



## Planning, Building and By-law Services

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Prepared for: Council-in-Committee

Report: PBBS-06-2026

Meeting Date: February 9, 2026

### 1. Title

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Proposed Combined Official Plan and Zoning By-Law Amendment  
Information Report for 19 Derby Road

### 2. Recommendations

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**That:** Council receives, for information purposes, Report PBBS-06-2026 regarding a proposed Zoning By-law Amendment for the lands located at 19 Derby Road.

### 3. Relation to Council's Corporate Strategic Plan

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Priority: Sustainable and managed growth, Comprehensive housing options.

### 4. List of Stakeholders

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Steve Bremmer – Owner/Applicant  
Residents and Property Owners in the Town of Fort Erie

### 5. Purpose of Report

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The purpose of this report is to provide information to Council regarding a proposed combined Official Plan and Zoning By-law Amendment application for 19 Derby Road to permit the development of a three-storey, 30-unit rental apartment building. The application was submitted by Steve Bremmer, the Owner of the subject lands.

The subject lands are designated Site-Specific Medium Density Residential in the Crystal Beach Secondary Plan, and are zoned Residential Multiple 1 (RM1-692) in accordance with the Town's Comprehensive Zoning By-law 129-90, as amended.

The purpose and effect of the proposed Official Plan Amendment is to permit a three-storey apartment building on the subject lands within the existing Site-Specific Medium Density Residential designation. Under Section 4.22.9.8 of the Crystal Beach Secondary Plan, apartment buildings are not a permitted built form. As a result, the applicant is seeking an Official Plan Amendment to permit an apartment building on the subject lands.

The purpose and effect of the proposed Zoning By-law Amendment is to rezone the subject lands from a site-specific Residential Multiple 1 (RM1-692) Zone to a site-specific Residential Multiple 2 (RM2) Zone to permit the development of a three-storey apartment building. The

proposed site-specific provisions pertain to a reduction in the minimum lot area, width of the landscape strip and the number of parking spaces and an increase in the maximum lot coverage,

The Owner has concurrently submitted an application for Site Plan Approval. If the proposed Official Plan and Zoning By-law Amendments are approved, staff will enter into a Site Plan Agreement with the Owner.

A location map showing the subject lands is attached as **Appendix 1**. A Site Plan for the subject lands is attached as **Appendix 2**, Floor Plans are attached as **Appendix 3**, and Elevations are attached as **Appendix 4**.

## 6. Analysis

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### 6.1 Site Context

The subject lands are located within the urban boundary in the Crystal Beach neighbourhood, situated at the northwestern corner of the Derby Road and Michener Road intersection. The subject lands have an area of 3004.16 square meters, with 33.5 meters of frontage on Derby Road and approximately 88 meters of flankage along Michener Road. The subject lands are fully serviced with municipal water, sanitary and storm connections and currently contains two multi-unit buildings. The surrounding neighbourhood is primarily residential, characterised primarily by single detached dwellings.

The surrounding land uses are as follows:

- North: Residential (single detached dwellings)
- East: Derby Road and the Ridgeway Memorial Cemetery
- South: Residential (single detached dwellings)
- West: Residential (single detached dwellings)

The subject lands are approximately 900 metres west of Crystal Ridge Park, a Community Park. The subject lands are also approximately one kilometer south from commercial uses along Gorham Road and one kilometre north of the Derby Road and Erie Road commercial area.

### 6.2 Planning Policy Framework

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

The Planning Act provides for a land use planning system led by Provincial policy, integrating provincial interests with municipal decision making, promoting sustainable economic development and encouraging coordination among various interests.

The Planning Act identifies matters of Provincial interest that Council must consider in carrying out their legislative responsibilities, including, but not limited to, the efficient use of sewage and water services, orderly development of safe and healthy communities, adequate provision of a full range of housing, including affordable housing, and the appropriate location of growth.

Decisions of Council must also be consistent with provincial policy statements and conform with provincial plans and municipal official plans that are in effect.

## 6.2.2 Provincial Planning Statement, 2024

Land use planning decisions are required to be consistent with the Provincial Planning Statement, 2024 (PPS). The subject lands are located within a Settlement Area under the PPS. The PPS directs growth to settlement areas to provide an appropriate range and mix of housing options and densities, encourages building complete communities, promotes intensification within built up areas, and supports efficient use of resources and infrastructure.

