

Appendix 5



Re: Request for comments - proposed OPA, ZBA and CEC applications for 145 Derby Road and 3990 Rebstock Road, Crystal Beach, Town of Fort Erie

From Aaron Hair <ahair@forterie.ca>

Date Mon 2025-07-07 7:43 AM

To Daryl Vander Veen <DVanderVeen@forterie.ca>

Thank you for the opportunity to review the proposed applications for Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA), and Common Elements Condominium (CEC) for the subject lands.

Upon review, the following comments and recommendations are provided:

Conformity with the Crystal Beach Secondary Plan

- The proposed development does not meet the minimum density and apartment unit requirements outlined in Sections 4.22.9.3 and 4.22.9.4 of the Crystal Beach Secondary Plan.
- Recommendation: The applicant should consider reducing the number of block townhouse units and increasing the number and size of apartment units to better align with the Secondary Plan's minimum density target of 50 units per hectare and 36 apartment units.

Location of Apartment Building

- The Secondary Plan envisions higher-density built form at prominent intersections to support walkability and community design objectives.
- Recommendation: The proposed apartment building should be relocated to the intersection of Derby Road and Rebstock Road to comply with the Secondary Plan's urban design direction.

Archaeological Assessment

- The submission includes Stage 1 and 2 Archaeological Assessments; however, a Stage 3 Assessment is required.
- Recommendation: A Holding (H) Provision should be applied through the Zoning By-law Amendment to ensure that the Stage 3 Archaeological Assessment is completed and cleared prior to development proceeding.

Parkland Dedication

- As per the Town's parkland dedication policies, this development will be subject to parkland requirements.
- Recommendation: Payment in lieu of parkland dedication will be required as a condition of approval.

Best regards,

Appendix 5

Aaron Hair, MCIP, RPP
Project Manager, Policy

Town of Fort Erie

Planning, Building and By-law Services, Community Planning
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2507
forterie.ca | ahair@forterie.ca



From: Daryl Vander Veen <DVanderVeen@forterie.ca>

Sent: Thursday, June 19, 2025 5:39 PM

Subject: Request for comments - proposed OPA, ZBA and CEC applications for 145 Derby Road and 3990 Rebstock Road, Crystal Beach, Town of Fort Erie

Good evening,

The Town of Fort Erie has received applications for a combined Official Plan and Zoning By-law Amendment and a Plan of Common Elements Condominium for 145 Derby Road and 3990 Rebstock Road in the Town of Fort Erie. The subject lands are located in the Crystal Beach neighbourhood on the northwest corner of Derby Road and Rebstock Road. The intent of the application is to facilitate development of thirty-six (36) block townhouse dwellings and a four-storey apartment with twenty-four (24) dwelling units. The proposed density is approximately 38 units per hectare.

The subject lands are currently designated Medium Density Residential in the Crystal Beach Secondary Plan in the Town's Official Plan. 145 Derby Road is subject to the policies of Section 4.22.9.3 and 3990 Rebstock Road is subject to the policies of Section 4.22.9.4 in the Secondary Plan. The Official Plan Amendment proposes to amend the policies rated to the site to permit a minimum density of 38 units per hectare and a minimum number of apartment units to 24. Currently, the Secondary Plan policies require a minimum density of 50 units per hectare and a minimum number of 36 apartment units.

The subject lands are currently zoned Residential Multiple 1 (RM1-680) Zone (145 Derby Road) and Residential Multiple 1 (RM1-681) Zone (3990 Rebstock Road) in the Town's Comprehensive Zoning By-law 129-90, as amended. The Zoning By-law Amendment associated with this application is seeking to change the zoning of the subject lands to a new site-specific Residential Multiple 1 (RM1-XX) Zone with special provisions for the following:

- a) To permit block townhouse dwellings as a permitted use.
- b) To permit a reduced minimum rear yard of 5.30 metres from 6.00 metres.
- c) To permit a reduced number of apartment units to 24 units from 36 units.
- d) To permit a reduced minimum landscaped area of 36% from 50%.
- e) To permit a reduced minimum density of 38 units per hectare from 50 units per hectare.

Please provide any comments or conditions you may have by July 9, 2025. If you or your organization require additional review time please let me know. If any review fees are outstanding, please let me know and I will follow up accordingly.

Appendix 5



Fw: Some Development Engineering questions related to the development on 145 Derby Road and 3990 Rebstock Road

From Taylor Boyle <TBoyle@forterie.ca>

Date Wed 2026-04-08 11:12 AM

To Mark Iamarino <MIamarino@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>

 1 attachment (105 KB)

PW-501-FE - Urban Road Cross-Section 20.0m.pdf;

Hi Mark and Daryl,
Please see the email below.

In terms of policy, the 2021 Official Plan states in Section 12.7.2:
VIII: The full costs of road improvements on a roadway established by the public road authority, deemed necessary because of proposed development, shall be paid for by the developer unless otherwise identified in the Development Charges Background Study.

I am happy to meet to discuss this further if you have any questions, comments, concerns.

