



Planning and Development Services

Prepared for	Council	Report No.	PDS-48-2023
Agenda Date	June 26, 2023	File No.	350303-0037 & 350309-0554

Subject	<p>PROPOSED DRAFT PLAN OF CONDOMINIUM AND ZONING BY-LAW AMENDMENT CANADIANA CONDOMINIUM - 272 RIDGE ROAD SOUTH WENDY MCGAEGHAN & PATRICK MCGAEGHAN - OWNERS CULTURE DEVELOPMENTS INC. / 5038257 ONTARIO INC. (CRAIG DEVRIES) - AGENT</p>
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Recommendation	<p><u>THAT</u> Council approves the amendment to the Town's Zoning By-law No. 129-90 as detailed in Report No. PDS-48-2023 for the lands known as 272 Ridge Road South, and further</p> <p><u>THAT</u> Council approves the Canadiana Draft Plan of Vacant Land Condominium dated May 13, 2022, showing 3 blocks for a total of 18 block townhouse dwellings as Appendix “2” of Report No. PDS-48-2023, in accordance with the provisions of the <i>Planning Act</i>, R.S.O. 1990 c. P. 13 and the Regulations thereunder, subject to the conditions contained in Appendix “3” of Report No. PDS-48-2023, and further</p> <p><u>THAT</u> Council directs staff to circulate the Conditions of Draft Plan Approval in Appendix “3” of Report No. PDS-48-2023 to the applicable agencies in accordance with the requirements of the <i>Planning Act</i>, and further</p> <p><u>THAT</u> Council directs Staff to submit the necessary by-law.</p>
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Relation to Council's 2018-2022 Corporate Strategic Plan	<p>Priority: Managed Growth through Responsibility, Stewardship and Preservation</p>
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List of Stakeholders

Wendy McGaeghan & Patrick McGaeghan - Owners
Culture Developments Inc. / 5038257 Ontario Inc. (Craig Devries) - Agent
Residents and Property Owners in the Town of Fort Erie

Prepared by:

Original Signed

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Chris McQueen, MBA
Chief Administrative Officer

Purpose

The purpose of this report is to provide a staff recommendation to Council regarding the proposed Canadiana Plan of Condominium. Applications for a Draft Plan of Vacant Land Condominium and a Zoning By-law Amendment were submitted by Craig DeVries of Culture Developments Inc. / 5038257 Ontario Inc., Agent for Wendy McGaeghan & Patrick McGaeghan, Owners of the subject property located at 272 Ridge Road South. A location map showing the area subject to the applications is attached as **Appendix “1”**.

The proposal is known as Canadiana Draft Plan of Vacant Land Condominium. The development is proposing three blocks for a total of 18 block townhouse dwellings. The proposed dwelling units will front onto an internal private road. The proposed draft plan of condominium is attached as **Appendix “2”**.

The proposed Zoning By-law Amendment is required to change the zoning of the subject property from Residential 1 (R1) Zone and Environmental Conservation (EC) Overlay Zone to a site specific Residential Multiple 1 (RM1) Zone to permit the development. The Zoning By-law Amendment also proposes to remove the Environmental Conservation (EC) Overlay Zone from the subject lands.

Nature of the Site

The subject site is located on the east side of Ridge Road South in the Crystal Beach neighbourhood of Fort Erie. The site is approximately 0.54 ha in area. There is currently a single detached dwelling on the property that will be removed if this development is approved.

The following are the land uses surrounding the subject property:

North: Single detached dwellings.

South: Single detached dwellings, vacant residential land and another block condominium development.

East: Vacant residential land and single detached dwellings.

West: Single detached dwellings.

Planning Context

2020 Provincial Policy Statement (PPS)

The subject lands are located within a Settlement Area under the 2020 Provincial Policy Statement (PPS). The policies of the PPS direct growth to settlement areas and encourage building strong communities through the efficient use of land, resources, and infrastructure. The PPS supports development of complete communities with an appropriate range and mix of housing types.

This proposal is consistent with the policies of the PPS. The proposed development represents intensification of an underutilized parcel inside of a Settlement Area and the Urban Boundary. The proposed development is adequately serviced with water and sanitary sewer and will efficiently use municipal infrastructure. The proposed townhouse dwellings will also add additional housing variety to the Town.

2020 Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The subject property is within the Greater Golden Horseshoe Growth Plan Area (Growth Plan) and designated Delineated Built-up Area. In general, the Growth Plan directs new residential development within the delineated Built-up Area and encourages opportunities for intensification.

The proposed development is consistent with the policies of the Growth Plan. The proposed development is located within a Settlement Area and is identified as Delineated Built Up-Area. The Growth Plan requires 50% of new development in Niagara Region to occur in a Built-up Area. The proposal will assist the Town in achieving this intensification target. The proposed plan of condominium represents efficient use of urban land and intensification of an underutilized parcel.

2022 Niagara Official Plan (NOP)

The NOP notes that development in urban areas will integrate land use planning and infrastructure planning to responsibly manage growth. The NOP promotes intensification, compact built form and a diverse range and mix of housing types. The subject property is considered to be Built-up Area under the NOP. The NOP sets a minimum residential intensification target of 50% for the Town of Fort Erie.

This proposal complies with the policies of the NOP. The proposed townhouse dwellings will provide an opportunity for intensification of underutilized land and feature a compact built form. The proposed townhouse dwellings will increase the variety of housing types in the Town and contribute to the minimum residential intensification target of 50% of new residential dwelling units within the Built-up Area.

2011 Town of Fort Erie Official Plan

Official Plan Schedule A - Land Use Plan

The subject lands are designated Urban Residential and Environmental Conservation on Schedule A of the Town's Official Plan. Section 4.9 of the Official Plan states that lands with Urban Residential designation are intended for a variety of housing forms including multi-unit residential dwellings such as block townhouses.

The Environmental Conservation designation requires environmental review and the Agent has completed a [Natural Heritage Screening Report](#). The Town's Environmental Advisory Committee has reviewed the report and agrees that there are no natural heritage features on site.

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

Schedule C of the Official Plan identifies the property as being part of a Woodlot Over 2 hectares. This corresponds with the Environmental Conservation designation of the subject property. There are no natural hazard or fish habitat identified on or in the vicinity of the subject property.

Official Plan Schedule D - Cultural Heritage Archaeological Zones of Potential

Schedule D of the Official Plan does not identify the subject property as being within area identified as having potential for archaeological resources. However, during pre-consultation Niagara Region noted that the site is within 300 m of a known archaeological site and is also in close proximity to Lake Erie. Niagara Region requested completed of a Stage 1 and 2 Archaeological Assessment. The Agent has provided a [Stage 1 and 2 Archaeological Assessment and a Ministry Registration Letter](#) as part of the application submission.

Urban Residential Land Use Designation

Subsection 4.7.4.1 Urban Residential of the Official Plan provides guidance to Council when considering medium-density residential uses and infill residential intensification on vacant land. Townhouse dwellings are considered to be medium-density residential uses in the Town's Official Plan. Planning staff has provided an analysis with respect to these criteria below.

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

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

The proposed townhouse dwellings meet the height requirements of the proposed RM1 zoning which permits a maximum height of 3 storeys and 12 m. The proposed dwellings are a split-level design with rooftop amenity space. The proposed townhouse dwellings are three storeys in height based on the definition of “storey” in the Zoning By-law. The height of the dwellings is 8.43 m to the top of roof with an additional parapet that is 1.07 m in height for total height of 9.65 m. The dwelling units have been arranged in manner to minimize impacts on adjacent low density uses as much as possible with most units backing onto vacant land. Impacts on adjacent single detached dwellings can be mitigated via the use of fencing and landscaping features along the periphery of the site. While the built form is fairly unique for the area compatibility does not necessary mean “the same as”. There is a similar block townhouse development to the south of the subject property. The number of dwelling units that are proposed is relatively small and the development is anticipated to have minimal issues integrating with the surrounding community.