## 6.2.3 Niagara Official Plan, 2022

The Niagara Official Plan, 2022 (NOP) identifies the subject lands as being within the Delineated Built-Up Area. Section 2.2.1.1 of the NOP outlines the policies for development in these areas. The NOP supports opportunities for compact built form (2.2.1.1 (b)), a diverse range and mix of housing types, unit sizes, and densities (2.2.1.1 (c)), built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure 2.2.1.1 (e)), opportunities for intensification 2.2.1.1 (g)) and the integration of a mix and range of housing options that consider the character of established residential neighbourhoods (2.2.1.1(h)).

Further, the NOP states that forecasted population growth in urban areas will be accommodated primarily through intensification in Built-up Areas (2.2.2.1). Section 2.2.2.6 of the NOP also establishes a minimum density target in Fort Erie that requires 50% of all new residential units to be constructed within Built-up Areas annually.

### *Schedule C1 – Natural Environment System Overlay and Provincial Natural Heritage Systems*

Schedule C1 of the NOP does not identify any natural heritage features or systems on the subject lands.

### *Schedule K – Areas of Archaeological Potential*

The subject lands are in an area of archaeological potential as shown on Schedule K of the NOP.

A Stage 1–2 Archaeological Assessment completed by Seguin Archaeological Services, dated May 9, 2024, was completed on the subject lands. The Stage 2 Archaeological Assessment results indicated that no further archaeological assessment is recommended. Acknowledgement from the Ministry of Citizenship and Multiculturalism (MCM), confirming that the report has been entered into the Ontario Public Register of Archaeological Reports is still outstanding. In accordance with the *Planning Act* and PPS policies, no demolition, grading, or other soil disturbance should occur on the property until the MCM issues an acknowledgement confirming that all archaeological resource requirements have been addressed.

## 6.2.4 Official Plan, Town of Fort Erie, 2021 Consolidation

### *Crystal Beach Secondary Plan*

The subject lands are designated as Medium Density Residential in the Crystal Beach Secondary Plan and are subject to sites-specific policies provided in Section 4.22.9.8 of the Secondary Plan. This section reserves the area for semi-detached dwellings and street, block and stacked townhouses, and establishes a target density of 50 to 100 units per hectare. The

subject lands are also shown to be in a residential intensification area, as shown on Schedule CB-1 in the Crystal Beach Secondary Plan.

Given that apartment buildings are not a permitted built form, the applicant is proposing an Official Plan Amendment to permit apartment buildings on the subject lands. No amendments to the density range are proposed. The proposal provides a density of 99.86 units per hectare.

Section 4.22.4 establishes the main objectives of the Crystal Beach Secondary Plan. Relevant objectives include:

- a) *Provide a variety of housing choice that supports housing opportunities for all ages, that spans the full lifecycle and economic status;*
- b) *Encourage development forms which are more compact, affordable and utilize urban land and services more efficiently;*
- c) *Identify locations within the Plan Area which best support intensifying residential form and reinforce support for these locations through zoning implementation;*
- d) *Increase population in a moderate manner through intensification efforts in key locations. An increased population will better support existing community facilities and offer increased viability to commercial enterprise year-round;*

Section 4.22.6 of the Crystal Beach Secondary Plan provides in when considering medium density uses and/or residential intensification by the redevelopment of an existing building, regard shall be given to lot size, the height, bulk and arrangement of buildings and structures to achieve a harmonious design, compatible integration with the surrounding area, landscaping and buffering that maximizes privacy, parking, convenient access to an arterial road, and distance to traditional neighbourhood design elements and the central focus of the neighbourhood.

Section 4.22.9.8 notes that Lands bound by Farr Avenue, Derby Road and Michener Road, represent a unique opportunity to provide additional multi-unit residential that can take advantage of being centrally located to public amenities on Farr and Gorham Road. This section also states that these lands are reserved for semi detached, street, stacked or block townhouses and their accessory uses with a medium density range of 50 to 100 units per hectare to assist in efficient use of existing and proposed infrastructure and diversify housing stock and form. A maximum building height of 3 storeys is provided (4.22.9.8c).

Planning staff will provide comments in regard to the above criteria in the future recommendation report to Council for this application.