Thank you,

Taylor Boyle, C.Tech., rcsi

Project Manager, Development Engineering
Infrastructure Services

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive | Fort Erie, ON | L2A 2S6
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tboyle@forterie.ca | www.forterie.ca

From: Taylor Boyle <TBoyle@forterie.ca>

Sent: Tuesday, April 7, 2026 8:56 PM

To: Leo Ferreira <LFerreira@forterie.ca>

Subject: Re: Some Development Engineering questions related to the development on 145 Derby Road and 3990 Rebstock Road

Hi Leo,

Yes please, let's chat about this tomorrow (or when you're available) and we can respond promptly:

1. Since Derby Road and Rebstock Road are not constructed to the Town's urban cross section standard, and the both sections of these roads are not identified in a Development

Appendix 5

Charge Background Study, will the Owner be required to pay for the full cost of upgrading the roads, curbs and gutters to urban standard?

Pursuant to Section E.9 of the Town's Official Plan, local roads are required to provide sidewalks on, at a minimum, one side of the roadway.

Consistent with this policy direction, and as identified in previous Development Engineering comments, development within the urban area is expected to be serviced with an urban road cross-section, including curb and gutter and sidewalk infrastructure, in accordance with the Town's Subdivision Design Guidelines and Engineering Standards.

As Derby Road and Rebstock Road are not currently constructed to this standard, upgrades to an urban cross-section are required.

As these roads are not identified within the Town's Development Charge Background Study, the required upgrades are considered a local service and are the responsibility of the Owner, limited to the frontage of the subject lands.

For reference, a typical 20.0 m urban road cross-section has been attached.

2. If that is the case, will the Owner be required to upgrade both sides of the Derby Road and Rebstock Road to urban standard, or only the side along the frontage of the development?

Development Engineering is only requiring upgrades to the urban cross-section along the frontage of the subject lands, not both sides of the roadway.

This approach is consistent with the Town's standard practice for local service improvements and aligns with the Subdivision Design Guidelines, which establish requirements for curb and gutter and sidewalk infrastructure to support development.

Derby Road and Rebstock Road are currently in a partially urbanized cross-section on the opposite side of the roadway. As such, a full road reconstruction is not warranted at this time.

Furthermore, as these works are not identified within the Development Charge Background Study, the required upgrades are considered a local service and are therefore limited to the frontage of the subject lands.

3. In terms of sidewalks, is the Town requesting that the Owner install a sidewalk along the frontage of the property along both Derby Road and Rebstock Road? There are existing sidewalks on the east side of Derby Road and south side of Rebstock Road already. Just looking to clarify since the Town typically only requires them on one side (is my understanding).

Pursuant to Section E.9 of the Official Plan, sidewalks are required on at least one side of local roads. As sidewalks already exist on the opposite side of both Derby Road and Rebstock Road, Development Engineering is not requiring additional sidewalk construction along the subject frontage.

4. If we are requiring it, should the sidewalk construction along Rebstock Road be approx. 167 m? Your comments mention 133 m but this doesn't extend across the frontage of 3990 Rebstock Road.

Appendix 5

While the Official Plan requirement for sidewalks is satisfied by the existing sidewalks on the opposite side of the road, the Town encourages enhanced pedestrian connectivity and infrastructure where feasible.

Should a sidewalk be proposed along the development frontage, it is recommended that it extend along the full frontage and flankage to provide a continuous pedestrian connection.

Taylor Boyle, C.Tech., rcsi

Project Manager, Development Engineering
Infrastructure Services

The Corporation of the Town of Fort Erie
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tboyle@forterie.ca | www.forterie.ca

From: Leo Ferreira <LFerreira@forterie.ca>

Sent: Tuesday, April 7, 2026 3:23 PM

To: Taylor Boyle <TBoyle@forterie.ca>

Subject: FW: Some Development Engineering questions related to the development on 145 Derby Road and 3990 Rebstock Road

I hadn't read this yet. Mark has been FYing me on things we talk about later – full circle back to urbanization and policy surrounding that again. If you haven't already replied, we can brainstorm together

