

From: [Millar, Chris](#)
To: [Murray Evans](#)
Cc: [Bowie, Greg](#); [Federici, John](#); [Sergi, Michelle](#); [Morreale, Diana](#)
Subject: RE: 171 Gorham Road, Town of Fort Erie
Date: Thursday, February 3, 2022 8:41:04 PM

Good Evening Murray,

This confirms receipt of the supplemental information you have provided for staff consideration.

Sincerely,
Chris

From: Murray Evans <murray@mevansholding.com>
Sent: Thursday, February 3, 2022 4:32 PM
To: Millar, Chris <Chris.Millar@niagararegion.ca>
Cc: Bowie, Greg <Greg.Bowie@niagararegion.ca>; Federici, John <John.Federici@niagararegion.ca>; Sergi, Michelle <Michelle.Sergi@niagararegion.ca>
Subject: 171 Gorham Road, Town of Fort Erie

CAUTION EXTERNAL EMAIL: This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hello All,

Firstly, thank you for taking time from your schedule to speak with us.

During our discussion, we undertook to provide Staff with additional information, which we believe will be helpful in your assessment of the suitability of this land to be added to the Region's and Town's urban area.

To this end, we provide for you consideration the following materials:

- An examination of the overlay mapping of the environmental features shown to be on this property;
- A topographical review of this property in response to commentary that the property contains grading issues;
- A graphic clarifying the portion of this land presently located within the urban area;
- A commentary of the assessment criteria employed in the SABR analysis for this property;
- A conceptual lotting plan for this property.

The lotting plan which is attached provides a preliminary estimation of how the land could be developed. Clearly, the plan will change through the detailed design and subsequent review, should

the land be able to be developed. Staff requested that a population density for this property be provided. The attached plan contemplates a community with 136 street townhouse units and 90 single family dwellings. Using the PPU rate shown on Schedule 5 to the Region's Development Charge Study of 2017 of 2.91 person per single family residence and 2.12 people per multiple dwelling, this concept plan will generate a population of 550 people.

Will you please confirm receipt of the attached zip file.

If you have any questions, please call me at your convenience.

Murray Evans
28 Ellery Drive
Richmond Hill, Ontario
L4K 1Z7

416-520-6425
murray@mevansholding.com

Ecosystem Research and Management

January 30, 2022

2779347 Ontario Inc.
2779103 Ontario Ltd.
6 Lafayette Place
Thornhill, Ontario
L3T 1G5

Attention: Paul Edward

Dear Mr. Edward:

**Re: Natural Heritage System Review and Analysis
171 Gorham Road, Town of Fort Erie, Ontario
Lot 25, Concession 1**

The following is an analysis of the Niagara Region's criteria responses and comments contained in SABR #1127 report, as they were used to assess development opportunities and limitations on the 171 Gorham Road, Fort Erie, property.

We have carefully looked at selected criteria assessments in the Topic Area of Environmental Protection and Natural Resources, as they were applied by the Region, according to the document "MCR Assessment Criteria: Settlement Area Boundary Review for Urban Areas – Draft May 2021, Appendix 18.2". Our analysis is generally structured along these criteria points. To support the analysis we have consulted current NHS mapping in the Regional OP, and more local designations in the Fort Erie's OP and the 2003 Natural areas Inventory (NAI) which provide more detailed information about natural heritage features on the property. Finally, we utilized our most up-to-date vegetation (ELC) mapping of the features collected in 2021 and confirmed during a site walk with Mr. Adam Boudens, Senior Environmental Planner/Ecologist at the Niagara Region. We feel that application of such a multi-source approach leads to a more accurate and more comprehensive analysis of the natural heritage features present on the parcel and vicinity.

Our analysis is further based on the assumption that the Provincial NHS mapping has been developed using various geographical scales, ranging from the "Big Picture" initial approach that resulted in the development of general framework of the system, to more detailed delineations of boundaries using regional mapping where available. It is also our belief that the NHS mapping

can and should be refined based on local fine-scale habitat information, without losing sight of a larger landscape ecology perspective.