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

The proposed development will have an appropriate amount of open space and landscaping. Privacy areas that are 4.50 m in depth are provided at the rear of all of the dwelling units and additional amenity area is provided in the form of rooftop amenity space. The total landscaping is slightly deficient at 46% however planning staff are of the opinion that this decrease is minor. Fencing and landscaping can be implemented along the periphery of the property to ensure that privacy is maintained and there are no significant impacts to adjacent properties resulting from the development.

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

All of the proposed dwellings will feature on-site parking via driveways and attached garages. The Town’s Zoning By-law requires 1.5 parking spaces per dwelling unit for block townhouse dwellings. This equates to 27 required parking spaces for the proposed 18 block townhouse dwellings. The proposed plan of condominium contains 31 parking spaces, one per dwelling unit and 13 additional parking spaces for visitor parking.

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

All dwelling units in the proposed development will be eligible for waste collection by Niagara Region. If the condominium does not meet Regional requirements for collection it can occur via private collection services.

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

Driveways will be located in the front yards of the proposed dwellings and will connect directly to the internal private road. The private road and entrance width is suitable for emergency response services and for local traffic within the development. Planning staff note that a width of 6.00 m is standard for block condominiums in the Town of Fort Erie. No internal sidewalks are proposed, however this is not uncommon for block townhouse developments of this size. The amount of traffic on-site will be relatively low and pedestrians can use the private road to access Ridge Road South.

- f. Convenient access to a collector or arterial road;*

The proposed development has direct access to Ridge Road South, which is an arterial road. Ridge Road South provides connection several other arterial roads that provide access to downtown Crystal Beach to the west and Ridgeway to the north.

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

The proposed development is within walking distance of commercial amenities along Ridgeway Road and several parks, including Crystal Ridge Park to the north and the Prospect Point Road South waterfront access point to the southeast.

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

All of the proposed dwelling units will front onto and face the internal private road and parking areas inside the development, thereby providing “eyes on the street”.

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

Active transportation via walking or cycling will be possible via the existing road and sidewalk networks of the surrounding neighbourhood.

2021 Crystal Beach Secondary Plan

The Crystal Beach Secondary Plan is currently under appeal and is not yet in force in effect. However, it is worth noting that the proposed Plan of Condominium and Zoning By-law Amendment largely aligns with the proposed planning policies found the Crystal Beach Secondary Plan for the subject property. The property is designated Medium Density Residential and Environmental Conservation Overlay in the Secondary Plan. The site is also subject to the policies of Section 4.22.9.10 of the Plan.

Section 4.22.9.10 of the Secondary Plan states that the subject property shall be reserved for semi-detached and duplex dwellings, stacked, street and block townhouses, and a low-rise apartment building. This development is for a block vacant land condominium development. The site-specific policy also sets a density range for the subject property of 25 to 35 units/ha. The density of the proposed plan of condominium is 33.33 units/ha. The policies proposed by the Secondary Plan limit the maximum height of townhouses to two storeys. There is no maximum building height specified in the Secondary Plan. Planning staff note that the current Urban Residential land use designation does not impose a limit on the number of storeys for townhouse dwellings.

Plan of Condominium Design

The proposed draft plan of condominium is attached as **Appendix “2”** and consists of three blocks for a total of 18 block townhouse dwellings and an internal private road that loops around landscaped area and visitor parking. There is one access to the site from Ridge Road South. Staff is satisfied that the proposed access driveway width of 6.00 m is sufficient for two-way traffic and have confirmed with the Fort Erie Fire Department that the proposed width is also sufficient for emergency services.

All of the proposed dwellings will front onto the internal road within the proposed development. The overall density of the plan of condominium is 33.33 units/ha. There is sufficient parking provided on site.

The proposed townhouse dwellings are split level and are considered to be three storeys in height. There are rooftop amenity areas provided on the top of each dwelling unit.

During pre-consultation Town staff noted that cash in lieu of parkland dedication will be requested instead. Planning staff note that the subject property is well served by nearby Town parks, including the following:

Table 1: Proximity of Town Parkland in Area		
Park Name	Park Type	Approximate Distance
Crystal Ridge Arena and Park	Community Park	400.00 m

Prospect Point Public Waterfront	Other (waterfront access)	650.00 m
Maple Leaf Beach Park	Community Park	1.00 km
Crystal Beach Waterfront Park	Community Park	1.00 km

The proposed development will be buffered from adjacent low density land uses through the use of planting strips, landscaping and fencing. Staff will review the buffering measures throughout the plan of condominium process to ensure screening is upheld and privacy impacts are minimized on adjacent parcels.

The conditions of approval for the proposed development are attached as **Appendix “3”**.

Comprehensive Zoning By-law No. 129-1990

The subject property is currently zoned Residential 1 (R1) Zone and Environmental Conservation (EC) Overlay Zone. A Zoning By-law Amendment is required to permit the proposed development as the current R1 zoning only permits single detached dwellings. This application is proposing to change the zoning to a site-specific Residential Multiple 1 (RM1-783) Zone to permit the proposed block townhouse dwellings. The site-specific zoning also proposed special provisions to permit reduced minimum landscaped area, reduced width for an access driveway from Ridge Road South, reduced planting strip width adjacent to a residential zone, and reduced minimum lot frontage. The proposed Zoning By-law Amendment also proposes to remove the Environmental Conservation (EC) Overlay Zone from the property.

Proposed Zoning - Residential Multiple 1 (RM1-783) Zone

The proposed site-specific RM1 Zone contains several special provisions that are required to implement the development plan. A chart outlining the zoning departures along with planning comments is below. Zoning departures are highlighted in grey.

Table 2: Zone Comparison Chart - Proposed Site-specific RM1 Zone for Block Townhouse Dwellings			
Zoning Regulation	Base Regulations	Proposed Regulations	Planning Comments
Minimum Lot Frontage	50.00 m for block townhouses	28.33 m	Support. The subject property is an existing lot of record and the lot frontage is an existing situation.
Minimum Lot Area	300.00 sq m per dwelling unit	No change	Meets requirement.

Table 2: Zone Comparison Chart - Proposed Site-specific RM1 Zone for Block Townhouse Dwellings			
Zoning Regulation	Base Regulations	Proposed Regulations	Planning Comments
Minimum Front Yard	6.00 m to garage 4.00 m to other parts of dwelling	No change	Meets requirement.
Minimum Interior Side Yard	1.50 m	No change	Meets requirement.
Minimum Exterior Side Yard	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no closer than 6.00 m to the exterior side lot line.	N/A	N/A. There is no exterior side yard in this instance.
Minimum Rear Yard	6.00 m	No change	Meets requirement.
Maximum Building Height	3 storeys and 12.00 m	No change.	Meets requirement. The proposed townhouses are three storeys and 9.65 m in height.
Minimum Landscaped Area	50%	46%	Support. The reduction in landscaped area is relatively minor.
Maximum Number of Units in a Row	8	No change	Meets requirement.
Minimum Distance Between Buildings on the Same Lot	15.00 m between two rear walls 3.00 m between two end walls 9.00 m between an end wall and a rear wall 6.00 m between two front walls 6.00 m between a front wall and an end wall	No change	Meets requirement.

Table 2: Zone Comparison Chart - Proposed Site-specific RM1 Zone for Block Townhouse Dwellings			
Zoning Regulation	Base Regulations	Proposed Regulations	Planning Comments
Maximum Density	35 units per hectare	33.33 units per hectare	The proposed density is less than 35 units per hectare.
Maximum Lot Coverage	Block townhouse - 40%	22.5%	Meets requirement.
Privacy Area	Minimum 4.50 m adjacent to each unit	No change	Meets requirement.
Distance from building to internal driveways, and parking areas	Any front or rear face of any townhouse shall be no closer than 3.00 m to an internal driveway or parking area, and any side of any townhouse shall be no closer than 1.50 m to an internal driveway or parking area	No change	Meets requirement.
Planting Strips	Minimum width of 3.00 m adjacent to a Residential Zone In accordance with Section 6.21; 4.50 m where it abuts a street, except for points of ingress/egress.	1.27 m adjacent to a Residential Zone	Support. The reduced planting strip width may be enhanced through the use of fencing and landscaping to ensure appropriate buffering remains between the proposed development and adjacent properties.
Parking Area Regulations (Block Townhouses)	1.50 parking spaces per dwelling unit (27 spaces total for 18 dwelling units)	31 parking spaces provided	The parking provided on-site exceeds the requirements for block townhouses in the Zoning By-law.