Leo Ferreira, P. Eng., PMP
Manager of Engineering

Town of Fort Erie
Infrastructure Services, Engineering Division
1 Municipal Centre Dr, Fort Erie, ON L2A 2S6
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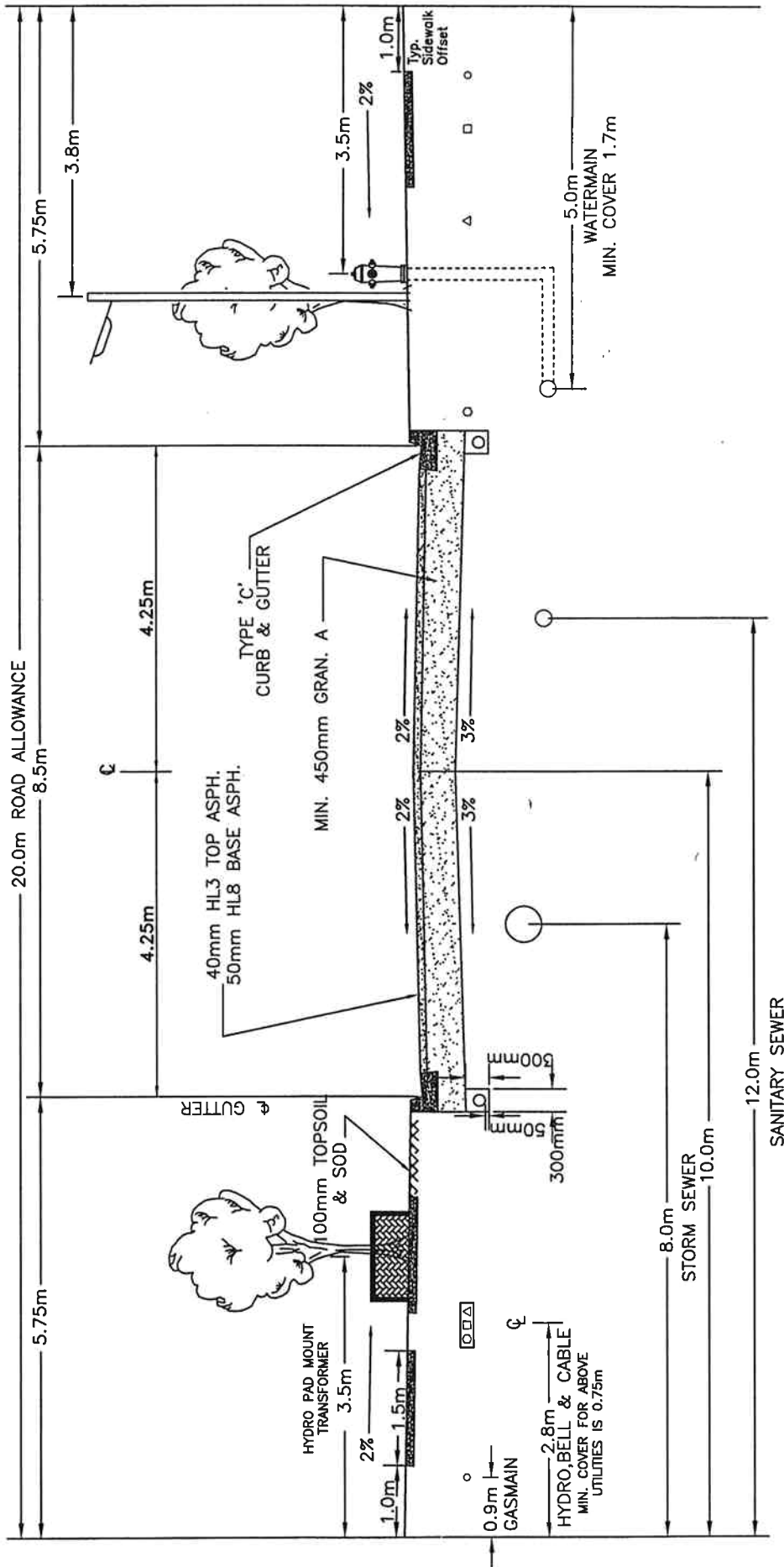
From: Mark Iamarino <MIamarino@forterie.ca>

Sent: Thursday, April 2, 2026 4:02 PM

To: Leo Ferreira <LFerreira@forterie.ca>

Subject: Fw: Some Development Engineering questions related to the development on 145 Derby Road and 3990 Rebstock Road

Appendix 5



TOWN OF FORT ERIE

TYPICAL URBAN ROAD CROSS SECTION
20m R.O.W.



SCALE NOT TO SCALE
DATE APR. 2004

DRAWN BY L.J.S.
DWG. No. PW-501 FE

NOTES:

- 1) FOR RESIDENTIAL DEVELOPMENT ROADS, BELL, HYDRO, AND CABLE TV SHALL BE LOCATED IN A COMMON TRENCH, 2.8m FROM THE PROPERTY LINE.
- 2) HYDRO LIGHTING POLES, OVERHEAD HYDRO, CABLE TV PEDESTALS, AND TREES WILL BE PLACED ON A 3.8m LINE ON ONE OR BOTH SIDES OF THE STREET.



Interoffice Memorandum

Date: September 04, 2025
File No. ZBA-18-2024

To: Daryl Vander Veen, Intermediate Development Planner

From: Taylor Boyle, Project Manager, Development Engineering

Subject: **Official Plan Amendment, Zoning By-Law Amendment, Common Element Condominium – 1st and 2nd Submission: 145 Derby Road and 3990 Rebstock Road**

Town of Fort Erie Development Engineering Staff have reviewed the above noted application to address technical concerns related to the Official Plan Amendment and Zoning By-law Amendment Applications for 145 Derby Road and 3990 Rebstock Road.