The criteria and Region’s responses and comments are shown in blue font, followed by our COMMENTARY AND ANALYSIS in black font.

ENVIRONMENTAL PROTECTION AND NATURAL RESOURCES

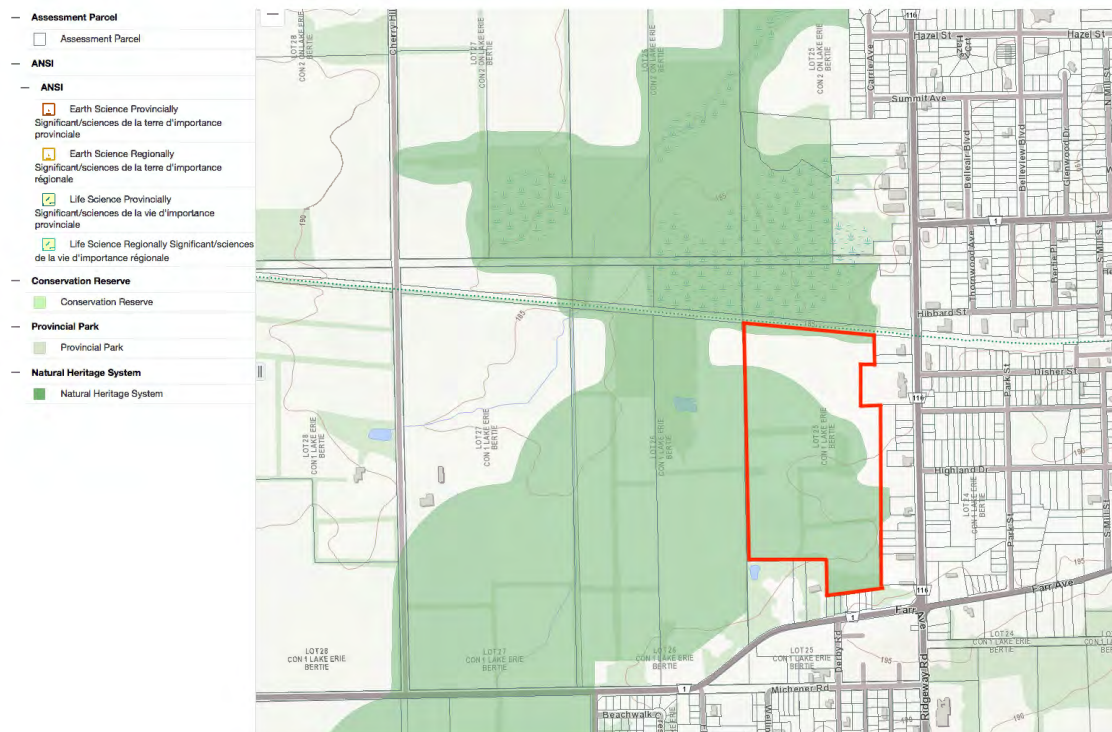
1. *In terms of Provincial Natural Heritage System, how much the parcel or collection of parcels are affected/impacted?*

Criteria Response: Approx. half shown as NHS

Comment: Woodlands, Wetland Buffer, Fish Hab and Corridor functions – western half heavily impacted by PNHS

COMMENTARY AND ANALYSIS:

Figure below is a screen shot of the PNHS boundary based on map generated by the Ontario’s website “Make a Map: Natural Heritage Areas”. The parcel boundaries, in red, are straightened and simplified on the east side, to avoid too much of a zig-zagging line next to individual residences lots.



