>OTHER:</b>				
1				
2				
3				
4				

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## May COA Comments

---

From Zachary George <ZGeorge@forterie.ca>

Date Tue 4/29/2025 3:27 PM

To Carleigh Ricci <CRicci@forterie.ca>

### **0-5866 Neva**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **393 Oakwood**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Based on the drawing provided by the applicant it appears that the proposed work does not require tree removal, nor are there any effected trees on site.

### **532 Ridgeway**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **913 Centralia**

The subject property is not located within the Town's Urban Boundary and is not within Natural Heritage system. There are no Natural Heritage features present. The Town's tree bylaw does not apply to this property. There are no further environmental comments.

### **179 Garrison**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether the 3 trees at the northern end of the property will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

#### **247 Ridge Road North**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

## **1011 Gilmore**

The subject property is located within the Town's Urban Boundary. There are Natural Heritage features present, including a Provincially Significant Wetland in the eastern portion of the lands and an unevaluated wetland that was identified in an Environmental Impact Study prepared by Ecological and Environmental Solutions (2019). The proposed severance does not cross through either wetland and is located over 120m from each identified wetland. At the time the Environmental Impact Study was completed the Ecological Land Classification identified a Mineral Deciduous Woodland and a Mineral Deciduous Thicket, however since the time the EIS was completed there were several trees removed, (with permission from the Town of Fort Erie) and the land classification would no longer meet the definition of a Mineral Deciduous Woodland. As such, environmental planning staff have no objections to the proposed severance.

The lands are subject to the Town's tree By-law 33-2024. If any trees over 10cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

### **Conditions:**

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.
3. That the Applicant/Owner make payment in the amount of \$1000.00 to the Town of Fort Erie for a boulevard street tree. The Tree will be placed on the road allowance frontage if it is practical to do so, otherwise the tree will be planted elsewhere in the Town to enhance the Tree Canopy Cover.

### **Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

**Zach George**

Junior Environmental Planner

**Town of Fort Erie**



Planning and Development Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2536

[forterie.ca](http://forterie.ca) | [zgeorge@forterie.ca](mailto:zgeorge@forterie.ca)



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**Re: Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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From Kathryn Strachan <KStrachan@forterie.ca>

Date Mon 4/28/2025 4:20 PM

To Carleigh Ricci <CRicci@forterie.ca>

Cc Edward Terry <ETerry@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>

Hi Carleigh,

Please see the landscape comments below:

**0-5866 Neva Road**

No Comments

**393 Oakwood Ave**

No Comments

**532 Ridgeway Road**

No Comments

**913 Centralia Ave**

No Comments

**179 Garrison Road**

Landscaped areas should include amenities for residents, benches, tables etc.

Landscape along Garrison should follow the Fort Erie International Gateway – Garrison Road Design Guidelines

**247 Ridge Road**

No Comments

**1011 Gilmore Road**

No Comments

**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

**Via Email Only**

April 25, 2025

Our File: PLMV202500913

Carleigh Ricci  
Acting Secretary-treasurer, Committee of Adjustment  
Town of Fort Erie  
1 Municipal Centre Drive  
Fort Erie, ON, L2A 2S6

Dear Ms. Ricci,

**Re: Regional Comments**  
**Proposed Minor Variance Application**  
**Applicant: Allan Ayala**  
**Town File : A16/25**  
**Location: 913 Centralia Avenue, Town of Fort Erie**

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**Private Sewage System Review**

The proposal is to increase the maximum lot coverage to facilitate development of a new single detached dwelling (bungalow). The applicant is requesting to permit a maximum lot coverage of 16% whereas 15% is required.

No records were found for the current class 4 sewage system servicing the existing dwelling. The existing septic tank is located North of the dwelling, the location of the inground leaching field is unknown. The existing septic system is considered legal non-conforming and will be required to be properly decommissioned.

Our Department has received a proposed sewage system design using a Class 4 Tertiary Treatment system. This system was designed for a flow rate of 2025 L/Day and meets the required setbacks of the Ontario Building Code. According to the building plans received the proposed dwelling will contain 3 bedrooms, 29.5 Fixture Units and 210m<sup>2</sup> of living space. The septic design will need to be slightly revised considering the flow rate of the proposed dwelling according to the floor plans is 2075L/Day. The revised flow rate will not change the overall footprint of the septic system and the required changes can be dealt with during the septic permit application stage.

Therefore, our department has no objection to the proposed minor variance application provided that the applicant applies for a septic tank decommissioning permit and a new Class 4 sewage system permit is applied for to accommodate the proposed dwelling.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Haluka', with a stylized, cursive script.

Devon Haluka, BCIN #121472  
Private Sewage System Inspector  
Planning and Development Services

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**RE: NPCA Comments, Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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From Kartiki Sharma <ksharma@npca.ca>

Date Mon 4/28/2025 4:32 PM

To Carleigh Ricci <CRicci@forterie.ca>

 1 attachment (829 KB)

RE: NPCA Comments, Request for comments - 1011 Gilmore Road, Fort Erie;

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

Good Afternoon Carleigh,

The NPCA has reviewed the CoA Applications for the May 15<sup>th</sup>, 2025 Hearing and can offer the following comments:

**1. 0-5866 Neva Road (ARN 270302001053400), Minor Variance, A13-25 :**

Based on the NPCA mapping there is an unmapped floodplain east of the subject property. The application is currently under review by our technical staff to confirm if the subject property is outside the floodplain.

I will provide the NPCA comments for this file as soon as I hear back from our technical staff, apologies for the delay on this file.

**2. 393 Oakwood Avenue, Minor Variance, A14-25:**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**3. 532 Ridgeway Road, Minor Variance, A15-25:**

- The minor variance application is to permit Short-Term Rental, dedicated as a permitted use whereas the use is not permitted.
- Based on the NPCA mapping, NPCA notes that the subject property is a NPCA regulated back-dune area.
- NPCA notes the confirmation provided in the application:
- That for short term rental the property will not be owner occupied and will be exclusive to short term rental.
- No proposed development or site alteration.
- As such, at this time NPCA has no objections to the short-term rental at the subject property as it will not constitute as development or site alteration.
- Please note that any future proposed development on the subject property will require NPCA review and approval along with possible work permits (associated permit fee would apply).

**4. 913 Centralia Avenue North, Minor Variance, A16-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features

Therefore, the NPCA has no objections.

**5. 179 Garrison Road, Minor Variance File, A17/25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**6. 247 Ridge Road North, Minor Variance, A18-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**7. 1101 Gilmore Road, Consent, B46-24**

Please see the attached email from NPCA on April 10 2025, regarding the comments for 1101 Gilmore Road.

Please let me know if you have any questions.

Kind Regards,

**Kartiki Sharma**  
Watershed Planner

**Niagara Peninsula Conservation Authority (NPCA)**  
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 278  
[[www.npca.ca](http://www.npca.ca)%20][www.npca.ca](http://www.npca.ca)  
[ksharma@npca.ca](mailto:ksharma@npca.ca)

For more information on Permits and 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:** Carleigh Ricci <CRicci@forterie.ca>

**Sent:** April 14, 2025 4:22 PM

**To:** Keegan Gennings <KGennings@forterie.ca>; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberlyn Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Anamika Dilwaria <ADilwaria@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Helie Upadhyay <HUpadhyay@forterie.ca>; Jessica Goodings <JGoodings@forterie.ca>; Christopher Smith <CSmith@forterie.ca>;



# Town of Fort Erie Committee of Adjustment Notice of Public Hearing and Application for Minor Variance

**Minor Variance File A17/25**  
**179 Garrison Road, Fort Erie**  
PLAN 505 PT LOT 6

Assessment Roll Number: 2703 010 035 0130 00000

Owner: Borders Edge Development Ltd.

Applicant / Agent: Jason Pizzicarola

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a Minor Variance application, pursuant to the provisions of Sections 45 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, May 15, 2025, at 5:00 PM**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to reduce the minimum residential open space, parking and setback requirements and to increase the maximum building height to facilitate development of a new four-storey apartment building.

## Details of Minor Variance Application:

The Applicant is requesting the following variance to Section 18.2, 6.20.J(i), 6.20(I) and 26A.3 of the Town of Fort Erie's Comprehensive Zoning By-law 129-1990, as amended:

1. To permit a reduced minimum residential open space of 4.5 square meters for each unit, whereas 10.5 square meters is required.
2. To permit 39 vehicular parking spaces whereas 42 are required.
3. To permit a reduced minimum setback from Garrison Road of 0 meters whereas 65 meters is required.
4. To permit an increased maximum building height of 16.5 meters whereas 15 meters is required.
5. To permit a reduced parking space width of 2.4 metres for parking space #31, whereas 3.0 metres is required for a one side-obstructed space.
6. To permit a reduced parking space setback of 0.0 metres for parking spaces #1, 20, and 40, whereas 3.0 metres is required from the street line.

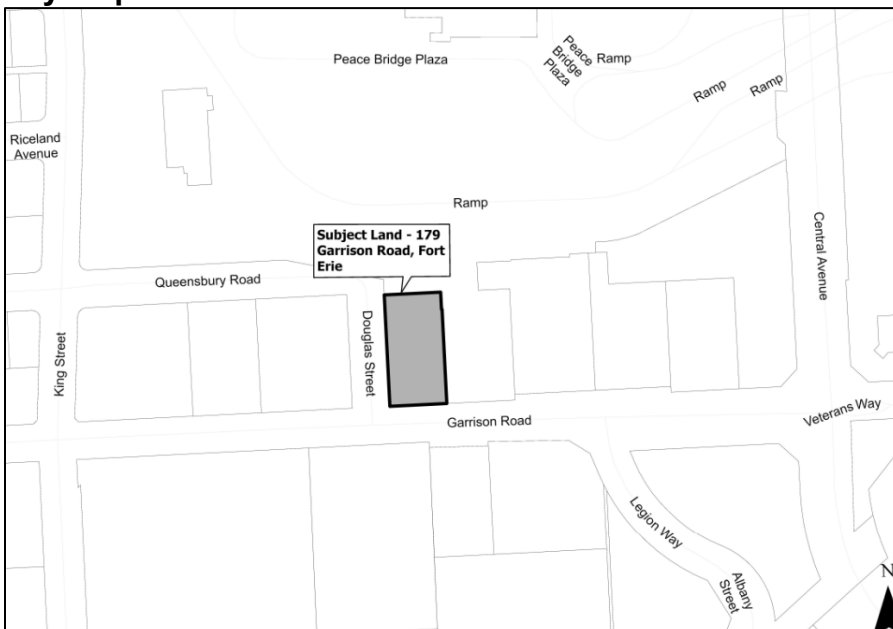
## Current Zoning:

The subject lands are zoned Core Mixed Use (CMU1-447) Zone, in accordance with the Town of Fort Erie's Comprehensive Zoning By-law No. 129-1990, as amended.

## Current Official Plan Designation:

The subject lands are designated as Core Mixed Use in both the Town's Official Plan and the Gateway Secondary Plan

## Key Map:



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 m radius of the subject lands, or an agency deemed to have an interest in the proceedings. Any person/agency may attend this Hearing and/or make written or verbal representation either in support of, or in opposition to the proposed applications. Please be advised that all written and oral comments received will become part of the applications record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, May 14, 2025 (day prior to Hearing)** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Carleigh Ricci ([cricci@forterie.ca](mailto:cricci@forterie.ca)) who will provide them to the Committee of Adjustment.

If you wish to be notified of the Committee of Adjustment's decision with respect to the proposed applications, you must make a **written** submission to the Secretary-Treasurer of the Committee of Adjustment at the address noted below either **prior to, or at the Hearing**.

Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

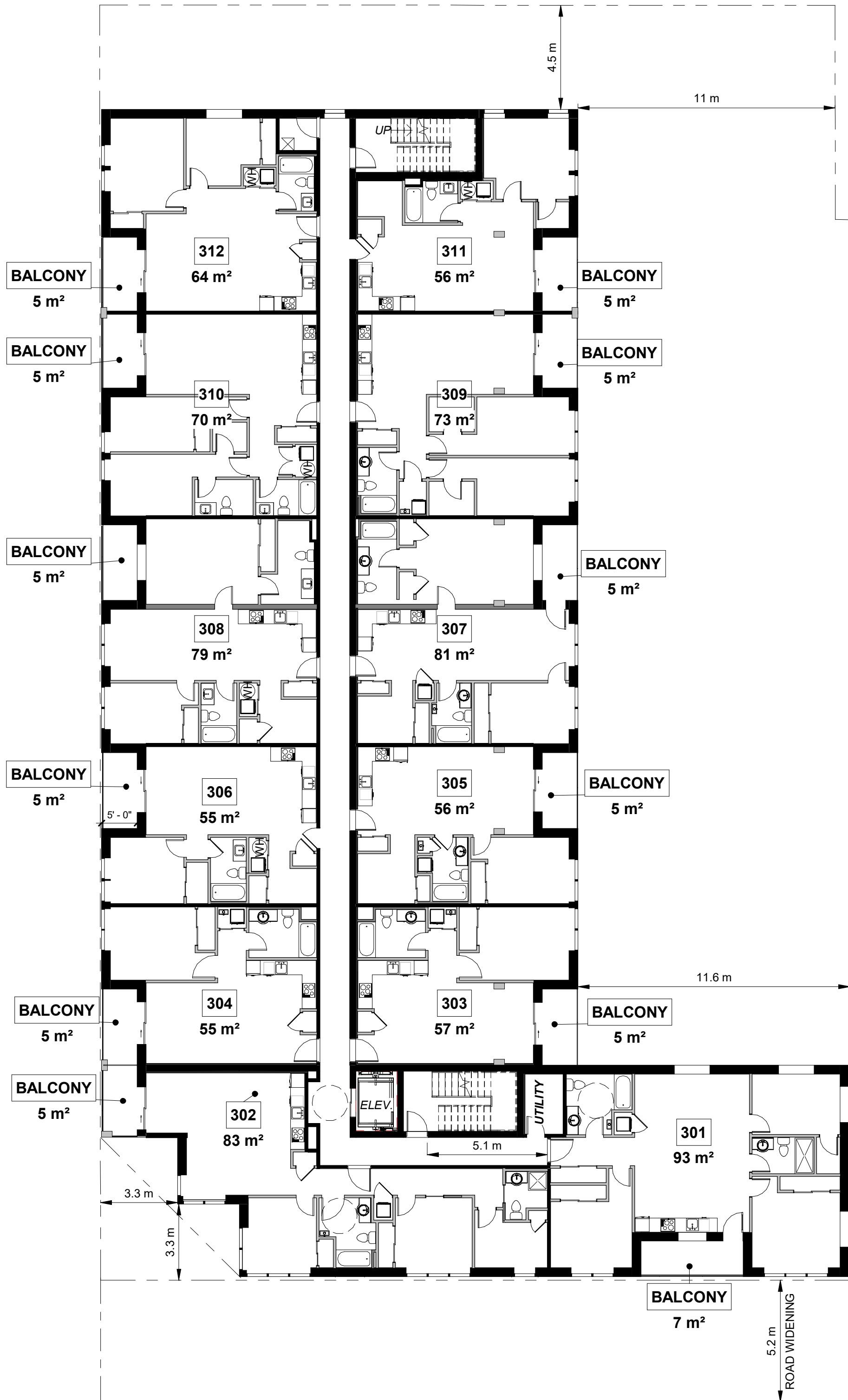
## For Additional Information Regarding this Application Contact:

Daryl Vanderveen, Intermediate Planner  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2509 or [dvanderveen@forterie.ca](mailto:dvanderveen@forterie.ca)

Mailed – April 14, 2025



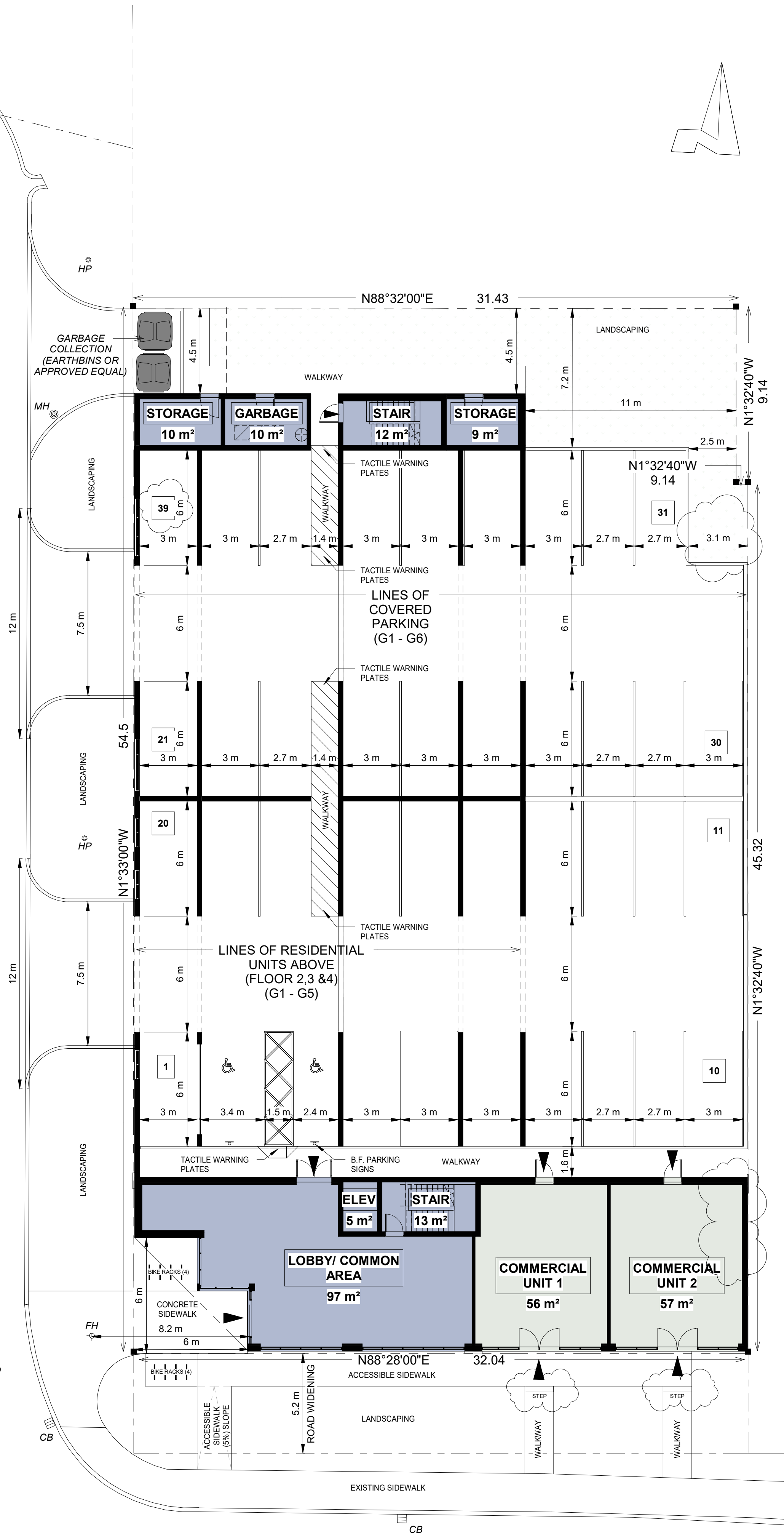
MINIMUM FLOOR AREA PER DWELLING UNIT:  
BACHELOR UNIT - 40 SQ M,  
ONE-BEDROOM UNIT - 50 SQ M,  
TWO-BEDROOM UNIT - 60 SQ M,  
THREE OR MORE BEDROOMS - 70 SQ M



3 TYPICAL FLOOR PLAN  
1:150

QUEENSBURY ROAD

DOUGLAS STREET



1 SITE & GROUND FLOOR  
1:150

GARRISON ROAD - REGIONAL ROAD No. 3

## SITE STATISTICS

LOT AREA	1740 m²
BUILDING COVERAGE	1095m² (63%)
LANDSCAPING	166 m² (9.54%)
PARKING SPACES REQ'D:	36 RES. UNITS x 1 = 36
112 m² SHOPPING CENTRE x 1	PER 20 m² = 5.6 (6)
TOTAL = 42	
PARKING SPACES PROVIDED:	39
BUILDING HEIGHT	4 STOREY / 16.5 m
GROSS FLOOR AREA	
(COMMON + 2 COM. UNITS)	1st FLOOR = 318 m²
(12 RES. UNITS)	2nd FLOOR = 1033 m²
(12 RES. UNITS)	3rd FLOOR = 1033 m²
(12 RES. UNITS)	4th FLOOR = 1033 m²
TOTAL GROSS FLOOR AREA = (+/-)	3417m²
1st FLOOR RESIDENTIAL AREA =	189.3m² (59.5%)
1st FLOOR COMMERCIAL AREA =	128.8m² (40.5%)

## SETBACKS

	REQ'D	PROVIDED
FRONT SETBACK	0 m	0 m
REAR SETBACK	4.5 m	4.5 m
INTERIOR SIDE NORTH	0 m	0 m
INTERIOR SIDE SOUTH	0 m	0 m

## BUILDING DESCRIPTION

MAJOR OCCUPANCY (1st FLOOR)  
GROUP E - MERCANTILE  
OCCUPANCY

SUBSIDIARY OCCUPANCY (2,3,4)  
GROUP C - RESIDENTIAL  
OCCUPANCY

## MUNICIPAL ADDRESS

179 GARRISON ROAD,  
FORT ERIE, ON

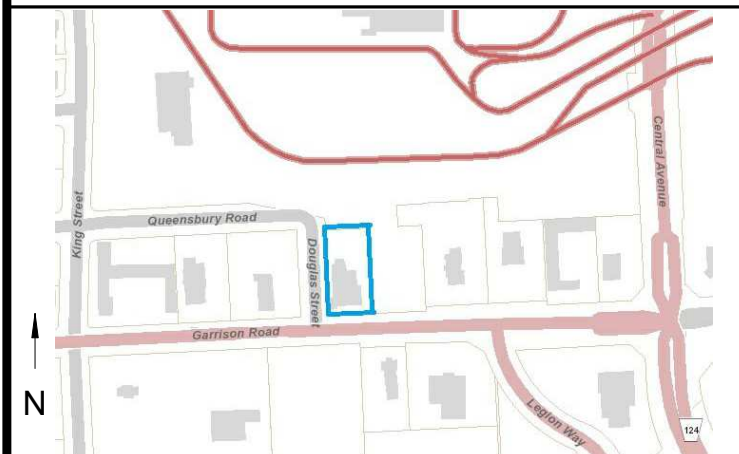
## LAND ZONING

CMU1- 447 - CORE MIXED USE 1

## GENERAL NOTES

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION AND REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE CITY AND AT THE SOLE EXPENSE OF THE OWNER.
- THE DIMENSIONS, AREAS AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY BE SLIGHTLY ALTERED IN FINAL DESIGN, PROVIDING THE INTENT AND PURPOSE OF THE ORIGINAL PLAN IS MAINTAINED AND ALL RELEVANT ZONING PROVISIONS COMPLIED WITH FURTHER AND NOTWITHSTANDING ANYTHING SHOWN ON THIS PLAN TO CONTRARY, ALL THE SERVICING, GRADING AND DRAINAGE SHALL BE IN ACCORDANCE WITH PLANS FILED IN THE CITY ENGINEER'S OFFICE AND APPROVED BY THE ENGINEER.
- MINIMUM OF 15% OF THE UNITS WILL BE ACCESSIBLE UNITS WITH A BARRIER FREE PATH OF TRAVEL.
- ALL LIGHTS WILL BE DIRECTED AWAY FROM NEIGHBOURING PROPERTIES. FOOTCANDLES AT THE PROPERTY BOUNDARY SHALL BE ZERO.

## KEY PLAN



## ACCESSIBLE PARKING PERMIT SIGN

- THE SIGN SHALL BE MOUNTED AT A HEIGHT OF 2m TO 3m, MEASURED FROM THE TOP OF THE CURB TO THE BOTTOM OF THE SIGN.
- THE SIGN MUST NOT INTERFERE WITH PASSENGERS ENTERING OR LEAVING THE VEHICLE.
- THE SIGN MUST BE PLACED ADJACENT TO THE STALL WITHIN ITS LONGITUDINAL LIMITS.
- THE SIGN PLACEMENT MUST CLEARLY INDICATE WHICH STALL THE SIGN APPLIES TO.