The subject lands are currently designated Medium Density Residential in the Crystal Beach Secondary Plan in the Town's Official Plan. 145 Derby Road is subject to the policies of Section 4.22.9.3 and 3990 Rebstock Road is subject to the policies of Section 4.22.9.4 in the Secondary Plan. The Official Plan Amendment proposes to amend the policies rated to the site to permit a minimum density of 38 units per hectare and a minimum number of apartment units to 24. Currently, the Secondary Plan policies require a minimum density of 50 units per hectare and a minimum number of 36 apartment units.

The subject lands are currently zoned Residential Multiple 1 (RM1-680) Zone (145 Derby Road) and Residential Multiple 1 (RM1-681) Zone (3990 Rebstock Road) in the Town's Comprehensive Zoning By-law 129-90, as amended. The Zoning By-law Amendment associated with this application is seeking to change the zoning of the subject lands to a new site-specific Residential Multiple 1 (RM1-XX) Zone with special provisions for the following:

- a) To permit block townhouse dwellings as a permitted use.
- b) To permit a reduced minimum rear yard of 5.30 metres from 6.00 metres.
- c) To permit a reduced number of apartment units to 24 units from 36 units.
- d) To permit a reduced minimum landscaped area of 36% from 50%.
- e) To permit a reduced minimum density of 38 units per hectare from 50 units per hectare.

Appendix 5

ZBA-18-2025

145 Derby Road & 3990 Rebstock Road
Development Engineering Comments

September 03, 2025

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

- Functional Servicing Design Brief, prepared by Hallex Engineering Ltd., dated November 22, 2024;
- Storm Water Management Design Brief, prepared by Hallex Engineering Ltd., dated November 22, 2024;
- 145 Derby Road Traffic Impact Study Report, prepared by Traffmobility, dated December 2, 2024;
- Civil Drawing Package, prepared by Hallex Engineering Ltd., dated November 22, 2024:
 - General Notes, Typical Details & Key Plans (C0);
 - Site Services Plan (C1); and
 - Site Drainage Plan (C2)
- Site Lighting Photometric Plan (E-01), prepared by Peter J. Lesdow Architect, dated December 12, 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.

Roads:

Derby Road is designated an ARTERIAL ROAD per the Town's current Official Plan. The designated road width is 23m. Its current width is approximately 12.19m. It is therefore required the Owner transfer and dedicate a widening of approximately 5.40m measured from the centerline of the original road allowance as per New Plan 420 to the Town, free and clear of any encumbrances to be known as Public Highway Derby Road, as a condition of this development application.

Currently Derby Road is not constructed to the Town's urban standard road cross-section. This section of Derby Road has not been identified in any previous Development Charge Background Study, therefore the Owner shall accommodate an urban cross-section standard along the subject land frontage, complete with new curb and gutter, at 100% Owner costs, as a condition of a future Development application.

Rebstock Road is also designated an Arterial Road as per the Town's current Official Plan with an ultimate desired right-of-way width of 23.0m. Its current width is deficient and varies from the intersection of Derby Road from approximately 11.4m± to 13.4m. It is therefore required the Owner transfer and dedicate a varied widening along the frontage to obtain half of the desired width to achieve a 23.0m right-of-way, measured from the centerline of the original road allowance as per New Plan 420 to the Town, free and clear of any encumbrances, to be known as Public Highway Rebstock Road, as a condition of a future Development application.

Appendix 5

ZBA-18-2025

145 Derby Road & 3990 Rebstock Road
Development Engineering Comments

September 03, 2025

In its current state, it is a semi-urban cross-section condition, with existing roadside ditches. This section of Rebstock Road has not been identified in any previous Development Charge Background Study, therefore the Owner shall accommodate an urban cross-section standard along the subject land frontage to the westerly limit, complete with curb and gutter, at 100% Owner costs, as a condition of a future Development application.

Daylighting Triangle

Pursuant to the Town's Official Plan (Section 12.7.4.), daylighting triangles are required at intersections of Arterial Roads, at a measurement of 7.0m x 7.0m, taken after considerations of any required widening portions along the frontages. Therefore, an additional daylighting triangle shall be identified at the intersection of Derby and Rebstock Road, transferred and dedicated to the Town, free and clear of any encumbrances to be known as Public Highway Rebstock Road, as a condition of the future development application.

Transportation Impact Study (TIS)

The proposed Official Plan Amendment and Zoning By-law Amendment is requesting a reduction in the minimum density and number of apartment units. These changes have the potential to alter traffic volumes, turning movements, and overall transportation patterns on the surrounding road network. A Transportation Impact Study (TIS) prepared by a qualified professional is required to assess these impacts and to identify any mitigation measures necessary to support the proposed development.

The Applicant has submitted with this Official Plan and Zoning By-law Amendment applications a Traffic Impact Study Report, prepared by TraffMobility, dated December 2, 2024. The TIS will be reviewed by Town staff to confirm the assessment of potential impacts and to determine any required mitigation measures or infrastructure improvements.”