#### *Amendments to the Land Use Plan (Schedule A)*

Section 13.7 (III) of the Official Plan requires Council to have regard to the following criteria when considering amendments to the Land Use Plan (Schedule A) of Town's Official Plan and Zoning By-law:

- a) *The need for the proposed use;*

- b) *The extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development;*
- c) *The physical suitability of the land for such proposed use, and in the case of lands exhibiting or abutting a Natural Heritage feature, demonstration of compliance with the Natural Heritage policies of this plan;*
- d) *The location of the area under consideration with respect to:*
  - i. *The adequacy of the existing and proposed highway system in relation to the development of such proposed areas,*
  - ii. *The convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto, and*
  - iii. *The adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations of the Ministry of the Environment and the Regional Niagara Health Services Department and any other appropriate authority deemed advisable;*
- e) *The compatibility of the proposed use with uses in adjoining areas;*
- f) *The effects of such proposed use on the surrounding area in respect of the minimizing of any possible depreciating or deteriorating effect upon adjoining properties;*
- g) *The potential effect of the proposed use on the financial position of the Municipality; and*
- h) *The potential effect of the proposed use in relation to the intent and implementing regulations of the Environmental Protection Act.*

*Schedule C – Natural Heritage Features and Schedule C1 – Natural Hazards and Fish Habitat*

There are no natural heritage features on the subject lands as identified on Schedule C. Schedule C1 similarly does not identify any natural hazard areas or fish habitat on the subject lands.

*Schedule D - Cultural Heritage Archaeological Zones of Potential*

Schedule D of the Town's Official Plan identifies the subject lands as being within an area of archaeological potential. As noted in Section 6.2.3 of this report, a Stage 1–2 Archaeological Assessment was completed and determined that no further archaeological assessment is required, however confirmation from the MCM that the report has been entered into the Ontario Public Register of Archaeological Reports is required prior to any development or soil disturbance.

Planning staff will provide comments in regard to the above policies and criteria in the future recommendation report to Council for this application.

### **6.2.5 Official Plan, Town of Fort Erie, 2025 (adopted by Council)**

Town of Fort Erie Council adopted a new Official Plan on August 25, 2025, through the passage of [By-law 78-2025](#). The 2025 Official Plan will not be in force and effect until it receives approval from the Ministry of Municipal Affairs and Housing, but it currently represents Council intent.

Schedule D.1 of the 2025 Official Plan identifies the subject land as being within the Delineated Built-Up Area. Schedule E of the 2025 Official Plan designates the subject lands as Community Area.

Section C.4.2.1 of the 2025 Official Plan states that the Delineated Built-Up Areas are intended to accommodate a significant portion of the Town's future growth through intensification. This section also identifies policies for Delineated Built-Up areas that encourage compact, mixed-use development, efficient use of land and resources, development that meets evolving housing needs, and optimum use of existing and planned infrastructure, among other things. This section also notes that a minimum of 60-percent of all residential units developed annually will be within the built-up area.

Section D.2.2 of the 2025 Official Plan envisions Community Areas as complete communities that provide a range of housing options and essential everyday amenities to meet the diverse needs of the Town's residents and provide residents of all ages and abilities with access to housing, everyday amenities, and recreation.

Community Areas permit a full range of residential uses, among other uses. Development, redevelopment, and intensification are encouraged where adequate infrastructure exists or is planned, in accordance with the Community Design Policies (Section E.8) related to site planning, urban design, landscape architecture and cultural heritage.

Section D.2.2.5 includes Development Criteria that may be considered when reviewing applications for development or intensification within Community Areas, including but not limited to the type, density, diversity, and affordability of housing, adequacy of municipal services, and adequacy of existing and proposed amenities in the area.

Table C-3, under Section C.5 of the 2025 Official Plan, establishes the permitted built forms along different road classifications. Derby Road and Michener Road are identified as local roads on Schedule L of the Official Plan. The permitted built forms along local roads are low-rise buildings with a maximum height of 3-storeys. Built forms that are considered low-rise residential include single detached dwellings, semi-detached dwellings, quadplexes, and apartment buildings, among others (E.8.4.1).