JASON PIZZICAROLA DESIGN - ARCHITECTS INC.  
209 RIDGE ROAD N  
RIDGEWAY, ONTARIO, L0S 1N0  
T. 905-894-8300  
e-mail jppizzicarola@jpdesign.ca

CERTIFICATE OF PRACTICE : # 4053



PROPOSED 4 STOREY  
BUILDING, 36 RESIDENTIAL  
UNITS & COMMERCIAL  
MIXED-USE

179 GARRISON ROAD, FORT  
ERIE, ON

No.	Description	Date
1	Revision 1	02/04/25

SITE

02/04/25

SHEET TITLE:

SITE PLAN & STATISTICS

DRAWN BY:	WJ	DATE:	02/04/25
SCALE:	As indicated	JOB #:	19081
SHEET NO.:	SP-1		





③ EAST ELEVATION  
1 : 130



④ WEST ELEVATION  
1 : 130



① NORTH ELEVATION  
1 : 130



② SOUTH ELEVATION (FRONT)  
1 : 130

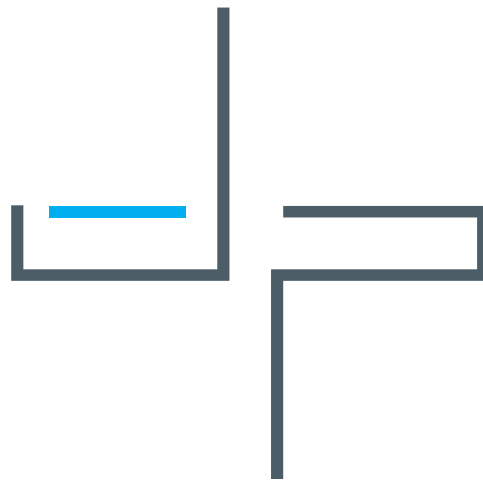
BUILDING CODE DATA MATRIX						
ONTARIO BUILDING CODE SUMMARY FORM						
LOCATION: 179 GARRISON ROAD, FORT ERIE, ON						
PROJECT DESCRIPTION: PROPOSED 4 STOREY BUILDING: MIXED-USE				OBC REFERENCE		
(X) NEW	( ) ADDITION	( ) ALTERATION	( ) CHANGE OF USE	(i) PART 3	( ) PART 9	( ) PART 11
MAJOR OCCUPANCY: E		SUBSIDIARY: C				
BUILDING AREA = 1095 m <sup>2</sup>						
MAIN FLOOR AREA = +/- 320 m <sup>2</sup>						
SECOND FLOOR AREA = +/- 1033 m <sup>2</sup>						
THIRD FLOOR AREA = +/- 1033 m <sup>2</sup>						
FOURTH FLOOR AREA = +/- 1033m <sup>2</sup>						
NUMBER OF STOREYS ABOVE GRADE: 4		BELOW GRADE: 1				
HEIGHT OF BUILDING: 16.5m						
BUILDING CLASSIFICATION(S): 3.2.2.58. GROUP E, UP TO 4 STOREYS, SPRINKLERED						
NUMBER OF STREETS/ACCESS ROUTES: 2						
SPRINKLER SYSTEM:		( X ) ENTIRE BUILDING		( ) IN LIEU OF ROOF RATING		
		( ) BASEMENT ONLY		( ) NOT REQUIRED		
HIGH BUILDING: 3.2.6. NO						
CONSTRUCTION ( X ) COMBUSTIBLE ( ) NON-COMBUSTIBLE ( ) BOTH						
BARRIER-FREE DESIGN: YES						
HARDWIRED SMOKE/CO2 DETECTOR: YES						
KITCHEN EXHAUST: YES		BATHROOM EXHAUST: YES				
REQUIRED FIRE RESISTANCE RATING HORIZONTAL ASSEMBLIES FRR			REQUIRED FIRE RESISTANCE RATING SUPPORTING MEMBERS FRR			
FLOORS 1 HOURS			FLOORS 1 HOURS			
ROOF 0 HOURS			ROOF 0 HOURS			



⑦ 3D - FRONT



⑥ 3D - EAST APPROACH



JASON PIZZICAROLA DESIGN - ARCHITECTS INC.  
209 RIDGE ROAD N  
RIDGEWAY, ONTARIO, L0S 1N0  
T. 905-894-8300  
e-mail jppizzicarola@jpdesign.ca

CERTIFICATE OF PRACTICE : # 4053



PROPOSED 4  
STOREY BUILDING,  
36 RESIDENTIAL  
UNITS &  
COMMERCIAL  
MIXED-USE

179 GARRISON ROAD, FORT  
ERIE, ON

No.	Description	Date

SITE

02/04/25

SHEET TITLE:

ELEVATIONS

DRAWN BY: WP	DATE: 02/04/25
SCALE: 1 : 130	JOB #: 19081
SHEET NO:	SP-2





Town of Fort Erie Committee of Adjustment  
Notice of Public Hearing and  
Application for Minor Variance

Minor Variance File A18/25  
247 Ridge Road North, Fort Erie  
PLAN 227 PT LOT 1 PT LOT 16  
PT LOT 17 PT SCH NP349  
Assessment Roll Number: 2703 020 013 1710 00000  
Applicant / Owner: Nakatomi Developments Inc  
Agent: Jason Pizzicarola

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a Minor Variance application, pursuant to the provisions of Sections 45 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, May 15, 2025, at 5:00 PM**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to reduce the minimum parallel parking space width and the minimum residential open space adjacent to Unit 1 to facilitate development of a mixed-use building.

**Details of Minor Variance Application:**

The Applicant is requesting the following variance to Section 6.20(J)(i) and 18.3(e) of the Town of Fort Erie’s Comprehensive Zoning By-law 129-1990, as amended:

- 1. To permit a reduced minimum parallel parking space width of 2.7 meters whereas 3.0 meters is required.
- 2. To permit a reduced minimum residential open space adjacent to Unit 1 of 5.4 square meters whereas 10 square meters is required.

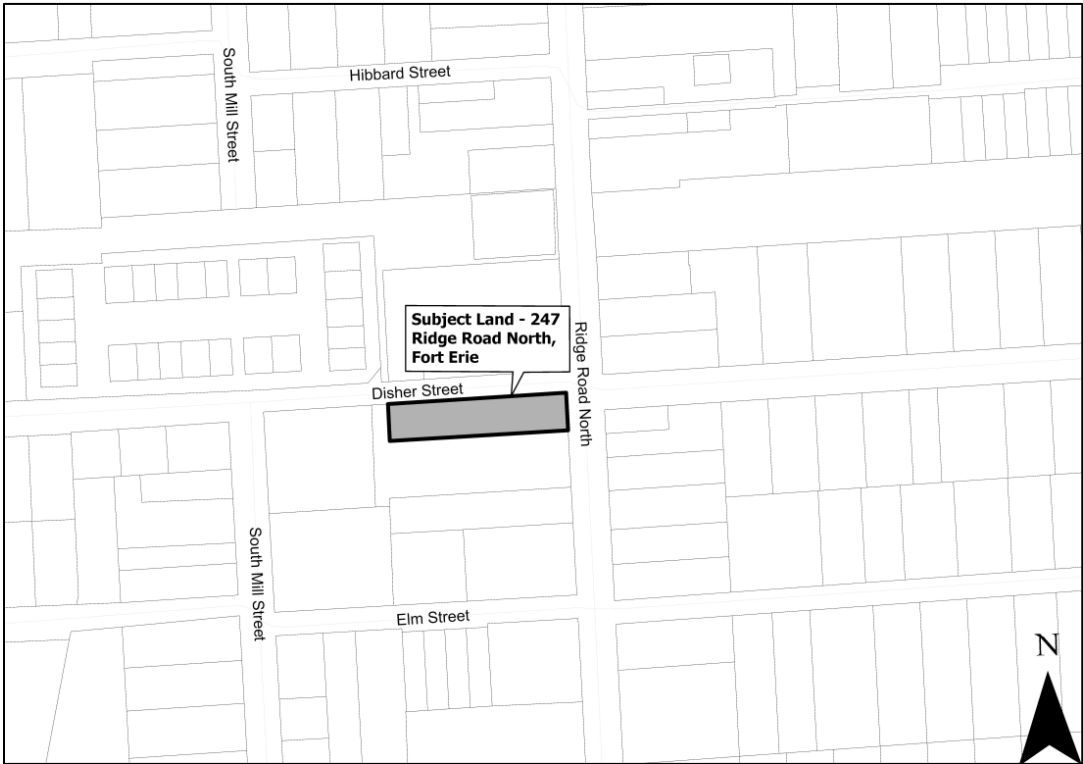
**Current Zoning:**

The subject lands are zoned Core Mixed Use 4 (CMU4) Zone, in accordance with the Town of Fort Erie’s Comprehensive Zoning By-law No. 129-1990, as amended.

**Current Official Plan Designation:**

The subject lands are designated as Core Mixed Use in both the Town’s Official Plan and the Ridgeway Thunder-Bay Secondary Plan

**Key Map:**



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 m radius of the subject lands, or an agency deemed to have an interest in the proceedings. Any person/agency may attend this Hearing and/or make written or verbal representation either in support of, or in opposition to the proposed applications. Please be advised that all written and oral comments received will become part of the applications record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, May 14, 2025 (day prior to Hearing)** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Carleigh Ricci ([cricci@forterie.ca](mailto:cricci@forterie.ca)) who will provide them to the Committee of Adjustment.

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Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

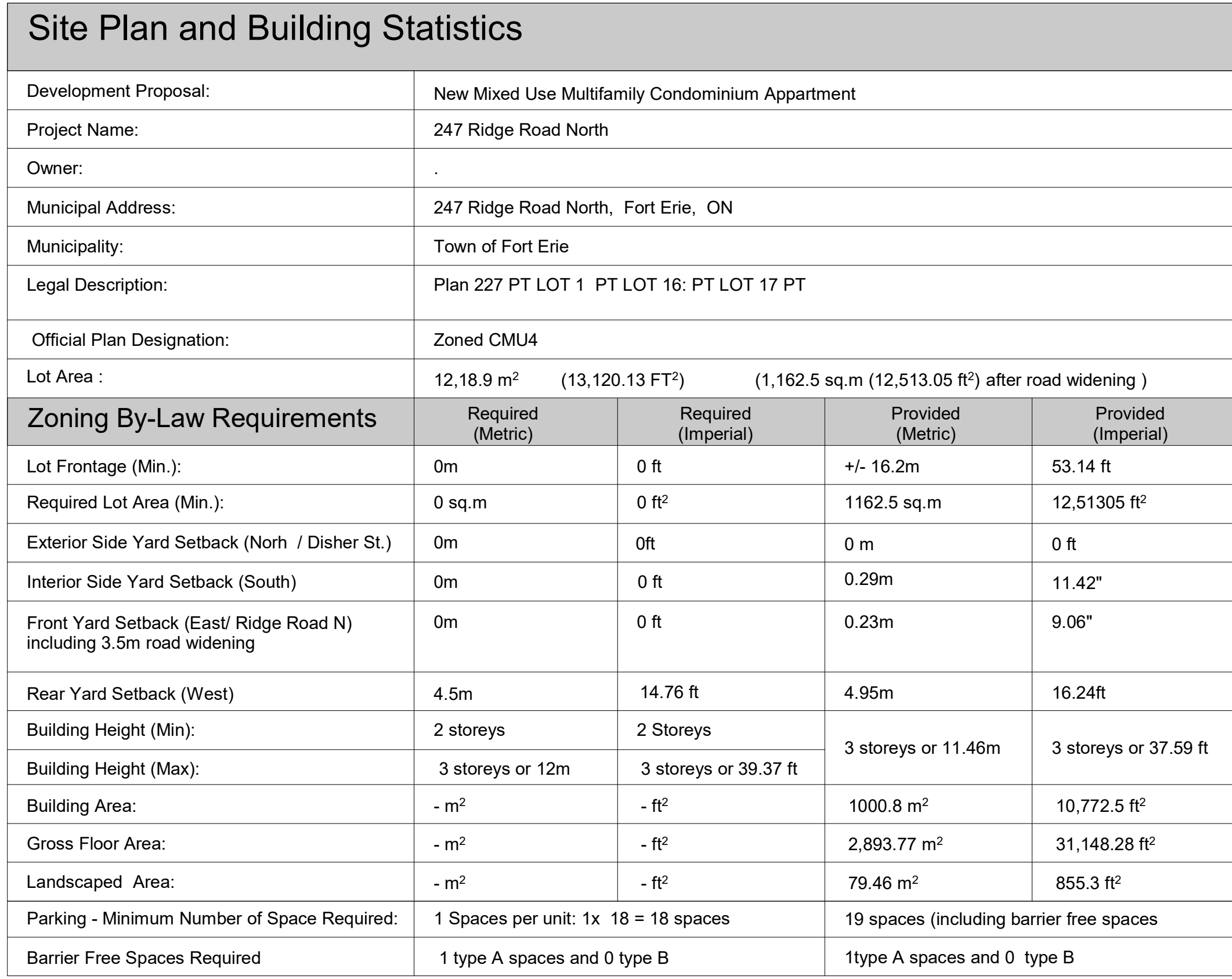
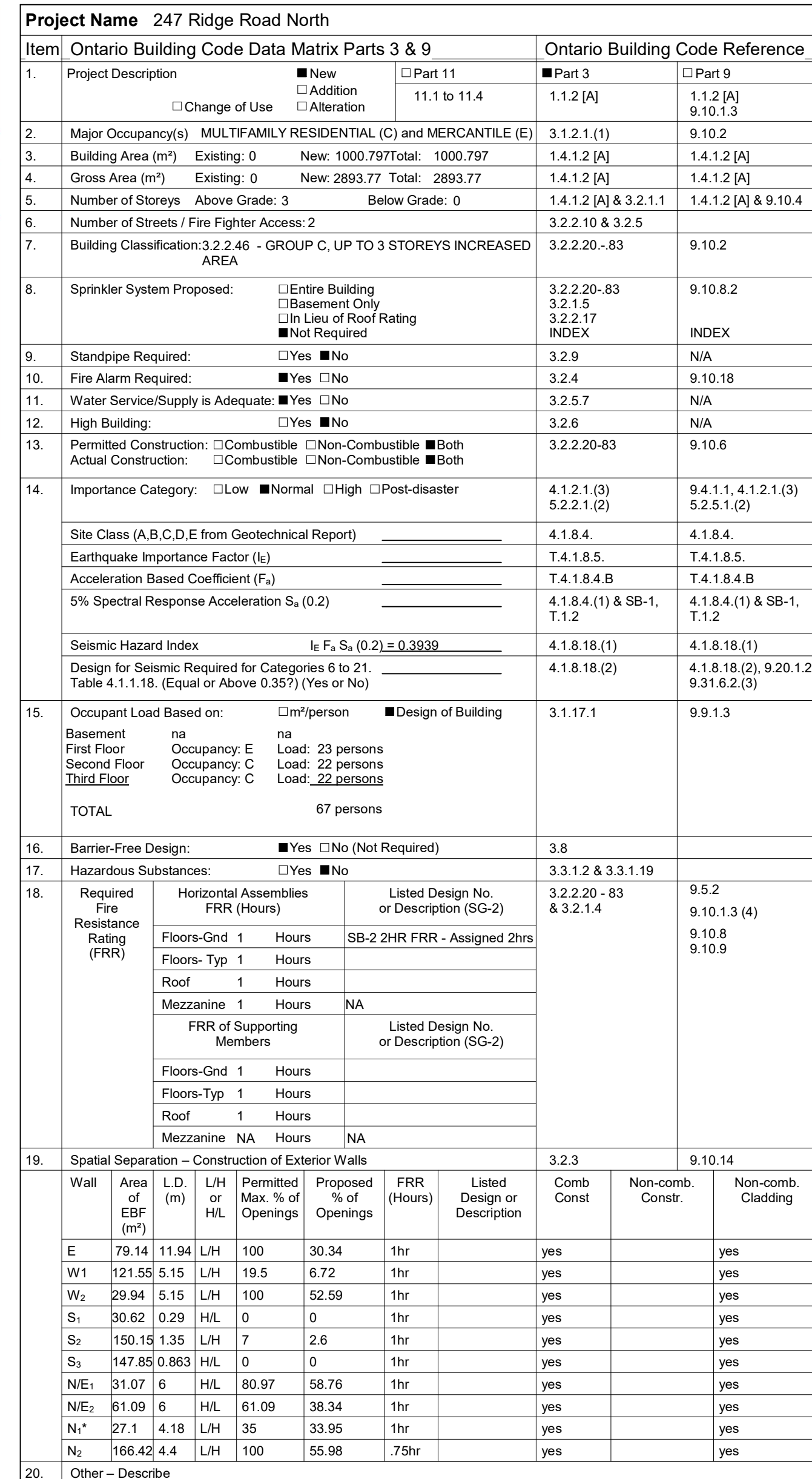
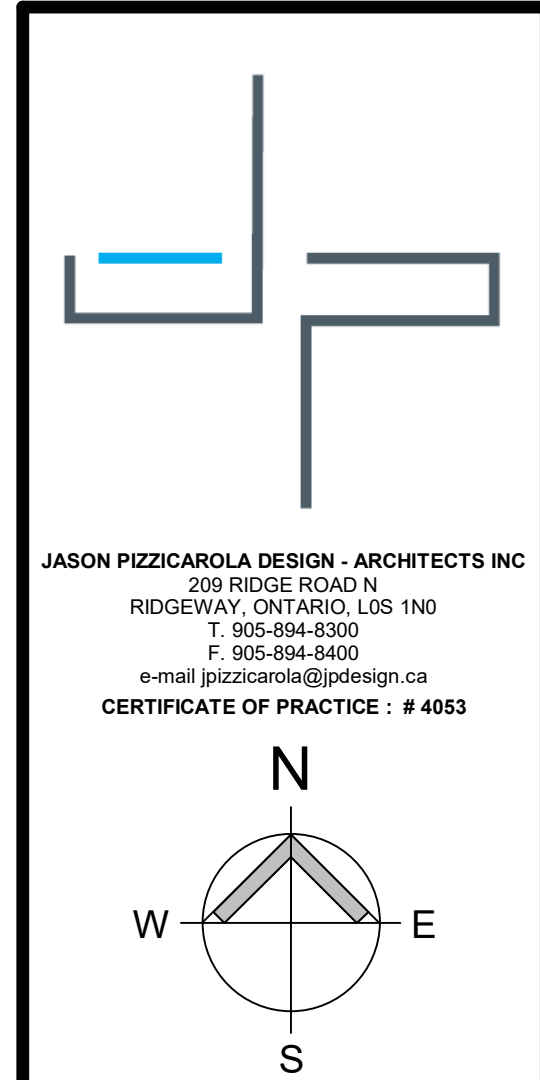
Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

## For Additional Information Regarding this Application Contact:

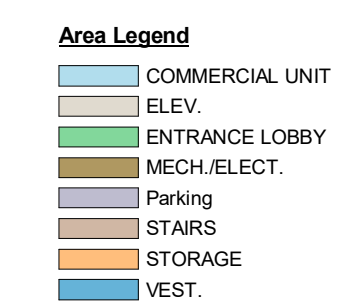
Robin Shugan, Intermediate Planner  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2534 or [rshugan@forterie.ca](mailto:rshugan@forterie.ca)

Mailed – April 14, 2025











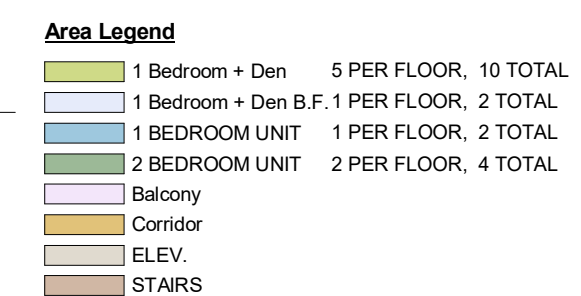






**Area Legend**

	1 Bedroom + Den	5 PER FLOOR, 10 TOTAL
	1 Bedroom + Den B.F.	1 PER FLOOR, 2 TOTAL
	1 BEDROOM UNIT	1 PER FLOOR, 2 TOTAL
	2 BEDROOM UNIT	2 PER FLOOR, 4 TOTAL
	Balcony	
	Corridor	
	ELEV.	
	STAIRS	



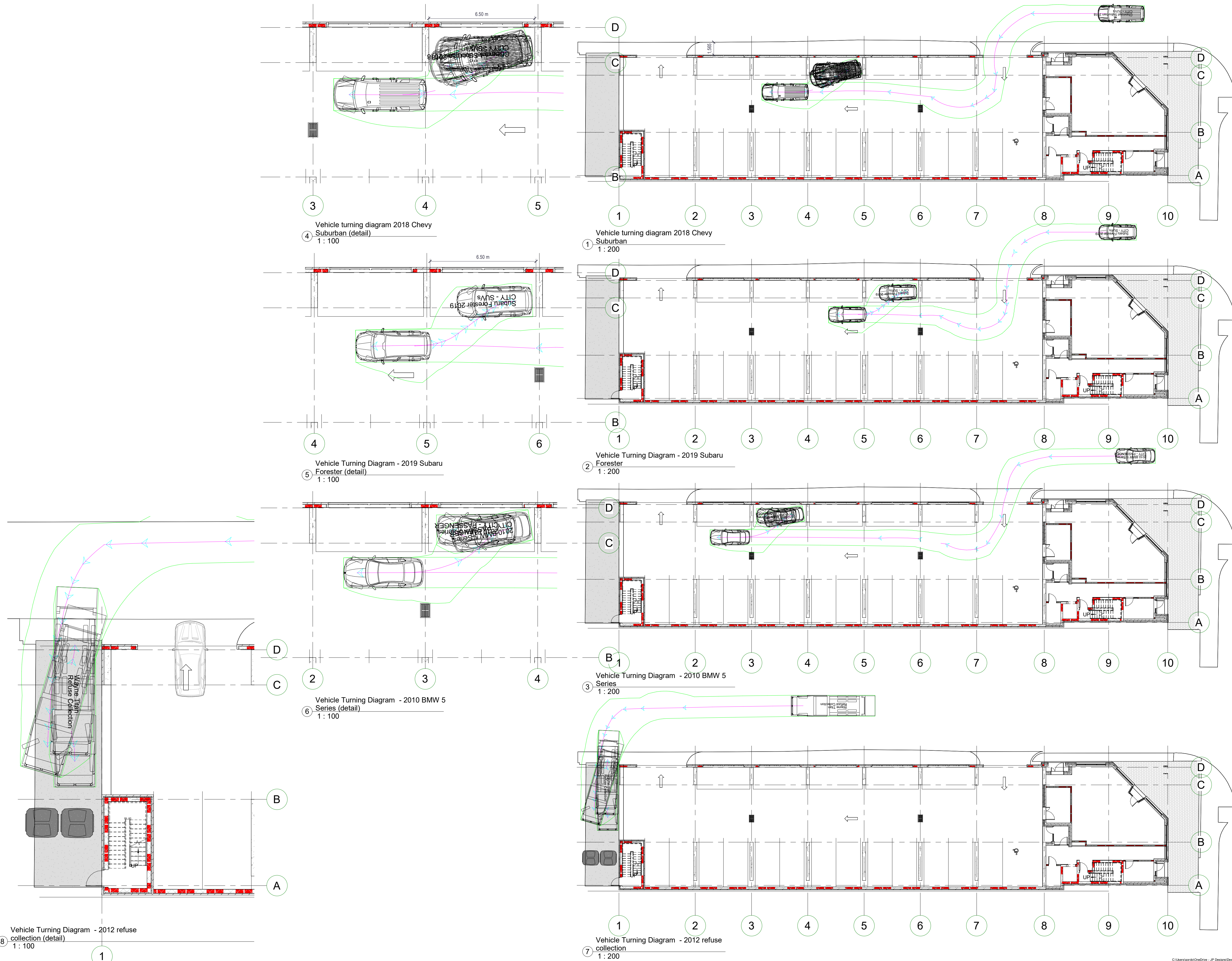
247 Ridge Road N

No.	Description	Date
E	Issued for Site Plan Application	2023-10-23
F	Reissued for Site Plan	2023-10-31
G	Reissued for Site Plan Application	2023-11-24
I	Issued for Consultant coord	2025-01-16
J	Reissued for Site Plan Application	2025-01-28

SHEET TITLE:

RAWN BY:	<i>Author</i>	DATE:	2025-01-28 5:23:37 PM
SCALE:	1 : 100	JOB #:	23-042
SHEET NO:			SP-2





200 RIDGE ROAD N  
RIDGEWAY, ONTARIO, L0S 1N0  
T: 905-894-6300  
F: 905-894-5400  
e-mail: jpizzicaro@jpdesign.ca  
CERTIFICATE OF PRACTICE : # 4053

N

W

E

S

New Mixed Use  
Apartment Building

247 Ridge Road N

No.	Description	Date
D	Issued for Consultant coord	2023-07-08
E	Issued for Site Plan Application	2023-10-23
F	Reissued for Site Plan Application	2023-10-31
G	Reissued for Site Plan Application	2023-11-24
J	Reissued for Site Plan Application	2025-01-28

Site Plan Application

SHEET TITLE:

Vehicle turning

DRAWN BY: *Author* DATE: 2025-01-28 5:23:40 PM  
SCALE: As indicated JOB #: 23-042  
SHEET NO: SP-3

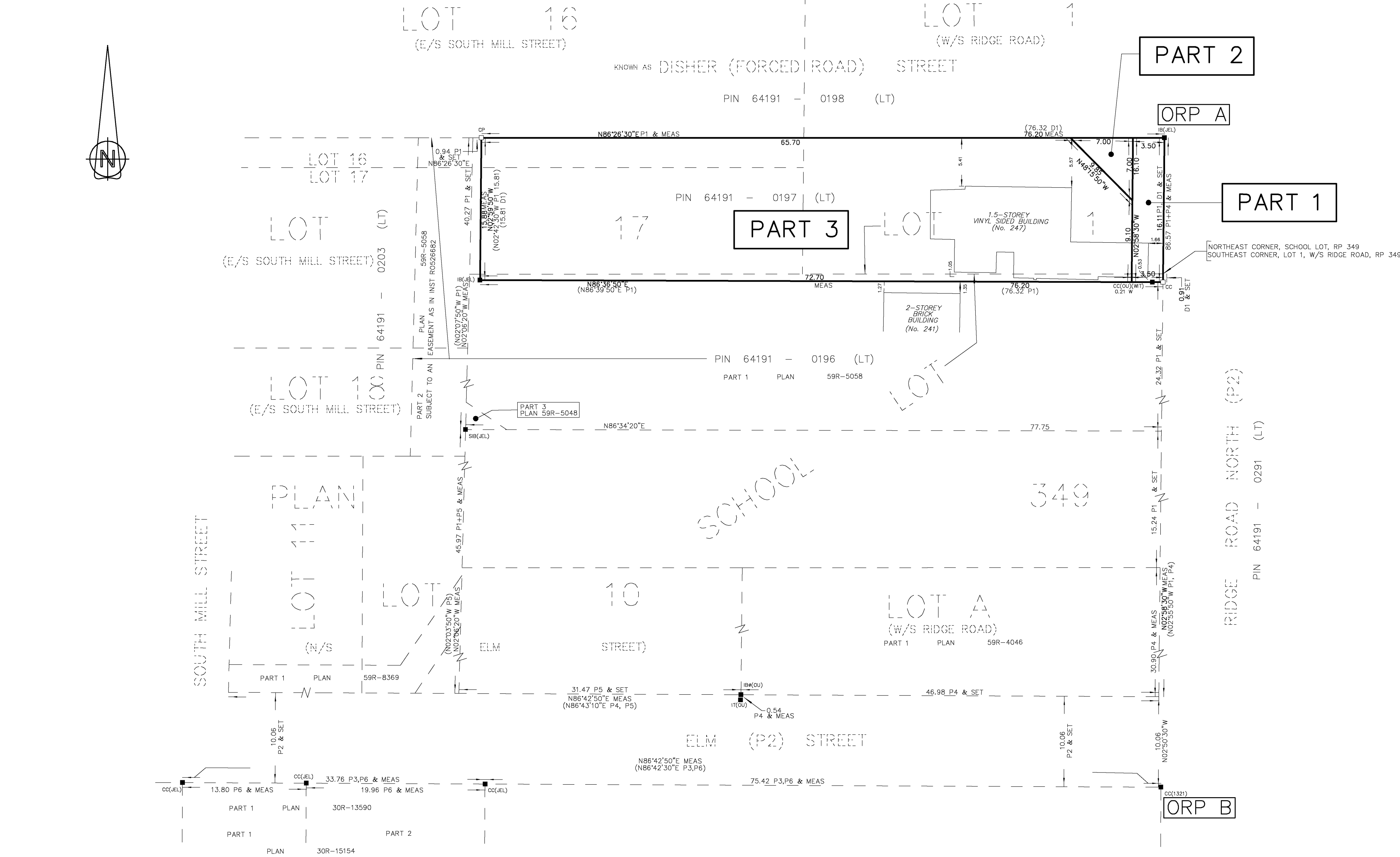
C:\Users\jpd\OneDrive - JP Design\Desktop\2023\247 Ridge Road Mixed Use Ridge Road\Front Ridge Road\2024-11-05.rvt



PLAN OF SURVEY OF  
PART OF LOTS 16 & 17, EAST SIDE OF SOUTH MILL STREET,  
PART OF LOT 1, WEST SIDE OF RIDGE ROAD,  
PART OF SCHOOL LOT,  
PLAN 349

GEOGRAPHIC VILLAGE OF RIDGEWAY  
TOWN OF FORT ERIE  
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:250  
THE INTENDED PLOT SIZE OF THIS PLAN IS 860mm IN WIDTH BY  
560mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:250 (D SIZE)  
RASCH & HYDE LTD.  
ONTARIO LAND SURVEYORS



SCHEDULE				
PART	LOT	PLAN	PIN	AREA
1	PART OF LOT 1, WEST SIDE OF RIDGE ROAD, PART OF SCHOOL LOT	PLAN 349	ALL OF 64191-0197(LT)	56.4 s.m.
2	PART OF LOT 1, WEST SIDE OF RIDGE ROAD			24.5 s.m.
3	PART OF LOTS 16 & 17, EAST SIDE OF SOUTH MILL STREET, PART OF SCHOOL LOT, PART OF LOT 1, WEST SIDE OF RIDGE ROAD			1138.0 s.m.