Conditions for Transportation Impact Study (TIS):

1. Prior to approval of the Official Plan Amendment and Zoning By-law Amendment, the applicant shall submit a Transportation Impact Study (TIS), prepared by a qualified transportation engineer, to the satisfaction of the Director of Infrastructure Services. The TIS shall evaluate the potential impacts of the proposed development on the adjacent and regional transportation network, including intersections and active transportation facilities, and identify any required mitigation measures or infrastructure improvements. The applicant shall implement, or provide satisfactory security for, any recommended works to the satisfaction of the Town.

Sidewalks, Curbs, and Driveway Aprons:

In maintaining the Town's need for sidewalks with respect to lands subject to development approvals, sidewalks are typically required on one side of all future public roads. All sidewalks shall be constructed in accordance with the Town of Fort Erie standards to the satisfaction of the Director of Infrastructure Services.

Sidewalks proposed should be noted at the standard town location of 1.0m off street property line along the west side of Derby Road, from Webber Court south to Rebstock Road, with applicable tactile warning surfaces provisioned accordingly, and Rebstock Road from Derby Road to approximately 133 meters northwest. Sidewalk extensions shall constructed at the cost of the Owner.

Appendix 5

ZBA-18-2025

145 Derby Road & 3990 Rebstock Road
Development Engineering Comments

September 03, 2025

All proposed driveway aprons shall be installed at a minimum with paved hard surface asphalt from the street property lines to the proposed road curbs.

Linear Municipal Services

Watermains	Derby Road	Rebstock Road
	200mm dia. CI (TOFE)	150mm dia. PVC (TOFE)

The Owner shall have a suitably sized water distribution system designed by a qualified Professional Engineer to the Director of Infrastructure Services' satisfaction and in accordance with the Town's current standards and connected to the existing water distribution system from Derby Road. The Owner shall also make themselves familiar with the requirements of the Town's current Water Testing & Disinfection Criteria and ensure these requirements are met, prior to the Town authorizing connections to the existing water system. Fire Hydrants shall also be accommodated at the standard spacing requirements, and subject to review and approval by Town staff.

Conditions for Watermains:

2. The Owner shall have the water distribution system and appurtenances designed by a Professional Civil Engineer in accordance with the Town of Fort Erie Standards, as amended, and constructed to the satisfaction of the Director of Infrastructure Services, inclusive of a watermain connection on Derby Road; and
3. The Owner's Consulting Engineer submit a **Ministry of Environment – Form 1 – Record of Watermains Authorized as a Future Alteration** form to the satisfaction of the Director of Infrastructure Services; and
4. The Owner adheres to the Town's current Drinking Water Quality Management System Requirements and Criteria

Sanitary	Derby Road	Rebstock Road
	315mm dia. PE (TOFE)	200mm dia. PVC (TOFE)

The Owner shall have an adequately sized sanitary sewer distribution system designed by a qualified Professional Engineer, to the satisfaction of the Director of Infrastructure Services and in accordance with the Town's current standards, a minimum size of 200mm within the future public road(s). The Applicant has submitted with this Official Plan, and Zoning By-Law Amendment applications, a Functional Servicing Report, prepared and certified by Hallex Engineering Ltd., dated November 22, 2024. Although the report in its preliminary form adequately assesses the downstream system for acceptance and conveyance of the proposed peak flows generated for the development lands, further minor revisions are required to the report.

- 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 provide comments and recommendations for the existing downstream system. The submission of this Functional Servicing component and recommendations thereof to the downstream system, if any, shall result in a HOLD Provision until recommended improvements to rectify capacity constraints are implemented accordingly at 100% responsibility of the Owner.

Appendix 5

ZBA-18-2025

145 Derby Road & 3990 Rebstock Road
Development Engineering Comments

September 03, 2025

- 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.

Conditions for Sanitary Sewers:

1. That the Functional Servicing Report (FSR) be peer-reviewed by the Town's Sanitary Sewer Consultant, GEI Consultants. The peer review shall include analysis and recommendations regarding the capacity of the existing downstream system. Should the peer review identify required improvements to address capacity constraints, a HOLD provision shall apply until such improvements are implemented, at the sole cost and responsibility of the Owner.
2. The Owner shall have the sanitary sewer system and appurtenances and any required improvements to the existing system designed by a Professional Civil Engineer in accordance with the Town's Standards, as amended, and be constructed at the cost of the Owner, to the satisfaction of the Director of Infrastructure Services; and
3. The Owner's Consulting Engineer submit and receive the Town's **Consolidated Linear Infrastructure - Environmental Compliance Approval (CLI-ECA)** certificates for the public sanitary sewers within the development lands and those required for sewer installations external to the development lands, to the satisfaction of the Director of Infrastructure Services

Storm

Derby Road

Rebstock Road

315mm dia. PE (TOFE)

200mm dia. PVC (TOFE)

That 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 to the satisfaction of the Project Manager, Development Engineering.

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).

The Owner shall have an adequately sized storm sewer distribution system designed by a qualified Professional Engineer, to the satisfaction of the Director of Infrastructure Services and in accordance with the Town's current standards, to outlet expected peak storm flows to a secured and suitable outlet, using the 5-year storm design.

