
Memo

To: Devon Morton, Supervisor of Development Approvals

From: Taylor Boyle, Project Manager, Development Engineering

Date: February 20th, 2025

File No.: ZBA-14-2024

RE: **Official Plan Amendment, Zoning By-Law Amendment, Removal of Part Lot Control – 1st Submission – Spears Gardens (Formerly Lulongping Gardens)**

Town of Fort Erie Development Engineering Staff have reviewed the above noted application to address the technical concerns related to the Official Plan Amendment, Zoning By-law Amendment and Removal of Part Lot Control Application submission for Spears Gardens.

The proposed amendments are to facilitate a redesign of the Registered Plan of Subdivision, to establish a change to the road and lot/block pattern to accommodate 119 single detached lots and 14 blocks for 84 street townhouse units. The existing stormwater management facility and block for pedestrian connection to the east will continue to remain in their current locations. The internal street network will be redesigned as a looping grid pattern, with Terry Drive and Bright Avenue remaining in their current location, to provide for a more efficient lot/block pattern.

Town Staff have reviewed the following documentation for the purpose of this application:

- Functional Servicing Report, prepared by Upper Canada Consultants, dated November 2024;
- Revised Draft Plan of Subdivision, prepared by Upper Canada Consultants, dated June 19, 2024;

The following comments and conditions shall be addressed to the satisfaction of the Director of Infrastructure Services. Note that further comments are to be forthcoming on subsequent submissions.

General Comments:

Following a detailed review of the supporting documentation submitted as part of the Official Plan Amendment, Zoning By-Law Amendment and Removal of Part Lot Control Applications, Development

Engineering Staff recommend that a holding provision be placed upon the Zoning By-Law Amendment Application until such a time that the following comments/conditions are addressed to the satisfaction of the Director of Infrastructure Services.

Stormwater Management:

1. The subject lands are located within the Spears-High Pointe Secondary Plan Area within the Town's Official Plan. Within this Secondary Plan area there is an existing Master Servicing Study, Spears-High Pointe Neighbourhood Master Servicing Study, which outlines the recommended stormwater management strategy for the Secondary Plan area.

Pursuant to By-Law 39-2003, which adopted the 2002 Spears – High Pointe Neighbourhood Master Servicing Study, prepared by Earth Tech Canada Ltd., dated December 2002, Staff require that the Stormwater Management strategy for the proposed development be reviewed and revised to conform with the Spears – High Pointe Master Servicing Study and By-Law 39-2003.

2. In general, Town staff are committed to better environmental stewardship. In accordance with the Niagara Region's Stormwater Management Guidelines, Town Staff require that water quality control be to an Enhanced level (80% TSS removal).
3. Is there an opportunity to implement a treatment train BEFORE the oil-grit separator to reduce the burden of facility maintenance in the future?

Condition:

1. **A detailed Stormwater Management Report shall be prepared, certified, and implemented for this development by a Professional Civil Engineer in accordance with the Town's Standards, as amended, and in accordance with By-Law 39-2003 and the Spears – High Pointe Neighbourhood Master Servicing Study, to the satisfaction of the Project Manager, Development Engineering;**

Functional Servicing Report:

4. The Functional Servicing Report shall be peer-reviewed by the Town's Sanitary Sewer Consultant, GEI Consultants. The analysis by the Town's Consultant shall comment on and provide recommendations for the existing downstream system, if any. The submission of this Functional Servicing component and recommendations thereof to the downstream system, if any, as a result of the peer-review, shall be required as a condition of the Zoning Bylaw Amendment, and a HOLD Provision applied to the lands, until such time as the recommendations for improvements, if any, are implemented accordingly at 100% responsibility of the Owner.

5. The Owner shall also make themselves familiar with the requirements of the Town's current Sanitary Sewer Consolidated Linear Infrastructure license, and ensure these requirements are met, prior to the Town authorizing connections to the existing sewer system.

Condition:

2. **The Owner submits to the Town for review and approval a revised Functional Servicing Report prepared and certified by a licensed Professional Civil Engineer with respect to the development's sanitary sewer proposal and proposed peak flows, to the satisfaction of the Director, Infrastructure Services**

Proposed Road Network

6. As the proposed development is located within the Spears – High Pointe Secondary Plan area, Staff require that the Owner/Developer demonstrate how the proposed road network is proposed to integrate with Secondary Plan's recommended overall road network.

Condition:

3. **The Owner / Applicant shall demonstrate the proposed road network is compatible with the Spears High-Pointe Secondary Plan to the satisfaction of the Town's Director of Infrastructure Services.**

Development Engineering have no further comments or conditions to impose regarding the submitted Applications, subject to the above conditions.

Regards,



Taylor Boyle, C. Tech., rcsi
Project Manager, Development Engineering
Planning, Building and By-Law Services

Interoffice Memorandum

February 19, 2025
File No. 350308-0104

To: Devon M. Morton, Supervisor of Development Approvals
From: R.D. Judd, Municipal Engineer - Infrastructure Renewal
Subject: **ZONING BY-LAW AND OFFICIAL PLAN AMENDMENTS APPLICATIONS,
SPEARS GARDEN/ LULONGPING SUBDIVISION**

Engineering Services Division has completed a high level review of the above noted Zoning By-law and Official Plan Amendments. It is our understanding that Development Engineering staff are responsible to complete a detailed review and provide comments too.

Official Plan Amendment

The purpose and effect of the Official Plan Amendment application is to establish a site specific, Low Density, policy area that permits street townhouses as a permitted use and a maximum residential density of 22 units per hectare.

- We have no comments regarding the proposed Official Plan Amendment.

Zoning By-law Amendment

The purpose and effect of the Zoning By-law Amendment application is to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 residential lots, 14 blocks for residential purposes (119 single detached dwellings and 84 street townhouse dwellings) and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the site specific Open Space (OS-527) Zone is proposed (stormwater management pond).

The subject lands are also subject to an application for Removal of Part Lot Control (Municipal File Number PLC-06-2024) that proposes to realign and redesign the road network and lot and block fabric within the Spears-High Pointe Subdivision.

- We note that this proposed concept will add an additional 100 residential units to the existing plan.
- Sewer collection system capacity analysis for a proposed development on the west side of Pettit Road found that there were system capacity limitations. The FSR in support of Spears Gardens provides no analysis of downstream system capacity and a peer review is required. Some flow monitoring was done November and December by a developer partnership. We are uncertain if Spears Garden was part of this partnership and results of the flow monitoring have not been received by the Engineering Dept yet.
- Proposed road network is not compatible with Spears- High Pointe Neighbourhood Secondary Plan (By-law 131-12) Figure SHP-4. Road connections to lands to north should be provided as per SHP-4.
- Adding 100 units to the development will increase the development's impervious area and storm run off. More details are required to confirm that the existing storm water management pond can accommodate the additional storm run off flows.

- The Spears - High Pointe Neighbourhood Master Servicing Study (By-law 39-2003) indicated that adjacent lands to the east were to be included in the storm water management (SWM) facility. It is not preferred to have several small ponds for multiple developments. Where possible, a single SWM facility should service multiple developments to provide better land use and more efficient on-going maintenance of the facility.

**REQUESTED CONDITIONS OF ZONING BY-LAW AMENDMENT:
SPEARS GARDEN/ LULONGPING SUBDIVISION**

- A. We recommend the inclusion of a Holding Provision (H) in the amending Zoning By-law to ensure that the sanitary sewer system capacity is confirmed to be available, to the satisfaction of the Director of Infrastructure Services, for the proposed 119 single detached dwellings and 84 street townhouse dwellings.
- B. We recommend the inclusion of a Holding Provision (H) in the amending Zoning By-law to ensure that storm water management can be accommodated in the Spears Gardens existing pond block.
- C. We recommend the inclusion of a Holding Provision (H) in the amending Zoning By-law to ensure that drainage and storm water management of adjacent lands is accommodated within Spears Gardens as set out in the Spears -High Pointe Neighbourhood Master Servicing Study (By-law 39-2003) and Spears- High Pointe Neighbourhood Secondary Plan (By-law 131-12), to the satisfaction of the Director of Infrastructure Services.
- D. We recommend the inclusion of a Holding Provision (H) in the amending Zoning By-law to ensure the Spears Gardens road network is compatible with the Spears -High Pointe Neighbourhood Plan (by-law131-12), to the satisfaction of the Director of Infrastructure Services.

I trust this is sufficient for your purposes, please contact me if you have any questions.

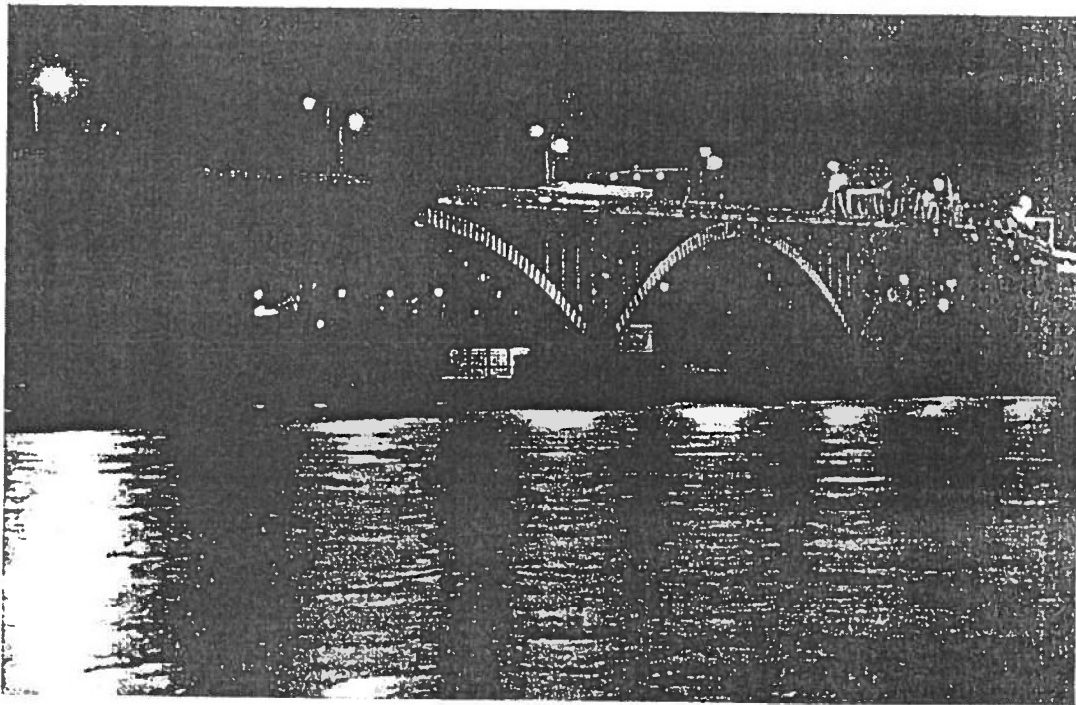


Robert D. Judd, P.Eng.
Municipal Engineer – Infrastructure Renewal

RDJ:
ecc. J. Frost , Acting Director of Infrastructure Services
M. Iamarino, Manager of Development Approvals
T. Boyle, Project Manager, Development Engineering, Planning and Development Services