Section E.4 of the 2025 Official Plan includes climate change objectives that recognize the importance of land use planning in helping to mitigate and adapt to a changing climate. This section provides policies that plan for strong, liveable and healthy communities that are resilient to the impacts of a changing climate by promoting a compact built form and mix of land uses, supporting active transportation, assessing infrastructure risks, integrating land use planning and infrastructure planning, and stormwater management.

The subject lands are also located in the Crystal Beach Secondary Plan Area, as shown on Schedule P of the 2025 Official Plan. The Crystal Beach Secondary Plan policies in the 2025 Official Plan are the same as those discussed in section 6.2.4 of this report.

Planning staff will provide comments in regard to the above policies in the future recommendation report to Council for this application.

### 6.2.6 Site Design

The proposal features a three storey, apartment building with 30 residential rental units. The unit mix includes 1 one-bedroom unit, 24 two-bedroom units, and 5 three-bedroom units, each with a 5 square meter private balcony. No affordable units have been proposed at this time.

The building also proposes 42 parking spaces, with 16 uncovered located at the rear of the building along Michener Road, and 26 underground parking spaces. Underground parking will be accessed through a parking ramp located at the rear of the building.

A landscape strip is also proposed along the northerly and westerly lot lines. Molok waste containers are proposed in the northeasterly corner of the site.

A 3.5 m road widening and 7 m x 7 m daylighting triangle are also proposed at the southeastern corner of the lot near the intersection of Derby Road and Michener Road which would be conveyed to the Town as a condition in the Site Plan Agreement. A sidewalk connection from from the existing sidewalk on Wellington Court to Derby Road has been requested by Development Engineering Staff.

### 6.2.7 Comprehensive Zoning By-law No. 129-1990, as amended

The subject lands are currently zoned RM1-692 in the Town's Comprehensive Zoning By-law, as amended.

The Zoning By-law Amendment proposes to rezone the subject lands to a site-specific RM2 Zone. The proposed site-specific provisions pertain to reduced Minimum Lot Area, increased Maximum Lot Coverage, reduced Minimum Number of Parking Spaces and reduced Landscape Strip Width.

Table 1 below compares the provisions of the existing RM1-692 Zone, the RM2 Zone and the proposed development.

<b>Table 1 – RM1-692 Zone Requirements Compared to Proposed Development and RM2 Zone Requirements</b>				
<b>Regulation</b>	<b>RM1-692 Zone Requirements</b>	<b>RM2 Zone Requirements</b>	<b>Proposed</b>	<b>Compliance with RM2 Zone</b>
<b>Permitted Use</b>	Semi detached dwellings  Street, block and stacked townhouses	Apartment	Apartment	Complies.

<b>Minimum Lot Frontage</b>	7.5 m; 9.5 m (corner lot) – Street townhouses  7.5 m (unit width) – Block and stacked townhouses	30 m	33.5 m	Complies.
<b>Minimum Lot Area</b>	210 sq m – Street townhouses  300.00 sq m per dwelling unit – Block and stacked townhouses	115 sq m per unit	100.139 square meters per unit.	Deficient.
<b>Maximum Lot Coverage</b>	50% – Street townhouses  40% – Block and stacked townhouses	40%	40.5%	Deficient.
<b>Minimum Front Yard Setback</b>	4.5 m and 6 m to garage – Street townhouses  6 m to private road or parking area – Block and stacked townhouses	7.5 m	7.59 m	Complies.
<b>Minimum Interior Side Yard Setback</b>	1.5 m – Street, block and stacked townhouses  3 m side yard separation between buildings – Block and stacked townhouses	One-half of the building height (5 m) or 4 m, whichever is greater.	5.0 m	Complies.
<b>Minimum Exterior Side Yard Setback</b>	3 m – Street townhouses  6 m – Block and stacked townhouses	One-half of the building height (5 m) or 6 m, whichever is greater.	6.0 m	Complies.
<b>Minimum Rear Yard Setback</b>	6 m – Street townhouses	One-half of the building height (5 m) or 7.5 m,	22.82 m	Complies.