Conditions for Storm Sewers:

1. The Owner shall have the local storm sewer system and appurtenances designed by a Professional Civil Engineer in accordance with the Town's Standards, as amended, and constructed to the satisfaction of the Director of Infrastructure Services; and
2. A Stormwater Management Report shall be prepared for this development by a Professional Civil Engineer in accordance with the Town's Standards, as amended, to the satisfaction of the Director of Infrastructure Services; and
3. An overland flow route be incorporated into the design of the stormwater management for the site identifying a suitable outlet for the major storm event (> 5-year event); and
4. The storm system be designed to accommodate residential foundation weeping tile

Appendix 5

ZBA-18-2025

145 Derby Road & 3990 Rebstock Road
Development Engineering Comments

September 03, 2025

drainage via sump pump discharge at grade to the front and / or rear yards only, not the side yards; and

5. That the future site plan/condominium agreement includes a clause requiring that each agreement of purchase and sale state that "*Roof downspouts shall discharge only to the ground surface via splash pads to either the front, or rear yards. No direct connection to the storm sewer will be permitted nor should downspouts discharge directly to the driveway or a roadway.*"
6. The Owner's Consulting Engineer submit and receive the Town's **Consolidated Linear Infrastructure - Environmental Compliance Approval (CLI-ECA)** certificates for the public storm sewers within and external to the development lands, to the satisfaction of the Director of Infrastructure Services

Conditions for Street Lighting:

1. The Owner shall submit to the Town a street lighting design prepared by a Professional Electrical Engineer, for review and acceptance to the satisfaction of the Director of Infrastructure Services and/or Canadian Niagara Power; and
2. Pay for and construct the proposed street lighting design in accordance with the Town's, Electrical Safety Authority's, and Canadian Niagara Power's standards, to the satisfaction of the Director of Infrastructure Services
3. Submit to the Town the digital as-constructed data in the Town's AutoCAD standards, in addition to Cost Schedules reflective of the actual costs of construction of all assets to be assumed by the Town through the future site plan/condominium agreement, to the satisfaction of the Director of Infrastructure Services

Pre-Construction Condition Surveys

The Owner shall obtain Pre-Construction Condition surveys of all existing abutting properties and structures surrounding all areas of proposed infrastructure installations. The purpose of a pre-construction condition survey is to obtain independent documentary evidence of the conditions of adjacent buildings, structures, features etc., prior to construction activities commencing on and within the subject lands and lands external to the site. While it is not expected that construction will cause damage to neighboring buildings, structures, features etc., a survey is undertaken as a precautionary measure and will assist building owners, contractors, and developers in the event of any claims for damages.

Conditions for Pre-Construction Condition Surveys:

1. The Owner shall submit to the Town a Pre-Construction Condition survey for all existing abutting properties and structures surrounding all areas of proposed infrastructure installations, to the satisfaction of the Director of Infrastructure Services, prior to the commencement of any construction works

Engineering Fees and Securities for Performance Obligations

The Owner shall be required to submit to the Town, Engineering, regulatory street signage, water testing and construction fees and securities for performance obligations involved with ensuring the design and construction of services to develop the above subject lands and required off-site improvements are completed and function in accordance with Town's standards for assumption, to the satisfaction of the Director of Infrastructure Services.

Conditions for Engineering Fees and Securities for Performance Obligations:

Appendix 5

ZBA-18-2025

145 Derby Road & 3990 Rebstock Road
Development Engineering Comments

September 03, 2025

1. The Owner submits to the Town the required fees for Engineering, water testing, regulatory street signage, and construction fees and securities for performance obligations through the means of entering into a pre-servicing and/or future site plan/condominium agreement, to the satisfaction of the Director of Infrastructure Services

PSAB, Records & Asset Management

The Public Sector Accounting Board's (PSAB) 3150 Regulations set the standard for Municipalities to record and report their existing and future tangible capital assets through a comprehensive management approach. Digital data shall be provided by the Owner in accordance with the Town of Fort Erie's Standard Contract documents and AutoCAD standards, for compliance to the above PSAB requirements.

Conditions for PSAB, Records & Asset Management:

1. The Owner submits to the Town the digital data and contract documentation for both Primary and Secondary Services, in accordance with the Town of Fort Erie's Standard Contract documents and AutoCAD standards, in addition to Cost Schedules reflective of the actual costs of construction of all assets to be assumed by the Town through the future site plan/condominium agreement, to the satisfaction of the Director of Infrastructure Services

Engineering Construction, and Geotechnical Compaction Inspections

The Owner's Engineering Consultant shall be responsible to provide full time engineering inspection in order to provide adequate certification of the works required to install Municipal services on and off-site to develop the lands, to the satisfaction of the Director of Infrastructure Services. Engineering Inspection shall also include provisions for Geotechnical Compaction testing inspection for municipal servicing installations, in accordance with the Town's standards. Weekly reports from both the Engineering Consultant and the Geotechnical Engineering Consultant, shall be forwarded to the Town of Fort Erie as part of the requirements for acceptance of the Primary Services proposed.