BEARING NOTE

BEARINGS HEREON ARE GRID, UTM ZONE 17, (NAD 83-CRS) :  
CBNv6 (Epoch 2010.0)) DERIVED FROM OBSERVED REFERENCE POINTS  
(ORPs) USING THE CAN-NET VRS NETWORK AND ARE REFERRED TO  
THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE)

ROTATION NOTE

FOR THE PURPOSES OF COMPARISON:  
- THE ASTRONOMIC BEARINGS ON P1, P4 AND P5  
HAVE BEEN ROTATED 0°43'50" COUNTER-CLOCKWISE.  
- THE GRID BEARINGS ON P3 AND P6 HAVE NOT BEEN ROTATED

INTEGRATION DATA

POINT ID	NORTHING	EASTING
ORP A (R(4))	4749509.57	659080.84
ORP B (O(192))	4749413.05	659085.83

ALL COORDINATES ARE IN METRES AND ARE UTM-ZONE 17, (NAD 83-CRS:CBNv6 (Epoch 2010.0)) (CENTRAL MERIDIAN 81° WEST LONGITUDE).  
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF O. REG 216/10.

CAUTION

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

LEGEND & NOTES

- DENOTES SURVEY MONUMENT PLANTED
  - DENOTES SURVEY MONUMENT FOUND
  - SIB DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
  - SSIB DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
  - IB DENOTES IRON BAR (15mmX15mmX60cm)
  - IB# DENOTES ROUND IRON BAR (20mm DIA X 60cm)
  - CC DENOTES CUT CROSS
  - CM DENOTES CONCRETE MONUMENT
  - PB DENOTES PLASTIC BAR
  - WT DENOTES WITNESS
  - OJ DENOTES ORIGIN UNKNOWN
  - PIN DENOTES PROPERTY IDENTIFIER NUMBER
  - ORP DENOTES OBSERVED REFERENCE POINT
  - (1321) DENOTES R. D. RASCH, OLS
  - (1427) DENOTES RASCH & HYDE LTD, OLS
  - (4E1) DENOTES J. E. LANTHER, OLS
  - P1 DENOTES PLAN 59R-5048
  - P2 DENOTES REGISTERED PLAN 349
  - P3 DENOTES PLAN 30R-13590
  - P4 DENOTES PLAN 59R-8046
  - P5 DENOTES PLAN 59R-8369
  - P6 DENOTES PLAN 30R-15154
  - D1 DENOTES INST R0435920 (PIN 64191-0197(LT))
- N-NORTH; S-SOUTH; W-WEST; E-EAST

DISTANCES ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR ( CSF = 0.9998816 )

METRIC NOTE

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

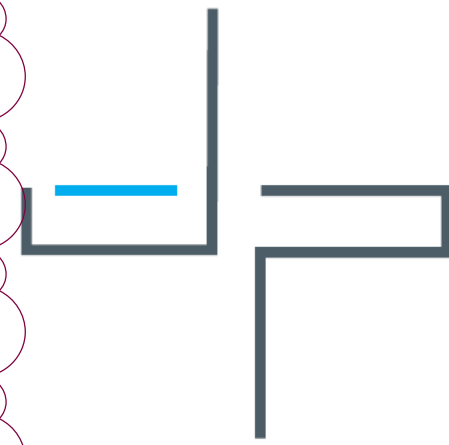
SURVEYOR'S CERTIFICATE

- I CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
  - THIS SURVEY WAS COMPLETED ON THE 11th DAY OF MAY, 2023.

DECEMBER 7, 2023  
DATE HAROLD D. HYDE  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO A.O.L.S. PLAN SUBMISSION FORM #2210077

RASCH + HYDE LTD.	
Ontario Land Surveyors	
P.O. Box 6, 1333 Highway #3 East, Unit B DUNNVILLE, ONT, N1A 2X1 905-774-7188 (FAX 905-774-4000)	P.O. Box 550, 74 Jarvis Street FORT ERIE, ONT, L2A 5Y1 905-871-9757 (FAX 905-871-9748)
HAROLD D. HYDE O.L.S.	
SCALE 1 : 250	SURVEY : 23F044 RP DRWN BY : J. H.



JASON PIZZICARELLA DESIGN - ARCHITECTS INC  
209 RIDGE ROAD N  
RIDGEWAY, ONTARIO, L0S 1N0  
T. 905-894-8300  
F. 905-894-8400  
e-mail jppizzicarella@jpdesign.ca  
CERTIFICATE OF PRACTICE : # 4053

New Mixed Use  
Apartment Building

247 Ridge Road N

No.	Description	Date
E	Issued for Site Plan Application	2023-10-23
F	Reissued for Site Plan Application	2023-10-31
G	Reissued for Site Plan Application	2023-11-24
J	Issued for Consultant coord	2025-01-16
J	Reissued for Site Plan Application	2025-01-28

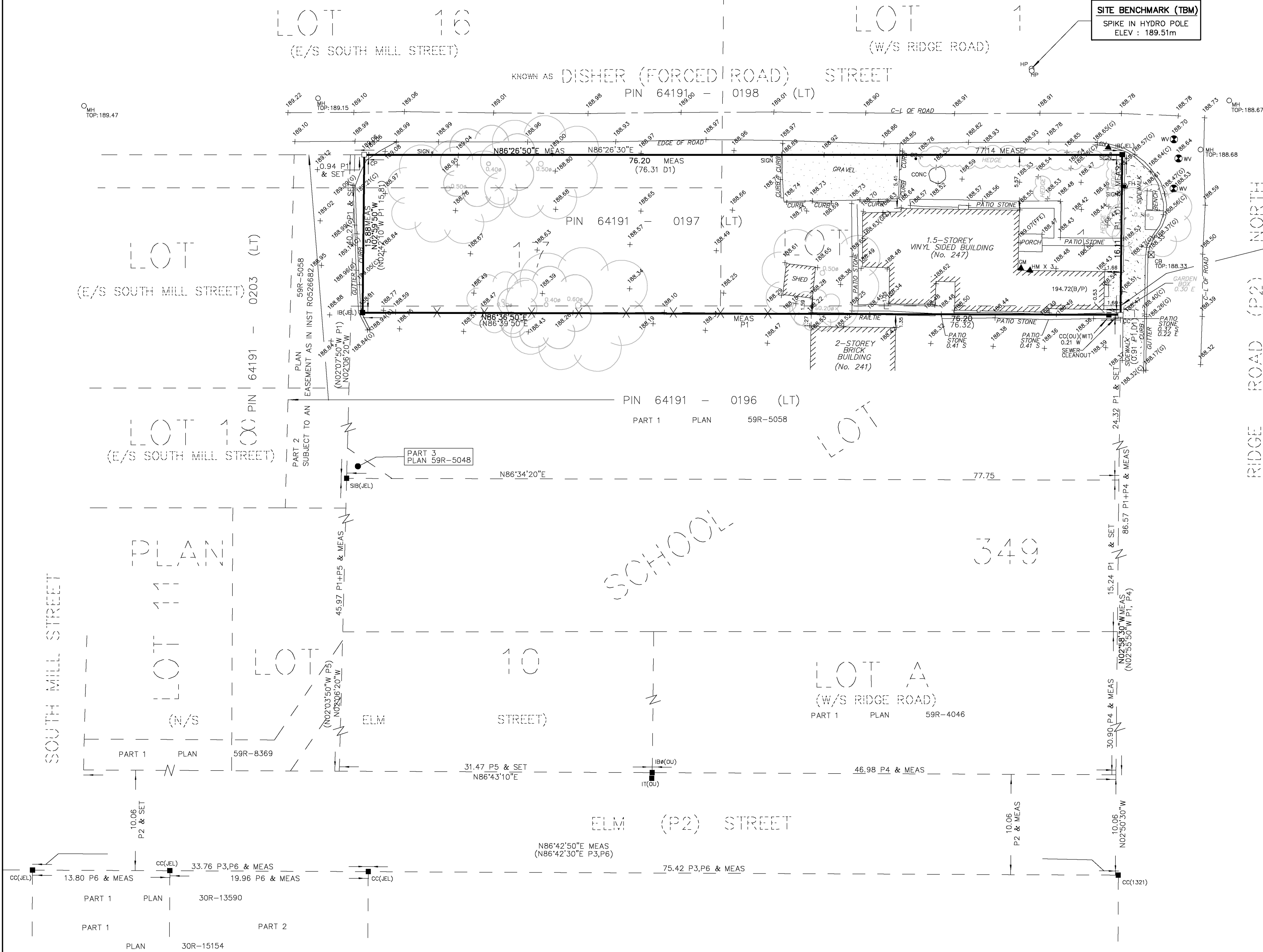
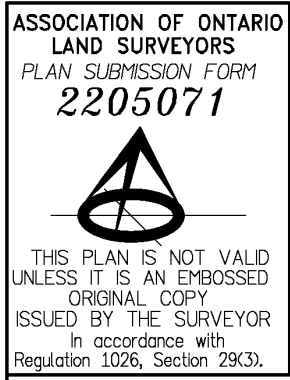
Site Plan Application

SHEET TITLE:

Survey

DRAWN BY: *Rick* DATE: 2025-01-28  
SCALE: *JM* 5:23:42 PM  
JOB #: 23-042  
SHEET NO: SP-4





- LEGEND & NOTES**
- DENOTES SURVEY MONUMENT PLANTED
  - DENOTES SURVEY MONUMENT FOUND
  - SB DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
  - SSB DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
  - IB DENOTES IRON BAR (15mmX15mmX60cm)
  - IB# DENOTES ROUND IRON BAR (20mm DIA X 60cm)
  - P DENOTES IRON PIPE
  - CC DENOTES CUT CROSS
  - CP DENOTES CONCRETE PIN
  - PB DENOTES PLASTIC BAR
  - WIT DENOTES WITNESS
  - OU DENOTES ORIGIN UNKNOWN
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  - (1321) DENOTES R. D. RASCH, OLS
  - (1827) DENOTES RASCH & HYDE LTD, OLS
  - (JEL) DENOTES J. E. LANTHIER, OLS
  - P1 DENOTES PLAN 59R-5048
  - P2 DENOTES REGISTERED PLAN 349
  - P3 DENOTES PLAN 30R-13590
  - P4 DENOTES PLAN 59R-4046
  - P5 DENOTES PLAN 30R-8369
  - P6 DENOTES PLAN 30R-15154
  - C1 DENOTES INST. ROAD 35920 (PIN 64191-0197(LT))
  - C-L DENOTES CENTRELINE
  - HP DENOTES HYDRO/UTILITY POLE
  - HM DENOTES HYDRO METER
  - GM DENOTES GAS METER
  - MH DENOTES MANHOLE
  - CB DENOTES CATCH BASIN
  - WV DENOTES WATER VALVE
  - FH DENOTES FIRE HYDRANT
  - CS DENOTES CURB STOP/WATER KEY
  - GV DENOTES GAS VALVE
  - Ø DENOTES DIAMETER
  - DENOTES DECIDUOUS TREE (TREE CANOPY NOT TO SCALE)
  - +100.00 DENOTES EXISTING GROUND ELEVATION
  - +100.00(C) DENOTES ELEVATION OF CURB
  - +100.00(G) DENOTES ELEVATION OF GUTTER
  - +100.00(B) DENOTES BUILDING PEAK
  - FFE DENOTES FINISHED FLOOR ELEVATION
  - GFE DENOTES GARAGE FLOOR ELEVATION
  - N-NORTH; S-SOUTH; W-WEST; E-EAST

**ELEVATION NOTE**

ELEVATIONS ARE GEODETIC, DERIVED BY GPS OBSERVATIONS, REFERRED TO GEODETIC SURVEY OF CANADA BENCHMARK 0011971037 (AKA 71037) HAVING AN ELEVATION OF 200.338m (CGVD-1928.1976)

LOCATION : RIDGEWAY WATER TOWER (BERTIE TOWNSHIP) AT INTERSECTION OF GORHAM AND FAN STREETS, IMMEDIATELY NORTHEAST OF A CEMETERY, 1.2 KM SOUTHWEST OF POST OFFICE, TABLET IN TOP OF CONCRETE BASE, 30.5 m SOUTHWEST OF ENTRANCE GATE TO CEMETERY, 19.5 m FROM CENTRE LINE OF GORHAM STREET, 4.87 m FROM EAST EDGE OF BASE 1.82 m NORTH OF LADDER TO TOP OF TOWER.

ALL FUTURE GRADE WORK ON SITE TO BE BASED ON SITE BENCHMARK. ANY ELEVATION DISCREPANCIES TO BE REPORTED TO RASCH & HYDE LTD.

**BEARING NOTE**

BEARINGS HEREON ARE GRID, UTM ZONE 17, (NAD 83-CSR5 : CSN46 (Epoch 2010.0)) DERIVED FROM OBSERVED REFERENCE POINTS (ORP's) USING THE CAN-NET VRS NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE)

**ROTATION NOTE**

FOR THE PURPOSES OF COMPARISON:  
- THE ASTRONOMIC BEARINGS ON P1, P4 AND P5 HAVE BEEN ROTATED 0°43'50" COUNTER-CLOCKWISE.  
- THE GRID BARINGS ON P3 AND P6 HAVE NOT BEEN ROTATED

**METRIC NOTE**

DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  - THIS SURVEY WAS COMPLETED ON THE 6th DAY OF JUNE, 2023.

JUNE 22, 2023  
DATE

*Harold D. Hyde*  
HAROLD D. HYDE  
ONTARIO LAND SURVEYOR

© COPYRIGHT, Rasch & Hyde Ltd., OLS's, 2023

<b>RASCH &amp; HYDE LTD.</b> Ontario Land Surveyors	
P.O. Box 6, 1333 Highway #3 East, Unit B DUNNVILLE, ONT, N1A 2X1 905-874-7188 (FAX 905-874-4000)	P.O. Box 550, 74 Jarvis Street FORT ERIE, ONT, L2A 5Y1 905-871-9757 (FAX 905-871-9748)
HAROLD D. HYDE O.L.S.	
SCALE 1 : 250	SURVEY : 23F044
DRWN BY : J.H.	

New Mixed Use  
Apartment Building

247 Ridge Road N

No.	Description	Date
E	Issued for Site Plan Application	2023-10-23
F	Reissued for Site Plan Application	2023-10-31
G	Reissued for Site Plan Application	2023-11-24
I	Issued for Consultant coord	2025-01-16
J	Reissued for Site Plan Application	2025-01-28

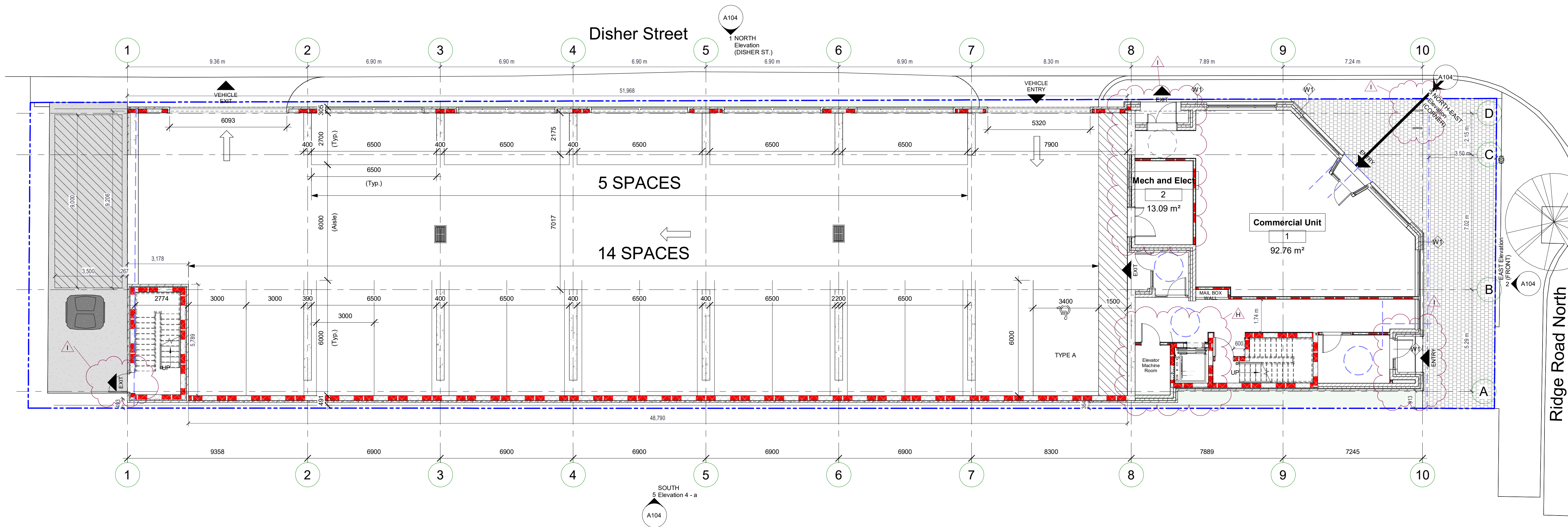
Site Plan Application

SHEET TITLE:

Survey - Existing  
TOPO

DRAWN BY: *J.H.* DATE: 2025-01-28  
SCALE: 1:250 JOB #: 5:23:44 PM  
SHEET NO: 23-042

SP-5



① FIRST FLOOR  
1 : 100

JASON PIZZICARELLA DESIGN - ARCHITECTS INC.  
209 RIDGE ROAD N.  
RIDGEWAY, ONTARIO, L0S 1N0  
T: 905-894-6300  
F: 905-894-9400  
e-mail: jpizzicarella@jpdesign.ca  
CERTIFICATE OF PRACTICE : # 4053

N  
W E  
S

New Mixed Use  
Apartment Building

247 Ridge Road N

No.	Description	Date
D	Issued for Consultant coord	2023-07-08
E	Issued for Site Plan Application	2023-10-23
F	Reissued for Site Plan	2023-10-31
H	Revised Elevator	2023-12-04
I	Issued for Consultant coord	2025-01-16
J	Reissued for Site Plan Application	2025-01-28

Site Plan Application

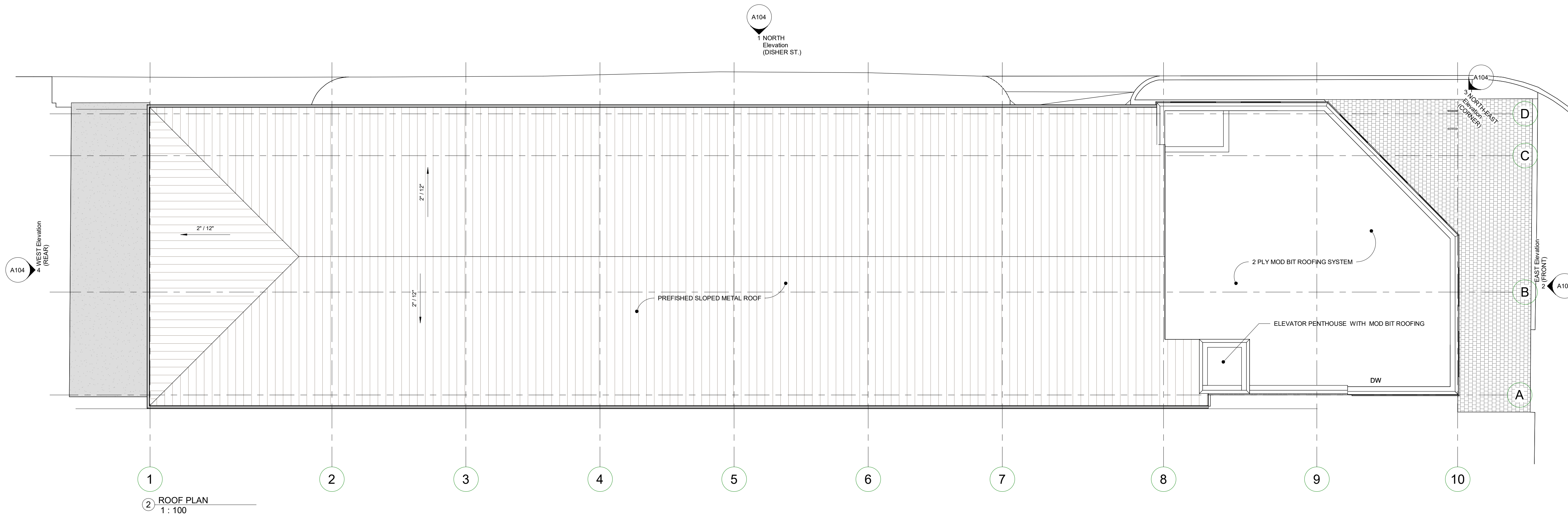
SHEET TITLE:

FIRST FLOOR PLAN

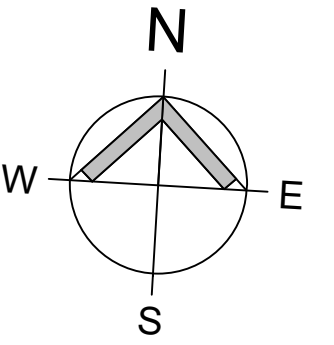
DRAWN BY:	J.P.R.	DATE:	2025-01-28
SCALE:	1 : 100	JOB #:	23-042

SHEET NO: A102





JASON PIZZICARELLA DESIGN - ARCHITECTS INC.  
209 RIDGE ROAD N  
RIDGEWAY, ONTARIO, L0S 1N0  
T: 905-894-6200  
F: 905-894-5400  
e-mail: jpizzicarella@jpdesign.ca  
CERTIFICATE OF PRACTICE : # 4053



## New Mixed Use Apartment Building

247 Ridge Road N

No.	Description	Date
F	Reissued for Site Plan	2023-10-31
G	Reissued for Site Plan Application	2023-11-24
H	Revised Elevator	2023-12-04
I	Issued for Consultant coord	2025-01-16
J	Reissued for Site Plan Application	2025-01-28

Site Plan Application

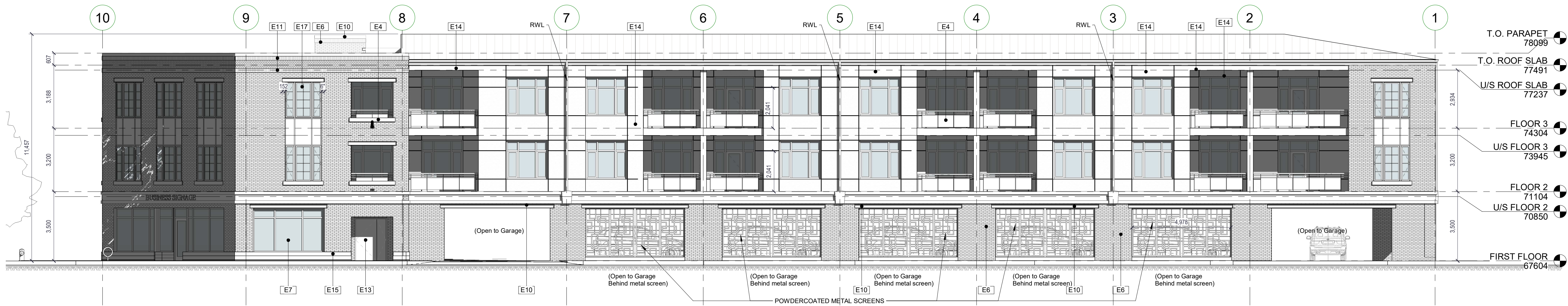
SHEET TITLE:

## SECOND FLOOR & ROOF PLAN

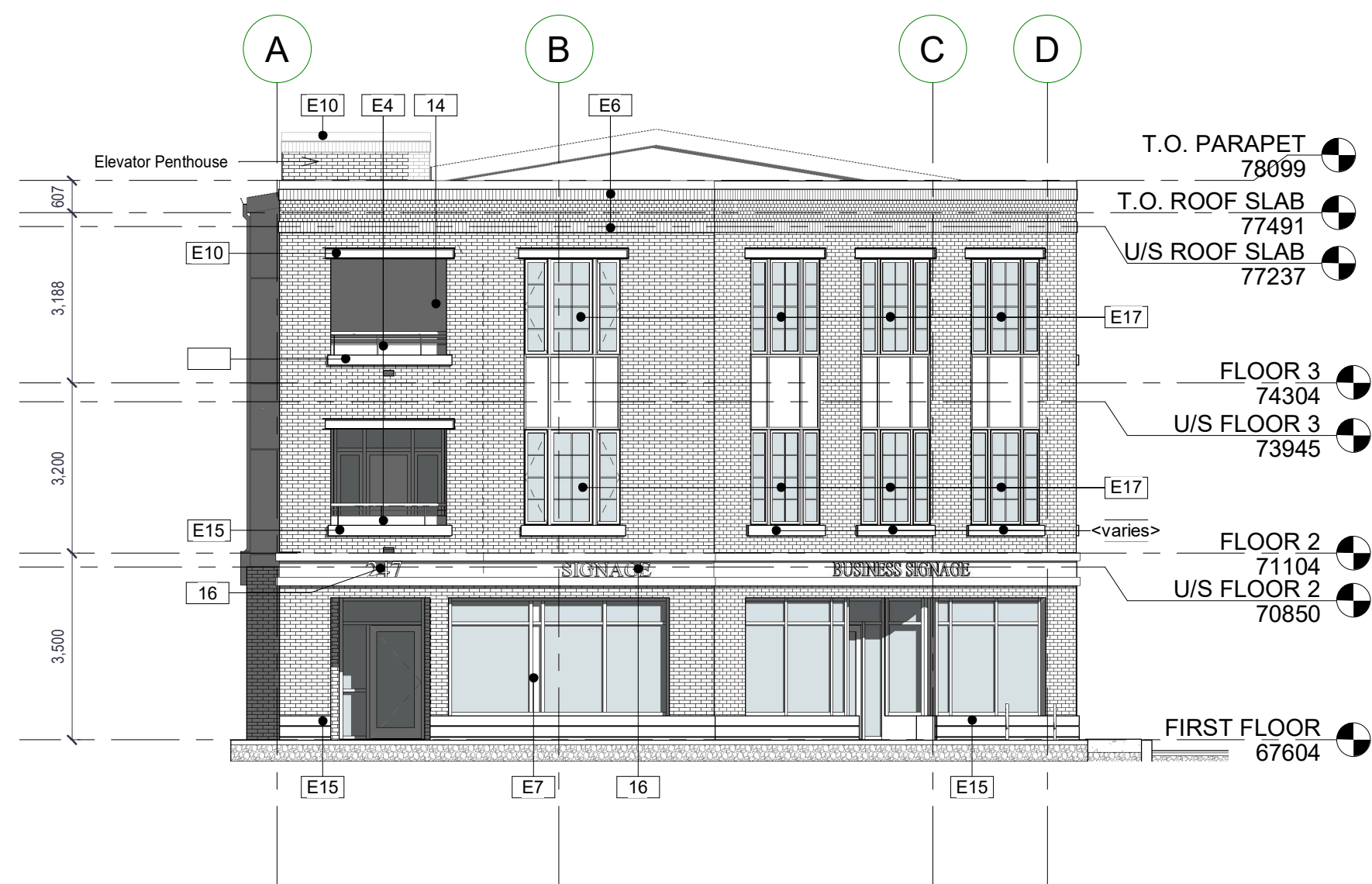
DRAWN BY: *Author* DATE: 2025-01-28  
SCALE: 1 : 100 JOB #: 23-042  
SHEET NO: A103

C:\Users\jpd\OneDrive - JP Design\Desktop\20230204\247 Ridge Road Mixed Use Ridge Road\Front Ridge Road R2 2024-11-05.rvt

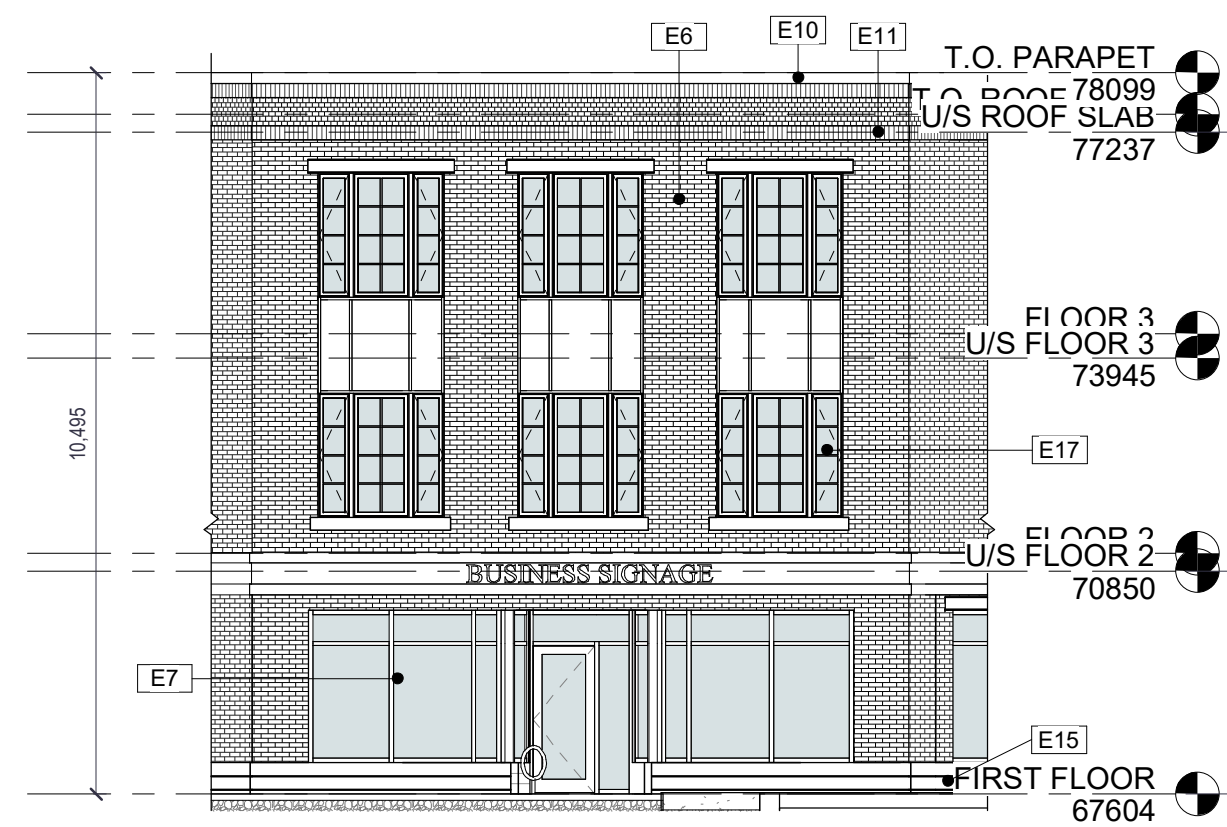




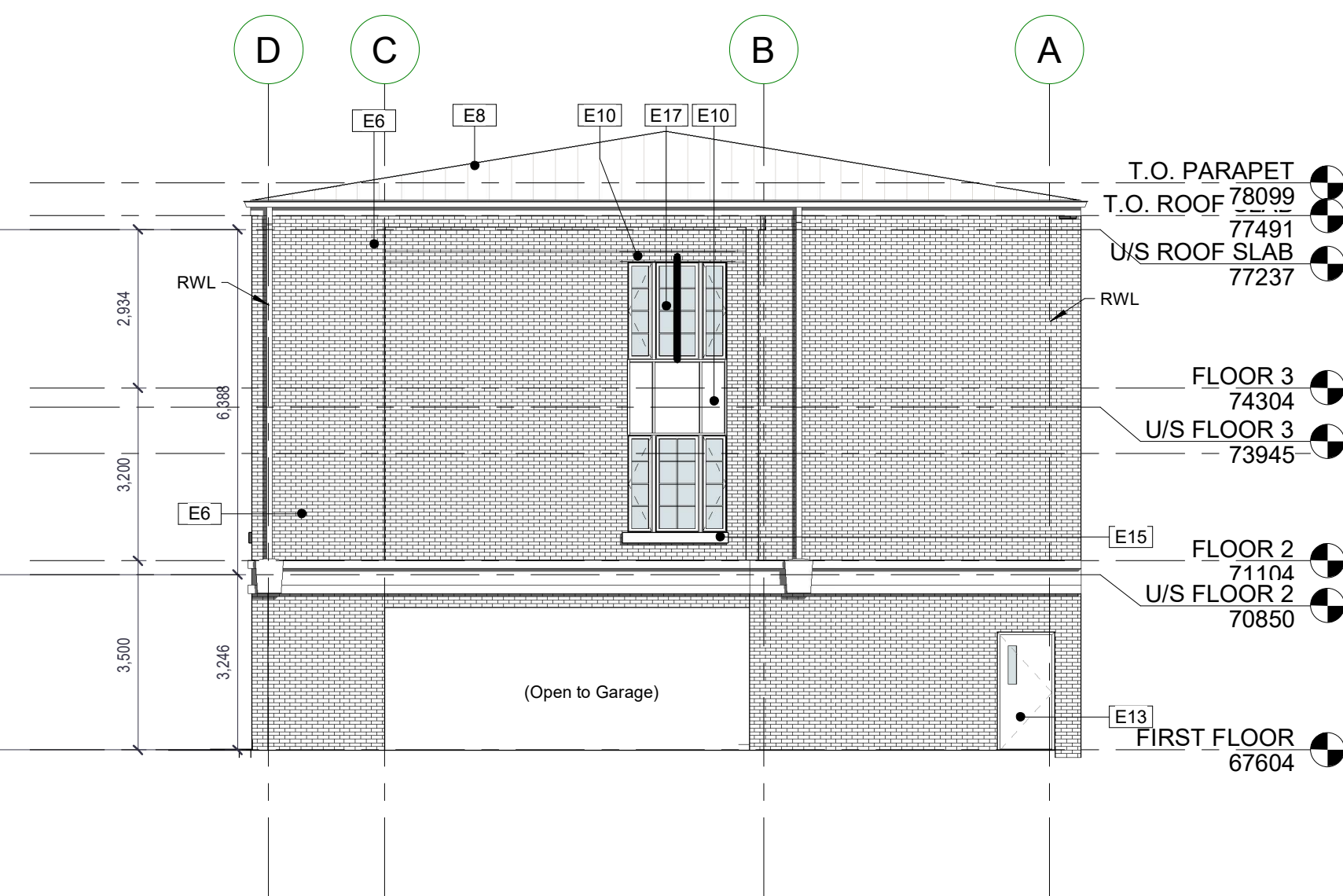
1 NORTH Elevation (DISHER ST.)  
1 : 100



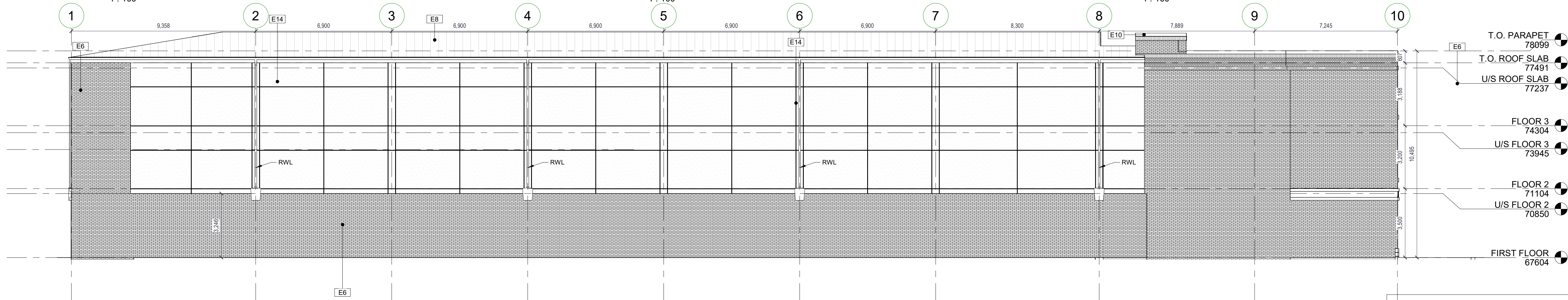
2 EAST Elevation (FRONT)  
1 : 100



3 NORTH-EAST Elevation (CORNER)  
1 : 100



4 WEST Elevation (REAR)  
1 : 100



5 SOUTH Elevation 4 - a  
1 : 100

Elevation Material Legend	
Key Value	Keynote Text
14	E.I.F.S. System
16	Raised Letters
<varies>	
E4	Balcony Guards - Black Alum. Frame W/ Tinted Privacy Glass
E6	Brick Masonry
E7	Prefinished Aluminum Curtainwall
E8	Prefinished Metal Roofing
E10	Prefinished Aluminum Flashing
E11	Brick Solder Corner
E13	Painted Steel Door
E14	E.I.F.S. System
E15	Calcium Silicate Masonry
E17	Apt. Windows - Black Frames & Clear Glass (typ)

JASON PIZZICAROLA DESIGN - ARCHITECTS INC  
209 RIDGE ROAD N  
RIDGEWAY, ONTARIO, L0S 1N0  
T. 905-894-6300  
F. 905-894-6400  
e-mail jpizzicarola@jpdesign.ca  
CERTIFICATE OF PRACTICE : # 4053

## New Mixed Use Apartment Building

247 Ridge Road N

No.	Description	Date
D	Issued for Consultant coord	2023-07-08
E	Issued for Site Plan Application	2023-10-23
F	Reissued for Site Plan Application	2023-10-31
G	Reissued for Site Plan Application	2023-11-24
I	Issued for Consultant coord	2025-01-16

## Site Plan Application

SHEET TITLE:

## ELEVATIONS

DRAWN BY: *Author* DATE: 2025-01-28

SCALE: 1 : 100 JOB #: 23-042

SHEET NO: A104

C:\Users\jpd\OneDrive - JP Design\Desktop\2023\247 Ridge Road Mixed Use Ridgeway\Front\Ridgeway R2 2024-11-05.rvt





## Planning and Development Services

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**Prepared for:** Committee of Adjustment

**Meeting Date:** May 15, 2025

**Application Number:** A18/25

**Address:** 247 Ridge Road North, Fort Erie

**Owner:** Nakatomi Developments

**Applicant:** Jason Pizzicarola

### 1. Title

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Minor Variance Application A18/25 for land located at 247 Ridge Road North, Fort Erie

### 2. Purpose

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The purpose and effect of this application is to reduce the minimum parallel parking space width and the minimum residential open space to facilitate development of a mixed-use building.

1. To permit a reduced minimum parallel parking space width of 2.7 meters whereas 3.0 meters is required.
2. To permit a reduced minimum residential open space of 5.4 square meters whereas 10.5 square meters is required.

### 3. Recommendations

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That Minor Variance Application A15/25 be **APPROVED**, subject to the following conditions:

1. That the Owner / Applicant shall submit and receive final approval of a Scoped Heritage Impact Assessment to the satisfaction of the Director of Planning, Building and By-law Services.
2. That the Owner / Applicant shall submit and receive final approval of a Noise Study to the satisfaction of the Director of Planning, Building and By-law Services.

### 4. Analysis

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#### **4.1. Site Context**

The subject lands are located within the Ridgway Thunder Bay Secondary Plan Area, on the west side of Ridge Road North and south side of Disher Street. The subject property is located in the Ridgeway Downtown Core where there is a mix of commercial and residential uses. The subject property currently contains an existing mixed-use building. The land uses surrounding the subject land include:

North:	Disher Street right of way and Commercial
South:	Commercial
East:	Ridge Road North right of way
West:	Commercial

#### **4.2. Environmentally Sensitive Areas**

Senior Environmental Staff and the Niagara Peninsula Conservation Authority both have indicated there are no natural heritage features located on the subject lands. The proposed development will be subject to the Town's Tree By-law (33-2024).

#### **4.3. Four Tests of Minor Variance – Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13**

The Planning Act provides that a minor variance must meet the following four tests to be supportable.

##### **4.3.1. Is the proposal minor in nature?**

##### *Variance #1- Reduced Parallel Parking Space Width*

The request to reduce the minimum parallel parking space width to 2.7 metres is minor. The applicant has submitted a vehicle turning plan that indicates the reduction will not negatively impact the maneuverability of vehicles in and out of parking stalls. Furthermore, the relief requested represents a minor departure from the requirements of the Zoning By-law and maintains the required 6 metre drive aisle.

##### *Variance #2- Reduced Residential Open Space*

The request to reduce the minimum residential open space to 5.4 metres is minor. The proposed reduction maintains private amenity space (balconies) for the proposed residential units. The subject lands are located in close proximity to the Friendship Trail, Ridgeway Village

Square, and Lions Field which will provide recreational open space opportunities for residents of the proposed development.

Therefore, it is the opinion of Planning Services staff that the requested variances are minor in nature.

**4.3.2. Is the proposal desirable for the appropriate development or use of the land, building or structure?**

The subject lands are zoned and designated for mixed use purposes.

*Variance #1- Reduced Parallel Parking Space Width*

The proposed reduction to the minimum parallel parking width to 2.7 metres is desirable as it will accommodate parking for residential dwelling units. Furthermore, the applicant has submitted a vehicle turning plan that indicates the reduction will not negatively impact the maneuverability of vehicles in and out of parking stalls. The reduction will also maintain the required 6 metre drive aisle.

*Variance #2- Reduced Residential Open Space*

The proposed reduction to the Residential Open Space to 5.4 square metres is appropriate in this instance. The reduction maintains viable private amenity space (balconies). The subject lands are located in close proximity to the Friendship Trail, Ridgeway Village Square, and Lions Field which will provide recreational open space opportunities for residents of the proposed development.

Therefore, it is the opinion of Planning Services staff that the proposal is desirable for the appropriate development and use of the land and structure.

**4.3.3. Does the proposal meet the general intent and purpose of the Official Plan?**

The subject land is within the Ridgeway Thunder Bay Second Plan Area and is designated Downtown Core Mixed Use. The Downtown Core Mixed Use designation supports residential dwellings above commercial uses. The proposed residential units are considered sensitive land uses and are surrounded by commercial uses and adjacent to a Regional Road; therefore, a Noise Study will be required as a condition of approval. Recommendations from the Noise Study will be implemented at the Site Plan Control Stage.

The subject land is abutting 241 Ridge Road North, a by-law was passed March 2025 to designate the lands as a Part IV Heritage property. A scoped Heritage Impact Assessment will be required as a condition of approval. Recommendations from the Heritage Impact Assessment will be implemented at the Site Plan Stage.

It is of the opinion of Planning Services staff that the requested variances maintain the general intent and purpose of the Town's Official Plan, subject to successful satisfaction of the recommended conditions of approval.

#### **4.3.4. Does the proposal meet the general intent and purpose of the Zoning By-law?**

The subject land is zoned Commercial Mixed Use 4 (CMU4) which permits a range of commercial uses and dwelling units (mixed use).

##### *Variance #1- Reduced Parallel Parking Space Width*

The general intent of minimum parking stall widths is to ensure sufficient space for vehicles to maneuver and to accommodate space to enter and exit vehicles. The requested reduction provides adequate space for vehicles to maneuver and space to enter and exit vehicles. This is further confirmed by the vehicle turning plan submitted in support of the application.

##### *Variance #2- Reduced Residential Open Space*

The general intent of minimum residential open space regulations for dwelling units is to provide sufficient access to private outdoor amenity space for residents residing in multiple dwelling unit structures. The requested reduction will maintain private outdoor space (balconies) for residents. Furthermore, the Friendship Trail, Ridgeway Village Square, and Lions Field are in proximity to the subject land and provide recreational open space opportunities for residents.

Therefore, it is of the opinion of Planning Services staff that the requested variances maintain the general intent and purpose of the Town's Zoning By-law.

### **5. Comments from Departments, Community and Corporate Partners**

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#### *Niagara Peninsula Conservation Authority*

The subject property does not contain and is not impacted by the NPCA Regulated Features. No objections.

#### *Senior Environmental Staff*

Subject lands are within the Town's Urban Boundary, no natural heritage are present. Lands are subject to the Town's Tree By-law 33-2024. If any trees over 30 DBH are proposed to be removed a subsequent tree removal application accompanied by a Tree Protection Plan, an Arborist report and landscape plan. Town staff request a Tree Protection Plan as it is unclear to whether tree will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Staff Response:

A Tree Preservation Plan, Landscape Plan will be required at the Site Plan Agreement Stage. The proposed development is subject Town's Tree By-law 33-2024 through the Site Plan Agreement Stage.

#### *Development Engineering Staff offer the following comments:*

Development Engineering Staff have no comments for the proposed minor variance application.

### **6. Conclusion**

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Based on the above analysis, Planning Staff recommend that Minor Variance Application A18/25 be **APPROVED** as submitted.

## 7. Report Approval

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Prepared by:  
Robin Shugan, CPT, ACST  
Intermediate Development Planner

Reviewed and Submitted by:  
Devon Morton, MCIP, RPP  
Supervisor of Development Approvals

## 8. Attachments

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Appendix 1 – Site Plan

**To:** Robin Shugan, Intermediate Development Planner  
**From:** Taylor Boyle, Project Manager, Development Engineering  
**RE:** PDS Engineering Comments for Committee of Adjustment  
**Address:** 247 Ridge Road N

Purpose and Effect:  
The purpose and effect of this application is to reduce the minimum parallel parking space width and the minimum residential open space adjacent to Unit 1 to facilitate development of a mixed-use building.

Details of Minor Variance Application:  
The Applicant is requesting the following variance to Section 6.20(J)(i) and 18.3(e) of the Town of Fort Erie’s Comprehensive Zoning By-law 129-1990, as amended:

- 1. To permit a reduced minimum parallel parking space width of 2.7 meters whereas 3.0 meters is required.
- 2. To permit a reduced minimum residential open space adjacent to Unit 1 of 5.4 square meters whereas 10 square meters is required.

**MUNICIPAL SERVICES**

	<b><u>Ridge Road N</u></b>	<b><u>Disher Street</u></b>
<b>Watermain:</b>	300mm dia. PVC (TOFE)	150mm dia. PVC (TOFE)
<b>Sanitary Sewer:</b>	200mm dia. PVC (TOFE)	200mm dia. AC (TOFE)
<b>Storm Sewer:</b>	900mm dia. CONC (TOFE)	525mm dia. CONC (TOFE)

**ROADS**

Ridge Road North is designated as an Arterial Road as per the Town’s current Official Plan, with a designated right-of-way width of 23m. Development Engineering Staff will not be requiring a road widening as part of this Minor Variance Application.

Disher Street is designated as a Local Road as per the Town’s current Official Plan, with a designated right-of-way width of 20m. Development Engineering Staff will not be requiring a road widening as part of this Minor Variance Application.

Town of Fort Erie Development Engineering Staff have reviewed the above noted application and supporting documentation to address the technical concerns regarding the submitted minor variance application.

**Development Engineering Staff offer the following comments:**

- Development Engineering Staff have no comments for the proposed minor variance application.

**Development Engineering Staff offer the following conditions:**

- Development Engineering staff have no conditions for the proposed Minor Variance Application.

Prepared by: Taylor Boyle, C. Tech., rcsi  
Project Manager, Development Engineering

c. Mark Iamarino, PBBS  
Keegan Gennings, PBBS  
Jordan Frost, IS  
Jessica Goodings, Fire Services

<b>PDS ZONING REVIEW SHEET:</b>				
<b>FILE NO: A18-25</b>		<b>MUNICIPAL ADDRESS: 247 RIDGE ROAD NORTH</b>		
<b>PREVIOUS ZONING AMENDMENTS?</b>				
<b>ZONING: Core Mixed Use 4 (CMU4)</b>				
<b>INFILL? YES / NO (NO)</b>	<b>PERMITTED</b>	<b>Proposed</b>	<b>Compliance</b>	<b>NOTES:</b>
<b>DWELLING:</b>	Mixed Use	Mixed Use	YES	
MIN. LOT FRONTAGE	0 m	Approx. 16.2 m	YES	
MIN. LOT AREA	0 sq. m.	1165.56 sq m	YES	
MIN. FRONT YARD SETBACK	0 m	0.23 m	YES	
MIN. INT. SYSB	0m, except the minimum side yard abutting a residential zone shall be 2.5m	0.29 m to South	YES	
MIN. EXT SYSB	0 m	0 m	YES	
MIN. REAR YARD SETBACK	4.5m except the minimum rear yard abutting a residential zone shall be 10m	4.95 m	YES	
MAX. BLDG HEIGHT	i) 3 storeys ii) 12m	3 Storeys/ 11.46 m	YES	
MIN. DRIVEWAY WIDTH/DEPTH	6.0 m	6.0 m	YES	
MIN. # PARKING SPACES	0 for commercial and 1 space per unit. As such for 18 units 18x1=18 spaces are required	19 spaces for 18 units including 1 accessible parking	YES	
PARKING SPACE DIMENSION 6.20.J.(i)	Width 3.0 m x Length 6.0 m and Parallel Paking - Width 3.0 m x Length 6.5 m (Obstructed)	90 Degree - 3.0 m x6.0 m and Parallel - 2.7 m x 6.5 m	NO. Zoning relief is required	Zoning relief is requested for the parking space dimension of the parallel parking space from 3.0m x 6.5 m to 2.7 m x 6.5 m (Section 6.20 (j))
RES. OPEN SPACE	Section 18.3 (e)A minimum of 18.5 sq. m. of open area or a minimum of 10.5 sq m per unit shall be provided.	For two-bedroom unit minmum - 9.03 sq m and for 1 bedroom unit minimum 5.46 sq m of balcony provided	NO. Zoning relief is required	Zoning relief is requested for the residential open space for a private balcony to 5.4 sq m. The minimum required open space is 10.5 sq m for a balcony. (Section 18.3 e)
PARKING AREA LOCATION SECTION 6.20 (I)	3.0 m from street line	0.0 m	NO. Zoning relief is required	Zoning relief is not requested. Please add this to the application.
MAXIMUM GROUND FLOOR AREA RESIDENTIAL COMPONENT IS PERMITTED	49%	<49%	YES	
<b>ACCESS BLDG (Section 6.1) :</b>				
FRONT YARD	No accessory structure permitted			
REAR YARD	1.0 m			
INT. SYSB	1.0 m			
EXT SYSB	Required yard, 6.0 m for a detached garage/carport			
BLDG HEIGHT	1 storey/4.5m			
LOT COVERAGE (10%)	10%			
<b>OTHER:</b>				

---

**Minor Variance File A18/25 247 Ridge Road North, Fort Erie**

---

**From** Nadean Reichelt <NReichelt@forterie.ca>

**Date** Thu 4/24/2025 5:52 PM

**To** Carleigh Ricci <CRicci@forterie.ca>

Building department has no comments.