Spears and High Pointe Neighbourhoods Master Servicing Plan



Prepared for:
The Corporation of The Town
of Fort Erie
Municipal Centre
1 Municipal Drive
Fort Erie, L2A 2S6

Prepared by:
Earth Tech Canada Inc.
Corbloc Building
80 King Street, 2nd Floor
St. Catharines, Ontario, L2R 7G1

Final Report – December, 2002

TABLE 4-7

**COST ESTIMATES FOR REQUIRED WORKS FOR ALTERNATIVE 3 – COMMERCIAL FLOWS TO
GILMORE ROAD PUMPING STATION**

ITEM	LENGTH (M)	DESCRIPTION OF WORK	COST
High Pointe Neighbourhood – Trunk Sewers	1,750	200 mm D Sewer	\$262,050
Spears Neighbourhood – Trunk Sewers	3,582	200 mm D Sewer	\$537,300
Spears Neighbourhood – Trunk Sewers	1,616	250 mm D Sewer	\$323,200
Replacement Sewers	500	200 mm D Sewer	\$100,000
	2,363	300 mm D Sewer	\$649,825
	210	300 mm D Sewer (under OEWS)	\$168,000
Manholes		101	\$920,000
Reconnection of Private Drains		136 @ 10 m	\$204,000
Sub Total			\$3,164,375
Engineering & Contingencies (20%)			\$632,875
Total for Alternative 3			\$3,800,000
Cost per Dwelling			\$2,533

4.6. Storm Sewer Systems

The “end-of-pipe” alternative was selected to provide the required stormwater management works for the new development. This alternative incorporates wet/dry ponds based on local topography and availability of outlet.

Figure 4-4 shows the drainage areas tributary to the stormwater management areas, proposed locations of stormwater management facilities, overland flow routes and existing/proposed storm sewers.

The SWMHYMO stormwater computer package was used to analyze existing and proposed storm sewer areas. This program is widely applied in stormwater management projects. A model of the proposed development area was constructed and used to estimate drainage area run-off hydrographs for sizing the extended detention wet ponds. For study purposes only the 2 and 100 year return storm period were modelled. The following criteria and assumptions were used in the stormwater management analysis.

- For purposes of this study, it was assumed that Extended Detention Wet Ponds (EDWP) will be used to provide stormwater quality (as required by the MOE), erosion and quantity control for all new development areas. The EDWP consists of a permanent pool of water to facilitate settling of solids and an extended detention zone with a 24-hour release time to provide water quality and erosion control benefits. The EDWP design also includes a quantity control zone

that will provide detention storage by restricting flows to predevelopment levels. The EDWP will incorporate a bypass for dewatering and maintenance.

During the design phase of each development area, detailed studies should be completed to determine the most applicable stormwater management practice, methodology and design, considering the following:

- The EDWP outlet pipe to the storm outlet or existing storm system will be sized for the equivalent to the 2-year return storm, predevelopment peak run-off.
- All works identified, including stormwater management facilities and works outside the road allowance, are Schedule 'B' Environmental Assessment projects unless they are carried out as part of a Plan of Subdivision.
- Imperviousness factors were calculated for various areas based on proposed land uses, as defined in the Neighbourhood Plans.
- A summary of hydrologic analysis and required EDWP facilities for the neighbourhood areas, including volume and land requirements is provided in Appendix "B".

The following assumptions were used in the stormwater calculations:

- Percent imperviousness was increased by 25% for the 100-year storm to account for antecedent conditions.
- The **Town of Fort Erie Intensity Duration Frequency curves** for the 100 year return storm were used, the following values: A = 628, B = 6.652 and C = 0.790. The 4-hour Chicago storm distribution was used to derive the storm hyetograph.
- Storm sewer designs were based on the Fort Erie 2-year storm – design requirement.
- Pipe slopes were assumed to be 0.20% to connect into the existing system on Garrison Road. However, inverts for the existing system were not confirmed.

The storm sewer design sheets are included in Appendix "B" and the drainage areas are shown on Figure 4-4. Sewers were designed for the two-year design storm using a 0.20% slope. Actual sewer sizes will vary slightly from the proposed as slopes vary from the standard.

The flowchart schematic of the SWMHYMO models are attached in Appendix "B".

4.6.1. System Description – High Pointe Neighbourhood

The subdivision was divided into two areas as the land currently drains to two drainage courses. The western half of High Pointe drains to Frenchman drain and the eastern side drains to the Kraft drain. Due to this natural division the site requires two EDWP. The results of the two SWMHYMO runs are in Table 4-8 and the input, output and detail calculations are attached in Appendix "B".

	KRAFT DRAIN – DRAINAGE AREA	FRENCHMAN DRAIN – DRAINAGE AREA
Predevelopment Area	11.43 ha	12.56 ha
Predevelopment 2 year peak flow	0.438 m ³ /sec	0.442 m ³ /sec
Predevelopment 100 year peak flow	1.603 m ³ /sec	1.619 m ³ /sec
Quantity Volume Storage required	691 m ³	3,177 m ³
Quality Volume Storage required	2,509 m ³	2,652 m ³
Total Volume Storage required	3,200 m ³	5,839 m ³
Total Area Required	5,249 m ²	5,056 m ²
Required Depth	1.10 m	2 m

Table 4-8 presents a summary of works required to provide storm sewers and stormwater management facilities for the High Pointe Development in Fort Erie. Required works include storm sewers, storm outfalls and extended detention wet ponds. Estimated construction, engineering and contingency costs are also provided. Cost estimates for the sewers are based on the following:

- Storm sewers within the development areas assumed no surface restoration and native backfill
- Storm sewers within new roads assumed granular backfill.
- Storm sewers with in existing roads assumed granular backfill and trench restoration.
- Depth of storm sewer 3.0 metres.
- Good soil conditions – no rock excavation
- Road restoration consisted of: 400 mm Granular 'A' road base, 50 mm HL8 and 40 mm HL3 asphalt for trench restoration.

Cost estimates and preliminary pond size requirements for extended detention wet ponds are based on the following:

- 10:1 pond side slopes
- 3 metre wide buffer around perimeter of pond
- 5:1 pond length to width ratio
- 0.5 metre minimum depth of permanent pool
- Extended detention wet pond cost estimates include excavation, inlet and outlet structures, environmental vegetation, topsoil, hydro seeding and land acquisition.
- EDWP cost estimates are based on unit costs provided in the MOE Stormwater Practices Manual and re-evaluated for 2002 prices. No allowances for rock excavation, or operation and maintenance costs are provided.

- 20% Contingencies and Engineering fees are included.
- All costs are in 2002 dollars, GST included and are attached in Appendix "B".

TABLE 4-9

COST ESTIMATES FOR REQUIRED STORM SYSTEM WORKS FOR HIGH POINTE NEIGHBOURHOOD

ITEM	LENGTH (M)	DESCRIPTION OF WORK	COST
High Pointe Neighbourhood – Trunk Sewers	215	675 mm D Sewer	\$ 64,500
	660	750 mm D Sewer	\$247,500
	592	825 mm D Sewer	\$236,800
	383	1050 mm D Sewer	\$229,800
	328	1200 mm D Sewer	\$180,400
	137	1350 mm D Sewer	\$ 82,200
Manholes		25	\$ 75,000
Catch basins		50	\$170,000
Frenchman Pond			\$105,000
Kraft Pond			\$100,000
Ditch Upgrades	680	--	\$20,050
Sub Total			\$1,575,600
Engineering & Contingencies (20%)			\$315,120
Total			\$1,890,720
Cost per Dwelling			\$7,443

4.6.2. System Description – Spears Neighbourhood

The subdivision drains naturally from the north to the south and outlets to the Kraft drain. Due to the area and land grades of the site two EDWP were sized and sited for the residential areas. The commercial area not currently serviced by a storm water facility (northern portion) was run as a separate area since the final SWM facility may vary from a wet pond. The drainage areas and locations of the proposed ponds are shown on Figure 4-4. The results of the SWMHYMO runs are in Table 4-10 and the input, output and detail calculations are attached in Appendix "B".

TABLE 4-10

SWMHYMO RESULTS FOR SPEARS NEIGHBOURHOOD

	KRAFT # 2	KRAFT # 3	COMMERCIAL
Predevelopment Area	43.43 ha	54.60 ha	16 ha
Predevelopment 2 year peak flow	6.855 m ³ /sec	1.028 m ³ /sec	0.433 m ³ /sec
Predevelopment 100 year peak flow	3.852 m ³ /sec	4.615 m ³ /sec	1.609 m ³ /sec
Quantity Volume Storage required	8,042 m ³	5,538 m ³	3,392 m ³
Quality Volume Storage required	9,844 m ³	12,376 m ³	6,450 m ³
Total Volume Storage required	17,886 m ³	17,914 m ³	9,842 m ³
Total Area Required	14,151 m ²	17,092 m ²	10,125 m ²
Required Depth	1.55 m	1.28 m	1.39 m

Table 4-11 presents a summary of works required to provide storm sewers and stormwater management facilities for the Spears Neighbourhood in Fort Erie. Required works include storm sewers, storm outfalls and extended detention wet ponds. Estimated construction, engineering and contingency costs are also

provided. Cost estimates for the sewers are based on the assumptions noted under Section 4.5.1 and are attached in Appendix "B":

ITEM	LENGTH (M)	DESCRIPTION OF WORK	COST
Spears Neighbourhood - Trunk Sewers	200	900 mm D Sewer	\$110,000
	4,260	1050 mm D Sewer	\$2,516,000
	1,783	1200 mm D Sewer	\$1,090,250
	1,796	1350 mm D Sewer	\$1,077,600
	395	1500 mm D Sewer	\$266,625
	430	1800 mm D Sewer	\$322,500
Manholes		94	\$282,000
Catch basins		188	\$639,200
Kraft # 2			\$259,000
Kraft # 3			\$259,000
Commercial			\$189,000
Ditch Upgrades	1,300		\$273,000
Sub Total			\$7,284,375
Engineering & Contingencies (20%)			\$1,456,875
Total			\$8,741,250
Cost per Dwelling			\$7,000

The preliminary analysis of the stormwater management requirements was completed for planning purposes based on available information. During the design process for each development area, a detailed Stormwater Management Practices Study should be undertaken. This study will screen available stormwater management alternatives for the site and ensure that the proposed stormwater management facilities comply with the watershed goals and objectives of the municipality, MNR, MOE, NPCA and other agencies. Detailed site design and analysis is required to confirm the type, sizing and configuration of stormwater management facilities to meet the site requirements of these agencies.