	6 m to property line, 12 m back-to-back, or 7.5 m to sidewall – Block and stacked townhouses	whichever is the greater		
<b>Minimum Floor Area Per Dwelling Unit</b>	Not Applicable	Bachelor Unit: 40 sq m  One-Bedroom Unit: 50 sq m  Two-Bedroom Unit: 60 sq m  Three or more bedrooms: 79 sq m plus 7 sq m for each bedroom in excess of three	One-Bedroom Unit: 62 sq m  Two bedroom Units: 87 sq m  Three bedroom Units: 132 sq m	Complies.
<b>Maximum Building Height</b>	3 storeys or 12 m – Street, block and stacked townhouses	9 Storeys, 26 m	3 Storeys, 10 m	Complies.
<b>Minimum Landscaped Area</b>	50% including Privacy Areas, except 25% for street townhouse lots	25%	38.8%	Complies.
<b>Maximum Density</b>	100 units per ha – Street, block and stacked townhouses	Not applicable	99.86 units per ha	Complies.
<b>Minimum Driveway Width/Depth (Section 6.20)</b>	6.0 m  50% of unit width – Street townhouses	6.0 m	6.0 m	Complies.
<b>Aisle Width (Section 6.20)</b>	6.0 m	6.0 m	6.0 m	Complies.
<b>Minimum Number of Parking Spaces (Section 6.20)</b>	1 space per dwelling unit (Street Townhouse) and 1.5 spaces per	1.5 spaces per unit (30 x 1.5 = 45 spaces)	42 parking spaces	Deficient

	dwelling for (Block or Stacked Townhouse)			
<b>Parking Area Location (Section 6.20)</b>	3.0 m to any street line and any lot line.	3.0 m to any street line and any lot line.	3.0 m	Complies.
<b>Landscape Strip (Section 6.20.D.iii)</b>	3.0 m to any interior and rear lot line abutting a residential zone.	3.0 m to any interior and rear lot line abutting a residential zone.	0.9 m behind the proposed garbage molok.	Deficient.
<b>Accessible Parking Space Requirement (Section 6.20 (g))</b>	1 Type A Parking Space and 1 Type B Parking Space	1 Type A Parking Space and 1 Type B Parking Space	1 Type A Parking Space and 1 Type B Parking Space	Complies.

### 6.3 Studies

The following studies were submitted as part of the Application and are discussed throughout the report:

- [Environmental Site Assessment](#)  
Prepared by Hallex Environmental LTD. And dated January 23, 2023
- [Stormwater Management Plan](#)  
Prepared by JAM Engineering and Construction and dated June 26, 2023
- [Drainage Area Plan](#)  
Prepared by JAM Engineering and Construction and dated June 26, 2023
- [Landscape Plan](#)  
Prepared by Donald Martin Landscape Architects and dated August 22, 2023
- [Tree Protection Plan](#)  
Prepared by Terrastory and dated September 9, 2023
- Archaeological Assessment  
Prepared by Seguin Archaeological Services and Dated May 9, 2024
- [Photometrics](#)  
Prepared by SGI Electrical Engineering and dated May, 2024
- [Functional Servicing Report](#)  
Prepared by JAM Engineering and Construction and dated April 14, 2025
- [Planning Justification Report](#)  
Prepared by PLW Planning and Environmental Consulting and dated September, 2025

## 7. Financial, Staffing and Accessibility (AODA) Implications

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All costs associated with processing the application and the development of the subject lands is the responsibility of the Owner.

There are existing municipal services (water and sanitary) available to the subject lands within the road allowances of Derby Road and Michener Road. Municipal storm sewers are also available along Michener Road. There will not be an additional cost to the Town to service the site. Any costs related to service connections or restoration of Town infrastructure are the responsibility of the developer.

Development charges will be collected through the building permit application process. Cash-in-lieu of parkland dedication will be required as a condition of Site Plan approval.