Respectfully,

**Nadean Reichelt** *C.B.C.O., A.Sc.T., C.P.S.O.*  
Deputy Chief Building Official  
Town of Fort Erie  
nreichelt@forterie.ca  
905-871-1600 x-2523

---

**From:** Carleigh Ricci

**Sent:** Monday, April 14, 2025 4:21 PM

**To:** Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Anamika Dilwaria; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Christopher Smith; Mark Schmitt; Jayne Nahachewsky; Philip Riley; Abdul Malik; Troy Davidson; Sean Hutton; Darren Kearns; Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; doug.crown@cogeco.com; Mike.emberton; rowcentre@bell.ca; planninganddevelopment@bell.ca; newdevelopment@rci.rogers.com; municipalnotices@enbridge.com; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; susan.dunsmore@niagararegion.ca; Escobar, Valentina; Kartiki Sharma; planninginfo@npca.ca; pleithwood@npca.ca; ppearson@npca.ca; smastroianni@npca.ca; tlennard@npca.ca; Rachel Adamsky; Mustafa, Sheraz; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; matthew.prestinaci@ontario.ca; neave.constantine@ontario.ca; Ali, Usama (MTO); real\_estatecanada@cpr.ca; planning@dsbn.org; planning@ncdsb.com

**Subject:** Request for Comments - Committee of Adjustment Hearing - May 15, 2025

Dear Reviewer,

The Town of Fort Erie is requesting your comments related to the following Committee of Adjustment matters. Submission materials may be accessed virtually, by selecting the link below.

 [May 15 Circulation](#)

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## May COA Comments

---

From Zachary George <ZGeorge@forterie.ca>

Date Tue 4/29/2025 3:27 PM

To Carleigh Ricci <CRicci@forterie.ca>

### **0-5866 Neva**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **393 Oakwood**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Based on the drawing provided by the applicant it appears that the proposed work does not require tree removal, nor are there any effected trees on site.

### **532 Ridgeway**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **913 Centralia**

The subject property is not located within the Town's Urban Boundary and is not within Natural Heritage system. There are no Natural Heritage features present. The Town's tree bylaw does not apply to this property. There are no further environmental comments.

### **179 Garrison**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether the 3 trees at the northern end of the property will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

#### **247 Ridge Road North**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.



## **1011 Gilmore**

The subject property is located within the Town's Urban Boundary. There are Natural Heritage features present, including a Provincially Significant Wetland in the eastern portion of the lands and an unevaluated wetland that was identified in an Environmental Impact Study prepared by Ecological and Environmental Solutions (2019). The proposed severance does not cross through either wetland and is located over 120m from each identified wetland. At the time the Environmental Impact Study was completed the Ecological Land Classification identified a Mineral Deciduous Woodland and a Mineral Deciduous Thicket, however since the time the EIS was completed there were several trees removed, (with permission from the Town of Fort Erie) and the land classification would no longer meet the definition of a Mineral Deciduous Woodland. As such, environmental planning staff have no objections to the proposed severance.

The lands are subject to the Town's tree By-law 33-2024. If any trees over 10cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

### **Conditions:**

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.
3. That the Applicant/Owner make payment in the amount of \$1000.00 to the Town of Fort Erie for a boulevard street tree. The Tree will be placed on the road allowance frontage if it is practical to do so, otherwise the tree will be planted elsewhere in the Town to enhance the Tree Canopy Cover.

### **Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

**Zach George**

Junior Environmental Planner

**Town of Fort Erie**

Planning and Development Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2536

[forterie.ca](http://forterie.ca) | [zgeorge@forterie.ca](mailto:zgeorge@forterie.ca)



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**Re: Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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**From** Troy Davidson <TDavidson@forterie.ca>

**Date** Fri 4/25/2025 1:41 PM

**To** Carleigh Ricci <CRicci@forterie.ca>

Hi Carleigh,

My Comments are;

**247 Ridge Road** = This property is in the **Mann Drain Watershed Area**.

There is also a typo in the 1102 Gilmore = It should be 1011 Gilmore Road North

**1011 Gilmore Road North** = This property is in the **Frenchman's Creek watershed area**.

Thanks,

Troy

**Troy Davidson**

Drainage Superintendent

**Town of Fort Erie**

Infrastructure Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

P: 905-871-1600 ext. 2405

[forterie.ca](http://forterie.ca) | [TDavidson@forterie.ca](mailto:TDavidson@forterie.ca)



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**From:** Carleigh Ricci

**Sent:** Monday, April 14, 2025 4:21 PM

**To:** Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Anamika Dilwaria; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Christopher Smith; Mark Schmitt; Jayne Nahachewsky; Philip Riley; Abdul Malik; Troy Davidson; Sean Hutton; Darren Kearns; Abby LaForme; [andrew.carrigan@canadapost.postescanada.ca](mailto:andrew.carrigan@canadapost.postescanada.ca); [doug.crown@cogeco.com](mailto:doug.crown@cogeco.com); [Mike.embleton@rowcentre@bell.ca](mailto:Mike.embleton@rowcentre@bell.ca); [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca); [newdevelopment@rci.rogers.com](mailto:newdevelopment@rci.rogers.com);

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**Re: Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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From Kathryn Strachan <KStrachan@forterie.ca>

Date Mon 4/28/2025 4:20 PM

To Carleigh Ricci <CRicci@forterie.ca>

Cc Edward Terry <ETerry@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>

Hi Carleigh,

Please see the landscape comments below:

**0-5866 Neva Road**

No Comments

**393 Oakwood Ave**

No Comments

**532 Ridgeway Road**

No Comments

**913 Centralia Ave**

No Comments

**179 Garrison Road**

Landscaped areas should include amenities for residents, benches, tables etc.

Landscape along Garrison should follow the Fort Erie International Gateway – Garrison Road Design Guidelines

**247 Ridge Road**

No Comments

**1011 Gilmore Road**

No Comments

**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

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**RE: NPCA Comments, Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

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From Kartiki Sharma <ksharma@npca.ca>

Date Mon 4/28/2025 4:32 PM

To Carleigh Ricci <CRicci@forterie.ca>

 1 attachment (829 KB)

RE: NPCA Comments, Request for comments - 1011 Gilmore Road, Fort Erie;

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

Good Afternoon Carleigh,

The NPCA has reviewed the CoA Applications for the May 15<sup>th</sup>, 2025 Hearing and can offer the following comments:

**1. 0-5866 Neva Road (ARN 270302001053400), Minor Variance, A13-25 :**

Based on the NPCA mapping there is an unmapped floodplain east of the subject property. The application is currently under review by our technical staff to confirm if the subject property is outside the floodplain.

I will provide the NPCA comments for this file as soon as I hear back from our technical staff, apologies for the delay on this file.

**2. 393 Oakwood Avenue, Minor Variance, A14-25:**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**3. 532 Ridgeway Road, Minor Variance, A15-25:**

- The minor variance application is to permit Short-Term Rental, dedicated as a permitted use whereas the use is not permitted.
- Based on the NPCA mapping, NPCA notes that the subject property is a NPCA regulated back-dune area.
- NPCA notes the confirmation provided in the application:
- That for short term rental the property will not be owner occupied and will be exclusive to short term rental.
- No proposed development or site alteration.
- As such, at this time NPCA has no objections to the short-term rental at the subject property as it will not constitute as development or site alteration.
- Please note that any future proposed development on the subject property will require NPCA review and approval along with possible work permits (associated permit fee would apply).

**4. 913 Centralia Avenue North, Minor Variance, A16-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features.

Therefore, the NPCA has no objections.

**5. 179 Garrison Road, Minor Variance File, A17/25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**6. 247 Ridge Road North, Minor Variance, A18-25**

The NPCA has reviewed the Minor Variance Application for the subject property. Based on the NPCA Mapping the subject property does not contain and is not impacted by NPCA Regulated Features. Therefore, the NPCA has no objections.

**7. 1101 Gilmore Road, Consent, B46-24**

Please see the attached email from NPCA on April 10 2025, regarding the comments for 1101 Gilmore Road.

Please let me know if you have any questions.

Kind Regards,

**Kartiki Sharma**

Watershed Planner

**Niagara Peninsula Conservation Authority (NPCA)**

3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 278

[[www.npca.ca](http://www.npca.ca)%20][www.npca.ca](http://www.npca.ca)

[ksharma@npca.ca](mailto:ksharma@npca.ca)

For more information on Permits and 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>.

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**From:** Carleigh Ricci <CRicci@forterie.ca>

**Sent:** April 14, 2025 4:22 PM

**To:** Keegan Gennings <KGennings@forterie.ca>; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberlyn Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Anamika Dilwaria <ADilwaria@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Helie Upadhyay <HUpadhyay@forterie.ca>; Jessica Goodings <JGoodings@forterie.ca>; Christopher Smith <CSmith@forterie.ca>;



Town of Fort Erie Committee of Adjustment  
Notice of Public Hearing

Consent File B46/24  
1011 Gilmore Road, Fort Erie

Lots 31 & 32, Part of Lots 29, 30, 33-35, Lot A, Part of Depew Avenue,  
Part of York Street Plan 470, Part of Lots 3 & 4 Conc 3 NR, Part of Lots 3  
& 4 Conc 4 NR, Part of Road Allowance between Concessions 3NR & 4 NR

Owner: Fleet Aerospace Corporation & Fleet Industries Division  
Applicant: Magellan Aerospace Limited  
Agent: Roy Zanatta and Dan Zanatta

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a consent and minor variance application, pursuant to the provisions of Sections 50 and 53 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, May 15, 2025 at 5:00 pm**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:**  
The purpose and effect of this application is to create one new lot for Industrial purposes.

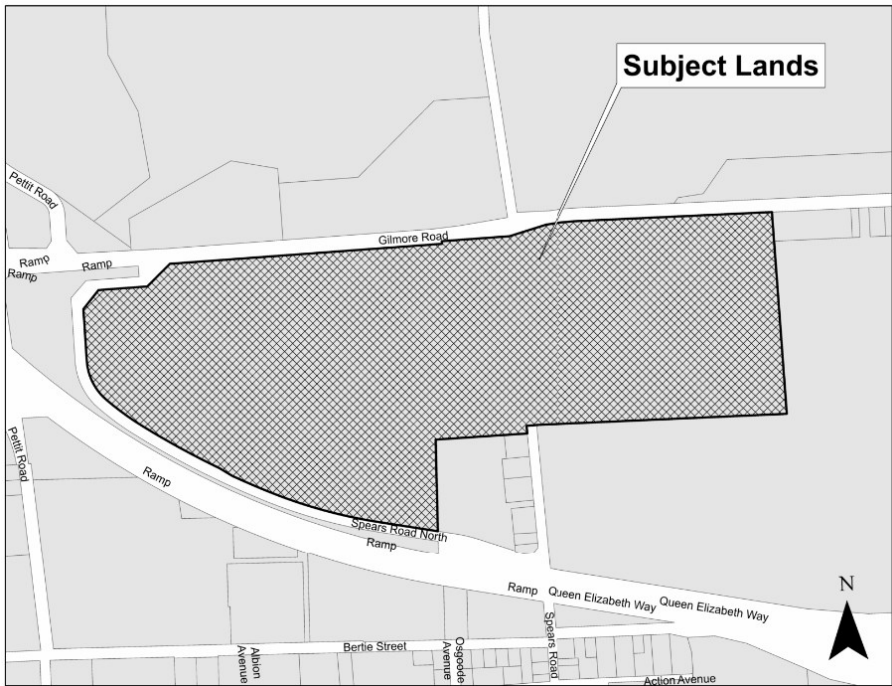
**File No. B46/24:**  
The Application seeks to sever Part 1 from Part 2 on the Consent Sketch to create a new Industrial lot. The proposed lot dimensions are as follows:

	Frontage	Area
Severed Lands (Part 1)	+/-	+/- 26.54 ha
Retained Lands (Part 2)	+/-	+/- 30.29 ha

**Current Zoning:**  
The subject lands are zoned Industrial (I) Zone, Prestige Industrial (PI) Zone, Environmental Protection (EP) Zone and Environmental Conservation (EC) Overlay Zone in accordance with the Town of Fort Erie’s Comprehensive Zoning By-law No. 129-1990, as amended.

**Current Official Plan Designation:**  
The subject lands are designated Industrial, Environmental Protection and Environmental Conservation in the Town’s Official Plan.

**Key Map:**



**How to Participate:**

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 m radius of the subject lands, or an agency deemed to have an interest in the proceedings. Any person/agency may attend this Hearing and/or make written or verbal representation either in support of, or in opposition to the proposed applications. Please be advised that all written and oral comments received will become part of the applications record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, May 14, 2025 (day prior to Hearing)** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Carleigh Ricci ([cricci@forterie.ca](mailto:cricci@forterie.ca)) who will provide them to the Committee of Adjustment.

If you wish to be notified of the Committee of Adjustment’s decision with respect to the proposed applications, you must make a **written** submission to the Secretary-Treasurer of the Committee of Adjustment at the address noted below either **prior to, or at the Hearing**.

Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

**For Additional Information Regarding This Application Contact:**

Daryl Vander Veen, Intermediate Development Planner  
Planning and Development Services Department  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2509 or [dvanderveen@forterie.ca](mailto:dvanderveen@forterie.ca)

**Mailed – April 14, 2025**



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## Planning and Development Services

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**Prepared for:** Committee of Adjustment

**Meeting Date:** May 15, 2025

**Application Number:** B46/24

**Address:** 1011 Gilmore Road, Fort Erie

**Owner:** Magellan Aerospace Limited (Dan Zanatta)

**Applicant:** Century 21 (Roy Zanatta)

### 1. Title

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Consent Application B46/24 for 1011 Gilmore Road, Fort Erie (Gilmore)

### 2. Proposal

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The purpose and effect of this application is to facilitate the severance of the subject lands for future industrial development. Part 1 on the Consent Sketch is proposed to be severed from Part 2.

Table 1 outlines the lot areas and lot frontages for this proposal based on the submitted Consent Sketch:

**Table 1 - Lot Frontages and Lot Areas**

Part	Lot Frontage	Lot Area
<b>Severed Lands (Part 1)</b>	+/- 432.51.02 metres	+/- 26.54 hectares
<b>Retained Lands (Part 2)</b>	+/- 767.87 metres	+/- 30.29 hectares

### 3. Recommendations

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That Consent Application B46/24 be **APPROVED**, subject to the following conditions:

1. That the Owner / Applicant's Solicitor and / or Land Surveyor shall provide the Secretary-Treasurer with a legal description of Part 1 and Part 2 to be registered on title together with a draft copy of the reference plan for approval. Upon approval, the Owner / Applicant's Solicitor and / or Land Surveyor shall deposit the approved reference plan and provide an original and digital copy (in AutoCAD .dwg and .PDF format) of the deposited reference

plan, for use in the issuance of the Certificate of Consent.

2. That the Owner / Applicant's Solicitor shall provide the Secretary-Treasurer with a firm Undertaking to register the Transfer and provide a copy of the registered Transfer as soon as possible after registration.
3. That the Owner / Applicant shall pay the Final Certification fee to the satisfaction of the Town's Secretary-Treasurer. The Consent is not considered final prior to final consent certificate being issued.
4. That the Owner / Applicant shall make payment in the amount of \$1,000.00 to the Town of Fort Erie for a boulevard street tree. The Tree will be placed on the road allowance frontage if it is practical to do so, otherwise the tree will be planted elsewhere in the Town to enhance the Tree Canopy Cover.
5. That the Owner / Applicant shall enter into a Development Agreement to be registered on title to Part 1, to address the following items, to the satisfaction of the Town:
  - a. That the Owner / Applicant shall provide documentation to ensure that future development on Part 1 does not interfere with the existing helicopter flight path to 1100 Gilmore Road to the north;
  - b. That the Owner / Applicant shall submit and receive final approval of a Gas Well Study and implement any recommendations, or, verify that any petroleum wells impacting Part 1 are adequately plugged in accordance with Provincial Ministry standards;
  - c. That the Owner / Applicant shall submit and receive final approval of a Stage 1 Archaeological Assessment (and any subsequent Stages, if required) and submit a Ministry Acknowledgement Letter for Part 1;
  - d. That the Owner / Applicant shall dedicate a road widening to the Regional Municipality of Niagara along the frontage of Regional Road 19 prior to the issuance of a building permit, to the satisfaction of the Niagara Region Public Works Growth Management and Planning Division. All costs for providing the necessary survey plan and all related documents are the responsibility of the Owner/Applicant;
  - e. That the Owner / Applicant shall obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development;
  - f. The Owner / Applicant is advised that if any installation / extension of underground infrastructure (WTM, SAN, STM) within the Town's right-of-way occurs, the Owner / Applicant is required to enter into a Development Servicing Agreement with the Town of Fort Erie, for the design and installation of the mains / sewer, to the satisfaction of the Town. The Owner / Developer shall be responsible for all costs associated with the preparation and registration of the Development Servicing Agreement on title of the lands, permits, approvals, and all associated design, construction, removals, and restoration costs associated;
  - g. That the Owner / Applicant shall submit and receive final approval of a Functional Servicing Report (FSR) identifying the existing services, their size, material, capacity and if they are being proposed for re-use for the development site. Confirmation that sizing, material, location, capacity etc. proposed for re-use are in suitable condition and meet Town standards and requirements. Verification and calculations shall be provided for all servicing and design shall be in accordance with Niagara Region's 2021 Water and Wastewater Master Servicing Plan Update, Volume 3, dated June 22, 2023. The FSR shall also provide all required information and flow rates to confirm downstream sewers have sufficient capacity to receive the additional flows and meet the demands for the proposed development site;

- h. That the Owner / Applicant shall submit and receive final approval of a Site Servicing Plan showing both the existing and proposed site services for water, storm and sanitary. The plan is to include location, size, material, inverts, etc. from the municipal main to the building face for all services;
- i. That the Owner / Applicant shall submit and receive final approval of a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended;.
- j. That the Owner / Applicant shall submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.I of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate.
- k. That the Owner / Applicant shall, at their own expense, obtain, submit and receive final approval of an appraisal for the purposes of payment of cash-in-lieu of parkland dedication, by a qualified appraiser, which is to be based on the fair market value of Part 1, to the satisfaction of the Town.
- l. That the Owner / Applicant shall pay to the Town a cash-in-lieu of parkland dedication, which shall be 2% of the appraised value of the severed lands (Part 1), to the satisfaction of the Town.

### **3.0 Analysis**

#### **3.1. Site Context**

The subject lands are located within the Gilmore neighbourhood of the Town of Fort Erie. The subject lands are a through lot with frontage on Gilmore Road and Spears Road North. Part 1 is largely vegetated and vacant with a portion of a former aircraft runway on it. Part 2 contains an existing industrial facility, a portion of a former aircraft runway, and vegetation. Both Part 1 and Part 2 are impacted by natural gas wells. The existing industrial use on Part 2 is intended to remain. The land uses surrounding the subject lands include:

- North: Gilmore Road, Industrial (commercial refueling station and manufacturing plant), Open Space (golf course) and Environmental Protection (wetlands and other Natural Heritage features);
- South: Spears Road North, Industrial (barns and other outbuildings), Residential (non-conforming single detached dwellings) and the Queen Elizabeth Way;
- East: Environmental Protection (wetlands and other Natural Heritage features), Industrial (various uses);
- West: Spears Road North, Queen Elizabeth Way, Open Space (Optimist Park and gun club) and Environmental Protection (wetlands and other Natural Heritage Areas).

#### **3.2. Environmentally Sensitive Areas**

Planning staff note that the subject lands are within the Natural Environment System (NES) in the Niagara Official Plan (2024) and are impacted by some Natural Heritage Features, namely the Frenchmans Creek Provincially Significant Wetland Complex, Other Wetlands and potential Other Woodlands. The Town's Official Plan Schedule C1 – Natural Heritage Features identifies Environmental Corridors, Provincially Significant Wetlands and Woodlot Over 2 Hectares on the subject lands. Schedule C1 – Natural Hazards and Fish Habitat identify several watercourses on

the subject lands including Fish Habitat.

Town Environmental Planning Staff have confirmed that the subject lands are impacted by Natural Heritage Features as noted above. An Environmental Impact Study (EIS) was completed in 2019 and mapped out the Natural Heritage features. Environmental Planning staff note that Part 1 does not contain any wetland areas and maintains a minimum buffer of 120.00 metres from all other wetland areas on the subject lands. Environmental Planning staff note that the subject property no longer meets the criteria for a Mineral Deciduous Woodland, as identified in the EIS, and therefore they have no objections to the proposed severance.

The Niagara Peninsula Conservation Authority (NPCA) have confirmed that the subject lands are impacted by NPCA-regulated features, including watercourses and their associated buffers, possible unevaluated wetlands and Provincially Significant Wetlands associated with the Frenchmans Creek Wetland Complex. The NPCA have reviewed the proposed Consent and there are no concerns with respect to Part 1 and NPCA-regulated features. Therefore the NPCA does not have any objections to the proposed severance. Future works will require NPCA review and may also require an NPCA Work Permit.

### **3.3. Planning Context**

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

Section 2 of the *Planning Act* requires the Committee of Adjustment to have regard for Provincial interests and the land division criteria outlined in Section 51(24).

The proposal to create one (1) new industrial lot is considered proper and orderly development without the need for a Plan of Subdivision pursuant to Section 51 of the *Planning Act*.

Section 3(5) of the *Planning Act* requires decisions to be consistent with the Provincial Policy Statement and Provincial plans.

Section 53(12) of the *Planning Act* requires that regard be given to the land division criteria under Section 51(24), such as matters of Provincial interest, health and safety, affordable housing, suitability and shape of the lot, roads and access.

The proposed consent application to create one (1) new lot for future industrial development of a promotes the efficient use of land and intensification within the Town's Built Boundary and provision of addition employment uses.

Town's Planning Staff are of the opinion that the proposal conforms to Sections 51 and 53 of the *Planning Act*.

#### Provincial Planning Statement (PPS), 2024 and Niagara Official Plan (NOP), 2022

The subject property is located within the Settlement Area in accordance with the PPS and the Built-up Area in the NOP. The lands are additionally identified as part of a Dynamic Employment Area (FE-2 International Peace Bridge Trade Hub) in the NOP. The proposed consent application to create one new industrial lot for future development of industrial uses support the Town's intensification targets and represents efficient use of existing municipal infrastructure and underutilized land in the Built-up Area. This proposal will also facilitate future employment

uses in a designated employment area. Therefore, it is the opinion of Planning Services that the proposed lot addition is consistent with the PPS and conforms to the NOP.

#### Town of Fort Erie Official Plan, 2021

Official Plan Land Use Designations: Environmental Conservation, in part, Environmental Protection, in part, and Industrial, in part.

Part 1 is located in a portion of the subject lands that are designated Industrial. The Industrial land use designation permits a range of industrial uses. Further, the Official Plan permits lot creation in the Urban Boundary that has access to municipal services.

Part 1 and Part 2 are impacted by several petroleum (natural gas) wells. It is noted that Schedule B – Mineral Aggregate and Petroleum Resources in the Official Plan identify the subject lands as being within a Petroleum Resource Area. Planning staff recommend requiring a Development Agreement as a condition of approval to address this.

It is noted that Part 1 is within an area with archaeological potential as identified on Schedule D – Cultural Heritage Archaeological Zones of Potential in the Official Plan. Planning staff recommend requiring a Development Agreement as a condition of approval to address archaeological concerns.

It is the opinion of Planning Services that the proposed Consent maintains the general and intent and purpose of the Town's Official Plan, provided any concerns regarding petroleum wells and archaeological concerns are adequately addressed by the requisite studies.

#### Comprehensive Zoning By-law No. 129-1990, as amended

Zoning: Environmental Conservation (EC) Overlay Zone, in part, Environmental Protection (EP) Zone, in part, Industrial (IN) Zone, in part, and Prestige Industrial (PI) Zone, in part.

The Industrial (IN) Zone requires a minimum lot frontage of 30.00 metres and a minimum lot area of 0.14 hectares. The Prestige Industrial (PI) Zone requires a minimum lot frontage of 38.00 metres and a minimum lot area of 0.40 hectares.

Planning staff note that the proposed lot frontage and lot area proposed for Part 1 and Part 2 exceed the minimum lot frontage requirements of the Industrial (IN) Zone and the Prestige Industrial (PI) Zone as outlined in Table 1 of this report. Future development on Part 1 will be subject to the permitted uses and regulations of the IN and PI zoning.

It is the opinion of Planning Staff that the proposed Consent complies with the Town's Zoning By-law.

## 4. Comments from Departments, Community and Corporate Partners

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### 4.1 External Agency Comments

#### Cogeco and Enbridge

No objections.

#### Ontario Ministry of Environment, Climate and Parks (MECP)

The MECP notes that the Owner is subject to an active Ministry Order regarding contamination associated with the existing industrial use including groundwater remediation efforts. Long-term monitoring of these efforts will be required for the foreseeable future. The Owner may require access to the severed part for monitoring purposes.

There may be additional Ministry approval requirements, including risk management measures, if the Consent proceeds. No Record of Site Condition (RSC) will be required provided future development is industrial.

#### Ontario Ministry of Transportation (MTO)

No objection, provided any future driveway entrance to Part 1 maintains a minimum distance of 125.00 metres from Spears Road North.

#### Niagara Peninsula Conservation Authority (NPCA)

The NPCA notes that the subject lands are impacted by several NPCA-regulated features, including watercourses and their buffers, possible unevaluated wetlands, and the Frenchmans Creek Provincially Significant Wetland Complex and its buffers. The NPCA notes that they have no objection to the proposed Consent as no regulated features, including unevaluated wetlands, impact Part 1.