4.6.3. Alternative Stormwater Considerations

During progress meetings, the Town requested that Earth Tech investigate diverting storm flow to the adjacent golf course ponds for irrigation purposes.

The only storm flows that can realistically be diverted would be the Frenchman Pond in High Pointe as the remainder of the developments are in a different watershed.

An agreement would have to be entered into between the Town and the course operator with specific details on:

- Pond operation such as how much water can be retained
- Maintaining flows to Frenchman drain
- Responsibility in the event of pond failure
- In case the course was sold for future development, conditions must be maintained
- Pond Maintenance such as debris and sedimentation clean out
- Minimum water levels for quality control
- Maximum outlet flows

4.7. Water Distribution System

System Description

New development in the neighbourhoods will be provided with water from the Rosehill Water Treatment Plant via a 300 mm D watermain located on Garrison Road.

The Town's water distribution system model, updated in 1977, was utilized to determine development impacts on the water system. We note that the model has not been calibrated since 1997. The current model pump controls were based on an average day operation. In order to complete our analysis two pump controls were adjusted to allow for the required flow from the WTP. The two controls, which were modified, are as follows:

- Pump # 4 was left running from 19:00 hrs to 24:00 hours instead of having the pump shut off at 22:00 hrs
- Pump #3 was shut off from 22:00 hrs to 24:00 hours

The neighbourhood densities were added in accordance with the neighbourhood plans to determine the system demands – calculations are attached in Appendix "C". This was used to recommend system upgrades and expansion requirements.

Model Results

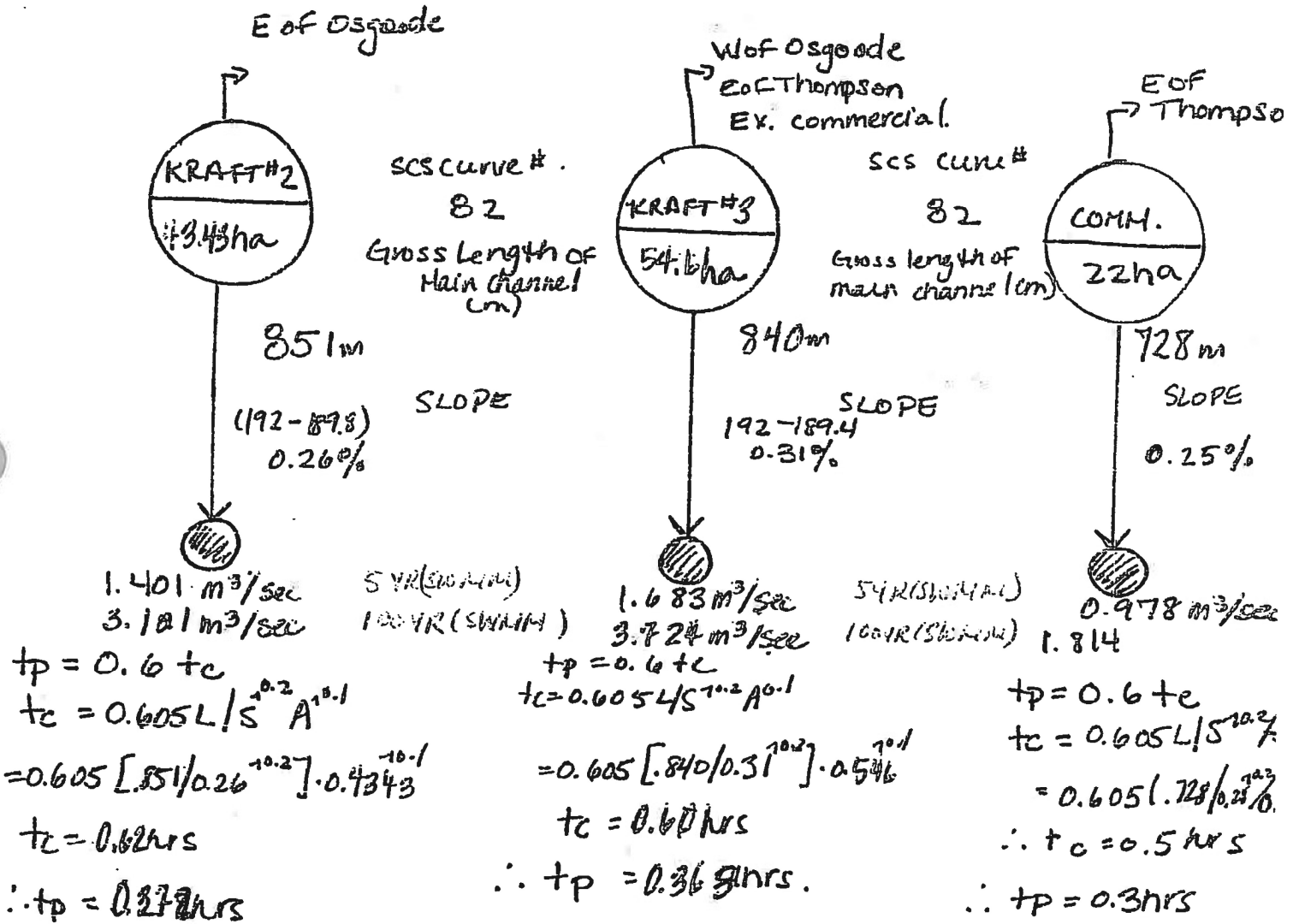
Modeling results from a water system analysis conducted are summarized below and are attached in Appendix "C". Modeling results show pressure and flow differences between existing and proposed new development demands. The model was also run with a series of simulated fire flows at nodes where new development is to be located. Fire flow test results are provided in Appendix "C".

June 17, 2002
DMA

54049
1 2

SWM FOR SPEARS

PRE-DEVELOPMENT



STORM SEWER DESIGN

Spears Development
Town of Fort Erie

PROJECT:
MUNICIPALITY:
DISTRICT OR SUBDIV. NAME:

n = 0.013

2 Year

Return Period:

DESIGN

Length of Pipe

Size of Pipe

Pipe Slope

Critical Pipe Slope

Slope Used to Calculate Capacity

Actual Capacity

Actual Velocity

Q, L/s

%

%

%

%

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%

Q, L/s

m/s

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mm

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Q, L/s

Intensity

Total Trunk

Total Lateral

Total Section

Runoff Area(A)

R

M.H. From

M.H. To

Flow

mm/Hr.

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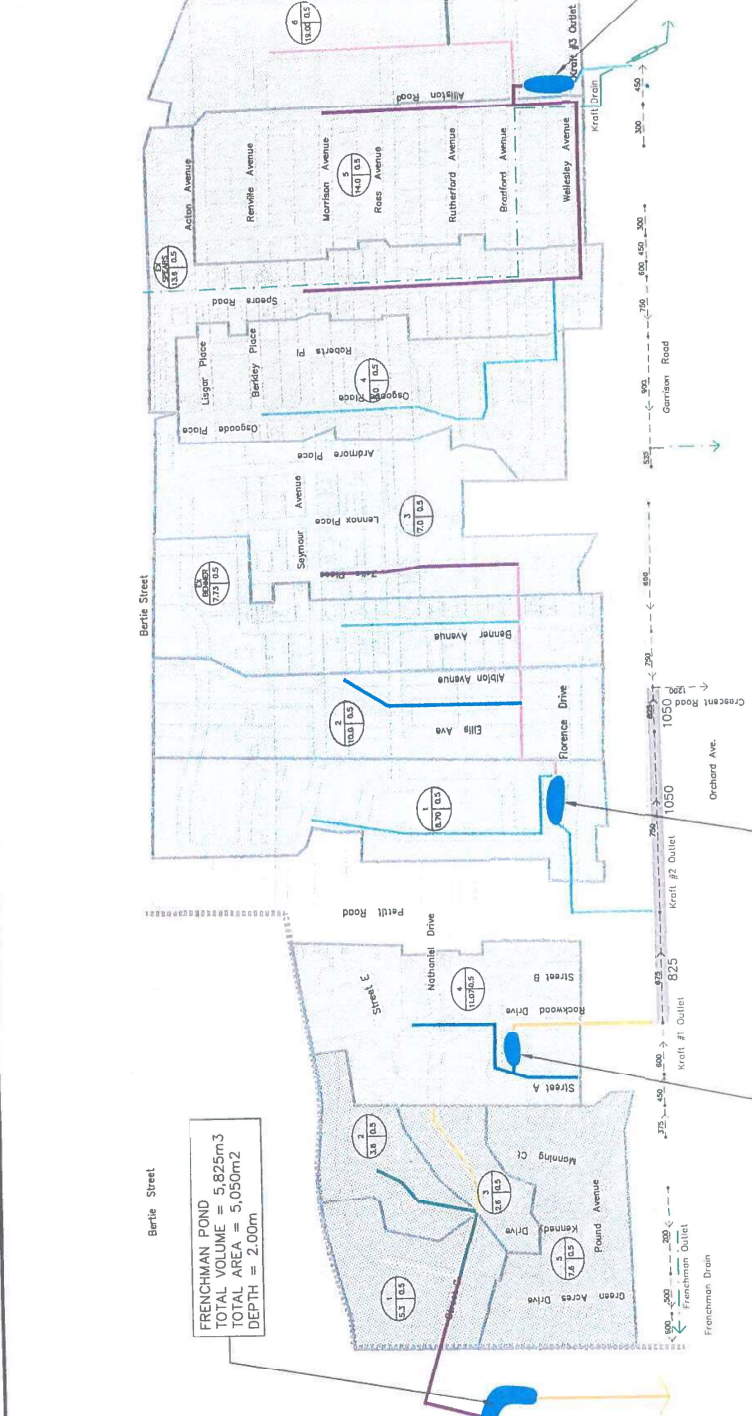
Calculated By: D.M Angeloni
Checked By: SMD

Calculated on: May 28, 2002
Revised on: 01-Oct-02



Printed on : 01/10/2002 at 11:09 AM

COMMERCIAL POND
 TOTAL VOLUME = 9,850m³
 TOTAL AREA = 10,125m²
 DEPTH = 1.40m



FRENCHMAN POND
 TOTAL VOLUME = 5,825m³
 TOTAL AREA = 5,050m²
 DEPTH = 2.00m

KRAFT #1 POND
 TOTAL VOLUME = 2,500m³
 TOTAL AREA = 5,250m²
 DEPTH = 1.10m

KRAFT #2 POND
 TOTAL VOLUME = 17,900m³
 TOTAL AREA = 14,150m²
 DEPTH = 1.75m

KRAFT #3 POND
 TOTAL VOLUME = 17,900m³
 TOTAL AREA = 17,050m²
 DEPTH = 1.35m

- LEGEND**
- PROPOSED 675 mm D STORM SEWER
 - PROPOSED 750 mm D STORM SEWER
 - PROPOSED 825 mm D STORM SEWER
 - PROPOSED 900 mm D STORM SEWER
 - PROPOSED 1050 mm D STORM SEWER
 - PROPOSED 1200 mm D STORM SEWER
 - PROPOSED 1350 mm D STORM SEWER
 - PROPOSED 1500 mm D STORM SEWER
 - EXISTING STORM SEWER AND SIZE
 - EXISTING STORM UPGRADE WITH RECOMMENDED SIZE
 - EXISTING DRAIN
- 600
1050
- 3
2.6 0.5
- AREA NUMBER
RUN-OFF COEFF
AREA IN HECTARES