We agree that the current official mapping roughly shows the western half of the parcel in the NHS layer. Notwithstanding, it is uncertain what specific criteria were used to draw the NHS boundary on the parcel. The guiding principle of designing an NHS is to base it on core natural heritage features of value (such as woodland or wetland), followed by landscape linkage considerations. However, no such features are located on the parcel, except for a fringe of woods along the southern boundary and a PSW north of the parcel on the north side of the Friendship Trail (see separate discussion below). The NHS's eastern boundary is partly defined by the backs of existing housing lots at Gorham Road. The boundary then bends and cuts northwestward across the agricultural field. It is unclear why the boundary would apparently *arbitrarily* divide an otherwise homogeneous crop field into its "NHS" portion on the west, and "non-NHS" portion on the east. There is no ecological rationale for the division and thus we disagree with this artificial split. (The "sinus" in the shape of the NHS at that location [white lobe in the northwest corner] appears to be, as we observe, a mapping artefact of copying directly from the Niagara OP mapping on Schedule C1 – Natural Environmental System Overlay and Provincial Natural Heritage Systems.)

Secondly, we question the inclusion of the rest, i.e., the western half of the parcel, in the NHS. Apart from the few remaining tree and shrub hedgerows in the centre of the parcel, all narrow, discontinuous and some composed of invasive tree species, there are no natural heritage features there that would justify the NHS designation.

Thirdly, the NHS map, inaccurately, includes only the southern half of a distinct habitat feature (moist to wet shrub area with sparse tree cover) in the northwest corner of the parcel, as shown on the NHS map below, with added satellite imagery as base map layer.

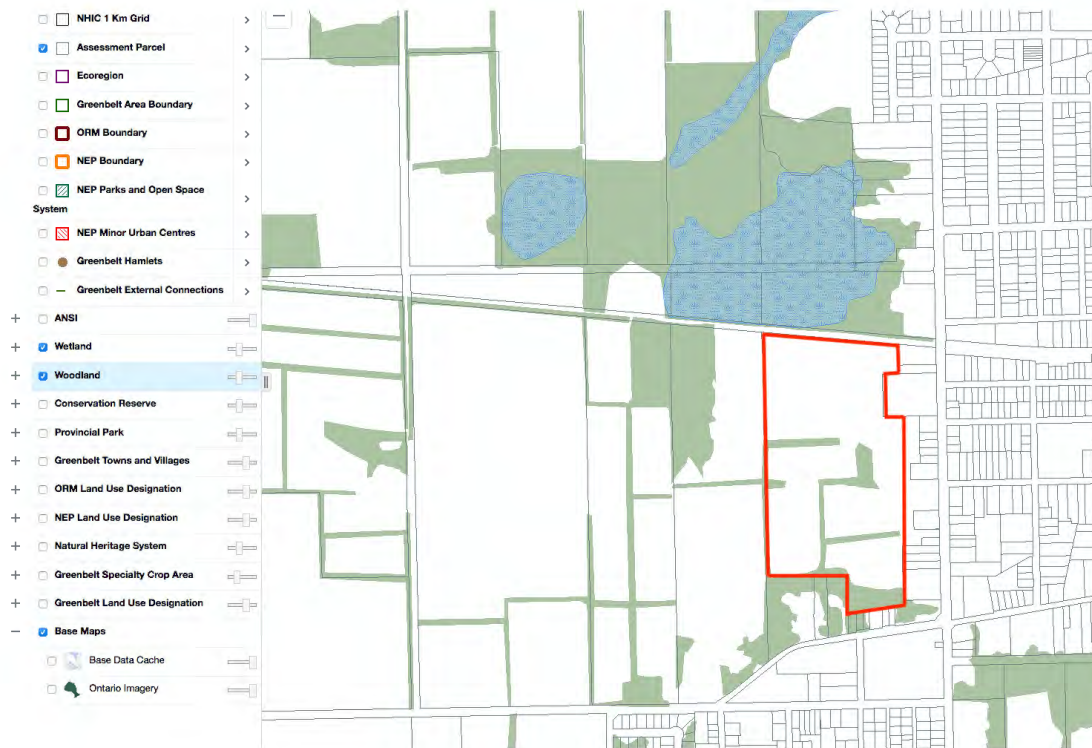


We see no reason why the NHS would not include the northern half of this feature, compositionally and structurally identical to the southern half. The feature is recognized in the Fort Erie OP as “*Environmental Conservation*”. Furthermore, the OP also maps this area as “Woodlands >2ha” in size and as “Significant Natural Areas”. In our opinion, this feature likely meets the criteria for inclusion within NHS. The development concept for the property recognizes its existence and proposes its exclusion from the development footprint.