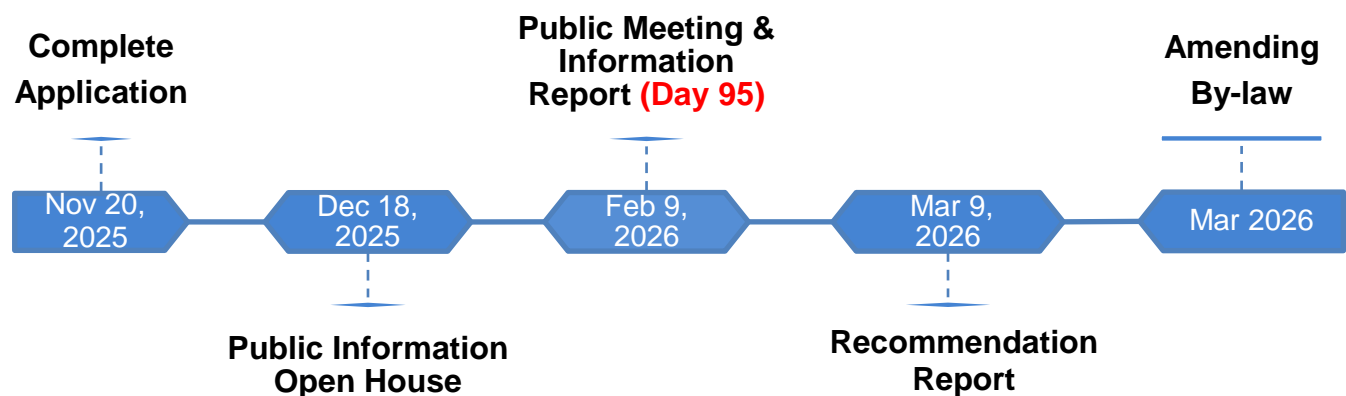
No staffing implications are expected. No impediments to the AODA legislation are expected to be developed through the amendment proposed.

## 8. Policies Affecting Proposal

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The Application was submitted on October 21, 2025 and formally deemed complete on November 20, 2025.

In accordance with the *Planning Act*, the proposed application for an Official Plan Amendment and Zoning By-law Amendment is subject to a 120-day processing and review timeline. A Council decision is therefore required by March 20, 2026. The application is currently on day 95, as illustrated below.



Statutory requirements of the *Planning Act* were satisfied by circulating a Notice of Public Meeting by regular mail on January 20, 2026, to all registered landowners within 120 metres of the subject lands, and by placing a sign on the subject lands and by circulating internal and external review partners and agencies electronically.

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

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A request for comments was circulated to Town Departments and agency stakeholders. The comprehensive set of comments received to date from agencies and Town Departments is attached as **Appendix 5**. The following provides a summary of comments:

### 9.1 Agency Comments

#### Cogeco

No comments.

#### Canadian Niagara Power

Existing electrical supply at this site is single phase only. Should the electrical requirements of this development require 3 phase power, the owner will be responsible for contacting Canadian Niagara Power to come up with a plan to do so.

Enbridge

No objection.

Ministry of Transportation (MTO)

No comments as this site is outside of MTO permit jurisdiction.

District School Board of Niagara

No objection.

Niagara Region

The Niagara Region provided a couple standard clauses related to waste collection requirements to be included in the Site Plan Agreement

Niagara Peninsula Conservation Authority (NPCA)

No comments received.

**9.2 Town Staff Comments**Building Department

The Building Department advises that the development will be subject to requirements, many of which will be addressed during the site plan stage. These include the need for applicable demolition permits, a detailed grading plan, servicing and entrance permits.

Site plan drawings that identify fire department connection locations, fire access routes with center line turning radius, as well as all building entrances and exits are also required. Barrier-free access, backflow prevention, fire and emergency access and prevention, fencing, and other Ontario Building Code provisions will be confirmed through the site plan and permit review process.

Development charges will also apply, with credits available for eligible demolitions completed within five years.

By-law Staff

There are currently no signs to prohibit on street parking on Derby Road or Michener Road in this immediate area. Notwithstanding the absence of signage, residents must keep in mind there are parking restrictions outlined in the Town's Traffic By-law such as: Prohibited on-street parking restrictions for overnight parking (2:00am-7:00am) from November 1 to March 31, within 10 metres (10m) of an intersection, and boulevard parking restrictions that will apply.

Development Engineering Staff

Development Engineering staff have no objection to the approval of the proposed Zoning By-law Amendment, as the application is supportable from a municipal servicing and infrastructure perspective. However, staff note that several technical matters will need to be addressed through the Site Plan Control application, including detailed servicing design, grading, stormwater management, and off-site infrastructure connections. Staff may recommend the use of a Holding (H) provision on the subject lands pending confirmation of downstream sanitary servicing capacity through a peer reviewed Functional Servicing Report.