#### Niagara Region

Niagara Region has requested several conditions related to engineering and technical matters. It is noted that the Region will request a road widening along Gilmore Road. The Region has requested the following:

1. That the owner dedicate a road widening to the Regional Municipality of Niagara along the frontage of Regional Road 19 prior to the issuance of a building permit, to the satisfaction of the Niagara Region Public Works Growth Management and Planning Division. All costs for providing the necessary survey plan and all related documents are the responsibility of the applicant.
2. The owner is advised that the proposed development does not meet Niagara Region's waste collection requirements and this service will be the responsibility of the owner through a private contractor and not the Niagara Region.
3. The agreement between the owner and the Town contain a provision whereby the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new

survey evidence is in place at the completion of the development.

#### *Staff Response*

*Planning staff have implemented these requests as part of a condition requiring a Development Agreement for Part 1.*

#### **4.2 Town Staff Comments**

##### Building Division, Fort Erie Fire Department, Landscape Architect

No objections.

##### Community Planning

That the Owner/Applicant, at their own expense, obtains and submits an appraisal for the purposes of payment of cash-in-lieu of parkland dedication, by a qualified appraiser, which is to be based on the fair market value of Part 1, to the satisfaction of the Town; and that the Owner/Applicant pays to the Town a cash-in-lieu of parkland dedication, which shall be 2% of the appraised value of Part 1.

#### *Staff Response*

*An appraisal and payment of 2% cash-in-lieu of parkland dedication for Part 1 are included as conditions of approval for this Consent application.*

##### Development Engineering

Gilmore Road is designated a Regional road as per Town's current Official Plan. Any widenings or other requirements will be at the Region's discretion.

Spears Road North is designated as a Local road as per the Town's current Official Plan, with a desired right-of-way width of 20.0m. Its current width is 20.0m, therefore a road widening will not be required as a condition of this consent application.

The subject lands have access to Town municipal services (water and sanitary sewer).

The following conditions are requested:

1. Please be advised that any installation/extension of underground infrastructure (WTM, SAN, STM) within the Town's right-of-way will require a Development Servicing Agreement be entered into, with the Town of Fort Erie, for the design and installation of the mains/sewer, to the satisfaction of the Town. The Owner/Developer shall be responsible for all costs associated with the preparation and registration of the Development Servicing Agreement on title of the lands, permits, approvals, and all associated design, construction, removals, and restoration costs associated, as a condition of severance.
2. Town staff will require a Functional Servicing Report (FSR) identifying the existing services, their size, material, capacity and if they are being proposed for re-use for the development site. Confirmation is required that sizing, material, location, capacity etc. proposed for re-use are in suitable condition and meet Town standards and requirements. Verification and



calculations shall be provided for all servicing and design shall be in accordance with Niagara Region's 2021 Water and Wastewater Master Servicing Plan Update, Volume 3, dated June 22, 2023. The FSR shall also provide all required information and flow rates to confirm downstream sewers have sufficient capacity to receive the additional flows and meet the demands for the proposed development site.

3. Town staff will require a Site Servicing Plan showing both the existing and proposed site services for water, storm and sanitary. The plan is to include location, size, material, inverts, etc. from the municipal main to the building face for all services.

### *Staff Response*

*Planning staff have implemented these requests as part of a condition requiring a Development Agreement for Part 1.*

### Environmental Planning

The subject lands are located within the Town's Urban Boundary. There are Natural Heritage features present, including a Provincially Significant Wetland in the eastern portion of the lands and an unevaluated wetland that was identified in an Environmental Impact Study prepared by Ecological and Environmental Solutions (2019). The proposed severance does not cross through either wetland and is located over 120m from each identified wetland. At the time the Environmental Impact Study was completed the Ecological Land Classification identified a Mineral Deciduous Woodland and a Mineral Deciduous Thicket, however since the time the EIS was completed there were several trees removed, (with permission from the Town of Fort Erie) and the land classification would no longer meet the definition of a Mineral Deciduous Woodland. As such, environmental planning staff have no objections to the proposed severance.

The subject lands are subject to the Town's Tree By-law 33-2024. If any trees over 10cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (GALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

### Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, GALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.I of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.
3. That the Applicant/Owner make payment in the amount of \$1,000.00 to the Town of Fort Erie

for a boulevard street tree. The Tree will be placed on the road allowance frontage if it is practical to do so, otherwise the tree will be planted elsewhere in the Town to enhance the Tree Canopy Cover.

Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-I of By-law 33- 2024.

#### *Staff Response*

*Planning staff have implemented the requests for a Tree Protection Plan and a Landscape Plan as part of a condition requiring a Development Agreement for Part 1. These items are a bit premature at this stage as there are no development plans available for Part 1 at this time. Payment of \$1,000.00 for a street tree has been added as a condition of approval of this Consent.*

#### Infrastructure Services

Please be advised that the Gilmore Road sanitary sewer has limited capacity. A Functional Servicing Report (FSR) will be needed with any site plan or building permit application on the subject lands so that we can evaluate impacts to municipal infrastructure.

The Town will have more information on available sewer capacity as we complete the wastewater masterplan in 2026.

No specific comments or objections to the proposed consent.

#### *Staff Response*

*Planning Staff note that Development Engineering Staff have requested an FSR. It will be required as part of a Development Agreement for Part 1.*

### **4.3 Public Comments**

At the time of the writing of this report written comments were submitted by two members of the public. One requested that they be notified of all updates of this proposal. A letter was also submitted by another industrial use in the area, Airbus Helicopters Canada, located at 1100 Gilmore Road. Planning staff will address this letter below.

#### 1100 Gilmore Road

Airbus Helicopters Canada does not object to the proposed severance but notes that Part 1 and Part 2 are impacted by a helicopter flight path. The letter states that the flight path cannot be modified. The flight path may impact the subject lands with noise and potentially building height.

#### *Staff Response*

*Planning staff recommend a Development Agreement with the Town for Part 1 to ensure there are no issues with future development and the existing flight path.*

## **5. Conclusion**

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Based on the above analysis, Planning Services Staff recommend **APPROVAL** of Consent Application B46/24, subject to the recommended conditions.

## **6. Report Approval**

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Prepared by:  
Daryl Vander Veen  
Intermediate Development Planner

Reviewed and Submitted by:  
Devon Morton, MCIP, RPP  
Supervisor of Development Approvals

## **7. Attachments**

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Appendix 1 – Consent Sketch

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**Re: Request for comments - 1011 Gilmore Road, Fort Erie**

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**From** Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>

**Date** Wed 2025-04-02 4:29 PM

**To** Helie Upadhyay <HUpadhyay@forterie.ca>; Abby LaForme <abby.laforme@mncfn.ca>; andrew.carrigan@canadapost.postescanada.ca <andrew.carrigan@canadapost.postescanada.ca>; caitlin.goodale@niagararegion.ca <caitlin.goodale@niagararegion.ca>; devon.haluka@niagararegion.ca <devon.haluka@niagararegion.ca>; devtplanningapplications@niagararegion.ca <devtplanningapplications@niagararegion.ca>; doug.crown@cogeco.com <doug.crown@cogeco.com>; jake.mcgowan@niagararegion.ca <jake.mcgowan@niagararegion.ca>; janet.sperling@ontario.ca <janet.sperling@ontario.ca>; jennifer.olah@ontario.ca <jennifer.olah@ontario.ca>; Kartiki Sharma <ksharma@npca.ca>; matthew.prestinaci@ontario.ca <matthew.prestinaci@ontario.ca>; Mike.embleton <Mike.embleton@cogeco.com>; municipalnotices@enbridge.com <municipalnotices@enbridge.com>; neave.constantine@ontario.ca <neave.constantine@ontario.ca>; newdevelopment@rci.rogers.com <newdevelopment@rci.rogers.com>; planning@dsbn.org <planning@dsbn.org>; planning@ncdsb.com <planning@ncdsb.com>; planninganddevelopment@bell.ca <planninganddevelopment@bell.ca>; planninginfo@npca.ca <planninginfo@npca.ca>

Good Afternoon Helie,

Thank you for the opportunity to review the revised consent application for 1011 Gilmore Road.

The property is zoned as Industrial (IN) Zone, Prestige Industrial (PI) Zone, Environmental Protection (EP) Zone, and Environmental Conservation (EC) Overlay Zone. The proposed severance line remains outside of the EP and EC Overlay Zones.

**Lot Details:**

	PART 1	PART 2
Lot Frontage	Approx. 432 m	Approx. 766 m
Lot Area	26.54 ha	30.29 ha

The proposed severance will result in a lot with split zoning (IN and PI). As per **Section 6.15(b)(iii)** of the Zoning By-law:

*"Notwithstanding anything to the contrary in Paragraph (i) of this Clause, where the use of a lot divided into two or more zones is permitted in all such zones, the said lot shall be considered a single lot as defined herein, and the highest or most restrictive zone requirements pertaining to such use or uses in all the said zones shall apply throughout the lot."*

Additionally:

- The remains of the decommissioned asphalt driveway from Part 1 (newly created lot) need to be removed.

- The side yard setback from the newly created west property line to the existing building is approximately 103 m, which provides a sufficient buffer for an industrial property.

Please let me know if you require any further details.

**Kind Regards,**

**Mohammad Kamruzzaman, CPT**

Zoning Technician

**Town of Fort Erie**

Planning and Development Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2521

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---

**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:10 PM

**To:** Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; doug.crown@cogeco.com; jake.mcgowan@niagararegion.ca; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; Kartiki Sharma; matthew.prestinaci@ontario.ca; Mike.embleton; municipalnotices@enbridge.com; neave.constantine@ontario.ca; newdevelopment@rci.rogers.com; planning@dsbn.org; planning@ncdsb.com; planninganddevelopment@bell.ca; planninginfo@npca.ca; ppearson@npca.ca; Rachel Adamsky; real\_estatecanada@cpr.ca; rowcentre@bell.ca; smastroianni@npca.ca; susan.dunsmore@niagararegion.ca; tlennard@npca.ca; Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Lisa.benvenuti@ontario.ca; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Jessica Goodings; Mark Schmitt; Sidin, Alex; carol-ann.chase@airbus.com

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025**.

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

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---

**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; [andrew.carrigan@canadapost.postescanada.ca](mailto:andrew.carrigan@canadapost.postescanada.ca); [caitlin.goodale@niagararegion.ca](mailto:caitlin.goodale@niagararegion.ca); [devon.haluka@niagararegion.ca](mailto:devon.haluka@niagararegion.ca); [devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca); [doug.crown@cogeco.com](mailto:doug.crown@cogeco.com); [jake.mcgowan@niagararegion.ca](mailto:jake.mcgowan@niagararegion.ca); [janet.sperling@ontario.ca](mailto:janet.sperling@ontario.ca); [jennifer.olah@ontario.ca](mailto:jennifer.olah@ontario.ca); Kartiki Sharma; [matthew.prestinaci@ontario.ca](mailto:matthew.prestinaci@ontario.ca); Mike.embleton; [municipalnotices@enbridge.com](mailto:municipalnotices@enbridge.com); [neave.constantine@ontario.ca](mailto:neave.constantine@ontario.ca); [newdevelopment@rci.rogers.com](mailto:newdevelopment@rci.rogers.com); [planning@dsbn.org](mailto:planning@dsbn.org); [planning@ncdsb.com](mailto:planning@ncdsb.com); [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca); [planninginfo@npca.ca](mailto:planninginfo@npca.ca); [pleithwood@npca.ca](mailto:pleithwood@npca.ca); [ppearson@npca.ca](mailto:ppearson@npca.ca); Rachel Adamsky; [real\\_estatecanada@cpr.ca](mailto:real_estatecanada@cpr.ca); [rowcentre@bell.ca](mailto:rowcentre@bell.ca); [smastroianni@npca.ca](mailto:smastroianni@npca.ca); [susan.dunsmore@niagararegion.ca](mailto:susan.dunsmore@niagararegion.ca); [tlennard@npca.ca](mailto:tlennard@npca.ca); Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

## Helie Upadhyay

Planning Technician

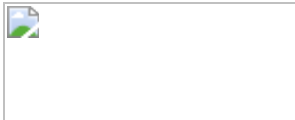
### Town of Fort Erie

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## Interoffice Memorandum

File No.: B46-24  
Date: October 15, 2024

**To:** Devon Morton, Supervisor of Development Approvals  
**From:** Taylor Boyle, Project Manager, Development Engineering  
**RE:** PDS Engineering Comments for Committee of Adjustment  
**Address:** 1011 Gilmore Road

### MUNICIPAL SERVICES

	Gilmore Road (RMON)	Spears Road N (TOFE)
<b>Watermain:</b>	400mm dia. A.C. (TOFE)	400mm dia. PVC (RMON)
<b>Sanitary Sewer:</b>	450 mm dia. A.C. (TOFE)	None
<b>Storm Sewer:</b>	None	None

### Roads

Gilmore Road is designated a Regional road as per Town's current Official Plan. Any widenings or other requirements will be at the Region's discretion.

Spears Road North is designated as a Local road as per the Town's current Official Plan, with a desired right-of-way width of 20.0m. Its current width is 20.0m, therefore a road widening will not be required as a condition of this consent application.

Town of Fort Erie Development Engineering Staff have reviewed the above noted application and supporting documentation to address the technical concerns regarding the submitted consent application. Application is made for the purpose of creating a new lot.

### Development Engineering Staff offer the following comments:

1. Please be advised that any installation/extension of underground infrastructure (WTM, SAN, STM) within the Town's right-of-way will require a Development Servicing Agreement be entered into, with the Town of Fort Erie, for the design and installation of the mains/sewer, to the satisfaction of the Town. The Owner/Developer shall be responsible for all costs associated with the preparation and registration of the Development Servicing Agreement on title of the lands, permits, approvals, and all associated design, construction, removals, and restoration costs associated, as a condition of severance.

### Development Engineering Staff offer the following conditions:

As a condition of the Consent application, the Owner shall:

1. Town staff will require a **Functional Servicing Report (FSR)** identifying the existing services, their size, material, capacity and if they are being proposed for re-use for the development site. Confirmation that sizing, material, location, capacity etc. proposed for re-use are in suitable condition and meet Town standards and requirements. Verification and calculations shall be provided for all servicing and design shall be in accordance with Niagara Region's 2021 Water and Wastewater Master Servicing Plan Update, Volume 3, dated June 22, 2023. The FSR shall also provide all required information and flow rates to confirm downstream sewers have sufficient capacity to receive the additional flows and meet the demands for the proposed development site.



2. Town staff will require a **Site Servicing Plan** showing both the existing and proposed site services for water, storm and sanitary. The plan is to include location, size, material, inverts, etc. from the municipal main to the building face for all services.

Prepared by: Taylor Boyle, C. Tech., rcsi  
Project Manager, Development Engineering

- c. Noah Thompson, PDS  
Curtis Thompson, PDS  
Mark Iamarino, PDS  
Keegan Gennings, PDS  
Jordan Frost, IS  
Jessica Goodings, Fire Services

---

**Re: Request for comments - 1011 Gilmore Road, Fort Erie**

---

**From** Keegan Gennings <KGennings@forterie.ca>

**Date** Wed 2025-04-30 11:56 AM

**To** Helie Upadhyay <HUpadhyay@forterie.ca>

Hi Helie,

I have no comments concerning the revised application.

Regards,

Keegan Gennings C.B.C.O.  
Manager of Building and By-Law/ CBO  
Town of Fort Erie  
(905)871-1600 ext 2515

---

**From:** Helie Upadhyay <HUpadhyay@forterie.ca>

**Sent:** April 2, 2025 2:10 PM

**To:** Abby LaForme <abby.laforme@mncfn.ca>; andrew.carrigan@canadapost.postescanada.ca <andrew.carrigan@canadapost.postescanada.ca>; caitlin.goodale@niagararegion.ca <caitlin.goodale@niagararegion.ca>; devon.haluka@niagararegion.ca <devon.haluka@niagararegion.ca>; devtplanningapplications@niagararegion.ca <devtplanningapplications@niagararegion.ca>; doug.crown@cogeco.com <doug.crown@cogeco.com>; jake.mcgowan@niagararegion.ca <jake.mcgowan@niagararegion.ca>; janet.sperling@ontario.ca <janet.sperling@ontario.ca>; jennifer.olah@ontario.ca <jennifer.olah@ontario.ca>; Kartiki Sharma <ksharma@npca.ca>; matthew.prestinaci@ontario.ca <matthew.prestinaci@ontario.ca>; Mike.embleton <Mike.embleton@cogeco.com>; municipalnotices@enbridge.com <municipalnotices@enbridge.com>; neave.constantine@ontario.ca <neave.constantine@ontario.ca>; newdevelopment@rci.rogers.com <newdevelopment@rci.rogers.com>; planning@dsbn.org <planning@dsbn.org>; planning@ncdsb.com <planning@ncdsb.com>; planninganddevelopment@bell.ca <planninganddevelopment@bell.ca>; planninginfo@npca.ca <planninginfo@npca.ca>; ppearson@npca.ca <ppearson@npca.ca>; Rachel Adamsky <radamsky@niagaraparks.com>; real\_estatecanada@cpr.ca <real\_estatecanada@cpr.ca>; rowcentre@bell.ca <rowcentre@bell.ca>; smastroianni@npca.ca <smastroianni@npca.ca>; susan.dunsmore@niagararegion.ca <susan.dunsmore@niagararegion.ca>; tlennard@npca.ca <tlennard@npca.ca>; Ali, Usama (MTO) <usama.ali@ontario.ca>; Escobar, Valentina <valentina.escobar@niagararegion.ca>; Keegan Gennings <KGennings@forterie.ca>; Lisa.benvenuti@ontario.ca <Lisa.benvenuti@ontario.ca>; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberlyn Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Jessica Goodings

<JGoodings@forterie.ca>; Mark Schmitt <MSchmitt@forterie.ca>; Sidin, Alex <Alex.Sidin@cnpower.com>; carol-ann.chase@airbus.com <carol-ann.chase@airbus.com>

**Cc:** Devon Morton <DMorton@forterie.ca>

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025**.

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

[forterie.ca](http://forterie.ca) | [HUpadhyay@forterie.ca](mailto:HUpadhyay@forterie.ca)



---

**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; doug.crown@cogeco.com; jake.mcgowan@niagararegion.ca; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; Kartiki Sharma; matthew.prestinaci@ontario.ca; Mike.embleton; municipalnotices@enbridge.com; neave.constantine@ontario.ca; newdevelopment@rci.rogers.com; planning@dsbn.org; planning@ncdsb.com; planninganddevelopment@bell.ca; planninginfo@npca.ca; pleithwood@npca.ca; ppearson@npca.ca; Rachel Adamsky; real\_estatecanada@cpr.ca; rowcentre@bell.ca; smastroianni@npca.ca; susan.dunsmore@niagararegion.ca; tlennard@npca.ca; Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert

Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

**Helie Upadhyay**

Planning Technician

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---

## May COA Comments

---

From Zachary George <ZGeorge@forterie.ca>

Date Tue 4/29/2025 3:27 PM

To Carleigh Ricci <CRicci@forterie.ca>

### **0-5866 Neva**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **393 Oakwood**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Based on the drawing provided by the applicant it appears that the proposed work does not require tree removal, nor are there any effected trees on site.

### **532 Ridgeway**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

### **913 Centralia**

The subject property is not located within the Town's Urban Boundary and is not within Natural Heritage system. There are no Natural Heritage features present. The Town's tree bylaw does not apply to this property. There are no further environmental comments.

### **179 Garrison**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether the 3 trees at the northern end of the property will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

#### **247 Ridge Road North**

The subject property is located within the Town's Urban Boundary but is not within Natural Heritage system. There are no Natural Heritage features present. The lands are subject to the Town's tree By-law 33-2024. If any trees over 30 cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

Conditions:

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.

**Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

## **1011 Gilmore**

The subject property is located within the Town's Urban Boundary. There are Natural Heritage features present, including a Provincially Significant Wetland in the eastern portion of the lands and an unevaluated wetland that was identified in an Environmental Impact Study prepared by Ecological and Environmental Solutions (2019). The proposed severance does not cross through either wetland and is located over 120m from each identified wetland. At the time the Environmental Impact Study was completed the Ecological Land Classification identified a Mineral Deciduous Woodland and a Mineral Deciduous Thicket, however since the time the EIS was completed there were several trees removed, (with permission from the Town of Fort Erie) and the land classification would no longer meet the definition of a Mineral Deciduous Woodland. As such, environmental planning staff have no objections to the proposed severance.

The lands are subject to the Town's tree By-law 33-2024. If any trees over 10cm DBH are proposed to be removed from the lands, the subsequent removal application must be accompanied by a Tree Protection Plan, an Arborist report (ISA Certified Arborist or per the Town's definition in the By-law) and a Landscape Plan (OALA in good standing).

Town staff request a Tree Protection Plan as it is unclear as to whether trees will be required to be removed or if there are tree roots that may be impacted by construction that may need protection from Tree Protection Fencing.

### **Conditions:**

1. That the owner/applicant submit a Tree Preservation Plan prepared by a qualified arborist in accordance with the Town's (Tree) By-law No. 33-2024, as amended, to the satisfaction of the Town.
2. That the owner/applicant submit a Landscape Plan prepared by a qualified person, OALA in good standing or equivalent, demonstrating the re-planting using compensation ratios per Table B.1 of (Tree) By-law No. 33-2024, or payment of cash-in-lieu at the prevailing rate, to the satisfaction of the Town.
3. That the Applicant/Owner make payment in the amount of \$1000.00 to the Town of Fort Erie for a boulevard street tree. The Tree will be placed on the road allowance frontage if it is practical to do so, otherwise the tree will be planted elsewhere in the Town to enhance the Tree Canopy Cover.

### **Per the Council Approved 2025 Consolidated Schedule of Fees, the following fees will apply to this application:**

Tree Protection Plan Review Fee - \$500 and any compensation requirements per Table B-1 of By-law 33-2024.

**Zach George**

Junior Environmental Planner

**Town of Fort Erie**



Planning and Development Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2536

[forterie.ca](http://forterie.ca) | [zgeorge@forterie.ca](mailto:zgeorge@forterie.ca)



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**Re: Request for comments - 1011 Gilmore Road, Fort Erie**

---

**From** Jessica Goodings <JGoodings@forterie.ca>

**Date** Mon 2025-04-07 8:06 AM

**To** Helie Upadhyay <HUpadhyay@forterie.ca>

Good morning Helie,

The Fire Department has no comments or concerns at this time.

Thank you,

**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](https://www.forterie.ca) | [jgoodings@forterie.ca](mailto:jgoodings@forterie.ca)



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**From:** Helie Upadhyay <HUpadhyay@forterie.ca>

**Sent:** Wednesday, April 2, 2025 2:10 PM

**To:** Abby LaForme <abby.laforme@mncfn.ca>; andrew.carrigan@canadapost.postescanada.ca <andrew.carrigan@canadapost.postescanada.ca>; caitlin.goodale@niagararegion.ca <caitlin.goodale@niagararegion.ca>; devon.haluka@niagararegion.ca <devon.haluka@niagararegion.ca>; devtplanningapplications@niagararegion.ca <devtplanningapplications@niagararegion.ca>; doug.crown@cogeco.com <doug.crown@cogeco.com>; jake.mcgowan@niagararegion.ca <jake.mcgowan@niagararegion.ca>; janet.sperling@ontario.ca <janet.sperling@ontario.ca>; jennifer.olah@ontario.ca <jennifer.olah@ontario.ca>; Kartiki Sharma <ksharma@npca.ca>; matthew.prestinaci@ontario.ca <matthew.prestinaci@ontario.ca>; Mike.embleton <Mike.embleton@cogeco.com>; municipalnotices@enbridge.com <municipalnotices@enbridge.com>; neave.constantine@ontario.ca <neave.constantine@ontario.ca>; newdevelopment@rci.rogers.com <newdevelopment@rci.rogers.com>; planning@dsbn.org <planning@dsbn.org>; planning@ncdsb.com <planning@ncdsb.com>; planninganddevelopment@bell.ca <planninganddevelopment@bell.ca>; planninginfo@npca.ca <planninginfo@npca.ca>; ppearson@npca.ca <ppearson@npca.ca>; Rachel Adamsky <radamsky@niagaraparks.com>; real\_estatecanada@cpr.ca <real\_estatecanada@cpr.ca>; rowcentre@bell.ca

<rowcentre@bell.ca>; smastroianni@npca.ca <smastroianni@npca.ca>; susan.dunsmore@niagararegion.ca <susan.dunsmore@niagararegion.ca>; tlennard@npca.ca <tlennard@npca.ca>; Ali, Usama (MTO) <usama.ali@ontario.ca>; Escobar, Valentina <valentina.escobar@niagararegion.ca>; Keegan Gennings <KGennings@forterie.ca>; Lisa.benvenuti@ontario.ca <Lisa.benvenuti@ontario.ca>; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberlyn Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Jessica Goodings <JGoodings@forterie.ca>; Mark Schmitt <MSchmitt@forterie.ca>; Sidin, Alex <Alex.Sidin@cnpower.com>; carol-ann.chase@airbus.com <carol-ann.chase@airbus.com>

**Cc:** Devon Morton <DMorton@forterie.ca>

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025**.

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

[forterie.ca](http://forterie.ca) | [HUpadhyay@forterie.ca](mailto:HUpadhyay@forterie.ca)



**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; doug.crown@cogeco.com; jake.mcgowan@niagararegion.ca; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; Kartiki Sharma; matthew.prestinaci@ontario.ca; Mike.embleton; municipalnotices@enbridge.com; neave.constantine@ontario.ca; newdevelopment@rci.rogers.com; planning@dsbn.org; planning@ncdsb.com; planninganddevelopment@bell.ca; planninginfo@npca.ca; pleithwood@npca.ca; ppearson@npca.ca; Rachel Adamsky; real\_estatecanada@cpr.ca; rowcentre@bell.ca; smastroianni@npca.ca; susan.dunsmore@niagararegion.ca; tlennard@npca.ca; Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberly Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

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**IS comments - 1011 Gilmore Road, B46-24**

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**From** Robert Judd <RJudd@forterie.ca>  
**Date** Thu 2025-04-24 2:56 PM  
**To** Helie Upadhyay <HUpadhyay@forterie.ca>  
**Cc** Taylor Boyle <TBoyle@forterie.ca>

Hello Helie,

For information, please be advised that the Gilmore Road sanitary sewer has limited capacity. A Functional Servicing Report will be needed with any site plan or building permit application on the subject lands so that we can evaluate impacts to municipal infrastructure.

We will have more information on available sewer capacity as we complete the wastewater masterplan in 2026

No specific comments or objections to the proposed consent.