The remainder of our commentary under this heading discusses Region’s comments as they relate to: “Woodlands, Wetland Buffer, Fish Habitat) and Corridor functions – western half heavily impacted by PNHS”.

We assume that the Region considered these features to be present on the parcel.

For our analysis we are attaching a version of the NHS map, below, that highlights only the Wetland and Woodland layers.



On the parcel’s southern side, we agree that the NHS **Woodlands** are depicted generally correctly, notwithstanding the often disturbed condition of these communities, local fragmentation and their large sections located practically inside residential lots. Despite these limitations, our development concept recognizes the existence of the southern woodlands and need for a protective setback (the dripline of these woodlots was already delineated with the Region’s ecologist, Mr. Boudens, in the fall of 2021). However, we do not agree that the lattice of hedgerows

should be included in the Woodland designation: hedgerows, by definition, are not woodland and should not be used to define or influence the extent of NHS, especially the hedgerows on the parcel that are mostly narrow, degraded and discontinuous. Incidentally, the small “Woodland” in the centre of the parcel is, in reality, a degraded open grove of some two dozen Black Walnut trees, with old field meadow vegetation as ground layer; it should not be depicted as “Woodland”. The current NHS mapping is also inaccurate in not recognizing as Woodland the north-western habitat feature, as already discussed above.

With regards to the “**Wetland Buffer**”, shown as a narrow strip on the south side of a trail at the northern boundary of the parcel, we agree with it, although the exact width of the buffer should be assessed separately. The buffer serves as protection of the PSW immediately north of the parcel, under different ownership.

We are not aware of the existence of “**Fish Habitat**” on the parcel, as there is no recognized watercourse on it or its vicinity.

Finally, it is unclear where the Region locates the “**Corridor**” and its function and what were the landscape ecology criteria used in the recognition of the corridor. The hedgerows on the parcel do not serve that linkage function: they are disturbed and effectively “dead-end” in the middle of agricultural fields; as such they serve more as conduits for invasive species. Likewise, the open agricultural field on the parcel cannot itself be considered as “corridor”, except in a purely conceptual sense that would envisage it as naturalized. In fact, it is our opinion that the adjacent property to the west would be better suited for that purpose, as it is currently not used for agriculture and consists of several regenerative types of vegetation, such as old fields meadows, thickets, woodlands and wetlands.

Conclusions

We hope that our analysis will provide the Region with new insights and information on the natural heritage features present on the property that can be used in revisions and adjustments of the Natural Heritage System that had been mapped on the parcel and its vicinity.

We think that we have presented sound arguments, based on landscape ecology principles, to adjust the mapping in the following ways:

- The eastern boundary of the NHS that is presently shown as running diagonally across the parcel should be moved farther to the west to take advantage of the current vegetation cover on the adjacent property, which is probably already functioning as a wildlife corridor, despite its secondary and regenerative condition.
- The current NHS map on the property should be corrected to exclude the hedgerows from the Woodland designation.
- With no creeks present on the property, the presence of Fish Habitat is highly questionable.

- We are proposing that the NHS extent on the property be limited to two locations: (1) the northwest sparsely wooded feature, already recognized by the Town of Fort Erie and NPCA, with an appropriate protective setback; and (2) the woodland strip at the southern side of the property, also with a suitable buffer, based on the already staked dripline.

We hope that the detailed analysis provided in this letter and proposed changes to the NHS boundary will be favourably considered by the Region and will result in a revised NHS limit consistent with what is on the ground. We are prepared to work with the Region to answer any questions and to provide clarifications of our analysis.