Conditions for Engineering Construction, and Geotechnical Compaction Inspections:

1. The Owner's Engineering Consultant be responsible to provide full time engineering inspection in order to provide adequate certification of the works required to install Municipal services on and off-site to develop the lands, to the satisfaction of the Director of Infrastructure Services; and
2. The Owner's Geotechnical Engineering Consultant be responsible for providing adequate compaction testing and certification of the works required to install Municipal services on and off-site to develop the lands, to the satisfaction of the Director of Infrastructure Services; and
3. The Owner's Engineering Consultant submit to the Town all relevant and required Construction and Geotechnical Testing and Inspection Records and Reports, to the satisfaction the Director of Infrastructure

Development Engineering have no further comments or conditions to impose regarding the submitted Official Plan Amendment, and Zoning By-Law Amendment and Common Element Condominium applications, subject to the above conditions. The Owner shall be required to enter into a Site Plan/ Condominium Agreement with the Town to address the above

obligations, and all proposed municipal improvements off-site and external to the subject lands, as required.

Regards,

A handwritten signature in black ink, appearing to read 'Taylor Boyle'.

Taylor Boyle – Project Manager, Development Engineering

c. Mark Iamarino, Manager, Development Approvals (email only)

Appendix 5



145 Derby Road & 3990 Rebstock Road

From Jessica Abrahamse <JAbrahamse@forterie.ca>

Date Wed 2025-07-09 4:15 PM

To Daryl Vander Veen <DVanderVeen@forterie.ca>

Cc Zachary George <ZGeorge@forterie.ca>

Hi Daryl,

Senior Environmental Planning staff have reviewed the following reports/plans:

- Landscape Plan, prepared by Arcadis, dated December 10, 2024
- Arborist Report, prepared by Urban Arboretum, dated October 17, 2024 (Kyle Berwick - Arborist)

General Comments:

I would like to request that the applicant acknowledge that their file will be subject to By-law 33-2024 as their pre-consultation meeting was held in 2023. The acknowledgement will waive the requirement for a new pre-consultation meeting. Overall, the report has been well done, and staff appreciate that the Arborist has made an effort to retain some of the large native trees on site. It should be noted that the plan is not approved, and some revisions are required.

Technical Comments:

Arborist Report and Tree Protection Plan

- Please note that written permission for removal or injury from the adjacent landowner for the following trees will be required: 2, 3, 4, 38, 39, 40, 41, 42, 43, 44
- Please note that written permission from the Town's infrastructure department will be required for the following trees: 24, 25, 26
- The following clauses should be added to the Tree Protection Plan
 - o An Arborist is to be on site during any works that are within the MTPZ. The tree service shall raise the crown of all branches to provide adequate clearance for construction equipment.
 - o Root pruning in open trench methods of construction is require under the direction of and alongside written approval of an arborist. The objective is to minimize severance of anchor roots, which provide upright support for the tree, thereby minimizing potential hazards.
 - o The Town of Fort Erie specifies the non-invasive methods of excavation including air spade, hydro vac, hand digging to minimize the health and structure of trees.
 - o A letter of tree protection verification is required to be submitted prior to pre-grading to the satisfaction of the Director of Planning.

Landscape Plan

- Based on the quantity of trees proposed to be planted (43) and the minimum caliper size of 60mm, the Town's compensation requirements have been fulfilled.
- No further comments from the Town's environmental planning department.

Appendix 5

Regards,

Jessica Abrahamse M.E.S.

Senior Environmental Planner

Town of Fort Erie

Planning and Development Services

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

p: 905-871-1600 ext. 2510

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Appendix 5



Re: Request for comments - proposed OPA, ZBA and CEC applications for 145 Derby Road and 3990 Rebstock Road, Crystal Beach, Town of Fort Erie

From Jessica Goodings <JGoodings@forterie.ca>
Date Tue 2025-06-24 1:39 PM
To Daryl Vander Veen <DVanderVeen@forterie.ca>

Good afternoon Daryl,

The fire department has no additional comments regarding this proposal. The previous comments about water supply and fire department access routes will still apply.

Thank you and kind regards,

Jessica Goodings
Senior Fire Prevention Officer

Town of Fort Erie
Fire Department
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
p: 905-871-1600 ext. 2605 | c: 289-321-0019

forterie.ca | jgoodings@forterie.ca



From: Daryl Vander Veen <DVanderVeen@forterie.ca>

Sent: Thursday, June 19, 2025 5:39 PM

Subject: Request for comments - proposed OPA, ZBA and CEC applications for 145 Derby Road and 3990 Rebstock Road, Crystal Beach, Town of Fort Erie

Good evening,

The Town of Fort Erie has received applications for a combined Official Plan and Zoning By-law Amendment and a Plan of Common Elements Condominium for 145 Derby Road and 3990 Rebstock Road in the Town of Fort Erie. The subject lands are located in the Crystal Beach neighbourhood on the northwest corner of Derby Road and Rebstock Road. The intent of the application is to facilitate development of thirty-six (36) block townhouse dwellings and a four-storey apartment with twenty-four (24) dwelling units. The proposed density is approximately 38 units per hectare.