Table 2: Zone Comparison Chart - Proposed Site-specific RM1 Zone for Block Townhouse Dwellings			
Zoning Regulation	Base Regulations	Proposed Regulations	Planning Comments
Width of Ingress/Egress Driveways	7.50 m for two-way traffic	6.00 m for two-way traffic	Support. The proposed driveway width of 6.00 m is standard for block condominiums and there are no anticipated issues from an emergency response perspective. Internal roads will be designated as a fire lane and will be no-park zones. On-site parking is adequate for the number of dwelling units and visitor parking.

Removal of the Environmental Conservation (EC) Overlay Zone

Planning staff are supportive of the request to remove the EC Overlay Zone from the subject property. The Agent has provided a [Natural Heritage Screening Report](#) that concluded that there are no natural heritage features present on the property. Niagara Region also confirmed during pre-consultation that following a review of aerial imagery no natural heritage features were present. The proposal to remove of the Environmental Conservation (EC) Overlay Zone was circulated for review by the Town’s Environmental Advisory Committee (EAC). EAC reviewed the Agent’s Natural Heritage Screening Report and have no concerns with the conclusions of the report.

Studies

The following studies/documents were submitted with the Zoning By-law Amendment and Draft Plan of Subdivision applications:

- [Stage 1 and 2 Archaeological Assessment](#);
- [Functional Servicing Report and Stormwater Management Report](#);
- [Natural Heritage Screening Report](#);
- [Tree Inventory and Preservation Report](#);
- [Landscape Plan](#)

Staff note that the findings of these studies are discussed in detail throughout [Report No. PDS-21-2023](#).

Financial/Staffing Implications

All costs associated with processing the application and the development of the property is the responsibility of the owner.

Policies Affecting Proposal

Notice of the statutory Public Meeting was circulated in accordance with the *Planning Act* by placing an advertisement in the February 2, 2022 edition of the *Fort Erie Post*.

Land use policies for the subject lands are contained in the Town's Official Plan, and applicable Regional and Provincial regulations.

Comments from Relevant Departments/Community and Corporate Partners

A request for comments regarding this Draft Plan of Condominium and Combined Official Plan and Zoning By-law amendment was circulated to relevant Departments/Community and Corporate Partners on January 20, 2023. Comments received prior to the Public Meeting date are detailed in [Report No. PDS-21-2023](#).

Staff and Agency Comments

Supervisor, Development Engineering

The [Functional Servicing Report](#) (FSR) was reviewed by the Supervisor, Development Engineering and it was recommended that a secondary review be conducted by the Town's sewer model consultant GMBLuePlan to review the FSR against the downstream sanitary sewer capacity.

The secondary review concluded that there is enough sanitary sewer capacity to accommodate the 272 Ridge Road South development. However, the sanitary sewer is near capacity and any additional development in the area, such as the stacked townhouse development on 0-15850 Rebstock Road which is currently under appeal, will require an upgrade of the sanitary sewer along Ridge Road South from 200 mm (existing) to 250 mm. The upgrade will be required from Rebstock Road to Crystal Beach Drive where the Town sanitary sewer connects to a Regional sanitary sewer. There are no capacity issues in the Regional sanitary sewer or the Crystal Beach wastewater treatment plant further downstream.

Comments from Applicant

The Applicant provided a response via letter to address several questions and concerns from Council that were discussed during the Public Meeting. The letter is attached as **Appendix “4”**.

Public Comments

A public information open house was held in-person in the Atrium of Town Hall on February 15, 2023 from 5 to 6 pm. All property owners within 120 metres of the subject lands were notified of the information open house via a notice mailed by Staff on January 31, 2023. Town planning staff and two representatives from the Agent attended the information open house meeting. Approximately 15 members of the public attended the information open house meeting.

The statutory Public Meeting for this application was held on March 20, 2023. One resident provided comments and a presentation on the proposal. The Clerk advised that three written submissions were received between the time the information report was posted on the Agenda and when the meeting was called to order. The submission was circulated to members of Council and staff and was appended to the minutes.

Several emails were received for the application following the Public Meeting. These emails are attached for review as **Appendix “5”**.

Comments and feedback from the public are outlined below.

Adjacent ‘L-shaped’ Parcel

A letter was received from legal representatives of an adjacent landowner, the ‘l-shaped’ parcel, requesting that Council defer the application in order to provide time for the Applicant and the landowner to come to an agreement to integrate the lands. The adjacent property owner states the proposed development will negatively impact the developability of their land due to the irregular shape.

Staff Response

There is potential for neighbouring parcels to integrate with the development. Several parcels adjacent to the subject property were designated Medium Density Residential in the Crystal Beach Secondary Plan with the intent that land be consolidated for a larger development.

The Applicant reached out to neighbouring landowners prior to application submission and during the planning process and was not able to reach an agreement with adjacent landowners to integrate their lands with the subject property. Planning staff note that the current Urban Residential land use designation does permit the parcel to develop on its own.

Housing/Architectural Form Not Compatible with Surrounding Area & Building Height

Several residents had concerns about the proposed housing form and expressed concern that the proposed 3 storey townhouse dwellings were not compatible with the area. Several residents expressed concern with the building height, and were concerned about impacts on privacy.

Staff Response

The existing Official Plan land use designation as Urban Residential and the proposed Medium Density Residential land use designation proposed for the site as part of the Crystal Beach Secondary Plan permit block townhouse dwellings as a desirable use for the subject property. There is also a similar block townhouse development directly south of the subject property.

The existing R1 zoning permits structures up to 2.5 storeys and 9.00 m in height. The proposed townhouse dwellings are 3 storeys and 9.65 m in height, including the parapet on top of the roof. The top of roof itself is 8.60 m in height. While the architectural style of the proposed townhouse dwellings and rooftop amenity area is fairly unique, the buildings themselves are not substantially taller than what is permitted under the existing R1 zoning. Compatibility does not mean “the same as”. Planning staff note that the proposed townhouse dwellings meet the setback requirements of the proposed RM1 zoning. Impacts on massing and privacy on adjacent parcels can be managed through fencing and landscaping. Town staff will review of planting strips, landscaping and fencing along the periphery of the site to prevent undue impacts to adjacent parcels.

Drainage and Flooding

Several residents had questions regarding drainage in the area and expressed concern that the proposed development may result in flooding of their properties.

Staff Response

Planning staff note that detailed engineering review will occur by Town Infrastructure Services staff as part of the conditions of approval for this development. Final approval will not be obtained unless the developer can demonstrate that surface drainage will remain on-site.

The Agent has provided a [Functional Servicing and Stormwater Management Report](#) that notes that the development will utilize a 1200.00 mm Town stormwater sewer that is located along Ridge Road South. The storm sewer does not have adequate capacity to accommodate uncontrolled post-development flows, and so on-site stormwater management infrastructure is proposed to release water into the storm sewer at a controlled rate to match pre-development flow. This will occur via the use of a system of

catchbasins and an oil and grit separator to collect on-site stormwater and then funnel it to underground storage chambers.

Environmental Conservation Overlay Removal

Several members of the public had questions regarding the proposal to remove the Environmental Conservation (EC) Overlay from the subject property and are concerned about the removal of greenspace.