Yours truly,

Ecosystem Research and Management



Christopher Zoladeski
Senior Vegetation Ecologist
Ecosystem Research and Management
1220 Nathaniel Cres.
Burlington, ON. L7S 2A6
905 630-5553
ecosystem.r.m@gmail.com

SETTLEMENT AREA BOUNDARY REVIEW ASSESSMENT SHEET COMMENTS

REGION SABR 117		LAND OWNER COMMENTS
<u>SANITARY SERVICING</u>		
1.	<i>What is the capacity to accommodate the parcel or collection of parcels at WWTP during the planning period?</i>	
	Criteria Response: Feasible	
	Comment: Some growth capacity available at Crystal Beach WWTP but additional growth beyond these lands may require capacity expansion	
2.	<i>Is sanitary servicing available or can it be made available to the lands?</i>	
	Criteria Response: Feasible	Suggested Criteria Response: Available
	Comment: Need to review servicing plan to ensure elevations and downstream capacity available, new sewer collection system required, wet weather issues in Fort Erie	Comment: There is a 200mm sanitary on Gorham Road and 200mm sanitary on Farr Avenue, which is immediately adjacent to the site (existing infrastructure at the property line). No need to extend services to property.
3.	<i>Will the extension of servicing have any impact on natural environment, including key hydrologic features and areas?</i>	
	Criteria Response: High Impact	
	Comment: Appears to have env and agri features present	Comment: See environmental consultant report

4.	<i>In relation to sanitary servicing, how feasibly can the parcel or collection of parcels support additional urban development in its Watershed through mitigating measures?</i>	
	Criteria Response: Feasible	
	Comment: could support some additional lands but depends on servicing plan and capacity review of collection system.	
<u>MUNICIPAL WATER SUPPLY</u>		
1.	<i>Does the existing system have capacity to accommodate the parcel or collection of parcels with municipal water supply during planning period?</i>	
	Criteria Response: Highly Feasible	
	Comment: Rosehill WTP has capacity	
2.	<i>How easy can a water supply connection be made?</i>	
	Criteria Response: Feasible	Suggested Criteria Response: Highly Feasible
	Has a regional trunk watermain adjacent to it but would require a local distribution system - Additional storage in FE being studied.	Comment: Has a 300mm regional trunk watermain fronting property line on Gorham Road and 350 mm regional trunk watermain fronting property line on Farr Avenue which facilitates looped system/connections. Existing infrastructure at the property line. No need to extend services to property.
3.	<i>Will the extension of water servicing have any impact on natural environment, including key hydrologic features and areas?</i>	
	Criteria Response: High Impact	

	Comment: Appears to have env and agri features present	Comment: See environment consultant report. NHS area is less than Region mapping.
4.	<i>In relation to municipal water supply, how can the parcel or collection of parcels support additional urban development in its Watershed through mitigation or supplemental measures?</i>	
	Criteria Response: Highly Feasible	
	Comment: feasible to support some additional lands due to proximity to regional trunk watermain but local distribution system required	Comment: Opportunity to loop existing system.
<u>TRANSIT AND TRANSPORTATION</u>		
1.	<i>How well can the parcel or collections of parcels access major transportation corridor such as Provincial Highway, Regional Road, rail or marine systems?</i>	
	Criteria Response: Modest Impact	Suggested Criteria Response: Highly feasible
	Comment: Relatively close to Provincial Highway 3. Access to QEW is some distance away, with several potential routes accessing it. Site is accessible from Gorham Road which becomes Regional (RD19) to the north of the subject lands.	Comment: a) Has direct frontage on Farr Avenue and Gorham Road both of which are arterial roads. Gorham Road is urbanized, so no upgrades are required. b) The proposed development can access Gorham Road at two locations that can create 4-way intersections. There are two additional access points (66 feet wide) that provide access to Gorham Road. c) There is 125 metres of frontage on Farr Avenue.
2.	<i>Can a local road network be incorporated for the parcel or collection of parcels, including consideration of environmental matters?</i>	