*Roads and Sidewalks*

Derby Road is designated as an Arterial Road in accordance with the Town's current Official Plan, which prescribes a standard right-of-way width of 23 metres. The existing right-of-way along this section of Derby Road is currently deficient, measuring approximately 16 metres. Town Staff shall require at 3.50m road widening along the Derby Road.

Michener Road is designated as a Local Road in accordance with the Town's current Official Plan, which prescribes a standard right-of-way width of 20 metres. The existing right-of-way along this section of Michener Road is approximately 20 metres. Therefore, a widening is not required.

Pursuant to the Town's Official Plan, 7.0m x 7.0m daylighting triangles are required at intersections of Collector and Local Roads, taken after considerations of any required road widening portions. Therefore, an additional daylighting triangle shall be identified at the intersection of Derby Road and Michener Road.

There is an existing sidewalk on the east side of Derby Road terminates at the southeast corner of the Derby Road and Michener Road intersection. The existing sidewalk on Wellington Court terminates at the northern limit of Wellington Court and Michener Road. The Owner shall be required to provide a continuous pedestrian connection from the existing sidewalk on Wellington Court to Derby Road.

*Development Planning Response: Staff will require the conveyance of lands for road widening and the daylight triangle through the Site Plan application. The construction of the sidewalk will also be required through the Site Plan application.*

### Community Planning

Payment in Lieu of parkland dedication will be condition of the Site Plan Control application.

If any of the units will be affordable, the Town has an Affordable Housing Community Improvement Plan.

### Environmental Planning

Senior Environmental Planning staff have reviewed the Tree Protection Plan, prepared by Terrastory, dated September 9, 202 and the Landscape Plan, prepared by Donald Martin Landscape Architect, dated August 22, 2023. Environmental Planning staff provided technical comments in regard to these documents that have been provided to the applicant.

## **9.3 Public Comments**

An Open House Meeting was held in the Atrium of Town Hall on December 18, 2025. All property owners within 120 metres of the subject lands were notified of the meeting via a notice mailed by Staff on December 4, 2025. Town Planning Staff and the Applicant were in attendance, and approximately 5 members of the public attended the Open House.

In addition, four written comments were submitted to Town Staff in opposition to the Application. A summary of the public comments in opposition is provided below. Written comments are attached for review as **Appendix 6**.

- The proposed apartment building doesn't match the character of the surrounding neighbourhood.

*Development Planning Response: Medium Density Residential designations in the Crystal Beach Secondary Plan area permit developments of up to three (3) storeys. Staff will provide an opinion on the proposed apartment building built form in the subsequent recommendation report.*

- The construction will cause disturbances including noise, dust, road obstruction, and damage to surrounding homes.

*Development Planning Response: A Site Plan Agreement would be required before construction can begin if this proposal is approved. The Site Plan Agreement would include clauses with respect to noise, dust and cleanliness of the site. Securities will be held accordingly.*

- Drainage concerns onto adjacent properties.

*Development Planning Response: Building and Development Engineering Staff note that grading and servicing plans will be required during the Site Plan Application stage to accommodate drainage and stormwater.*

- Loss of green space

*Development Planning Response: The proposed development is on a private lot that is not a publicly accessible open space. Crystal Ridge Park is also located approximately 1 kilometer away.*

- Additional strain on schools, parking and emergency services.

*Staff Response: No concerns have been identified by the Niagara District School Board or Town Fire and Emergency Services. By-law Staff note that on-street parking is not prohibited in the immediate area, but on-street parking is prohibited from 2:00 am-7:00 am, from November 1 to March 31, within 10 metres (10m) of an intersection, and boulevard parking restrictions also apply.*

## **10. Communicating Results**

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There are no communication requirements at this time.

## **11. Conclusion**

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This report is submitted to Council for information purposes. A Recommendation Report will be presented to Council at a future meeting date.

## **12. Report Approval**

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Prepared by:  
Myles Banfield, MPLAN  
Junior Development Planner

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

Submitted by:

Anamika Dilwaria, M.A., M.PL., MCIP, RPP, Dipl.M.M  
Director, Planning and Development Services

Approved by:

Chris McQueen, MBA  
Chief Administrative Officer

### **13. Attachments**

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Appendix 1 – Location Map

Appendix 2 – Site Plan

Appendix 3 – Floor Plans

Appendix 4 – Elevations

Appendix 5 – Agency and Town Staff Comments

Appendix 6 – Public Comments