Staff Response

Planning staff note that the intent of the land use designations in the Official Plan and the Crystal Beach Secondary Plan is for the lands to develop, provided the requisite environmental review occurs that demonstrates there are no environmentally significant feature on site. The site itself is not considered to be green space or open space area.

Planning staff note that the subject property is outside of area regulated by the Niagara Peninsula Conservation Authority (NPCA). The site is identified as being part of Niagara Region's natural heritage system, however, during pre-consultation Region staff noted that no natural heritage features are present following a review of aerial imagery. The Region, therefore, did not request the completion of an Environmental Impact Study (EIS).

The Agent did complete a [Natural Heritage Screening Report](#) and a [Tree Inventory and Preservation Plan](#) as part of application submission. Due to the presence of the Environmental Conservation (EC) Overlay Zone staff circulated this application and the above reports to the Town's Environmental Advisory Committee (EAC) for review. EAC reviewed the report during a meeting on March 8, 2023 and did not have concerns with the conclusions of the report.

Departures from the Proposed RM1 Zone

Several comments were received stating that if the zoning of the property should change to Residential Multiple 1 (RM1) Zone as requested, that the proposed development should meet all of the base regulations of the RM1 zoning.

Staff Response

It is common in a Zoning By-law Amendment application to have a few zoning departures from the base zoning as every development is different and must be evaluated on its own merits. Planning staff has provided comments on the proposed zoning departures in the "Comprehensive Zoning By-law No. 129-1990" section of this report.

Reduced Access Drive Width

Several members of the public were concerned about the proposed reduction in access driveway width from Ridge Road South into the development.

Staff Response

The proposed access driveway width of 6.00 m is a standard width for internalized private roads within block townhouse developments. Planning staff contacted the Fort Erie Fire Department to comment if there are any anticipated issues with emergency service vehicles entering or exiting the site. It was confirmed that there are no anticipated issues with the proposed width of 6.00 m.

Several other block condominium developments in the Town feature similar widths for private roads. Here is a comparison chart noting the private road widths of several other recent block condominiums throughout the Town:

Development Name	Address	Number of Townhouse Units	Width of Private Roads
Brydgeview Townhouses Phase 2	75 Albany Street	15	6.00 m
Deerwood Lane Condominium Phase 2	3573 Dominion Road	18	6.00 m
Dominion Woods Phase 2 Condominium	340 Prospect Point Road North	52	7.00 m
Peace Bridge Village Phase 3 Condominium	397 Garrison Road	24	6.00 m
315 Garrison Road Phase 2 Condominium	315 Garrison Road	36	6.00 m
Block 82 Condominium (The Oaks at Six Mile Creek)	3365 Whispering Woods Trail	20	7.00 m
Southcoast Village Phase 3 Condominium	0-15199 Ridgeway Road	69	6.00 m

Sidewalk Connection to Ridge Road South

Several members of Council and the public requested that an internal sidewalk be provided for pedestrian access to Ridge Road South.

Applicant Response

Concerning the incorporating a pedestrian sidewalk alongside the roadway, we would like to reiterate that the roadway is not a through-fare and will have a very calm and sparse volume of traffic. The areas abutting the roadway are devoted to landscaped features which we believe has a higher value and importance. Further, the function of any sidewalk would be negated as there is no municipal sidewalk on this east side of Ridge Road South to connect to.

Planning Staff Response

Generally it is planning staff's preference to have internalized sidewalks in any development, however there is not an established requirement in the Town's Site Plan Control Guidelines or Subdivision Guidelines that requires sidewalks for private roads in a plan of condominium (they are required on at least one side for public roads). Further, given the often infill nature of block condominiums it is not always a possible to have space for internal sidewalks as is the case here. This development contains a relatively small number of dwelling units and internal traffic will be relatively light. Pedestrians will be able to utilize the private road to access Ridge Road South and the road will be maintained by the condominium board in the winter months.

Snow Removal

Several Council members and members of the public requested additional information on how snow removal will operate within the development during the winter.

Applicant Response

A private contracting company will manage the snow removal within the condominium areas. Please find a brief summary of process for the snow removal and clearing below. Snow removal at a medium sized condominium corporation follows a standard procedure:

- For light snow fall, a small crew will arrive at the property and undertake a standard spraying of common areas with salt or mix that controls ice and precipitation build up
- For steady to moderate snowfall, a crew will arrive at the property to purposefully remove snow from the common areas and place snow in predetermined melting areas. The impermeable surfaces will be treated with salt.
- For heavy snowfall, a larger crew will arrive at the property to purposefully remove snow from the common areas and place snow in predetermined melting areas and the impermeable surfaces will be treated with salt. In the event snow accumulation is

too great so that it would present a visibility hazard for automobiles, or potentially overwhelm the stormwater management system during melting, surplus snow will be removed by truck to a dumping area approved by the Region of Niagara.

The private company contracted by the condominium corporation will communicate directly with the board of directors and/or an appointed member to address the resident's questions or concerns. This is a customizable relationship that will be formalized to the satisfaction of the board.

Alternatives

Council may elect to deny the Zoning By-law Amendment and Draft Plan of Subdivision applications. Planning Staff do not recommend this as the proposal is consistent with Provincial, Regional, and Town planning policies, and represents good land use planning.

Communicating Results

There are no communication requirements at this time.

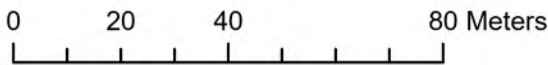
Conclusion

Planning Staff support the proposed Zoning By-law Amendment and Draft Plan of Condominium applications. The applications will facilitate development of a plan of condominium containing a total of 18 dwelling units that represent a compact form of development and will provide additional housing variety to the Town. The proposal is consistent with Town, Regional and Provincial planning policies and represents good planning principles.

Planning Staff recommend that Council approves the Zoning By-law Amendment and Draft Plan of Vacant Land Condominium as proposed, and direct staff to circulate the conditions of draft plan approval to the appropriate external agencies and prepare the necessary by-law.


Attachments

- Appendix "1"** - Location Plan
- Appendix "2"** - Draft Plan of Subdivision
- Appendix "3"** - Conditions of Draft Plan Approval
- Appendix "4"** - Letter from Applicant
- Appendix "5"** - New Public Comments