	Criteria Response: Highly Feasible	
	Comment: Small site which limits opportunity to develop full hierarchal road network	Comment: Please review comment “small size.” Site is more than 21ha.
3.	<i>What is the level of impact to existing road network and level of services from the addition of the parcel or collection of parcels?</i>	
	Criteria Response: Available	Suggested Criteria Response: Negligible Impact
	Comment: No major improvements or impacts anticipated.	
4.	<i>What is the feasibility of extending transit services to the parcel or collection of parcels?</i>	
	Criteria Response: Available	
	Comment: To be served by Fort Erie On-Demand Service	Comment: Fort Erie Bus Route (Yellow Line) stops at Gorham and Disher Street and there are 2 stops close to Gorham Road and Farr Avenue. Existing transit infrastructure, at property line
5.	<i>What is the feasibility of extending active transportation facilities to the parcel or collection of parcels?</i>	
	Criteria Response: Available	
	Comment: Development in this parcel could directly connect to the Friendship Trail. Existing cycling facilities on Road adjacent to the site, with infill facilities planned to extend southerly (2017 NR TMP). Once constructed, this will connect site to recreational and waterfront destinations to the south	Comment: <ul style="list-style-type: none"> • Site has 325 metres frontage of Friendship Trail • Site provides opportunity to connect Crystal Beach to Friendship Trail satisfying one of primary goals of Crystal Beach secondary plan. • Multiple access points to Gorham and Farr Avenue provide opportunity for active transportation

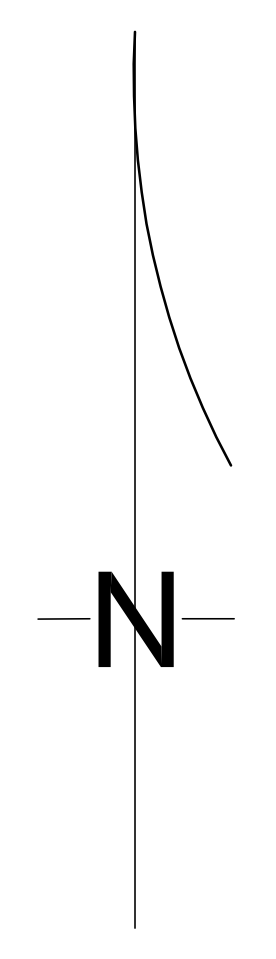
		<ul style="list-style-type: none"> Proposed linear park connection from Friendship Trail to Chrystal Beach secondary plans limit coupled with close proximity (less than 1 km) to schools, shopping, Historic Downtown Ridgeway will result in a walkable community unique to Fort Erie
<u>ENVIROMENTAL PROTECTIC AND NATURAL RESOURCES</u>		
1.	<i>In terms of Provincial Natural Heritage System, how much the parcel or collection of parcels are affected/impacted?</i>	
	Criteria Response: Approx. half shown as NHS	Suggested Criteria Response: Less than ½ shown as NHS
	Comment: Woodlands, Wetland Buffer, Fish Hab and Corridor functions western half heavily impacted by PNHS	Comment: See environment report and supplement letter dated January 2022 which clarifies extent of NHS (much less than ½), questions corridor functions and fish habitat.
2.	<i>In considering the parcel or collection of parcels in context of NHS constraints and as part of the broader NHS, what level of feasibility would be 'represented on the parcel or collection of parcels in gaining access to fragmented development parcels (without existing R.O.W. frontage)?</i>	
	Criteria Response: Feasible	
	Comment: Access may be impacted by NHS on south end but options available on east end.	Comment: Agree, NHS may impact access to south <ul style="list-style-type: none"> Four distinct frontages on Gorham totalling 195M Multiples access points Potential for (2) 4-way intersections (Elm Street and Highland Drive)