TOWN OF FORT ERIE

HIGH POINTE / SPEARS NEIGHBOURHOOD STORM DRAINAGE PLAN AND LOCATION OF SWM FACILITIES

FIGURE 4-4

SCALE 0 100 200 300m

DATE: JULY 2002

Drawing No. 54049report.dwg

EARTH TECH
 Earth Tech (Canada) Inc. St. Catharines, Ontario 905-668-4272

PDS ZONING REVIEW SHEET:				
FILE NO: 350309-0448		MUNICIPAL ADDRESS: Spears garden Subdivision		
PREVIOUS ZONING AMENDMENTS?				
ZONING: Open Space (OS-527) Section 33				
INFILL? YES / NO (NO)	PERMITTED	Proposed	Compliance	NOTES:
USE:	Storm Water Management Facility	Pedestrian Access	NO	Zoning relief is requested to add the Pedestrian Access as a use
MIN. LOT FRONTAGE	15 m	6.0 m	NO	Zoning relief is requested
MIN. LOT AREA	8000 sq. m.	195 sq m	NO	Zoning relief is requested
MAX. LOT COVERAGE	10 percent	0%	NO	Zoning relief is requested
MIN. FRONT YARD SETBACK	7.5 m	7.5 m	Not Applicable	No zoning relief is requested
MIN. SYSB	7.5 m	7.5 m	Not Applicable	No zoning relief is requested
MIN. EXTERIOR SYSB	7.5 m	7.5 m	Not Applicable	No zoning relief is requested
MIN. REAR YARD SETBACK	7.5 m	7.5 m	Not Applicable	No zoning relief is requested
MAX. BLDG HEIGHT	i) 3 storeys ii) 12 m	i) 3 storeys ii) 12 m	Not Applicable	No zoning relief is requested

PDS ZONING REVIEW SHEET:				
FILE NO: 350309-0448	MUNICIPAL ADDRESS: Spears garden Subdivision			
PREVIOUS ZONING AMENDMENTS?				
ZONING: Residential Multiple 1 (RM1-526)	Section 14			
INFILL? YES / NO	PERMITTED	Proposed	Compliance	NOTES:
DWELLING:	Street townhouses	Street townhouses	Unable to determine compliance	No zoning relief is requested
MIN. LOT FRONTAGE	6m for street townhouse lots and 9m for street townhouse corner lots	6m for street townhouse lots and 9m for street townhouse corner lots	Unable to determine compliance	No zoning relief is requested
MIN. LOT AREA	300.00 sq m per dwelling unit, except 200 sq.m for a street townhouse lot and 270 sq.m for a street townhouse corner lot	172 sq m	NO	Zoning relief is requested
MAX. LOT COVERAGE	55%	55%	Unable to determine compliance	No zoning relief is requested
MIN. FRONT YARD SETBACK	6m to front face of the garage 4.5 m to front face of the dwelling	6m to front face of the garage 4.5 m to front face of the dwelling	Unable to determine compliance	No zoning relief is requested
MIN. INT. SYSB	1.2 m	1.2 m	Unable to determine compliance	No zoning relief is requested
MIN. EXT SYSB	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no closer than 6m to the exterior side lot line.	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no closer than 6m to the exterior side lot line.	Unable to determine compliance	No zoning relief is requested
MIN. REAR YARD SETBACK	6m	6m	Unable to determine compliance	No zoning relief is requested
MAX. BLDG HEIGHT	i) 3 storeys ii) 12 m	i) 3 storeys ii) 12 m	Unable to determine compliance	No zoning relief is requested
MINIMUM LANDSCAPED AREA	50% including Privacy Areas, except 25% for street townhouse lots	50% including Privacy Areas, except 25% for street townhouse lots	Unable to determine compliance	No zoning relief is requested
MAXIMUM NUMBER OF UNITS IN A ROW	8	8	Unable to determine compliance	No zoning relief is requested
MINIMUM DISTANCE BETWEEN BUILDINGS ON THE SAME LOT	9m between two rear walls 3m between two end walls 9m between an end wall and a rear wall 6m between two front walls 6m between a front wall and an end wall	9m between two rear walls 3m between two end walls 9m between an end wall and a rear wall 6m between two front walls 6m between a front wall and an end wall	Unable to determine compliance	No zoning relief is requested
MAXIMUM DENSITY	35 units/ha	52.17 units/ ha	NO	Zoning relief is requested
PRIVACY AREA	Notwithstanding the yard requirements above, every dwelling unit shall have at least one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 4.5m	Notwithstanding the yard requirements above, every dwelling unit shall have at least one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 4.5m	Unable to determine compliance	No zoning relief is requested
DISTANCE FROM BUILDING TO INTERNAL DRIVEWAYS, AND PARKING AREAS	Any front or rear face of any townhouse shall be no closer than 3m to an internal driveway or parking area, and any side of any townhouse shall be no closer than 1.5m to an internal driveway or parking area	Any front or rear face of any townhouse shall be no closer than 3m to an internal driveway or parking area, and any side of any townhouse shall be no closer than 1.5m to an internal driveway or parking area	Unable to determine compliance	No zoning relief is requested
PLANTING STRIPS	In accordance with Section 6.21 and 4.5 m where it abuts a street, except for points of ingress/egress	In accordance with Section 6.21 and 4.5 m where it abuts a street, except for points of ingress/egress	Unable to determine compliance	No zoning relief is requested
MIN. # PARKING SPACES	Per section 6.20, 1 space per dwelling unit	Per section 6.20, 1 space per dwelling unit	Unable to determine compliance	No zoning relief is requested

PDS ZONING REVIEW SHEET:				
FILE NO: 350309-0448	MUNICIPAL ADDRESS: Spears Garden Subdivision			
PREVIOUS ZONING AMENDMENTS?				
ZONING: Residential 2 (R2-525)				
INFILL? NO	PERMITTED	PROPOSED	IN COMPLIANCE?	NOTES:
DWELLING:	Single Detached	Single Detached	Unable to determine compliance	No zoning relief is requested
MIN. FRONTAGE	15.0 m and 17.0 m for corner lot	10.0 m and 13.0 m for corner lot	NO	Zoning relief is requested
MIN. LOT AREA	460 sq m	300 sq m	NO	Zoning relief is requested
MAX. LOT COVERAGE	50%	50%	Unable to determine compliance	No zoning relief is requested
MIN. FRONT YARD SETBACK	6.0 m to the garage and 4.5 m to the front face of the dwelling units	6.0 m to the garage and 4.5 m to the front face of the dwelling units	Unable to determine compliance	No zoning relief is requested
MIN. INT. SYSB	1.2 m	1.2 m	Unable to determine compliance	No zoning relief is requested
MIN. EXT SYSB	3m, except that an attached garage or attached carport which faces an exterior side lot line shall be located no closer than 6m to the exterior side lot line.	3.0 m	Unable to determine compliance	No zoning relief is requested
MIN. REAR YARD SETBACK	7.5 m	3.0 m	Unable to determine compliance	No zoning relief is requested
MAX. BLDG HEIGHT	2 storey/ 10.5 m	2 storey/ 10.5 m	Unable to determine compliance	No zoning relief is requested
MIN. # PARKING SPOTS	1 space for for each dwelling units			

Re: Request for Comments - Spears Garden Subdivision

From Aaron Hair <ahair@forterie.ca>

Date Fri 2025-01-31 12:04 PM

To Devon Morton <DMorton@forterie.ca>

Good day Devon,

As part of the Official Plan project the Town is reviewing all of the existing secondary plans and their density requirements, as such we would like to recommend that the OPA to increase density and the inclusion of townhomes be limited to the subject site only.

The additional 100 units should be required to contribute towards parkland dedication.

Best regards,

Aaron Hair, MCIP, RPP
Project Manager – Policy

Town of Fort Erie
Planning & Development Services
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2507
forterie.ca | ahair@forterie.ca



Re: Spears Garden Subdivision

From Jessica Abrahamse <JAbrahamse@forterie.ca>

Date Fri 2025-01-31 2:39 PM

To Devon Morton <DMorton@forterie.ca>; Taylor Boyle <TBoyle@forterie.ca>; Jordan Frost <JFrost@forterie.ca>

Cc Robert Judd <RJudd@forterie.ca>; Zachary George <ZGeorge@forterie.ca>; Yashesh Gandhi <YGandhi@forterie.ca>

Good Afternoon Devon,

Senior Environmental Planning staff have reviewed the proposed Official Plan Amendment, Zoning By-Law Amendment and removal of Part Lot Control submitted by Upper Canada Consultants and offer the following comments:

- The owner is applying for these amendments to facilitate a redesign of the registered plan of subdivision to establish a change to the road and lot/block pattern to accommodate 119 single detached lots and 14 blocks for 84 street townhouse units.
- The existing stormwater management facility and block for pedestrian connection to the east will continue to remain in their current locations. The internal street network will be redesigned as a looping grid pattern, with Terry Drive and Bright Avenue remaining in their current location, to provide for a more efficient lot/block pattern.
- The Official Plan Amendment application seeks to permit townhouse units in the Spears High-Point Secondary Plan Low Density Residential designation and an increase in density of up to 22 units/ha.
- The Zoning By-law Amendment proposes to amend the site specific exceptions for the single detached lots to permit small lot frontage and area and amend the site specific exceptions for the street townhouse units to permit a smaller lot area and increased density and to recognize the lot frontage and area for the pedestrian walkway block.
- The application for the removal of Part Lot control will provide for the establishment of the new lot/block and road pattern.

As the site-specific modifications relate to frontage, lot area and density and the site has been cleared previously, there are no objections to what is being proposed from an Environmental perspective. Please note that if any further trees are required to be removed they will be subject to the Town's Tree By-Law 33-2024, however this is unlikely as most of the site has been cleared.

Regards,

Jessica Abrahamse M.E.S.