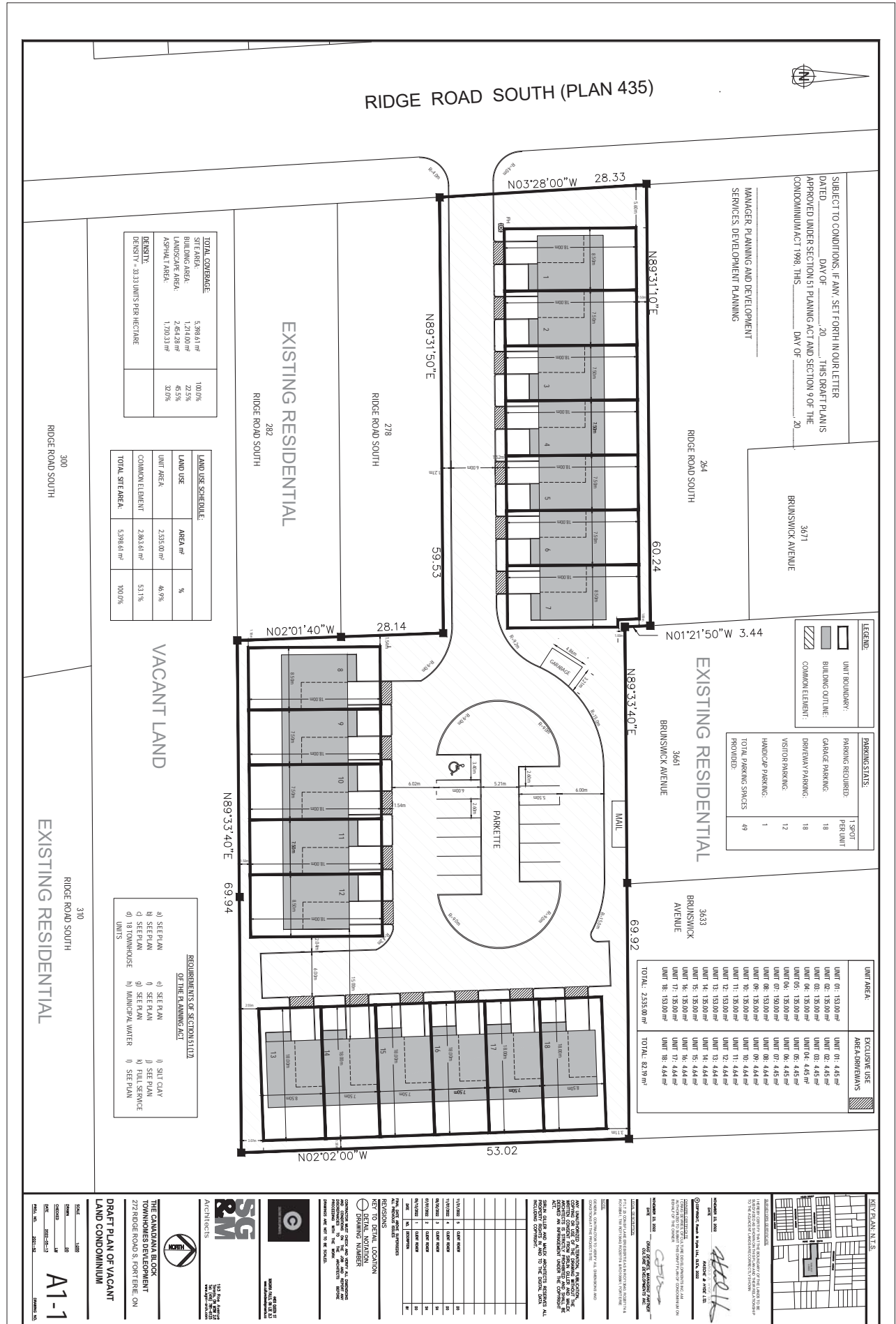


LOCATION PLAN

Proposed Plan of Condominium and Zoning By-law Amendment - 272 Ridge Road South

 Subject Lands - 272 Ridge Road South





TOTAL COVERAGE	5,398.61 m ²	100.0%
SITE AREA	1,714.00 m ²	23.5%
BUILDING AREA	2,647.28 m ²	49.5%
LANDSCAPE AREA	1,730.33 m ²	32.0%
ASPHALT AREA		
DENSITY		
DENSITY - 33 UNITS PER HECTARE		

LAND USE SCHEDULE:	AREA m ²	%
LAND USE		
UNIT AREA	2,553.00 m ²	46.9%
COMMON ELEMENT	2,865.61 m ²	53.1%
TOTAL SITE AREA	5,398.61 m ²	100.0%

REQUIREMENTS OF SECTION 12.12 OF THE PLANNING ACT		
a) SEE PLAN	b) SEE PLAN	c) SEE PLAN
d) SEE PLAN	e) SEE PLAN	f) SEE PLAN
g) SEE PLAN	h) SEE PLAN	i) SEE PLAN
j) SEE PLAN	k) SEE PLAN	l) SEE PLAN
m) SEE PLAN	n) SEE PLAN	o) SEE PLAN
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1) SEE PLAN	2) SEE PLAN	
3) SEE PLAN	4) SEE PLAN	
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9) SEE PLAN	10) SEE PLAN	
11) SEE PLAN	12) SEE PLAN	
13) SEE PLAN	14) SEE PLAN	
15) SEE PLAN	16) SEE PLAN	
17) SEE PLAN	18) SEE PLAN	
19) SEE PLAN	20) SEE PLAN	
21) SEE PLAN	22) SEE PLAN	
23) SEE PLAN	24) SEE PLAN	
25) SEE PLAN	26) SEE PLAN	
27) SEE PLAN	28) SEE PLAN	
29) SEE PLAN	30) SEE PLAN	



SUBJECT TO CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED _____ 20____ THIS DRAFT PLAN IS APPROVED UNDER SECTION 51 PLANNING ACT AND SECTION 9 OF THE CONDOMINIUM ACT 1998. THIS _____ DAY OF _____ 20____

MANAGER, PLANNING AND DEVELOPMENT SERVICES DEVELOPMENT PLANNING

BRUNSWICK AVENUE 3671

BRUNSWICK AVENUE 3661

EXISTING RESIDENTIAL

BRUNSWICK AVENUE 3633

UNIT AREA	EXCLUSIVE USE AREA/DRIVEWAYS
UNIT 01: 135.00 m ²	UNIT 01: 4.46 m ²
UNIT 02: 135.00 m ²	UNIT 02: 4.46 m ²
UNIT 03: 135.00 m ²	UNIT 03: 4.46 m ²
UNIT 04: 135.00 m ²	UNIT 04: 4.46 m ²
UNIT 05: 135.00 m ²	UNIT 05: 4.46 m ²
UNIT 06: 135.00 m ²	UNIT 06: 4.46 m ²
UNIT 07: 135.00 m ²	UNIT 07: 4.46 m ²
UNIT 08: 135.00 m ²	UNIT 08: 4.46 m ²
UNIT 09: 135.00 m ²	UNIT 09: 4.46 m ²
UNIT 10: 135.00 m ²	UNIT 10: 4.46 m ²
UNIT 11: 135.00 m ²	UNIT 11: 4.46 m ²
UNIT 12: 135.00 m ²	UNIT 12: 4.46 m ²
UNIT 13: 135.00 m ²	UNIT 13: 4.46 m ²
UNIT 14: 135.00 m ²	UNIT 14: 4.46 m ²
UNIT 15: 135.00 m ²	UNIT 15: 4.46 m ²
UNIT 16: 135.00 m ²	UNIT 16: 4.46 m ²
UNIT 17: 135.00 m ²	UNIT 17: 4.46 m ²
UNIT 18: 135.00 m ²	UNIT 18: 4.46 m ²
TOTAL: 2,553.00 m ²	TOTAL: 32.70 m ²

LEGEND:

- UNIT BOUNDARY
- BUILDING OUTLINE
- COMMON ELEMENT

PARKING STATUS:

1 SPOT PER UNIT	18
GARAGE PARKING	18
DRIVEWAY PARKING	18
VISITOR PARKING	12
LANDCAP PARKING PROVIDED:	1
TOTAL PARKING SPACES PROVIDED:	49

THE CANADIAN BLOCK TOWNHOUSES DEVELOPMENT
275 RIDGE ROAD SOUTH, FORT ERIE, ON
DRAFT PLAN OF VACANT LAND CONDOMINIUM

SCALE: 1:1000
DATE: 2023-06-17
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1:1000
DATE: 2023-06-17
DRAWN BY: [Signature]
CHECKED BY: [Signature]

SGR ARCHITECTS
1015 York Avenue
Fort Erie, Ontario
N3A 1R1
Tel: 905-886-8888
Fax: 905-886-8889
www.sgr.ca

PROFESSIONAL ENGINEER
15275 Yonge Street, Suite 101
Richmond Hill, Ontario L4B 1E6
Tel: 905-882-1133
Fax: 905-882-1134
www.enr.com

DATE: 2023-06-17
DRAWN BY: [Signature]
CHECKED BY: [Signature]

LEGEND:

- UNIT BOUNDARY
- BUILDING OUTLINE
- COMMON ELEMENT

REQUIREMENTS OF SECTION 12.12 OF THE PLANNING ACT

a) SEE PLAN	b) SEE PLAN	c) SEE PLAN
d) SEE PLAN	e) SEE PLAN	f) SEE PLAN
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23) SEE PLAN	24) SEE PLAN	
25) SEE PLAN	26) SEE PLAN	
27) SEE PLAN	28) SEE PLAN	
29) SEE PLAN	30) SEE PLAN	