**Robert D. Judd, P.Eng.**

Municipal Engineer - Infrastructure Renewal

**Town of Fort Erie**

**Infrastructure Services, Engineering Division**

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2412

[forterie.ca](http://forterie.ca) | [rjudd@forterie.ca](mailto:rjudd@forterie.ca)



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**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:10 PM

**To:** Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; doug.crown@cogeco.com; jake.mcgowan@niagararegion.ca; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; Kartiki Sharma; matthew.prestinaci@ontario.ca; Mike.embleton; municipalnotices@enbridge.com; neave.constantine@ontario.ca; newdevelopment@rci.rogers.com; planning@dsbn.org; planning@ncdsb.com; planninganddevelopment@bell.ca; planninginfo@npca.ca; ppearson@npca.ca; Rachel Adamsky; real\_estatecanada@cpr.ca; rowcentre@bell.ca; smastroianni@npca.ca; susan.dunsmore@niagararegion.ca; tlennard@npca.ca; Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Lisa.benvenuti@ontario.ca; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton;

Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Jessica Goodings; Mark Schmitt; Sidin, Alex; carol-ann.chase@airbus.com

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

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We are requesting comments on this proposal by **Friday, April 18, 2025**.

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

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---

**Re: Request for comments - 1011 Gilmore Road, Fort Erie**

---

**From** Kimberlyn Smith <KSmith@forterie.ca>  
**Date** Fri 2025-04-04 9:07 AM  
**To** Helie Upadhyay <HUpadhyay@forterie.ca>

Hi Helie,

Please see my comment below for the subject application:

That the owner/applicant, at their own expense, obtains and submits an appraisal for the purposes of payment of cash-in-lieu of parkland dedication, by a qualified appraiser, which is to be based on the fair market value of Part 1, to the satisfaction of the Town; and that the owner/applicant pays to the Town a cash-in-lieu of parkland dedication, which shall be 2% of the appraised value of Part 1.

Thank you,

**Kimberlyn Smith**  
Junior Community Planner

**Town of Fort Erie**  
Planning, Building and By-Law Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2508  
[forterie.ca](http://forterie.ca) | [ksmith@forterie.ca](mailto:ksmith@forterie.ca)



---

**From:** Helie Upadhyay <HUpadhyay@forterie.ca>  
**Sent:** April 2, 2025 2:10 PM  
**To:** Abby LaForme <abby.laforme@mncfn.ca>; andrew.carrigan@canadapost.postescanada.ca <andrew.carrigan@canadapost.postescanada.ca>; caitlin.goodale@niagararegion.ca <caitlin.goodale@niagararegion.ca>; devon.haluka@niagararegion.ca <devon.haluka@niagararegion.ca>; devtplanningapplications@niagararegion.ca <devtplanningapplications@niagararegion.ca>; doug.crown@cogeco.com <doug.crown@cogeco.com>; jake.mcgowan@niagararegion.ca <jake.mcgowan@niagararegion.ca>; janet.sperling@ontario.ca <janet.sperling@ontario.ca>; jennifer.olah@ontario.ca <jennifer.olah@ontario.ca>; Kartiki Sharma <ksharma@npca.ca>; matthew.prestinaci@ontario.ca <matthew.prestinaci@ontario.ca>; Mike.embleton <Mike.embleton@cogeco.com>; municipalnotices@enbridge.com <municipalnotices@enbridge.com>; neave.constantine@ontario.ca <neave.constantine@ontario.ca>; newdevelopment@rci.rogers.com <newdevelopment@rci.rogers.com>; planning@dsbn.org <planning@dsbn.org>; planning@ncdsb.com

<planning@ncdsb.com>; planninganddevelopment@bell.ca <planninganddevelopment@bell.ca>;  
planninginfo@npca.ca <planninginfo@npca.ca>; ppearson@npca.ca <ppearson@npca.ca>; Rachel Adamsky  
<radamsky@niagaraparks.com>; real\_estatecanada@cpr.ca <real\_estatecanada@cpr.ca>; rowcentre@bell.ca  
<rowcentre@bell.ca>; smastroianni@npca.ca <smastroianni@npca.ca>; susan.dunsmore@niagararegion.ca  
<susan.dunsmore@niagararegion.ca>; tlennard@npca.ca <tlennard@npca.ca>; Ali, Usama (MTO)  
<usama.ali@ontario.ca>; Escobar, Valentina <valentina.escobar@niagararegion.ca>; Keegan Gennings  
<KGennings@forterie.ca>; Lisa.benvenuti@ontario.ca <Lisa.benvenuti@ontario.ca>; Nadean Reichelt  
<NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd  
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Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen  
<DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Jessica Goodings  
<JGoodings@forterie.ca>; Mark Schmitt <MSchmitt@forterie.ca>; Sidin, Alex <Alex.Sidin@cnpower.com>; carol-  
ann.chase@airbus.com <carol-ann.chase@airbus.com>

**Cc:** Devon Morton <DMorton@forterie.ca>

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025**.

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

[forterie.ca](http://forterie.ca) | [HUpadhyay@forterie.ca](mailto:HUpadhyay@forterie.ca)





---

**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; andrew.carrigan@canadapost.postescanada.ca; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; doug.crown@cogeco.com; jake.mcgowan@niagararegion.ca; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; Kartiki Sharma; matthew.prestinaci@ontario.ca; Mike.embleton; municipalnotices@enbridge.com; neave.constantine@ontario.ca; newdevelopment@rci.rogers.com; planning@dsbn.org; planning@ncdsb.com; planninganddevelopment@bell.ca; planninginfo@npca.ca; pleithwood@npca.ca; ppearson@npca.ca; Rachel Adamsky; real\_estatecanada@cpr.ca; rowcentre@bell.ca; smastroianni@npca.ca; susan.dunsmore@niagararegion.ca; tlennard@npca.ca; Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

[forterie.ca](https://forterie.ca) | [HUpadhyay@forterie.ca](mailto:HUpadhyay@forterie.ca)



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**Re: Request for Comments - Committee of Adjustment Hearing - May 15, 2025**

---

From Kathryn Strachan <KStrachan@forterie.ca>

Date Mon 4/28/2025 4:20 PM

To Carleigh Ricci <CRicci@forterie.ca>

Cc Edward Terry <ETerry@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>

Hi Carleigh,

Please see the landscape comments below:

**0-5866 Neva Road**

No Comments

**393 Oakwood Ave**

No Comments

**532 Ridgeway Road**

No Comments

**913 Centralia Ave**

No Comments

**179 Garrison Road**

Landscaped areas should include amenities for residents, benches, tables etc.

Landscape along Garrison should follow the Fort Erie International Gateway – Garrison Road Design Guidelines

**247 Ridge Road**

No Comments

**1011 Gilmore Road**

No Comments

**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

---

**RE: Request for comments - 1011 Gilmore Road, Fort Erie**

---

**From** Escobar, Valentina <Valentina.Escobar@niagararegion.ca>

**Date** Fri 2025-04-04 11:23 AM

**To** Helie Upadhyay <HUpadhyay@forterie.ca>

**Cc** Wilson, Josh <Josh.Wilson@niagararegion.ca>; susan.dunsmore@niagararegion.ca  
<susan.dunsmore@niagararegion.ca>; Devon Morton <DMorton@forterie.ca>

 1 attachment (885 KB)

1011 Gilmore Road - Consent Application - Regional comments;

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

Hi Helie,

Attaching our previous response to the Consent application, engineering and technical comments remain applicable as noted in the letter. Staff advise pursuant to the Planning Act, as of March 31, 2025, Niagara Region is an upper-tier municipality without planning responsibilities. The council of an upper-tier municipality, on conditions agreed upon with the council of a lower municipality, may provide advice and assistance to lower-tier municipalities in respect of planning matters generally. Niagara Region has not entered into any service level agreement to continue providing planning support and advice to the Town of Fort Erie.

As such, please note that the “Provincial and Regional Policies”, “Archaeological Potential”, “Gas Wells” and “Natural Heritage” sections of the comment letter were only included only due to the letter being drafted prior to March 31, 2025. Town staff should be satisfied that the proposal is consistent with the PPS and conforms to the NOP policies.

Please note comments related to regional infrastructure and waste collection must be addressed in accordance with the Memorandum of Understanding (MOU) for Engineering Services between the Region and the Town.

Kind regards,



**Valentina Escobar**  
Development Planner

Niagara Region, 1815 Sir Isaac Brock Way,  
Thorold, ON, L2V 4T7

**P:** (905) 980-6000 ext. 3352

**W:** [www.niagararegion.ca](http://www.niagararegion.ca)

**E:** [Valentina.Escobar@niagararegion.ca](mailto:Valentina.Escobar@niagararegion.ca)

**From:** Helie Upadhyay <[HUpadhyay@forterie.ca](mailto:HUpadhyay@forterie.ca)>

**Sent:** Wednesday, April 2, 2025 2:11 PM

**To:** Abby LaForme <[abby.laforme@mncfn.ca](mailto:abby.laforme@mncfn.ca)>; [andrew.carrigan@canadapost.postescanada.ca](mailto:andrew.carrigan@canadapost.postescanada.ca); Goodale, Caitlin <[Caitlin.Goodale@niagararegion.ca](mailto:Caitlin.Goodale@niagararegion.ca)>; Haluka, Devon <[Devon.Haluka@niagararegion.ca](mailto:Devon.Haluka@niagararegion.ca)>; Development Planning Applications <[devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca)>; [doug.crown@cogeco.com](mailto:doug.crown@cogeco.com); McGowan, Jake <[Jake.McGowan@niagararegion.ca](mailto:Jake.McGowan@niagararegion.ca)>; [janet.sperling@ontario.ca](mailto:janet.sperling@ontario.ca); [jennifer.olah@ontario.ca](mailto:jennifer.olah@ontario.ca); Kartiki Sharma <[ksharma@npca.ca](mailto:ksharma@npca.ca)>; [matthew.prestinaci@ontario.ca](mailto:matthew.prestinaci@ontario.ca); Mike.embleton <[Mike.embleton@cogeco.com](mailto:Mike.embleton@cogeco.com)>; [municipalnotices@enbridge.com](mailto:municipalnotices@enbridge.com); [neave.constantine@ontario.ca](mailto:neave.constantine@ontario.ca); [newdevelopment@rci.rogers.com](mailto:newdevelopment@rci.rogers.com); [planning@dsbn.org](mailto:planning@dsbn.org); [planning@ncdsb.com](mailto:planning@ncdsb.com); [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca); [planninginfo@npca.ca](mailto:planninginfo@npca.ca); [ppearson@npca.ca](mailto:ppearson@npca.ca); Rachel Adamsky <[radamsky@niagaraparks.com](mailto:radamsky@niagaraparks.com)>; [real\\_estatecanada@cpr.ca](mailto:real_estatecanada@cpr.ca); [rowcentre@bell.ca](mailto:rowcentre@bell.ca); [smastroianni@npca.ca](mailto:smastroianni@npca.ca); Dunsmore, Susan <[Susan.Dunsmore@niagararegion.ca](mailto:Susan.Dunsmore@niagararegion.ca)>; [tlennard@npca.ca](mailto:tlennard@npca.ca); Ali, Usama (MTO) <[usama.ali@ontario.ca](mailto:usama.ali@ontario.ca)>; Escobar, Valentina <[Valentina.Escobar@niagararegion.ca](mailto:Valentina.Escobar@niagararegion.ca)>; Keegan Gennings <[KGennings@forterie.ca](mailto:KGennings@forterie.ca)>; [Lisa.benvenuti@ontario.ca](mailto:Lisa.benvenuti@ontario.ca); Nadean Reichelt <[NReichelt@forterie.ca](mailto:NReichelt@forterie.ca)>; Taylor Boyle <[TBoyle@forterie.ca](mailto:TBoyle@forterie.ca)>; Jordan Frost <[JFrost@forterie.ca](mailto:JFrost@forterie.ca)>; Robert Judd <[RJudd@forterie.ca](mailto:RJudd@forterie.ca)>; Yashesh Gandhi <[YGandhi@forterie.ca](mailto:YGandhi@forterie.ca)>; Edward Terry <[ETerry@forterie.ca](mailto:ETerry@forterie.ca)>; Aaron Hair <[ahair@forterie.ca](mailto:ahair@forterie.ca)>; Breanna Antonio <[BAntonio@forterie.ca](mailto:BAntonio@forterie.ca)>; Kimberlyn Smith <[KSmith@forterie.ca](mailto:KSmith@forterie.ca)>; Elizabeth Latif <[ELatif@forterie.ca](mailto:ELatif@forterie.ca)>; Kathryn Strachan <[KStrachan@forterie.ca](mailto:KStrachan@forterie.ca)>; Jessica Abrahamse <[JAbrahamse@forterie.ca](mailto:JAbrahamse@forterie.ca)>; Zachary George <[ZGeorge@forterie.ca](mailto:ZGeorge@forterie.ca)>; Mark Iamarino <[MIamarino@forterie.ca](mailto:MIamarino@forterie.ca)>; Devon Morton <[DMorton@forterie.ca](mailto:DMorton@forterie.ca)>; Robin Shugan <[RShugan@forterie.ca](mailto:RShugan@forterie.ca)>; Daryl Vander Veen <[DVanderVeen@forterie.ca](mailto:DVanderVeen@forterie.ca)>; Mohammad Kamruzzaman <[MKamruzzaman@forterie.ca](mailto:MKamruzzaman@forterie.ca)>; Jessica Goodings <[JGoodings@forterie.ca](mailto:JGoodings@forterie.ca)>; Mark Schmitt (Fort Erie CEMC) <[mschmitt@forterie.ca](mailto:mschmitt@forterie.ca)>; Sidin, Alex <[Alex.Sidin@cnpower.com](mailto:Alex.Sidin@cnpower.com)>; [carol-ann.chase@airbus.com](mailto:carol-ann.chase@airbus.com)

**Cc:** Devon Morton <[DMorton@forterie.ca](mailto:DMorton@forterie.ca)>

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

**Niagara Region Security  
Warning:**

This is an external email, use caution when opening attachments or clicking links

Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025**.

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**  
Planning Technician

**Town of Fort Erie**  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2535



---

**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; [andrew.carrigan@canadapost.postescanada.ca](mailto:andrew.carrigan@canadapost.postescanada.ca); [caitlin.goodale@niagararegion.ca](mailto:caitlin.goodale@niagararegion.ca); [devon.haluka@niagararegion.ca](mailto:devon.haluka@niagararegion.ca); [devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca); [doug.crown@cogeco.com](mailto:doug.crown@cogeco.com); [jake.mcgowan@niagararegion.ca](mailto:jake.mcgowan@niagararegion.ca); [janet.sperling@ontario.ca](mailto:janet.sperling@ontario.ca); [jennifer.olah@ontario.ca](mailto:jennifer.olah@ontario.ca); Kartiki Sharma; [matthew.prestinaci@ontario.ca](mailto:matthew.prestinaci@ontario.ca); Mike.embleton; [municipalnotices@enbridge.com](mailto:municipalnotices@enbridge.com); [neave.constantine@ontario.ca](mailto:neave.constantine@ontario.ca); [newdevelopment@rci.rogers.com](mailto:newdevelopment@rci.rogers.com); [planning@dsbn.org](mailto:planning@dsbn.org); [planning@ncdsb.com](mailto:planning@ncdsb.com); [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca); [planninginfo@npca.ca](mailto:planninginfo@npca.ca); [pleithwood@npca.ca](mailto:pleithwood@npca.ca); [ppearson@npca.ca](mailto:ppearson@npca.ca); Rachel Adamsky; [real\\_estatecanada@cpr.ca](mailto:real_estatecanada@cpr.ca); [rowcentre@bell.ca](mailto:rowcentre@bell.ca); [smastroianni@npca.ca](mailto:smastroianni@npca.ca); [susan.dunsmore@niagararegion.ca](mailto:susan.dunsmore@niagararegion.ca); [tlennard@npca.ca](mailto:tlennard@npca.ca); Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

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## VIA E-MAIL ONLY

### Application for Consent

Location: 1011 Gilmore Road  
Town of Fort Erie

Our File: PLCS202401224

City File: B46/24

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Regional Planning and Development Services staff have completed a review of the following materials which were provided as part of an application for a consent application for a severance located at 1011 Gilmore Road the Town of Fort Erie:

- Town of Fort Erie Application for Consent / Severance Package;

The following comments are provided from a Regional and Provincial perspective to assist in reviewing the Consent Application.

### **Provincial and Regional Policies**

The subject lands are within a Settlement Area under the Provincial Policy Statement, 2020 (PPS), and are designated as within the Delineated Built-Up Area under A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation (Growth Plan) and the Niagara Official Plan, 2022 (NOP). The lands are additionally designated Dynamic Employment Area (FE-2 International Peace Bridge Trade Hub) under the NOP.

Generally, severances are permitted within the Urban Area subject to environmental conservation, archaeology, and petroleum well policies, among others. Additionally, a full range of uses, including residential, commercial and industrial, are permitted generally within the Urban Area, subject to the availability of adequate municipal services and infrastructure, and policies relative to built-form compatibility, land use compatibility, archaeology, and environmental conservation among others. Furthermore, staff note Dynamic Employment Areas are clusters of traditional and lighter industrial uses with a broader mix of employment uses including office parks and institutional uses that can function without limiting the viability of one another. At this time, the intended use for the proposed severed lot is not identified; however, staff highlight that a mix of complementary employment uses is encouraged through development or redevelopment within Dynamic Employment Areas that do not limit the ability for other employment uses within the employment area to grow or expand per NOP policies.

### **Archaeological Potential**

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 6.4.2.1 of the NOP state that development and site alteration are not permitted on lands containing archaeological resources

or areas of archaeological potential, unless significant archaeological resources have been conserved.

The subject property is not within the Area of Archaeological Potential as mapped in Schedule 'K' of the NOP; however, the lands appear to exhibit archaeological potential based on the site being located on a pre-settlement wetland, being impacted by the George Hershey Farmstead / Homestead, and Gilmore Road being a historic transportation route. Regional staff recommend archaeological assessment work be completed as part of the consent application. Staff defer consideration of archaeological resource requirements to Town staff with regard to the implementation of Schedule D of the Town's Official Plan (Archaeological Potential mapping). Town staff should be satisfied that all archaeological resource concerns associated with the applications have been addressed before any new site disturbance is permitted on-site. Should an archaeological assessment be warranted to support the redevelopment of the subject lands, Regional staff request a copy of the assessment(s) and associated Ministry Citizenship and Multiculturalism's (MCM) acknowledgement letter(s).

### **Petroleum Gas Wells**

Five petroleum wells are mapped within the boundary of the property (Well IDs: 23510, 15552, 15590, 15551, 15550 all with an estimated mapping accuracy of 50 metres). The Oil, Gas and Salt Resources Act, R.S.O. 1990, c. P.12 section 10.2 (1) and NOP Policy 4.4.1.3 require that no development shall occur within 75 metres of a petroleum resource operation unless the petroleum resource operation has been decommissioned and rehabilitated in accordance with applicable Provincial regulations and standards. Staff notes lot creation constitutes development per the PPS and NOP definitions. As such, staff require confirmation of the gas well status through a gas well study. Alternatively, confirmation of the actual gas well location will suffice to address the requirement provided the regulated 75 metre buffer is not impacted by the proposed development.

As such, until status/location of the petroleum gas wells is confirmed, staff is unable to support the consent application at this time as it cannot be confirmed if the proposed consent application conforms to the Regional Plan.

### **Core Natural Heritage**

The subject property is impacted by the Region's Natural Environment System (NES), consisting of the Frenchmans Creek Provincially Significant Wetland Complex (PSW), Other Wetlands and potential Other Woodlands. Niagara Official Plan (NOP) Policy 3.1.9.8.1 requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed on lands adjacent to natural heritage features. The EIS must demonstrate that there will be no negative impact on the features or their ecological function. Within settlement areas, mandatory buffers from Other Woodlands and Other Wetlands are required. The ecologically appropriate widths of the mandatory buffers are to be determined through the EIS.

If the other wetlands are not regulated by NPCA, the Region shall require a wetland evaluation using the Ontario Wetland Evaluation System. Possible outcomes of the evaluation are outlined in NOP policy 3.1.9.5.6.

A Terms of Reference for an EIS shall be prepared consistent with NOP policy 3.1.33.4. The EIS shall confirm the extent of mapped features, screen for additional KNHF/KHF, determine buffer requirements, and screen the property for supporting features and areas and enhancement areas.



The Region has not at this point in time received a TOR or and EIS for the subject property. As such, until sufficient information is provided regarding the features on the site, Staff are unable to support the current application.

Staff are available to visit the site to confirm these requirements.

## **Regional Transportation**

### **ROAD WIDENING**

This property has frontage along Regional Road #19 (Gilmore Road) this location the OP width does not meet the current Regional Road allowance. For the subject site a road widening is required, please see attached sketch (to be determined by field survey to achieve the recommended width) is required to be established parallel to the existing road limit.

### **REGIONAL PERMITS**

Prior to any construction/work taking place within the Regional road allowance, a Regional Construction, Encroachment, and entrance Permit must be obtained from the Transportation Services Division, Public Works Department. This can be done using the link below:

<http://niagararegion.ca/living/roads/permits/default.aspx>

Restoration is to be to Regional standards using the link below:

<https://www.niagararegion.ca/living/roads/permits/construction-encroachment-specifications.aspx>

## **Servicing**

Regional staff must advise that there is a Regional water main along the frontage of the property on Spears Road North at the West limit of the property. The Regional main is not to be damaged or disturbed during any future construction works for the proposed development. All crossings of the Regional mains will require plan and profile drawings to be submitted to the Region for review and approval prior to the issuance of a building permit. No connections are permitted to Regional mains when local services are available.

## **Waste Collection**

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are met:

- Green – no limit (weekly)
- Waste – 2 bag/can limit per unit (bi-weekly)
- **Curbside collection only**

Circular Materials Ontario is responsible for the delivery of residential Blue / Grey Box recycling collection services. The most up to date information can be found using the following link:

<https://www.circularmaterials.ca/resident-communities/niagara-region/>

### **Protection of Survey Evidence**

Survey Evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property. We would request that any future agreements entered into for this development include a clause that requires the owner to obtain a certificate from an Ontario Land Surveyor stating that all existing and new evidence is in place at the completion of said development.

### **Conclusion**

Based on the analysis and comments above, Regional staff are unable to support the current application until the following drawings and information is forwarded for Regional review and approval.

- Completion of an Environmental Impact Study with Terms of Reference to be provided (see Core Natural Heritage section above)
- Gas Well Study or Ministry confirmation of gas well location/status to be provided (see Petroleum Gas Wells section above).

If you have any questions or wish to discuss these comments please contact the undersigned at extension 3345, or Josh Wilson at extension 3336.

Best Regards,



Jake McGowan, C.Tech  
Development Approvals Technician  
Niagara Region

Cc: Josh Wilson, Acting Manager, Development Engineering, Niagara Region  
Adam Boudens, Senior Environmental Planner, Niagara Region  
Valentina Escobar, Development Planner, Niagara Region

**APPENDIX I**  
**Consent Conditions**  
**1011 Gilmore Road, Town of Fort Erie**

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- That the owner dedicate a road widening to the Regional Municipality of Niagara along the frontage of Regional Road 19 prior to the issuance of a building permit, to the satisfaction of the Niagara Region Public Works Growth Management and Planning Division. All costs for providing the necessary survey plan and all related documents are the responsibility of the applicant.
- The owner is advised that the proposed development does not meet Niagara Region's waste collection requirements and this service will be the responsibility of the owner through a private contractor and not the Niagara Region.
- The agreement between the owner and the Town contain a provision whereby the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.

## APPENDIX II Detailed Widening Information 1011 Gilmore Road



ILLUSTRATION SHOWING APPROXIMATE LOCATION OF PROPOSED WIDENINGS  
 NO. 1011 GILMORE ROAD-REGIONAL ROAD 19  
 TOWN OF TOWN OF FORT ERIE

- DENOTES TERANET MAPPING
- DENOTES PROPOSED WIDENING

**DISCLAIMER**  
 This map was compiled from various sources and is current as of 2024.  
 The Region of Niagara makes no representations or warranties whatsoever, either expressed or implied,  
 as to the accuracy, completeness, reliability, and currency or otherwise of the information shown on this map.  
 © 2024 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17. Air Photo (Spring 2023)

**CAUTION:**  
 - This is not a Plan of Survey  
 - The proposed widened limits have been compiled from office records  
 and the shown measurements are approximate.  
 - The final extent of the widening will be established through field  
 survey by an Ontario Land Surveyor.



Scale = 1:5000m

Niagara Region

**Internal Use Only**

Transportation Services  
 Surveys & Property Information  
 IR-24-276 Date: 2024-10-07

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**RE: Request for comments - 1011 Gilmore Road, Fort Erie**

---

**From** Benvenuti, Lisa (MECP) <Lisa.Benvenuti@ontario.ca>

**Date** Thu 2025-04-03 8:27 AM

**To** Helie Upadhyay <HUpadhyay@forterie.ca>

**Cc** devon.haluka@niagararegion.ca <devon.haluka@niagararegion.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Keegan Gennings <KGennings@forterie.ca>

You don't often get email from lisa.benvenuti@ontario.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.**

Good morning Helie – our office was made aware of this consent/severance application to the Town by Magellan re 1011 Gilmore Rd., Fort Erie during a discussion we had with Magellan on another matter a few weeks ago. Since that time I've also had a discussion with Devon Morton of the Town of Fort and have provide some verbal comments to him regarding potential environmental concerns should this property be severed. Magellan has also been made aware of our concerns.