Senior Environmental Planner

Town of Fort Erie

Planning and Development Services

Re: Request for Comments - Spears Garden Subdivision

From Kathryn Strachan <KStrachan@forterie.ca>

Date Wed 2025-01-29 11:25 AM

To Devon Morton <DMorton@forterie.ca>

Cc Elizabeth Latif <ELatif@forterie.ca>

Hi Devon,
Just one small comment:

1. Rendering should be updated to show the connection from Terry Drive to Florence Drive



Kathryn Strachan

Landscape Architect Intern (MLA, BFA)

Town of Fort Erie

Planning and Development Services

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

p: 905-871-1600 ext. 2529

forterie.ca | kstrachan@forterie.ca



Public Works Growth Management & Planning Division

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

905-980-6000 Toll-free:1-800-263-7215

Via Email Only

January 17, 2025

Region File: PLOPA202401931

PLZBA202401932

Devon Morton
Supervisor of Development Approvals
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6

Dear Mr. Morton:

**Re: Regional and Provincial Comments
Proposed Official Plan Amendment and Zoning By-law Amendment
Town Files: ZBA-14-2024, OPA-05-2024
Applicant: Upper Canada Consultants C/O William Heikoop
Owner: Yiliming International Real Estate Ltd.
Spears Garden/ Lulongping Subdivision – 1278 Terry Drive
Town of Fort Erie**

Staff of the Public Works Growth Management and Planning Division have reviewed the above-mentioned Official Plan Amendment (“OPA”) and Zoning-By-law Amendment (“ZBA”) for the lands encompassed by the Spears Garden Subdivision (Plan 59M-469), which consist of lots on Terry Drive, Bright Avenue, Long Street and Easley Street, in the Town of Fort Erie, as delineated on the ‘Revised Plan of Subdivision’ circulated with this submission (dated November 12, 2024). The applications propose to facilitate the redesign of the existing Lulongping Gardens Subdivision (formerly Spears Garden) through a part-lot control exemption request for the addition of 100 residential units, for a total of 203 units.

The subject lands are designated Low Density and Open Space in the Spears-High Pointe Secondary Plan. The OPA application proposes to maintain the low density residential designation and permit street townhouses and a maximum residential density of 22 units per hectare. The ZBA application proposes to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific

Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 single detached residential lots (formerly 76 were proposed), and 14 blocks for 84 street townhouse units (formerly 6 blocks for 27 townhomes were proposed), and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the Site-Specific Open Space (OS-527) Zone is proposed.

Phase 1 of the existing subdivision has been serviced with primary services although the lots remain vacant with no units built. Phase 2 of the subdivision has had its topsoil stripped and stockpiled although it remains vacant and undeveloped.

The OPA and ZBA applications were submitted concurrently with a Part-Lot Control Application to address changes in road configurations and lot fabric of the subdivision. It is staff's understanding based on additional information provided by Town staff that, in addition to the part-lot control exemption application, the applicant has requested that the lands currently part of the road fabric be transferred to their ownership to facilitate the modifications to the plan of subdivision (Plan 59M-469, registered on May 2, 2019). In addition, Town staff noted that the registered subdivision agreement would need to be amended to reflect the new lot and road fabric and that the Town is reviewing the process further prior to initiating the part-lot control or any other Planning Act approval process required to modify the subdivision.

A pre-consultation meeting for the proposal was held July 11, 2024, with the applicant, City and Regional staff in attendance. The following comments are provided from a Provincial and Regional perspective to assist the Town with its consideration of the applications.

Provincial and Regional Policies

The subject land is within a "Settlement Area" under the *Provincial Planning Statement, 2024 (PPS)*, and designated as "Designated Greenfield Area" under the *Niagara Official Plan, 2022 (NOP)*.

Settlement areas are the focus of growth and development as directed by the PPS and the NOP. PPS section 2.2.1 requires planning authorities to provide for a range and mix of housing options and densities to meet projected needs of current and future residents by permitting and facilitating all housing options to meet social, health, economic and wellbeing requirements for current and future residents. Additionally, the PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation. Further, the PPS encourages planning authorities to establish density targets for designated growth areas (lands within settlement areas designated for growth).

Similarly, per the NOP, Designated Greenfield Areas are areas within settlement areas that have been designated for development and are to be planned in a manner that

ensures development is sequential, orderly and continuous with existing built-up areas, uses proactive planning tools such as District Plans and Secondary Plans as appropriate, ensuring infrastructure capacity is available and its location is supporting active transportation and encouraging integration to public transit service. Furthermore, NOP 2.2.2.23 outlines that Designated Greenfield Areas are to achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire region. Policy 2.2.2.24 requires Municipalities to achieve, and encourages them to exceed, the minimum density across the municipality.

Staff has reviewed the Planning Justification Report prepared by Upper Canada Consultants (dated November 2024) and are in general agreement with its findings. This development supports the NOP's growth management policies for the Urban Area via development of vacant land adjacent to developed areas, as well as providing a mix of housing options to the community. The concept plan proposes a unit mix of smaller single detached and townhouse units, when in contrast with the registered subdivision plan, which the PJR addresses as an opportunity for addressing housing attainability and increasing the housing supply and housing diversity from traditional larger residential development. This is in alignment with NOP policy 2.3.1.1, which encourages development of a range and mix of densities, and unit sizes and housing types, including affordable and attainable housing throughout the urban area in order to meet housing needs at all stages of life.

As the Greenfield Density Calculation in the PJR does not use census data, staff calculated the density to align with the standard Regional approach when determining greenfield density. In accordance with our calculation the proposal would yield a density of approximately 50 people and jobs per hectare over 9.329 hectares of land (119 single detached units [2.4 persons per unit], 84 townhouse units [2.0 persons per unit] - Fort Erie 2021 Census data). Staff note this calculation assumes a 5% home employment rate per the PJR. As such, the development meets the minimum density target of 50 people and jobs per hectare for Designated Greenfield Areas. The Town is to monitor developments to ensure that the overall Greenfield density target will be achieved on a municipal-wide basis.

Based on this analysis, staff note the proposed development is consistent with and conforms to Provincial and Regional growth management policies for designated growth areas and Designated Greenfield Areas, respectively, subject to the discussion below. Regional staff further acknowledge that local compatibility considerations and interface with neighbouring land uses are local planning matters to be addressed by Town Planning staff and Council.

Land Use Compatibility

The PPS and NOP state major facilities (including transportation corridors) and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants. The subdivision is within 70 metres of Garrison Road (Regional

Road 3), which has a 14,800 Annual Average Daily Traffic (AADT) count and is north of various commercial plazas (which include automotive shops among others) with rooftop mechanical equipment. As such a Noise Impact Study was required as part of the applications.

Staff has reviewed the Environmental Noise Feasibility Study (ENFS) prepared by Valcoustics Canada Limited (dated October 29, 2024), which assessed the transportation and stationary noise sources with potential to impact the development in accordance with the Ministry of the Environment, Conservation, and Parks (MECP) Environmental Noise Guidelines NPC-300, "*Environmental Noise Guideline, Stationary and Transportation Sources - Approval and Planning*". Road traffic volumes for Garrison Road and Pettit Road were forecasted to 2044 using a 2% growth rate. The analysis concluded traffic related noise would not exceed the daytime/nighttime noise guidelines limits nor the outdoor living area (OLA) daytime limit; as such, mitigation was not required. The report highlighted that exterior wall and window construction meeting the minimum non-acoustical requirements of the Ontario Building Code (OBC) would be sufficient to achieve the indoor sound level criteria of the MECP, with no special ventilation requirements.

The ENFS found Garrison Automotive Services automotive repair shop to be a stationary source with the potential for significant impact. The closest noise sensitive receptors at the subject site with exposure to the stationary noise sources would be the residential dwellings on Lots 1 to 8. The study found that in both the non-emergency sources scenario and the emergency generator testing scenario, the dBA guideline limits (50 and 55 respectively) were not exceeded, as such mitigation measures were not required. Nonetheless, warning clauses for Lots 1 to 8 and 111 to 119 were deemed appropriate to inform prospective owners / occupants of the proximity to various commercial businesses whose sound levels may at times be audible. This requirement can be addressed through the future Subdivision Agreement amendment.

Staff rely upon the information provided by the Acoustical Engineer in the Environmental Noise Feasibility Study and offer no further requirements with respect to noise impacts.

Archaeological Potential

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, section 4.6.2 of the PPS and Chapter 6 of the NOP state that development and site alteration is not permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or assessed and requirements from the aforementioned policies have been met.

The subject lands are mapped within an Area of Archaeological Potential on Schedule K of the NOP. Staff recognize these applications are to facilitate a revision to a previously approved subdivision for which an archaeological assessment was not requested due to the lands not meeting Provincial criteria (i.e. prior to the Regional Archaeological

Management Plan and mapping). As outlined by the applicant, through the completion of the subdivision's Phase 1, a portion of the lands have been serviced and disturbed, and the remainder of the lands have had the topsoil stripped through Phase 2. Furthermore, staff visited the location in July 2024 and note the site shows visible soil alterations through this aforementioned work. As such, an archaeological assessment was not deemed necessary as part of the application.

However, in recognizing that there is always the possibility of discovering deeply buried archaeological materials through construction works, staff offer the below archaeological resource advisory clause for inclusion within the future amended Subdivision Agreement.

If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the Niagara Regional Police Service and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C.
<https://pre.niagararegion.ca/culture-and-environment/pdf/archaeological-management-plan.pdf>

Additionally, The Town of Fort Erie also has jurisdiction on matters related to archaeological resources through its Archaeological Management Plan. Town staff should be satisfied that archaeological resource concerns on the property have been addressed.

Natural Heritage

The subject property is impacted by the Region's Natural Environment System (NES), consisting of Significant Woodlands. NOP policy 3.1.9.8.1 typically requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 metres of a Significant Woodland. However, as the Spears Garden Subdivision was previously approved and registered, in order to satisfy NOP Policy 3.1.30.3.7, staff required a technical brief addressing how the modifications to the Plan have been designed to reduce impacts to the natural environment.

Staff have reviewed the Environmental Impact Assessment Brief (prepared by Ecological & Environmental Solutions, dated October 28, 2023). The Brief confirms that the revised subdivision will not result in a reduction to previously approved woodland setbacks and indicates that there is no change in land use being proposed but rather an increase in density of residential dwellings backing on the woodland (8 additional lots). Further, the Brief states that revisions to the road network (e.g., removal of the cul-de-sac) and orientation of some lots reduces potential impacts to the woodland (e.g., removal of streetlighting requirements adjacent to the woodland boundary, positive changes to drainage patterns, among others). Staff do not object to the findings of the

circulated brief. As such, provided the mitigation measures recommended in the brief are implemented, staff are satisfied that the applications are in compliance with applicable Provincial and Regional natural heritage policies from an environmental perspective.

As it relates to the OPA and ZBA applications, staff offer no objections from a natural heritage perspective. Staff will recommend conditions of approval and/or appropriate clauses when future Planning Act applications/Subdivision Agreement amendment are circulated to ensure implementation of the mitigation measures recommended in the brief.