UNIT AREA: 2,553.00 m²; EXCLUSIVE USE AREA/DRIVEWAYS: 32.70 m²

A1-1

CONDITIONS OF DRAFT PLAN APPROVAL
272 Ridge Road South - Canadiana Townhomes Draft Plan of Vacant Land
Condominium
June 26, 2023

The conditions of final approval and registration of the Canadiana Plan of Vacant Land Condominium by 5038257 Ontario Inc. File No. 350303-0041 in the Town of Fort Erie are as follows:

1. That this approval applies to the Canadiana Plan of Vacant Land Condominium, Concession Broken Front Lake Erie Part Lot 23, prepared by Harold D. Hyde dated November 23, 2022 showing 18 lots intended for townhouse dwellings, a private road and 13 visitor parking spaces.
2. That the applicant/developer submit an undertaking that the Condominium Corporation will enter into an assumption agreement with the municipality, once the condominium plan has been registered, which requires the Condominium Corporation to assume the maintenance and responsibilities contained in the Condominium Agreement and that the Condominium Corporation will not object to the registration of the agreement.
3. That immediately following the registration of the Condominium Plan the Condominium Corporation enter into an assumption agreement with the Municipality which requires the Condominium Corporation to:
 - a. Assume the maintenance and responsibilities outlined under the Condominium Agreement to be approved by the Town of Fort Erie.
 - b. Provide to the Town security deposits as necessary to ensure completion of all outstanding works.
4. That in accordance with By-law 69-08 Policy for Parkland Dedication, the owner shall pay to the Town of Fort Erie cash in lieu of parkland dedication an amount equal to 5% of the value of the land to the satisfaction of the Town.
5. That the owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the Town of Fort Erie concerning the provision of roads, watermain, sewers, drainage, storm water management, daylight triangles, sidewalks, fire hydrants, streetlighting, including the upgrading of existing services and the restoration of existing roads damaged during the development of the Plan of Condominium.
6. That the owner agrees to deed any and all easements that may be required for access utility and drainage purposes be granted to the appropriate authorities and utilities free and clear of any mortgage liens or encumbrances.
7. That all roads within the development shall be private roadways.

8. That the design drawings for the municipal water system, sanitary sewer system and storm water drainage systems, including stormwater management, to service this development be submitted to the Town of Fort Erie for review and approval.
9. That prior to approval of the final plan or any on-site grading, the owner submit to the Town of Fort Erie for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual", March 2003, and "Stormwater Quality Guidelines for New Development", May 1991, and in accordance with Town of Fort Erie's Storm Drainage Guidelines, the Town of Fort Erie Lot Grading Policy, Town of Fort Erie Stormwater Management Facility Design, Operation and Maintenance Policy and Standards:
 - a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b) Detailed sediment and erosion control plans.
11. That the owner/developer agrees in the executed Condominium Agreement to implement all plans and required works arising from meeting Condition 10 as noted above.
12. That the Developer submits a Landscape Plan to the satisfaction Town Staff.
13. That the Condominium Agreement contain the following warning clause with respect to the protection of any archaeological resources that may be encountered during construction activities:

"Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Citizenship and Multiculturalism (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-326- 8800) must be contacted. In situations where human remains are associated with archaeological resources, the Ministry should

also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act."

14. That the Owner / Developer provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that draft approval of this condominium does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the Owner / Developer.
15. That the Owner / Developer provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this condominium shall contain a clause indicating that servicing allocation for the development will not be assigned until the plan is registered, and a similar clause be inserted in the Condominium Agreement between the Owner / Developer and the Town.
16. That prior to final approval for registration of this plan of Condominium, the Owner shall submit the design drawings [with calculations] for the sanitary and storm drainage systems required to service this development and obtain approval through the Town's new Consolidated Linear Environmental Certificates of Approval.
17. That the Owner / Developer ensure that all streets and development blocks can provide access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling.
18. That the Owner/Developer shall comply with Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection and Indemnity Agreement prior to Regional curbside waste collection services commencing.
19. That in order to accommodate Regional Waste Collection service, waste collection pads are required to be provided by the developer for Units 13-15.
20. The Owner is advised that some of the proposed development's internal roads exceed the requirements of Niagara Region's Corporate Waste Collection Policy. Therefore in order to receive Regional collection, residents will be required to bring their containers to their designated waste collection pads for collection. The following clause should be included in the Condominium Agreement and inserted into all Offers and Agreements of Purchase and Sale or Lease for Units 13-15:

"Owners / Purchasers / Tenants are advised that they will need to bring their waste and recycling containers to their designated waste collection

pad on their designated collection day in order to receive curbside collection."

21. The following warning shall be included in the Condominium Agreement and inserted into all Offers and Agreements of Purchase and Sale or Lease for each property to survive closing:

"Purchasers are advised that a properly executed Indemnity Agreement must be submitted from the private property owner(s) or property management company with signing authority to Niagara Region in order to maintain waste collection services on private roadway(s) and/or property(ies)."

22. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

23. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

24. The owner shall complete to the satisfaction of Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:

- i. that the home/business mail delivery will be from a designated Centralized Mail Box.
- ii. that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

- b) The owner further agrees to:

- i. work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
- ii. install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes

- iii. identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv. determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.
25. That if final approval is not given to this plan within three years of the approval date and no extensions have been granted, draft approval shall lapse. If the owner wishes to request an extension to the draft period, a written explanation with reasons why the extension is required must be received by the Town prior to the lapsing date.

Clearance of Conditions

Prior to granting approval of the final plan, the Town will require written confirmation from the following agencies that their respective conditions have been met satisfactorily:

- ◆ Niagara Region for Conditions 13, 14, 15, 16, 17, 18, 19, 20 & 21.
- ◆ Bell Canada for Conditions 22 & 23.
- ◆ Canada Post for Condition 24.

1. THE LANDS REQUIRED TO BE REGISTERED UNDER THE LAND TITLES ACT:

- a) Section 160(1) of the Land Titles Act which requires all new plans to be registered in the Land Titles system.
- b) Section 160(2) allows certain exceptions.

2. WATER AND SEWER SYSTEMS

Inauguration or extension of a piped water supply, a sewage system or a storm drainage system is subject to the approval of the Ministry of

Environment under Section 52 and 53 of the Ontario Water Resources Act, R.S.O. 1990.

3. CONVEYING

As the land mentioned above be conveyed to the Municipal Corporation may be more easily described in the conveyance by reference to a registered plan than by "metes and bounds" be it suggested that the description be so worded and be it further suggested the owner give to the Municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

4. In order to assist agencies listed above in clearing the conditions of final approval and registration of the plan, it may be useful to forward executed copies of the agreement between the owner and the Town to these agencies. In this instance this copy should be sent to:

Katie Young
Regional Development Planner
Niagara Region
Phone: (905) 980-6000
Email: devtplanningapplications@niagararegion.ca

Juan Corvalan
Senior Manager - Municipal Liaison Bell Canada
Email: planninganddevelopment@bell.ca

Andrew Carrigan
Officer, Delivery Planning
Canada Post
Phone: (226) 268-5915
Email: Andrew.Carrigan@Canadapost.ca

5. REVIEW OF CONDITIONS

The applicants are advised that should any of the condition appear unjustified or their resolution appear to be too onerous they are invited to bring their concerns to Council's attention. Council will consider a request to either revise or delete conditions.

6. SITE PLAN AGREEMENT

Prior to final approval for registration, a copy of the executed site plan agreement for the proposed development should be submitted to the Niagara Region Public Works Department (Development Services Division) for verification that the appropriate clauses pertaining to any of these conditions have been included.

Note: The Development Services Division recommends that a copy of the draft agreement also be provided in order to allow for the incorporation of any necessary revisions prior to execution.