Appendix 5




Fw: TIS Review - ZBA-18-2025 - 145 Derby Rd & 3990 Rebstock Rd

From Robert Judd <RJudd@forterie.ca>

Date Thu 2025-09-04 4:08 PM

To Taylor Boyle <TBoyle@forterie.ca>

Cc Jordan Frost <JFrost@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>

 2 attachments (12 MB)

Crystal Condominiums - 20241218 - 21 of 39 - Traffic Impact Study.pdf; Crystal Condominiums - 20241218 - 36 of 39 - Civil Site Plans.pdf;

Hello Taylor,

No concerns or comments for the attached TIS for the proposed 60 unit development.

regards,

Robert D. Judd, P.Eng.

Municipal Engineer - Infrastructure Renewal

Town of Fort Erie

Infrastructure Services, Engineering Division

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

p: 905-871-1600 ext. 2412

forterie.ca | rjudd@forterie.ca



From: Taylor Boyle <TBoyle@forterie.ca>

Sent: Thursday, September 4, 2025 1:24 PM

To: Robert Judd <RJudd@forterie.ca>

Cc: Jordan Frost <JFrost@forterie.ca>; Daryl Vander Veen <DVanderVeen@forterie.ca>; Mark Iamarino <MIamarino@forterie.ca>

Subject: TIS Review - ZBA-18-2025 - 145 Derby Rd & 3990 Rebstock Rd

Good afternoon Robert,

I am currently reviewing the submitted documentation for an OPA and ZBA application for 145 Derby Road.

At your earliest convenience can you please review the TIS, attached, and provide any comments/concerns.

The purpose of this OPA/ZBA is to amend the MINIMUM density of 50 units per hectare to 38 units per hectare. The application proposes 24 units whereas 36 is currently required.

Appendix 5

I have already included in my comments that both Derby and Rebstock Rd are to be upgraded to urban standard cross-sections, and that a daylighting triangle will be required. The plans already include the provision of sidewalks on Derby and Rebstock as well.

If you require anything else to complete your review, please don't hesitate to contact me.

Thank you,

\\lightning\tomrms\D - Development and Planning\D14 - Zoning\2024\ZBA-18-2024 Derby Road, 145 and Rebstock Road, 3990\2_Submission Materials\2024.12.18 First Submission

Taylor Boyle, C.Tech., rcsi

Project Manager, Development Engineering
Planning and Development Services, Development Approvals

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive | Fort Erie, ON | L2A 2S6
D: 905-871-1600 ext. 2505
tboyle@forterie.ca | www.forterie.ca

Appendix 5



Re: Request for comments - proposed OPA, ZBA and CEC applications for 145 Derby Road and 3990 Redstock Road, Crystal Beach, Town of Fort Erie

From Kathryn Strachan <KStrachan@forterie.ca>

Date Wed 2025-07-09 5:33 PM

To Daryl Vander Veen <DVanderVeen@forterie.ca>

Cc Elizabeth Latif <ELatif@forterie.ca>

Hi Daryl,

Please see landscape comments below:

145 Derby Road and 3990 Redstock Road

Landscape Comments

Sidewalk Location:

Sidewalks are to be located on one side of the street

Townhouse Orientation:

Townhouse frontages should be oriented toward municipal streets, where feasible.

Snow Storage:

The Landscape Plan must clearly identify the location of snow storage areas.

Soil Volume Calculations:

The Landscape Plan must include soil volume calculations for large, medium, and small trees, indicating:

- The minimum soil volume (m³) required for each tree size surrounded by hard surfaces.
- The corresponding minimum surface area (m²) per tree.

Street Tree Planting:

Street trees should be planted along the municipal boulevard, where possible.

Tree Protection Consistency:

The Landscape Plan showing existing trees to remain is inconsistent with the Tree Protection/Arborist Report, which identifies different trees to be retained or removed.

The plan must be revised to ensure consistency and alignment between the landscape plan and the arborist report.

Standard Town notes to be included on landscape plan

Appendix 5

Required Landscape Plan Notes:

1. Any plant material or play equipment (if applicable) substitutions require the approval of the Town of Fort Erie.
2. Plant material, play equipment (if applicable) and fencing shall be provided by the Owner. Any additions must comply with the Zoning By-law.
3. Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing shall be to the satisfaction of the Town.
4. All landscaping shall be installed prior to the end of the first growing season following occupancy of the development.
5. Notwithstanding the Maintenance Guarantee period in the agreement, all plant materials shall have a two (2) year warranty.

Kathryn Strachan

Landscape Architect Associate (MLA, BFA)

Town of Fort Erie

Planning and Development Services

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

p: 905-871-1600 ext. 2529

forterie.ca | kstrachan@forterie.ca



From: Daryl Vander Veen <DVanderVeen@forterie.ca>

Sent: Thursday, June 19, 2025 5:39 PM

Subject: Request for comments - proposed OPA, ZBA and CEC applications for 145 Derby Road and 3990 Rebstock Road, Crystal Beach, Town of Fort Erie

Good evening,

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