Waste Collection

Niagara Region provides curbside waste collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional collection provided that the owner brings the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

Low Density Residential

- No limit blue/grey containers;
- No Limit green containers; and,
- 2 Garbage Containers per unit (Bi weekly)
- Curbside Collection Only

Staff reviewed the submitted revised plan of subdivision (1241-SUB4), prepared by Upper Canada Consultants (dated November 12th, 2024) and note that the curb radii is not indicated for the new road network. Staff request that the Regional Waste Collection Vehicle Turning Template be overlaid onto the site plan showing the truck entering and exiting in both directions to ensure that a waste collection vehicle is able to maneuver on site or that the radii be added to the drawing to ensure they are acceptable. In addition, staff request that any future Planning Act applications required to implement the proposed revised road and lot fabric be circulated to the Region for review. Additionally, staff note although the revised plan of subdivision illustrates changes to the area, a temporary easement will still be required at the end of Terry Drive over lots 115-119 for waste collection purposes. As such, staff recommend a Holding Provision on the amending by-law regarding the revised engineering plans and easement agreement.

Circular Materials Ontario is responsible for the delivery of residential Blue / Grey Box recycling collection services. The most up to date information regarding recycling can be found using the following link: <https://www.circularmaterials.ca/resident-communities/niagara-region/>.

Conclusion

In conclusion, Public Works Growth Management and Planning Division staff do not object to the proposed Official Plan and Zoning By-law Amendment Applications, in principle, provided that land use compatibility and natural heritage comments are addressed through any future Planning Act applications and/or amended Subdivision Agreement. Further, Regional staff recommend the revised engineering plans and easement agreement with relation to waste collection be addressed prior to the applications being brought forward to Town Council or alternatively as a holding (H) provision in the amending by-law. On this basis, Regional staff is satisfied that the proposal is consistent with the PPS and conforms to Provincial and Regional policies.

Additionally, granted the above items are satisfied, the proposed OPA would be exempted from Regional Council approval in accordance with NOP Policy 7.4.1.6 and 7.4.1.7.

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

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

Kind regards,



Valentina Escobar

Development Planner

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

NPCA Response: Notice of Complete Application and Open House - Spears Garden Subdivision

From Taran Lennard <tlennard@npca.ca>
Date Fri 2025-01-17 8:25 AM
To Devon Morton <DMorton@forterie.ca>

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

Hi Devon,

The NPCA does not offer objection to this application.

In 2017 at the time of Draft Approval, the NPCA offered comments respecting stormwater management. The MOU on this item has progressed to the Region of Niagara since that time. As such, we would defer to their Agency for any SWM comments.

Thank you.



Taran Lennard
Watershed Planner II

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

905.788.3135 ext. 277

www.npca.ca

tlennard@npca.ca

For more information on Permits & Planning, please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

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

To send NPCA staff information regarding a potential violation of Ontario Regulation 41/24 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

From: Devon Morton <DMorton@forterie.ca>
Sent: December 20, 2024 5:21 PM
To: Ann-Marie.Norio@niagararegion.ca; clerk@niagararegion.ca; valentina.escobar@niagararegion.ca; devtplanningapplications@niagararegion.ca; David Deluce <ddeluce@npca.ca>; Sarah Mastroianni

<smastroianni@npca.ca>; Paige Pearson <ppearson@npca.ca>; radamsky@niagaraparks.com; SBarnhart@niagaraparks.com; sheraz.mustafa@cnpower.com; kris.watson@cnpower.com; MunicipalPlanning@enbridge.com; Circulations@wsp.com; karen.singer@bell.ca; mike.embleton@cogeco.com; newdevelopment@rci.rogers.com; Ash.Neville@rci.rogers.com; John.Armstrong@rci.rogers.com; LandUsePlanning@HydroOne.com; ExecutiveVP.LawAndDevelopment@opg.com; abby.laforme@mncfn.ca; Adam.LaForme@mncfn.ca; Mark LaForme <Mark.LaForme@mncfn.ca>; ExecutiveDirector@fenfc.org; pontdj@hotmail.com; sue.mabee@dsbn.org; Bert.Poort@dsbn.org; Michelle.McPhee@dsbn.org; planning@dsbn.org; alexandria.pasquiniSmith@ncdsb.com; Clark.Euale@ncdsb.com; Jennifer.Lanese@ncdsb.com; planning@ncdsb.com; AAazouz@cscmonavenir.ca; planification@csdccc.edu.on.ca; mr18enquiry@mpac.ca; brian.gordon@mpac.ca; Andrew.Carrigan@canadapost.ca; Usama.Ali@ontario.ca; Rami.Elmawed@ontario.ca; Peter.Deluca@ontario.ca; Vereen.Rattigan@ontario.ca; Jatinbhai.Patel@ontario.ca; Usman.Akhtar@ontario.ca; Lyndsay.Dunville@ontario.ca

Subject: Fw: Notice of Complete Application and Open House - Spears Garden Subdivision

Dear Reviewer,

The Planning, Building and By-law Services Department received Official Plan and Zoning Amendment Applications, pursuant to Sections 17(34) and 34 of the Planning Act, 1990. The applications were deemed complete on December 13th, 2024 and propose to establish a site-specific, Low Density, policy area that permits street townhouses as a permitted use and a maximum residential density of 22 units per hectare and to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 residential lots, 14 blocks for residential purposes (119 single detached dwellings and 84 street townhouse dwellings) and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the site specific Open Space (OS-527) Zone is proposed (stormwater management pond).

Submission materials may be accessed digitally here:

<https://www2.forterie.ca/resource/planningApplications.xsp> (refer to 1278 Terry Drive) or by contacting me directly.

We request your review and **comments by January 17, 2024**, so they may be included in the Information Report to Council.

Should you have any questions or concerns, please contact me directly. Apologies in advance if you received a duplicate circulation, there were a number of bounce backs.

Thank you,

Devon M. Morton

Supervisor of Development Approvals

Town of Fort Erie

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2514



The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.



January 31, 2025

Project Name: Spears Garden Subdivision
DOCA Project Number: 2025-0006
Proponent: **unknown**
Project Location: Town of Fort Erie

Dear Devon Morton,

This letter is to confirm receipt of the project-related correspondence sent by the Town of Fort Erie, on January 31, 2025, regarding the Spears Garden Subdivision.

The Mississaugas of the Credit First Nation (MCFN) are the Treaty Holders of the land on which the project will take place – specifically, the Mississaugas Treaty at Niagara #381. The MCFN holds Indigenous and Treaty Rights specific to the project location and its environs, which may be adversely impacted by it. The Department of Consultation and Accommodation (DOCA) is designated by the MCFN to handle consultation matters on its behalf.

The DOCA consultation team has filed the project-related correspondence identified above. **We have no questions or comments for you at this time.** This does not indicate a position of support for the project, that the Duty to Consult and Accommodate the MCFN has been met, or that there are no adverse impacts to the MCFN's Indigenous and Treaty Rights.

DOCA expects to be notified of any and all future project updates and/or changes. Additionally, DOCA must be notified of, invited to participate in, and provided the opportunity to review any environmental and/or archaeological assessments. At its discretion, DOCA may request capacity funding from the proponent for its consultation and engagement activities relating to the project.

If you have any questions for the DOCA consultation team, please feel free to contact us.

Thank you,

Megan DeVries

Megan DeVries
Manager of Consultations
Department of Consultation and Accommodation
Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225



Phone: 905-768-4260

Email: megan.devries@mncfn.ca

CC

Abby LaForme, Consultation Coordinator, abby.laforme@mncfn.ca



Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225



Fort Erie - Part of Lots 1 and 2, Concession 4, Niagara River Bertie - PLC-06-2024

From AMIN Pranav <Pranav.Amin1@HydroOne.com>

Date Mon 2025-01-06 3:55 PM

To Devon Morton <DMorton@forterie.ca>

You don't often get email from pranav.amin1@hydroone.com. [Learn why this is important](#)

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

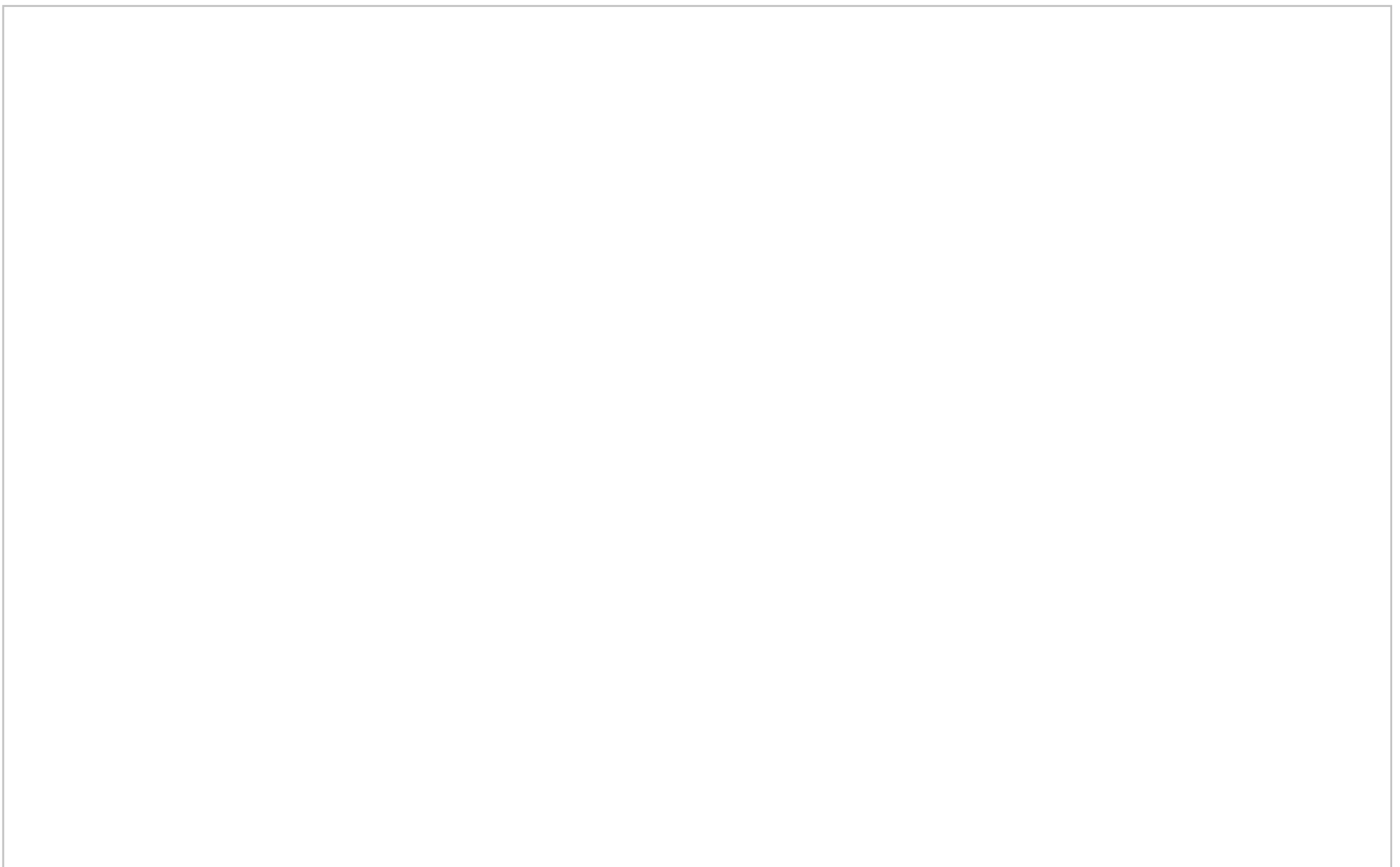
Hello,

We are in receipt of your Application for Consent, PLC-06-2024 dated 2024-12-20. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link: [Stormcentre \(hydroone.com\)](#).