In general, the Town may wish to consider the following during their review of this application:

- There is still an active ministry order on this property requiring certain environmental measures related to historic volatile organic compound (VOC) contamination on the property due to past operations/activities that took place on the property – Magellan has complied with most of the order requirements but there are still monitoring and risk management measures that Magellan will have to continue to implement/maintain involving 1011 Gilmore Rd. and off site properties/areas.
- Magellan has spent a number of years remediating contaminated groundwater on the property and off site via a groundwater treatment works, under approval from our ministry. Magellan recently made technical submissions to our ministry to demonstrate that the groundwater treatment works are no longer required. Magellan is currently decommissioning the groundwater treatment works but will continue with on and off site groundwater and surface water monitoring into the foreseeable future. Magellan may still require access to the severed property for monitoring purposes – should the severance be permitted.
- There may be ministry approval requirements for Magellan should the property be severed
- Magellan or any new property owner may still be required to implement risk management measures on the severed portion of the property in keeping with a remedial work plan submitted by Magellan and accepted by our ministry. These risk management measures could include building restrictions eg. building slab on grade buildings vs buildings with basements or use of specialized ventilation to address any noted voc vapour issues and could also include servicing restrictions eg. no use of a well for water supply.
- If the property were severed, and the future use stayed as industrial then no record of site condition would be required. However, if the severed property use were to become more

“sensitive” such as residential, institutional, commercial, then a record of site condition would be required prior to development of the property.

If you have any questions on the above, please feel free to contact me.

Lisa

**Lisa Benvenuti**  
Provincial Officer  
Badge # 443  
Ministry of the Environment, Conservation and Parks  
Niagara District Office  
[Lisa.benvenuti@ontario.ca](mailto:Lisa.benvenuti@ontario.ca)  
(905)321-3532  
Spills Action Centre (24 hrs) 1-800-268-6060



---

**From:** Helie Upadhyay <HUpadhyay@forterie.ca>  
**Sent:** Wednesday, April 2, 2025 2:11 PM  
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Sidin, Alex <Alex.Sidin@cnpower.com>; carol-ann.chase@airbus.com  
**Cc:** Devon Morton <DMorton@forterie.ca>  
**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**  
Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025.**

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**  
Planning Technician

**Town of Fort Erie**  
Planning, Building and By-law Services  
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p: 905-871-1600 ext. 2535

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---

**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; [andrew.carrigan@canadapost.postescanada.ca](mailto:andrew.carrigan@canadapost.postescanada.ca); [caitlin.goodale@niagararegion.ca](mailto:caitlin.goodale@niagararegion.ca); [devon.haluka@niagararegion.ca](mailto:devon.haluka@niagararegion.ca); [devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca); [doug.crown@cogeco.com](mailto:doug.crown@cogeco.com); [jake.mcgowan@niagararegion.ca](mailto:jake.mcgowan@niagararegion.ca); [janet.sperling@ontario.ca](mailto:janet.sperling@ontario.ca); [jennifer.olah@ontario.ca](mailto:jennifer.olah@ontario.ca); Kartiki Sharma; [matthew.prestinaci@ontario.ca](mailto:matthew.prestinaci@ontario.ca); Mike.embleton; [municipalnotices@enbridge.com](mailto:municipalnotices@enbridge.com); [neave.constantine@ontario.ca](mailto:neave.constantine@ontario.ca); [newdevelopment@rci.rogers.com](mailto:newdevelopment@rci.rogers.com); [planning@dsbn.org](mailto:planning@dsbn.org); [planning@ncdsb.com](mailto:planning@ncdsb.com); [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca); [planninginfo@npca.ca](mailto:planninginfo@npca.ca); [pleithwood@npca.ca](mailto:pleithwood@npca.ca); [ppearson@npca.ca](mailto:ppearson@npca.ca); Rachel Adamsky; [real\\_estatecanada@cpr.ca](mailto:real_estatecanada@cpr.ca); [rowcentre@bell.ca](mailto:rowcentre@bell.ca); [smastroianni@npca.ca](mailto:smastroianni@npca.ca); [susan.dunsmore@niagararegion.ca](mailto:susan.dunsmore@niagararegion.ca); [tlennard@npca.ca](mailto:tlennard@npca.ca); Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

**Helie Upadhyay**  
Planning Technician

**Town of Fort Erie**  
Planning, Building and By-law Services



1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

[forterie.ca](http://forterie.ca) | [HUpadhyay@forterie.ca](mailto:HUpadhyay@forterie.ca)





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**RE: 1011 Gilmore Rd - B46/24**

---

**From** Ali, Usama (MTO) <Usama.Ali@ontario.ca>

**Date** Tue 2025-03-25 10:42 AM

**To** Devon Morton <DMorton@forterie.ca>

**Cc** Daryl Vander Veen <DVanderVeen@forterie.ca>; Caralee Grummett <CGrummett@forterie.ca>

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

Good Morning Devon;

Application File: **B46/24**

Application Address: **1011 Gilmore Road, Niagara Falls, ON (QEW)**

Description: **Shown as Part 1 on Revised Sketch by Lanthier & Gilmore Surveying Ltd., dated February 19, 2025 (File: 22-965 )**

MTO is supportive of the consent for Application B46/24 on the condition that any future entrance along Gilmore Road meets the minimum distance of 125m from Spears Road North.

Planner's Note: Posted speed of Gilmore Rd (50km/hr) referenced against Fig. 4.6.12 in the HCMM (2022) is 125m.

Kind Regards,

**Usama Ali**

Corridor Management Planner (Hamilton/Niagara) | Corridor Management Office/Operations Division

Ministry of Transportation (Central Operations) | Ontario Public Service

416-457-8973 | [usama.ali@ontario.ca](mailto:usama.ali@ontario.ca)



*Taking pride in strengthening Ontario, its places and its people*

**Upcoming Absence: March 31 thru April 14**

---

**From:** Devon Morton <DMorton@forterie.ca>

**Sent:** Tuesday, March 25, 2025 8:57 AM

**To:** Ali, Usama (MTO) <Usama.Ali@ontario.ca>

**Cc:** Daryl Vander Veen <DVanderVeen@forterie.ca>; Caralee Grummett <CGrummett@forterie.ca>

**Subject:** Re: 1011 Gilmore Rd - B46/24

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Hi Usama,

Please see attached.

Thank you,

**Devon M. Morton, MCIP, RPP**

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](http://forterie.ca) | [dmorton@forterie.ca](mailto:dmorton@forterie.ca)



---

**From:** Ali, Usama (MTO) <[Usama.Ali@ontario.ca](mailto:Usama.Ali@ontario.ca)>

**Sent:** Monday, March 24, 2025 4:59 PM

**To:** Devon Morton <[DMorton@forterie.ca](mailto:DMorton@forterie.ca)>

**Cc:** Daryl Vander Veen <[DVanderVeen@forterie.ca](mailto:DVanderVeen@forterie.ca)>; Caralee Grummett <[CGrummett@forterie.ca](mailto:CGrummett@forterie.ca)>

**Subject:** RE: 1011 Gilmore Rd - B46/24

You don't often get email from [usama.ali@ontario.ca](mailto:usama.ali@ontario.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.

Good Afternoon Devon;

I can't find consent circulation in my Outlook. Can you please forward the consent sketch and the B46/24? Consent application?

I will review the consent application tomorrow morning.

Kind Regards,

**Usama Ali**

Corridor Management Planner (Hamilton/Niagara) | Corridor Management Office/Operations Division

Ministry of Transportation (Central Operations) | Ontario Public Service

416-457-8973 | [usama.ali@ontario.ca](mailto:usama.ali@ontario.ca)

---

**From:** Devon Morton <[DMorton@forterie.ca](mailto:DMorton@forterie.ca)>

**Sent:** Monday, March 24, 2025 4:34 PM

**To:** Ali, Usama (MTO) <[Usama.Ali@ontario.ca](mailto:Usama.Ali@ontario.ca)>

**Cc:** Daryl Vander Veen <[DVanderVeen@forterie.ca](mailto:DVanderVeen@forterie.ca)>; Caralee Grummett <[CGrummett@forterie.ca](mailto:CGrummett@forterie.ca)>

**Subject:** 1011 Gilmore Rd - B46/24

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**  
Hi Usama,

Hope you are well.

Can you please confirm if you have any comments related to severance application B46/24?  
We had circulated this back in October (see attached) but never received comments (apologies in advance if they were missed).

Please let me know as soon as you can.

Thank you,

**Devon M. Morton, MCIP, RPP**

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

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---

**RE: NPCA Comments, Request for comments - 1011 Gilmore Road, Fort Erie**

---

**From** Kartiki Sharma <ksharma@npca.ca>

**Date** Thu 2025-04-10 3:15 PM

**To** Helie Upadhyay <HUpadhyay@forterie.ca>

 1 attachment (763 KB)

1011 Gilmore Rd- NPCA Regulated Features Map.pdf;

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

Good Afternoon Helie,

Thank you for circulating the Consent application - 1011 Gilmore Rd, B46/24 for NPCA review.

NPCA comments remains the same as provided during the last circulation. Please see the NPCA comments below:

- The provided application notes that the purpose of the application is to create a new lot.
- The subject property contains the following features:
  - Watercourses and their associated buffers
  - Possible unevaluated wetlands
  - Frenchmans Creek Wetland Complex (Provincially Significant Wetland (PSW) and its associated buffer
- In the location of the proposed lot line for the new lot is Possible Unevaluated Wetlands as well as a Regulated Watercourse.
- NPCA policy notes that Lot creation will not be permitted within 30 metres of a PSW. However, lot creation may be permitted less than 30 metres of a Non-PSW in accordance with policies of section 8.2.3.
- Technical Staff completed a site visit for the property in November 2023, however, the focus of the site visit was the south portion of the property, south of the landing strip.
- Given the existing site conditions in the area of the proposed lot line, technical staff have indicated that there are no concerns with unevaluated wetlands in the area of the proposed lot line.
- As such, the NPCA has no objections to the consent application to create a new lot.
- However, the NPCA notes that should any future development be proposed on either the retained or severed lots NPCA review and approval will be required along with a possible work permit (and its associated fees).

Please let me know if you have any questions.

Thank you,



**Kartiki Sharma**  
Watershed Planner

**Niagara Peninsula Conservation Authority (NPCA)**  
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 278  
[\[www.npca.ca%20\]www.npca.ca](http://www.npca.ca)  
[ksharma@npca.ca](mailto:ksharma@npca.ca)

For more information on Permits and 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:** Helie Upadhyay <HUpadhyay@forterie.ca>

**Sent:** April 2, 2025 2:11 PM

**To:** Abby LaForme <abby.laforme@mncfn.ca>; andrew.carrigan@canadapost.postescanada.ca; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; doug.crown@cogeco.com; jake.mcgowan@niagararegion.ca; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; Kartiki Sharma <ksharma@npca.ca>; matthew.prestinaci@ontario.ca; Mike.embleton <Mike.embleton@cogeco.com>; municipalnotices@enbridge.com; neave.constantine@ontario.ca; newdevelopment@rci.rogers.com; planning@dsbn.org; planning@ncdsb.com; planninganddevelopment@bell.ca; Planning Info <planninginfo@npca.ca>; Paige Pearson <ppearson@npca.ca>; Rachel Adamsky <radamsky@niagaraparks.com>; real\_estatecanada@cpr.ca; rowcentre@bell.ca; Sarah Mastroianni <smastroianni@npca.ca>; susan.dunsmore@niagararegion.ca; Taran Lennard <tlennard@npca.ca>; Ali, Usama (MTO) <usama.ali@ontario.ca>; Escobar, Valentina <valentina.escobar@niagararegion.ca>; Keegan Gennings <KGennings@forterie.ca>; Lisa.benvenuti@ontario.ca; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberlyn Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Jessica Goodings <JGoodings@forterie.ca>; Mark Schmitt <MSchmitt@forterie.ca>; Sidin, Alex <Alex.Sidin@cnpower.com>; carol-ann.chase@airbus.com

**Cc:** Devon Morton <DMorton@forterie.ca>

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025**.

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**  
Planning Technician

**Town of Fort Erie**  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2535

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---

**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; [andrew.carrigan@canadapost.postescanada.ca](mailto:andrew.carrigan@canadapost.postescanada.ca); [caitlin.goodale@niagararegion.ca](mailto:caitlin.goodale@niagararegion.ca); [devon.haluka@niagararegion.ca](mailto:devon.haluka@niagararegion.ca); [devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca); [doug.crown@cogeco.com](mailto:doug.crown@cogeco.com); [jake.mcgowan@niagararegion.ca](mailto:jake.mcgowan@niagararegion.ca); [janet.sperling@ontario.ca](mailto:janet.sperling@ontario.ca); [jennifer.olah@ontario.ca](mailto:jennifer.olah@ontario.ca); Kartiki Sharma; [matthew.prestinaci@ontario.ca](mailto:matthew.prestinaci@ontario.ca); Mike.embleton; [municipalnotices@enbridge.com](mailto:municipalnotices@enbridge.com); [neave.constantine@ontario.ca](mailto:neave.constantine@ontario.ca); [newdevelopment@rci.rogers.com](mailto:newdevelopment@rci.rogers.com); [planning@dsbn.org](mailto:planning@dsbn.org); [planning@ncdsb.com](mailto:planning@ncdsb.com); [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca); [planninginfo@npca.ca](mailto:planninginfo@npca.ca); [pleithwood@npca.ca](mailto:pleithwood@npca.ca); [ppearson@npca.ca](mailto:ppearson@npca.ca); Rachel Adamsky; [real\\_estatecanada@cpr.ca](mailto:real_estatecanada@cpr.ca); [rowcentre@bell.ca](mailto:rowcentre@bell.ca); [smastroianni@npca.ca](mailto:smastroianni@npca.ca); [susan.dunsmore@niagararegion.ca](mailto:susan.dunsmore@niagararegion.ca); [tlennard@npca.ca](mailto:tlennard@npca.ca); Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

**Helie Upadhyay**  
Planning Technician

**Town of Fort Erie**  
Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

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# 1011 Gilmore Rd- NPCA Regulated Features Map



4/10/2025, 3:11:47 PM

LIO - Wetland DRAFT

Evaluated-Provincial

Evaluated-Other

Roads

WRIP Quaternary Watersheds (10K)

Watershed Planning Areas

NPCA APPROXIMATE REGULATION LANDS

Wetland Allowance

Regulation Wetlands

Evaluated-Other

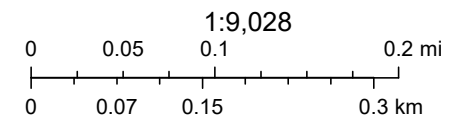
Evaluated-Provincial

Top of Slope Allowance

Top of Slope Features

Stable

Unstable



NPCA, [https://gis.npca.ca/portal/apps/sites/admin/assets/templates/sites/defaultSite/resources/Open\\_Government\\_Licence\\_v2.pdf](https://gis.npca.ca/portal/apps/sites/admin/assets/templates/sites/defaultSite/resources/Open_Government_Licence_v2.pdf), Sources: Esri, Apple, Bing, Google, Microsoft, OpenStreetMap, Mapbox



---

**Re: Request for comments - 1011 Gilmore Road, Fort Erie**

---

**From** Mike Embleton <mike.embleton@cogeco.com>

**Date** Fri 2025-04-04 8:32 AM

**To** Helie Upadhyay <HUpadhyay@forterie.ca>

You don't often get email from mike.embleton@cogeco.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.**

Good morning Helie

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



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On Wed, Apr 2, 2025 at 2:10 PM Helie Upadhyay <[HUpadhyay@forterie.ca](mailto:HUpadhyay@forterie.ca)> wrote:

Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025.**

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

p: 905-871-1600 ext. 2535

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---

**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; [andrew.carrigan@canadapost.postescanada.ca](mailto:andrew.carrigan@canadapost.postescanada.ca); [caitlin.goodale@niagararegion.ca](mailto:caitlin.goodale@niagararegion.ca); [devon.haluka@niagararegion.ca](mailto:devon.haluka@niagararegion.ca); [devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca); [doug.crown@cogeco.com](mailto:doug.crown@cogeco.com); [jake.mcgowan@niagararegion.ca](mailto:jake.mcgowan@niagararegion.ca); [janet.sperling@ontario.ca](mailto:janet.sperling@ontario.ca); [jennifer.olah@ontario.ca](mailto:jennifer.olah@ontario.ca); Kartiki Sharma; [matthew.prestinaci@ontario.ca](mailto:matthew.prestinaci@ontario.ca); Mike.embleton; [municipalnotices@enbridge.com](mailto:municipalnotices@enbridge.com); [neave.constantine@ontario.ca](mailto:neave.constantine@ontario.ca); [newdevelopment@rci.rogers.com](mailto:newdevelopment@rci.rogers.com); [planning@dsbn.org](mailto:planning@dsbn.org); [planning@ncdsb.com](mailto:planning@ncdsb.com); [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca); [planninginfo@npca.ca](mailto:planninginfo@npca.ca); [pleithwood@npca.ca](mailto:pleithwood@npca.ca); [ppearson@npca.ca](mailto:ppearson@npca.ca); Rachel Adamsky; [real\\_estatecanada@cpr.ca](mailto:real_estatecanada@cpr.ca); [rowcentre@bell.ca](mailto:rowcentre@bell.ca); [smastroianni@npca.ca](mailto:smastroianni@npca.ca); [susan.dunsmore@niagararegion.ca](mailto:susan.dunsmore@niagararegion.ca); [tlennard@npca.ca](mailto:tlennard@npca.ca); Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

**Helie Upadhyay**

Planning Technician

**Town of Fort Erie**

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---

**RE: Request for comments - 1011 Gilmore Road, Fort Erie**

---

**From** Municipal Planning <MunicipalPlanning@enbridge.com>

**Date** Fri 2025-04-04 3:49 PM

**To** Helie Upadhyay <HUpadhyay@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/-/media/Extranet-Pages/Safety/Dig-safety-for-contractors/faqs.pdf?rev=3d3a2ccd7027463c89a953133aad4e4>

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](mailto:ONTLands@enbridge.com).

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

**Safety. Integrity. Respect. Inclusion.**

**From:** Helie Upadhyay <HUpadhyay@forterie.ca>

**Sent:** Wednesday, April 2, 2025 2:11 PM

**To:** Abby LaForme <abby.laforme@mncfn.ca>; andrew.carrigan@canadapost.postescanada.ca; caitlin.goodale@niagararegion.ca; devon.haluka@niagararegion.ca; devtplanningapplications@niagararegion.ca; doug.crown@cogeco.com; jake.mcgowan@niagararegion.ca; janet.sperling@ontario.ca; jennifer.olah@ontario.ca; Kartiki Sharma <ksharma@npca.ca>; matthew.prestinaci@ontario.ca; Mike.embleton <Mike.embleton@cogeco.com>; Municipal Planning <MunicipalPlanning@enbridge.com>; neave.constantine@ontario.ca; newdevelopment@rci.rogers.com; planning@dsbn.org; planning@ncdsb.com; planninganddevelopment@bell.ca; planninginfo@npca.ca; ppearson@npca.ca; Rachel Adamsky <radamsky@niagaraparks.com>; real\_estatecanada@cpr.ca; rowcentre@bell.ca; smastroianni@npca.ca; susan.dunsmore@niagararegion.ca; tlennard@npca.ca; Ali, Usama (MTO) <usama.ali@ontario.ca>; Escobar, Valentina <valentina.escobar@niagararegion.ca>; Keegan Gennings <KGennings@forterie.ca>; Lisa.benvenuti@ontario.ca; Nadean Reichelt <NReichelt@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>; Robert Judd <RJudd@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>; Edward Terry <ETerry@forterie.ca>; Aaron Hair <ahair@forterie.ca>; Breanna Antonio <BAntonio@forterie.ca>; Kimberly Smith <KSmith@forterie.ca>; Elizabeth Latif <ELatif@forterie.ca>; Kathryn Strachan <KStrachan@forterie.ca>; Jessica Abrahamse <JAbrahamse@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Devon Morton <DMorton@forterie.ca>; Robin Shugan <RShugan@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mohammad Kamruzzaman <MKamruzzaman@forterie.ca>; Jessica Goodings <JGoodings@forterie.ca>; Mark Schmitt <MSchmitt@forterie.ca>; Sidin, Alex <Alex.Sidin@cnpower.com>; carol-ann.chase@airbus.com

**Cc:** Devon Morton <DMorton@forterie.ca>

**Subject:** [External] Request for comments - 1011 Gilmore Road, Fort Erie

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Good afternoon,

The Town of Fort Erie is requesting your comments related to the consent application - 1011 Gilmore Road, Fort Erie. Please find the attached application and site plan. Kindly note that this application has already been circulated while ago, however, we are circulating it again as the applicant has revised the site plan.

We are requesting comments on this proposal by **Friday, April 18, 2025**.

Let me know if you have any concerns or questions.

Thank you for your attention to this matter.

Best Regards,

**Helie Upadhyay**  
Planning Technician

**Town of Fort Erie**  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2535

[forterie.ca](http://forterie.ca) | [HUpadhyay@forterie.ca](mailto:HUpadhyay@forterie.ca)





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**From:** Helie Upadhyay

**Sent:** Wednesday, April 02, 2025 2:04 PM

**To:** Abby LaForme; [andrew.carrigan@canadapost.postescanada.ca](mailto:andrew.carrigan@canadapost.postescanada.ca); [caitlin.goodale@niagararegion.ca](mailto:caitlin.goodale@niagararegion.ca); [devon.haluka@niagararegion.ca](mailto:devon.haluka@niagararegion.ca); [devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca); [doug.crown@cogeco.com](mailto:doug.crown@cogeco.com); [jake.mcgowan@niagararegion.ca](mailto:jake.mcgowan@niagararegion.ca); [janet.sperling@ontario.ca](mailto:janet.sperling@ontario.ca); [jennifer.olah@ontario.ca](mailto:jennifer.olah@ontario.ca); Kartiki Sharma; [matthew.prestinaci@ontario.ca](mailto:matthew.prestinaci@ontario.ca); Mike.embleton; [municipalnotices@enbridge.com](mailto:municipalnotices@enbridge.com); [neave.constantine@ontario.ca](mailto:neave.constantine@ontario.ca); [newdevelopment@rci.rogers.com](mailto:newdevelopment@rci.rogers.com); [planning@dsbn.org](mailto:planning@dsbn.org); [planning@ncdsb.com](mailto:planning@ncdsb.com); [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca); [planninginfo@npca.ca](mailto:planninginfo@npca.ca); [pleithwood@npca.ca](mailto:pleithwood@npca.ca); [ppearson@npca.ca](mailto:ppearson@npca.ca); Rachel Adamsky; [real\\_estatecanada@cpr.ca](mailto:real_estatecanada@cpr.ca); [rowcentre@bell.ca](mailto:rowcentre@bell.ca); [smastroianni@npca.ca](mailto:smastroianni@npca.ca); [susan.dunsmore@niagararegion.ca](mailto:susan.dunsmore@niagararegion.ca); [tlennard@npca.ca](mailto:tlennard@npca.ca); Ali, Usama (MTO); Escobar, Valentina; Keegan Gennings; Nadean Reichelt; Taylor Boyle; Jordan Frost; Robert Judd; Yashesh Gandhi; Edward Terry; Aaron Hair; Breanna Antonio; Kimberlyn Smith; Elizabeth Latif; Kathryn Strachan; Jessica Abrahamse; Zachary George; Mark Iamarino; Devon Morton; Robin Shugan; Daryl Vander Veen; Mohammad Kamruzzaman; Helie Upadhyay; Jessica Goodings; Mark Schmitt; Sidin, Alex

**Cc:** Devon Morton

**Subject:** Request for comments - 1011 Gilmore Road, Fort Erie

Good afternoon,

**Helie Upadhyay**  
Planning Technician

**Town of Fort Erie**  
Planning, Building and By-law Services  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
p: 905-871-1600 ext. 2535

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April 14, 2025

**Devon M. Morton, MCIP, RPP**  
Supervisor of Development Approvals  
Town of Fort Erie  
Planning, Building and By-law Services  
1 Municipal Centre Drive  
Fort Erie, ON L2A 2S6

Dear Sir,

We thank you for your letters and information packages which were well received.

We understand that a severance and sale process is contemplated for 1011 Gilmore Road, Fort Erie, Ontario (the “**Target Property**”), a property located close to Airbus Helicopters Canada’s location at 1100 Gilmore Road (“**Airbus Location**”).

You have asked for our consent and/or comments relating to the same.

We wish to advise that we do not object to the severance and sale process of the Target Property, to the extent Airbus Helicopters Canada operations can continue unimpeded.

As you know, Airbus Helicopters Canada has been operating out of the Airbus Location for more than 40 years, and has been an integral employer and member of the community.

Airbus Helicopters Canada’s operations have always included test flying aircraft with a flight path that is directly overhead of the Target Property. We attach our take-off or landing path, which depends on wind directions. From a more technical standpoint:

- Airbus Helicopters Canada’s aircraft fly as low as 100 ft above the ground over Gilmore Road
- Airbus Helicopters Canada’s aircraft fly as low as 500 ft above the ground at the south western edge (at QEW) of the Target Property
- When an aircraft flies below a height of 500 ft, the pilot cannot manoeuvre it in the case of an engine flameout

Airbus Helicopters Canada wishes and intends to continue these test flying operations in compliance with Transport Canada regulations.

For a neighbour at the Target Property, there are noise considerations (around 90 decibels for aircraft flown) to be taken into account in any project contemplated, as the Airbus Location houses a working manufacturing and aircraft testing facility. Also, there is some risk of danger, in



that in the highly unlikely event of an incident with an aircraft, such aircraft could be directly above a new facility that may be erected on the Target Property.

While we would like to accommodate a new neighbour in the Target Property, please also note that the flight path cannot be changed due to geographic limitations:

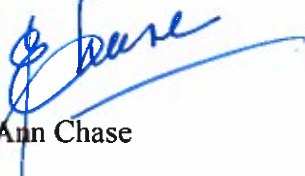
- the location of Airbus Helicopter Canada's manufacturing and operations building at the Airbus Location
- the height of the trees on the west side of the Airbus Location, which is protected by laws relating to wetland

The Town of Fort Erie has been a wonderful partner of Airbus Helicopters Canada for many years, and we are very grateful for all of your support. We trust that we can, together, find a path forward for the Target Property that will ensure the growth of Fort Erie, as well as maintaining Airbus Helicopters Canada operations.

We invite you to communicate with us at your convenience in respect of next steps, and kindly request that you continue to consult us to ensure mutual success, and ultimately, success for all residents of Fort Erie.

Sincerely,

AIRBUS HELICOPTERS CANADA LTD.



Carol-Ann Chase

Director, Strategy & Transformation/Facilities Mgmt.

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN CURRENT SEVERANCE APPLICATION. © THIS SKETCH IS PROTECTED BY COPYRIGHT.

## Take-off / Landing path