7. NOTE

The owner is advised that the appropriate Regional permits must be completed prior to any construction occurring within the regional right-of-way. The owner is advised that Service Connection Permits must be obtained from the Town for connection to existing sewers and watermains.

April 19, 2023



CULTURE DEVELOPMENTS.

Craig DeVries
Managing Partner
289-929-2165
4400 Queen Street, Niagara Falls, ON, L2E 2L3
culturedevelopmentco@gmail.com
www.culturedevelopments.ca

Attention Daryl Vanderveen,

We would like to express our gratitude for the detailed information report that you have provided us and the multiple phone conversations we have discussed the fine details of this project. It has given us valuable insights

Our team at Culture Developments is writing this response to address the questions and concerns raised by the mayor, members of council, the public, and all the respected officials associated with the land development approval process.

As developers, we take the zoning and land use process very seriously and appreciate your efforts in helping us navigate this process and addressing concerns. We understand that zoning regulations are in place to ensure the safety and well-being of the community, and we are committed to create a project that meets all the needs of the surrounding areas for now and the future.

After reviewing the report, we have identified a few areas that require further clarification. We understand that the primary concerns are mainly focused regarding the height of the proposed townhouses, roadway width, and the lack of sidewalks within the project. Below we will summarize the concerns addresses and our comments:

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

Engineering concerns: We understand that the city and council is responsible for ensuring that all developments comply with the necessary regulations and standards, and our team wants to assure the council that we take these requirements seriously. One of the primary concerns that we encounter as developers is the need for adequate drainage and stormwater management systems. We understand that proper drainage is essential for preventing flooding, erosion, and other water-related problems. As such, we always work closely with our engineering team and the township's engineering staff to ensure that our developments have effective drainage systems that meet all necessary requirements.

Within our "Functional Servicing & Stormwater Management Report" prepared by ARIK Engineering Ltd. we have provided all details of how this will be completed. This report has also been fully approved by the Fort Erie Engineering Department. Down below are the following conclusions for the functional servicing and stormwater management report. This is directly off of the report that can also be found within section 4 on page 10. This report is also attached directly to this letter. Please find it attached.

1. There are adequate servicing infrastructures available to service the proposed Development.
2. Proposed grading for the entire site has been designed with respect to existing grades all around the subject property and the proposed grades within the site have been set to minimize cut/fill in the proposed development.
3. Municipal sanitary sewers are available in the vicinity of the development and the proposed site will be serviced from the existing 200mm sanitary sewer available on Ridge Road South.
4. The existing 150mm municipal water main is available on Ridge Road South which will be utilized for the domestic and fire flow requirements for the site. Hydrant flow test is recommended for the hydrants on Ridge Road South prior to approval to know the available domestic and fire flow in the vicinity of the development.
5. Onsite stormwater management quantity and quality controls are required for the subject development. Quantity control will require the post-development peak flows to match with pre-development peak flow conditions under 5-year and 100-year storm events. Onsite storage has been designed to be maintained by providing underground storage system with an orifice control outlet discharge into the existing storm sewers on Ridge Road South. Stormwater quality will be maintained by providing OGS upstream of the storage system
6. Functional servicing and stormwater management design concepts presented in this report has been used as a basis for the detailed engineering design for the proposed development of the site.

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

7. Erosion and sedimentation control measures must be implemented onsite during pre-grading activities, construction of primary and secondary services to reduce the potential adverse environmental affects originating from onsite construction Activities.

Extra Fire Route Signage: To ensure the safety of the residents and visitors of the Canadian Towns we do agree that we can increase the signage highlighting this is a private roadway and parking is not permitted along the fire route. We believe our site can accommodate the inclusion of up to 5 additional fire route notification signs.

Snow Removal: A private contracting company will manage the snow removal within the condominium areas. Please find a brief summary of process for the snow removal and clearing below.

Snow removal at a medium sized condominium corporation follows a standard procedure:

- For light snow fall, a small crew will arrive at the property and undertake a standard spraying of common areas with salt or mix that controls ice and precipitation build up
- For steady to moderate snowfall, a crew will arrive at the property to purposefully remove snow from the common areas and place snow in predetermined melting areas. The impermeable surfaces will be treated with salt.
- For heavy snowfall, a larger crew will arrive at the property to purposefully remove snow from the common areas and place snow in predetermined melting areas and the impermeable surfaces will be treated with salt. In the event snow accumulation is too great so that it would present a visibility hazard for automobiles, or potentially overwhelm the stormwater management system during melting, surplus snow will be removed by truck to a dumping area approved by the Region of Niagara.

The private company contracted by the condominium corporation will communicate directly with the board of directors and/or an appointed member to address the resident's questions or concerns. This is a customizable relationship that will be formalized to the satisfaction of the board.

Building Height: Regarding the proposed height of the townhouses, our current townhouse design complies with the Town Of Fort Erie zoning bylaw and Ontario Building Code regulations. Currently the maximum height of the townhouses is 9.65m and the current bylaw allows for 12m. Our design is well within the respected bylaw.

We understand that there may be concerns about the visual impact of the townhouses on the surrounding area. However, we believe that the proposed design is both aesthetically pleasing and is very well within height compliance with the regulations set by the city.

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

We feel that it is also important to note that at the public open house and other general feedback that we have received from the public is in great support. No direct or close neighbors feel that it will have any negative impact. In addition we have had many local residents acquire about purchasing units in the future. There is a growing demand for modern designs and living spaces and we feel that our design caters greatly to that market.

Integration with adjacent lands (namely the L-shaped parcel): As stated previously, when we began this development process, dialogue was had with the owners of this neighbouring vacant treed "L-Shaped" parcel to discuss a purchase and integration of this land into one condominium corporation. At that given time there was no positive feedback from the owners. As developers that provide a quality experience to consumers we were highly interested in acquiring the lands to form some type of park land to enhance the experience and character of the Candiana Towns. Unfortunately, as previously expressed, this was unsuccessful. At this point we decided as a team to move forward with the land we do control as we could still create a quality community. Now that we have gotten to these stages within the project, these owners have changed their tone and are now wanting to entertain off the cuff ideas or offers. This was highly unexpected, along with the pressure from the city to also acquire the lands.

However we are pleased to say that discussions are underway with the parcel owners discussing a plan. We are also investigating the best means of addressing the legal complications with the title. Any development of this parcel will have to move at a separate pace, however, time will tell what is possible.

Finally, it should be highlighted that during our public engagement at our open house and throughout the Crystal Beach Secondary Plan engagement process, it became clear that the highest and most desirable use of the adjoining land may not be medium density development, but instead a lower impact alternative. The planning staff have been helpful as we explore the options of this parcel with the owners and we are confident that the best possible use given the circumstances will be realized.

Sidewalk connection to Ridge Road South: Concerning the incorporating a pedestrian sidewalk alongside the roadway, we would like to reiterate that the roadway is not a through-fare and will have a very calm and sparse volume of traffic. The areas abutting the roadway are devoted to landscaped features which we believe has a higher value and importance. Further, the function of any sidewalk would be negated as there is no municipal sidewalk on this East side of Ridge Rd S to connect too.

Finally, we would like to highlight four other condominium developments in the Ridgeway/Crystal Beach area which do not feature any sidewalks either.

- 310 Ridge Road South, Crystal Beach is just located 100 meters from our development. This project contains 19 units.
- 3730 Disher Street, Ridgeway contains 24 units.
- 3573 Dominion Road, Ridgeway also contains 18 units like our proposal.

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

- 340 Prospect Point Road North, Ridgeway contains 44 units and no internal sidewalks

It is our position that sidewalks would not provide a positive function and the precedents of similar developments support this. Please find accompanying this letter the site plans of other the completed projects highlighted above.

Driveway width (7.50 m vs 6.00 m): One of the first aspects of design due diligence is whether the private access roadway provides a functional design and meets building and fire codes. This site is an infill development that has irregular shape and narrow lot frontage along Ridge Road South. All of these aspects limit the overall size of the road. The design of a 6-meter access is in compliance with the Ontario Building Code and has been approved and given no objection by the Township's Fire Chief.