Please select "Search" and locate the address in question by entering the address or by zooming in and out of the map.



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango

Specialized Services Team Lead,

Real Estate Department

Hydro One Networks Inc.

Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

RE: Notice of Complete Application and Open House - Spears Garden Subdivision

From Municipal Planning <MunicipalPlanning@enbridge.com>

Date Sat 2024-12-21 1:26 PM

To Devon Morton <DMorton@forterie.ca>

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

Thank you for your circulation.

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

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

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

It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. Any service relocation required due to a severance would be at the cost of the property owner. For any encroachments, please contact ONTLands@enbridge.com.

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

Regards,

Willie Cornelio CET (he/him)

Sr Analyst, Municipal Planning

Engineering

ENBRIDGE

TEL: 416-495-6411

500 Consumers Rd, North York, ON M2J1P8

enbridge.com

Safety. Integrity. Respect. Inclusion.

From: Devon Morton <DMorton@forterie.ca>

Sent: Friday, December 20, 2024 5:21 PM

To: Ann-Marie.Norio@niagararegion.ca; clerk@niagararegion.ca; valentina.escobar@niagararegion.ca; devtplanningapplications@niagararegion.ca; ddeluce@npca.ca; smastroianni@npca.ca; ppearson@npca.ca; radamsky@niagaraparks.com; SBarnhart@niagaraparks.com; sheraz.mustafa@cnpower.com; kris.watson@cnpower.com; Municipal Planning <MunicipalPlanning@enbridge.com>; Circulations@wsp.com; karen.singer@bell.ca; mike.embleton@cogeco.com; newdevelopment@rci.rogers.com; Ash.Neville@rci.rogers.com; John.Armstrong@rci.rogers.com; LandUsePlanning@HydroOne.com; ExecutiveVP.LawAndDevelopment@opg.com; abby.laforme@mncfn.ca; Adam.LaForme@mncfn.ca; Mark LaForme

<Mark.LaForme@mncfn.ca>; ExecutiveDirector@fenfc.org; pontdj@hotmail.com; sue.mabee@dsgn.org; Bert.Poort@dsgn.org; Michelle.McPhee@dsgn.org; planning@dsgn.org; alexsandria.pasquiniSmith@ncdsb.com; Clark.Euale@ncdsb.com; Jennifer.Lanese@ncdsb.com; planning@ncdsb.com; AAazouz@cscmonavenir.ca; planification@csdccc.edu.on.ca; mr18enquiry@mpac.ca; brian.gordon@mpac.ca; Andrew.Carrigan@canadapost.ca; Usama.Ali@ontario.ca; Rami.ElMawed@ontario.ca; Peter.Deluca@ontario.ca; Vereen.Rattigan@ontario.ca; Jatinbhai.Patel@ontario.ca; Usman.Akhtar@ontario.ca; Lyndsay.Dunville@ontario.ca
Subject: [External] Fw: Notice of Complete Application and Open House - Spears Garden Subdivision

CAUTION! EXTERNAL SENDER

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

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

Dear Reviewer,

The Planning, Building and By-law Services Department received Official Plan and Zoning Amendment Applications, pursuant to Sections 17(34) and 34 of the Planning Act, 1990. The applications were deemed complete on December 13th, 2024 and propose to establish a site-specific, Low Density, policy area that permits street townhouses as a permitted use and a maximum residential density of 22 units per hectare and to rezone a portion of the subject lands from the site-specific Residential 2 (R2-525) Zone and the site-specific Residential Multiple 1 (RM1-526) Zone to a site specific Residential 2 (R2) Zone, a site-specific Residential Multiple 1 (RM1) Zone and a site-specific Open Space (OS) Zone to permit development of 119 residential lots, 14 blocks for residential purposes (119 single detached dwellings and 84 street townhouse dwellings) and a pedestrian walkway. The site-specific modifications relate to frontage, lot area and density. No change to the site specific Open Space (OS-527) Zone is proposed (stormwater management pond).

Submission materials may be accessed digitally here:

<https://www2.forterie.ca/resource/planningApplications.xsp> (refer to 1278 Terry Drive) or by contacting me directly.

We request your review and **comments by January 17, 2024**, so they may be included in the Information Report to Council.

Should you have any questions or concerns, please contact me directly. Apologies in advance if you received a duplicate circulation, there were a number of bounce backs.

Thank you,

Devon M. Morton

Supervisor of Development Approvals

Town of Fort Erie

Planning, Building and By-law Services

1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2514

forterie.ca | dmorton@forterie.ca



Fwd: Fw: Notice of Complete Application and Open House - Spears Garden Subdivision

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

Date Thu 2025-01-02 8:25 AM

To Devon Morton <DMorton@forterie.ca>

 1 attachment (312 KB)

Notice of Complete Application and Open House Spears Garden.pdf;

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

Good morning Devon,

Cogeco has no comment on this application.

Thank you,
Mike

Mike Embleton

Network Delivery Coordinator
7170 McLeod Rd, Niagara Falls ON, L2H 3H2
C 905-246-8621



Join the conversation

#cogecommunity



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

From: **Devon Morton** <DMorton@forterie.ca>

Date: Fri, Dec 20, 2024 at 5:20 PM

Subject: Fw: Notice of Complete Application and Open House - Spears Garden Subdivision

To: Ann-Marie.Norio@niagararegion.ca <Ann-Marie.Norio@niagararegion.ca>, clerk@niagararegion.ca <clerk@niagararegion.ca>, valentina.escobar@niagararegion.ca <valentina.escobar@niagararegion.ca>, devtplanningapplications@niagararegion.ca <devtplanningapplications@niagararegion.ca>, ddeluce@npca.ca <ddeluce@npca.ca>, smastroianni@npca.ca <smastroianni@npca.ca>, ppearson@npca.ca <ppearson@npca.ca>,

radamsky@niagaraparks.com <radamsky@niagaraparks.com>, SBarnhart@niagaraparks.com <SBarnhart@niagaraparks.com>, sheraz.mustafa@cnpower.com <sheraz.mustafa@cnpower.com>, kris.watson@cnpower.com <kris.watson@cnpower.com>, MunicipalPlanning@enbridge.com <MunicipalPlanning@enbridge.com>, Circulations@wsp.com <[circulations@wsp.com](mailto:Circulations@wsp.com)>, karen.singer@bell.ca <karen.singer@bell.ca>, mike.embleton@cogeco.com <mike.embleton@cogeco.com>, newdevelopment@rci.rogers.com <newdevelopment@rci.rogers.com>, Ash.Neville@rci.rogers.com <Ash.Neville@rci.rogers.com>, John.Armstrong@rci.rogers.com <John.Armstrong@rci.rogers.com>, LandUsePlanning@HydroOne.com <LandUsePlanning@hydroone.com>, ExecutiveVP.LawAndDevelopment@opg.com <ExecutiveVP.LawAndDevelopment@opg.com>, abby.laforme@mncfn.ca <abby.laforme@mncfn.ca>, Adam.LaForme@mncfn.ca <Adam.LaForme@mncfn.ca>, Mark LaForme <Mark.LaForme@mncfn.ca>, ExecutiveDirector@fenfc.org <executivedirector@fenfc.org>, pontdj@hotmail.com <pontdj@hotmail.com>, sue.mabee@dsbn.org <sue.mabee@dsbn.org>, Bert.Poort@dsbn.org <Bert.Poort@dsbn.org>, Michelle.McPhee@dsbn.org <Michelle.McPhee@dsbn.org>, planning@dsbn.org <planning@dsbn.org>, alexandria.pasquiniSmith@ncdsb.com <alexandria.pasquiniSmith@ncdsb.com>, Clark.Euale@ncdsb.com <Clark.Euale@ncdsb.com>, Jennifer.Lanese@ncdsb.com <Jennifer.Lanese@ncdsb.com>, planning@ncdsb.com <planning@ncdsb.com>, AAazouz@cscmonavenir.ca <AAazouz@cscmonavenir.ca>, planification@csdccc.edu.on.ca <planification@csdccc.edu.on.ca>, mr18enquiry@mpac.ca <mr18enquiry@mpac.ca>, brian.gordon@mpac.ca <brian.gordon@mpac.ca>, Andrew.Carrigan@canadapost.ca <Andrew.Carrigan@canadapost.ca>, Usama.Ali@ontaro.ca <Usama.Ali@ontaro.ca>, Rami.Elmawed@ontario.ca <Rami.Elmawed@ontario.ca>, Peter.Deluca@ontario.ca <Peter.Deluca@ontario.ca>, Vereen.Rattigan@ontario.ca <Vereen.Rattigan@ontario.ca>, Jatinbhai.Patel@ontario.ca <Jatinbhai.Patel@ontario.ca>, Usman.Akhtar@ontario.ca <Usman.Akhtar@ontario.ca>, Lyndsay.Dunville@ontario.ca <Lyndsay.Dunville@ontario.ca>

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We request your review and **comments by January 17, 2024**, so they may be included in the Information Report to Council.

Should you have any questions or concerns, please contact me directly. Apologies in advance if you received a duplicate circulation, there were a number of bounce backs.

Thank you,

Devon M. Morton

Supervisor of Development Approvals

Town of Fort Erie

Planning, Building and By-law Services

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

p: 905-871-1600 ext. 2514

forterie.ca | dmorton@forterie.ca





January 13, 2025

Devon M. Morton
Supervisor of Development Approvals
Planning, Building and By-law Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Mr. Morton,

**Re: Applications for Official Plan and Zoning By-law Amendment and Removal of Part Lot Control
Spears Garden Subdivision Plan 59M-469**

Thank you for circulating the District School Board of Niagara (DSBN) the above noted applications for Official Plan and Zoning By-law amendment and Removal of Part Lot Control for the Spears Garden Subdivision. We understand that the purpose of the applications is to facilitate a redesign of the registered Spears Garden plan of subdivision to establish a change to the road and lot/block pattern to accommodate 119 single detached lots and 14 blocks for 84 street townhouse units. The proposed Official Plan and Zoning By-law amendment applications will establish and redesignate the lands accordingly to facilitate the development.

DSBN Planning staff has completed its review and has no objections to the applications. Board staff request that, as a condition of approval, sidewalks be constructed within the development to facilitate student travel to the school/bus stop locations. At this time, students from this area would attend Garrison Road PS (Gr. JK-8) and Greater Fort Erie Secondary School (Gr. 9-12).

If you have any questions, please feel free to contact Michelle McPhee, Planning Services at 905-641-2929 Ext 54228.

Sincerely,

A handwritten signature in blue ink that reads 'J. Veld'.

Associate Director of Education, Corporate Services

Provided on behalf of the Niagara Catholic District School Board

January 14, 2025

Electronic Copy

Attention:

Devon Morton
Town of Fort Erie
Municipal Centre Drive,
Fort Erie, ON, L2A 2S6
dmorton@forterie.ca

Re:

COMMENT LETTER

Application for Official Plan and Zoning Amendment
Location: 1278 Terry Drive, Fort Erie (Spears-High Pointe Subdivision)
File No.: ZBA-14-2024, OPA-05-2024, PLC-06-2024

Dear Devon Morton,

On behalf of the Niagara Catholic District School Board, we confirm receipt of the Official Plan and Zoning Amendment application [ZBA-14-2024, OPA-05-2024] dated December 20, 2024. A total of [203] units are proposed for this development. With respect to this application, the following comments are submitted:

Location:

This development falls within the attendance boundaries of:

- St Philomena Catholic Elementary School (JK-8)
- Lakeshore Catholic High School (9-12)

Comments:

Although the impact of this development will be minimal, the local elementary school is operating above its built capacity and may not accommodate all students from new development. Interim accommodation measures such as portables may be required to accommodate students from this proposed development.

At this time, sufficient space exists within the local secondary school to accommodate additional students from the development as proposed.

We will continue to monitor development growth in the municipality on behalf of the NCDSB as it relates to the cumulative impact on local schools. The NCDSB also requests notification of any modifications, community consultations, appeals, or notices of decision related to this application.

Please note that further to the comments provided, the NCDSB reserves the right to revise their position as needed without further notice. Should you require additional information regarding these comments, please contact planning@ncdsb.com.

Sincerely,

Jordan Cook,
Consultant
Watson & Associates Economists Ltd.

vw@watsonecon.ca

Office: 905-272-3600

Fax: 905-272-3602

cc: Clark Euale, clark.euale@ncdsb.com

Niagara Catholic District School Board



**The Municipal Corporation of the
Town of Fort Erie**

BY-LAW NO. 39-2003

**BEING A BY-LAW TO ADOPT THE 2002 SPEARS – HIGH POINTE
NEIGHBOURHOOD MASTER SERVICING STUDY**

WHEREAS Section 11 of the *Municipal Act, 2001* provides for spheres of jurisdiction, and

WHEREAS public utilities is a sphere of jurisdiction permitting municipalities to pass by-laws respecting matters related to the collection of sanitary sewage, collection of storm water and other drainage from land and water distribution, and

WHEREAS Report No. PCS-16-2003 was approved at the Council-in-Committee Meeting of February 17, 2003 as follows:

THAT: Report No. PCS-16-2003 regarding the Spears – High Pointe Servicing Plan be received for information purposes, and further

THAT: Council adopt by by-law the 2002 Spears – High Pointe Neighbourhood Master Servicing Study, prepared by Earth Teach Canada Ltd., dated December, 2002, as amended, and further

THAT: The findings and recommendations contained in the 2002 Spears – High Pointe Neighbourhood Master Servicing Study be utilized and form the basis of the Area Specific Development Charges Study for the Spears – High Pointe Neighbourhood, and further

THAT: The findings of the Spears – High Pointe Neighbourhood Development Charges Study be integrated into the 2004 Capital Project Planning Process and the 5-year Capital Expenditure forecast.

WHEREAS it is deemed expedient to adopt the 2002 Spears – High Pointe Neighbourhood Master Servicing Study prepared by Earth Tech Canada Ltd. dated December 2002, as amended and annexed hereto as Schedule “A” to this by-law;

NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

1. **THAT** the 2002 Spears – High Pointe Neighbourhood Master Servicing Study prepared by Earth Tech Canada Ltd. dated December 2002, as amended, in the form of Schedule “A” annexed hereto to this by-law be and it is hereby authorized, approved and adopted.
2. **THAT** the findings and recommendations contained in the aforesaid Study shall be utilized to form the basis of the area-specific Development Charges Study for the Spears – High Pointe Neighbourhood.

By-law No. 39-2003

Page Two

3. **THAT** any capital expenditures associated with the aforesaid Study shall be determined by Council through its annual budget deliberations.

4. **THAT** in concert with the 2004 Capital Budget planning process, staff shall revisit the existing infrastructure master plans in order to incorporate the servicing needs and infrastructure rehabilitation of neighbourhood plans.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24th DAY OF FEBRUARY, 2003.



MAYOR

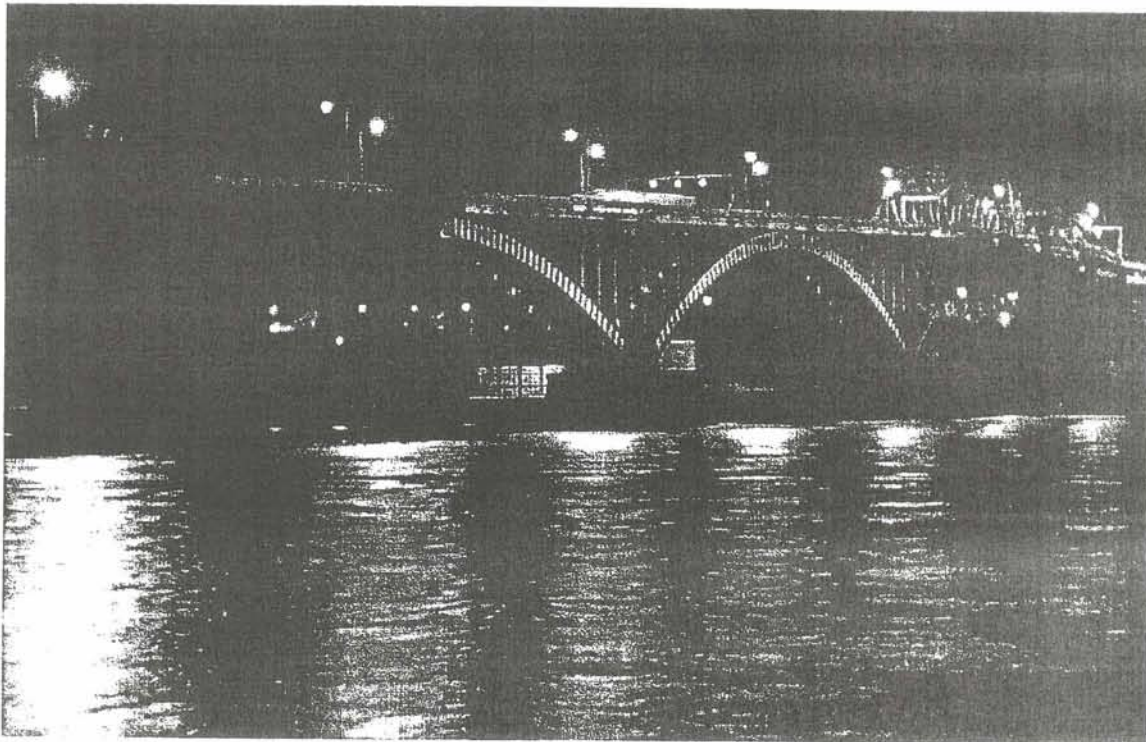


CLERK

I, the Clerk, Carolyn J. Kett, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. 39-2003 of the said Town. Given under my hand and the seal of the said Corporation this day of _____, 2003.



Spears and High Pointe Neighbourhoods Master Servicing Plan



Prepared for:
The Corporation of The Town
of Fort Erie
Municipal Centre
1 Municipal Drive
Fort Erie, L2A 2S6

Prepared by:
Earth Tech Canada Inc.
Corbloc Building
80 King Street, 2nd Floor
St. Catharines, Ontario, L2R 7G1

Final Report – December, 2002

December 10, 2002

Project EO 54049

Mr. Michael Benner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario
L2A 2S6

Subject: Spears and High Pointe Neighbourhoods Master Servicing Plan

Dear Mr. Benner:

Earth Tech is pleased to submit five (5) copies of the Spears and High Pointe Neighbourhoods Master Servicing Plan to the Town of Fort Erie. The report contains the previously submitted Executive Summary, and evaluations of infrastructure and servicing systems for the neighbourhoods: water, stormwater, sanitary and roads/transportation. The related recommendations include cost estimates and timing where appropriate.

Telephone

905.688.4272

800.263.9803

Facsimile

905.688.581

We would like to thank the Town of Fort Erie for the opportunity to work on this most interesting project. If you have any questions, or require further clarification please feel free to contact Earth Tech at your convenience.

Very truly yours,

Earth Tech Canada Inc.



Mark, A. Swan, P. Eng.
Project Manager

KMW/cb

File Location: P:\eo\2002\54049 - Spears and high pointe neighbourhood\document\Report Cover Letter.doc

- Construct storm water ponds at the beginning of Neighbourhood development, as most sediment loading occurs during the construction phase of a development.
- Construct the pond for the Frenchman Creek drainage area in High Pointe on golf course lands west of the Neighbourhood. An agreement with the golf course owner/operator will be required that sets operational constraints on the pond.
- The cost of the new storm system including all pond construction is \$10,560,000.

Road System

- Upgrade Pettit Road to at least a 16.2 m urban collector cross-section (allows for shared bike/auto lane each way) with a 36 m wide road allowance.
- Upgrade Florence Drive, Benner Avenue south of Florence Drive, Spears Road and Bertie Street to 9.5 m urban collector cross-sections with a 36 m wide road allowance.
- Proposed layout for internal road systems will allow for the free flow of traffic within the two neighbourhoods while minimizing impacts on local boundary roads.
- The neighbourhood plans should include a network for pedestrian and bicycling routes that will provide linkages to adjacent areas and pedestrian and cycling networks. The network developed for the area should be coordinated with the Region of Niagara's Bikeway Master Plan to foster an increase in local bicycle commuting and recreational cycling.
- Traffic calming features should be considered on the local and collector residential streets where a reduction in vehicular speed is required, to discourage through traffic movements that have diverted from the arterial road network, to improve the neighbourhood environment and to minimize conflicts between street users and should be implemented on an area wide basis. The type and location of the features differs from community to community and requires support from the municipalities for implementation. Types of treatments include curb extensions, reduced curb radii, raised crosswalks, raised median islands, roundabouts, etc.