This design of a 6-meter road provides an adequate, functional amount of space, and a positive aesthetic appeal. Furthermore, there are other developments that have private roadways that feature a 6-meter roadway in the Ridgeway/Crystal Beach area.

- 310 Ridge Road South, Crystal Beach is just located 100 meters from our development. This project contains 19 units with a 6-meter road.
- 3730 Disher Street, Ridgeway contains 24 units with a 6-meter road.

Our team feels given the precedents of other projects, meeting the Ontario Building Code, receiving a no objection from the Fire Chief, and still maintaining a pleasing design leading into the project satisfies all planning and design criteria. Please find accompanying this letter the site plans of other completed projects that all have an similar roadway.

Fencing, Landscaping, and Landscape Coverage: The fence height was designed to be inline with the standard condominium design of a 1.8 meter height. Should a higher height be needed it would be possible to stipulate a minimum height.

There is also space on the site for the landscape plan to include 3 new trees (a total of 60 new plantings), and 3 new shrubs (a total of 100 new plantings).

We would like to highlight the landscape design incorporates a central park area which is not present in any of the aforementioned comparable developments. Although less than the zoning bylaw's minimum landscape coverage, the total landscape area is very generous and in many cases higher than the preceding condominium developments in terms of area, plantings, and features.

Conclusion: Once again, we would like to thank the planning department for your assistance and cooperation as we are progressing through the development approval process. It is our goal to match

APPENDIX "4" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

responsible planning with the need to provide additional housing stock in line with the township's intensification goals and feel the proposal at 272 Ridge Rd South, Crystal Beach, will accomplish this. Should any other information be needed or further clarification please let us know.

Sincerely,

Craig DeVries
Managing Partner

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

Fw: Comments on 272 Ridge Road proposal Joan Christensen to Mayor and Council, Carol Schofield, Daryl Vander Veen, Alex Herlovitch 2023-03-21 12:47 PM
 From Joan Christensen/FortErie
 To Mayor and Council, Carol Schofield/FortErie@TownOfFortErie, Daryl Vander Veen/FortErie@TownOfFortErie, Alex Herlovitch/FortErie@TownOfFortErie
 I received this comment from a neighbour who lives on the west side of Ridge Road across from the 272 Ridge Road proposed development.

Joan M. Christensen
Councillor, Ward 4
Town of Fort Erie

E-mail: JChristensen@forterie.ca

----- Original message -----

From: "marilyn lucas" <[redacted]>
 To: "jchristensen@forterie.ca" <jchristensen@forterie.ca>
 Cc:
 Subject: Fw:
 Date: Tue, Mar 21, 2023 8:12 AM

----- Forwarded message -----

I was pleased with the depth of information received at last night's public meeting, concerning the proposed development of 272 Ridge .

I must say that I was puzzled by some of the responses given by Mr Devries . Does he truly believe that having trees on neighbouring property absolves his company of their responsibility regarding green-space?

Nowhere did I hear any reasonable explanation for the need to reduce the minimum zoning requirements and allow this plan of condominium to progress further.. I was especially concerned by the attitude regarding the removal of the environmental conservation ." Not important, get rid of it, no big deal" is not what I expected to hear from town employees or council, especially when the crux of this meeting was all about the health and well-being of our little corner of town. Once nature is destroyed is too late to say oops

The snow removal aspects of the undersized access road were discussed but nothing was said of waste management . No way can the trucks safely enter and collect in that space.Does this mean that all residents must bring bins and bags to Ridge rd. curb as they do on Prospect for Yacht Harbour rd. ?

Comparing this project to the bungalow towns at 310 ridge is like comparing apples to oranges . One less unit on a property that is half the size , and stating the opinion that because special provisions were permitted on that development in 2009, means this project should get (even more) provisions is wrong on so many levels.

But I have the utmost respect for the council and the work they do (sorry I applauded, but the speaker was awesome) and believe that your consciences will lead you make the right decisions for my neighbourhood and the town itself

thanks a bunch

Marilyn Lucas

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

Fwd: Re: Message from Town of Fort Erie Web Site - Stephen Pascoe - 03/22/2023 9:27:24 AM Tom Lewis to Daryl Vander Veen 2023-03-22 10:15 PM
 Cc "[redacted]"
 From Tom Lewis/FortErie
 To Daryl Vander Veen/FortErie@TownOfFortErie
 Cc [redacted]
 Hello Darryl,

Please see the email from Mr. Pastor regarding 272 Ridge Road.

Thanks,

Tom Lewis
 Councillor Ward 5
 Town of Fort Erie
 Tel: [289 599 1717](tel:2895991717)

On Mar 22, 2023, 6:08:51 PM, [redacted] wrote:

From: [redacted]
 To: TLewis@forterie.ca
 Cc:
 Date: Mar 22, 2023, 6:08:51 PM
 Subject: Re: Message from Town of Fort Erie Web Site - Stephen Pascoe - 03/22/2023 9:27:24 AM

Please do share my comments with the planning staff.
 I can buy reached at [redacted]
 Best regards
 Stephen Pascoe

On Wed., Mar. 22, 2023, 5:37 p.m. Tom Lewis, <TLewis@forterie.ca> wrote:

Stephen,

Thank you for reaching out regarding the proposed project. Please let me know if I can share this email and comments with the TOFE Planning staff. Also, could you provide a telephone number should follow-up be required?

Sincerely,

Tom Lewis

----- Original message -----

From: [redacted]
 Sent by: Apps/FortErie
 To: Tom Lewis/FortErie@TownOfFortErie
 Cc:
 Subject: Message from Town of Fort Erie Web Site - Stephen Pascoe - 03/22/2023 9:27:24 AM
 Date: Wed, Mar 22, 2023 9:27 AM

Name: Stephen Pascoe

[redacted]

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

Message:

re 272 Ridge Rd.

My wife and I live at 345 Prospect Point Rd S and attended the public meeting on Monday evening. There were a number of very valid concerns raised in opposition to this development including the unacceptably narrow access road and density of units. Another concern which wasn't addressed at the meeting is the use of the rooftops for outdoor living space. Concerns with this concept include the invasion of neighbours privacy with the townhouse residents being able to peer down from their rooftops but a serious issue would be safety. There are very strong winds quite regularly and those umbrellas and other unsecured objects including outdoor furniture would become projectiles in a storm. You don't see any rooftops being used in such a dangerous way. I don't know if there is anything in the building codes or bylaws that would restrict this use of the rooftop but it should be a safety consideration.

This message was submitted from the Town of Fort Erie web site on 03/22/2023 9:27:24 AM

APPENDIX "5" TO ADMINISTRATIVE REPORT PDS-48-2023 DATED JUNE 26, 2023

Proposed subdivision Ridge Road South (Plan 435)

Monique t Wayne Redekop, dvanderveen, tlewis, gmcdermott, ndubanow,
o dflagg, jchristensen, amnoyes, tinsinna

2023-03-30 03:58 PM

From "Monique" <[redacted]>

To "Wayne Redekop" <WRedekop@forterie.ca>, dvanderveen@forterie.ca, tlewis@forterie.ca,
gmcdermott@forterie.ca, ndubanow@forterie.ca, dflagg@forterie.ca, jchristensen@forterie.ca,
amnoyes@forterie.ca, tinsinna@forterie.ca

We reside at 310 Ridge Rd. S., #11.. we would be back to back with this proposed subdivision...we currently enjoy the peace, beauty and serenity our home provides..

Having a 3+ story development overlooking our back decks and backyards is a major infringement on our privacy and enjoyment...the size of this development is not conducive to the area. And will be an eyesore to the many residents on the north side of Shorebreeze Properties...

We plan on objecting this proposal...

Monique & Roger Doucet
[redacted]
[redacted]

Sent from my iPad