3.	<i>With respect to Watershed Planning and the overall health or the respective Watershed, what is the impact should the parcel or collection of parcels be added to the urban area and developed for urban use?</i>	
	Criteria Response: Minimal Impact	
	Comment: Site 1127 is in the watershed planning area FE-8 and is assessed as a minimal impact.	
4.	<i>What is the level of feasibility related to introducing mitigation measures to improve water quality?</i>	
	Criteria Response: Highly Feasible	
	Comment: LID would be beneficial as large portions of lands are cleared of veg	
5.	<i>With available information concerning species at risk, what level of impact would be experienced if the parcel or collection of parcels were to be added to the urban area and developed for urban purpose?</i>	
	Criteria Response: Minimal Impact	
	Comment: No species records but habitat may exist	
6.	<i>What is the impact of including the parcel or collection of parcels on topography and the ability to minimize significant earthworks that could interfere with hydrogeological function?</i>	
	Criteria Response: Modest Impact	
	Comment: 8m grade change moving east to west	Comment:

		<ul style="list-style-type: none"> • 5.8 grade change moving east to west, based on Ontario Land Surveyor • Site slopes between 1%-2%
<u>AGRICULTURE AGRI-FOOD NETWORK</u>		
1.	<i>As defined by the PPS, using the range provided, how best are the parcel or correction of parcels described?</i>	
	Criteria Response: Prime Agricultural Lands	
	Completely (Class I -3)	
	Comment: 0	
2.	<i>What is the level of impact on active livestock operations and MDS setbacks by including the parcel or collection of parcels in the Urban Area?</i>	
	Criteria Response: Setbacks Impact less than half	Suggested Criteria Response: outside any setback
	Comment: Same surrounding barns to consider	Comment: <ul style="list-style-type: none"> • Page 18, Appendix 4 PDS 41-2021 states no MDS impact on this property. • Closest barn owned by Ed Dykstra – 760 metres west of west property • Abandoned - No livestock - cash crop operation
3.	<i>What is the impact to the broader Agri-Food Network if the parcel or collections of parcels were Urban Area?</i>	No MDS impacts on site
	Criteria Response: Modest Impact	
	Comment: existing ag on site	

<u>AGGREGATE RESOURCES</u>		
1.	In terms of distance/separation of sensitive land use, and in the context of Ministry 06 Guidelines, what level of impact on existing or planned Aggregate (Stone and Sand & Gravel) operations can be expected if the parcel or collection of parcels were added to the existing Urban Area Boundary? (Within 300m being Critical and beyond 1000m being Negligible)	
	Criteria Response: Negligible Impact	
	Comment: Site 1127 is not in or within 500m of a known deposit of mineral aggregate resource. Site 1127 is not within 1000m of an existing mineral aggregate operation.	
<u>GROWTH MANAGEMENT</u>		
1.	<i>Does including the parcel or collection of parcels meaningfully contribute to a complete community? (2,3)</i>	
	Criteria Response: Higher Contribution	
	Comment: A sizable parcel of land that could offer potential for complete community design principles to be implemented to enhance broader community area. Some environmental features are apparent and requiring additional study, and also be subject to satisfying Provincial NHS policy direction if lands were to be included.	Comment: <ul style="list-style-type: none"> • Less than 1km to Historic Downtown Ridgeway, Fort Erie public library and Community Centre, retail, food store, public school, separate school • 325 metres frontage on Friendship Trail • Walkable community

2.	<i>Does inclusion of the parcel or collection of parcels represent a favourable way to achieve the outcome of the Region-identified land needs?</i>	
	Criteria Response: Higher Favourability	Suggested Criteria Response: Most Favourable
	Comment: Given the size of the site and single ownership, assessment is higher favourability. Careful design through local planning can assist in achieving land need identified for the community.	Comment: Completes existing community, site abuts existing sanitary and watermains, bus route, arterial roads, rounds out settlement area and allow for double loaded use of Gorham Road.
3.	<i>What are the planning impacts on neighbouring or nearby lands by including the parcel or collection of parcels in the urban area? (2)</i>	
	Criteria Response: Minimal Impact	
	Comment: Inclusion of these lands would have minimal impact to neighbouring or adjacent lands. Impact to environmentally features would require appropriate study and mitigation, but appears achievable.	

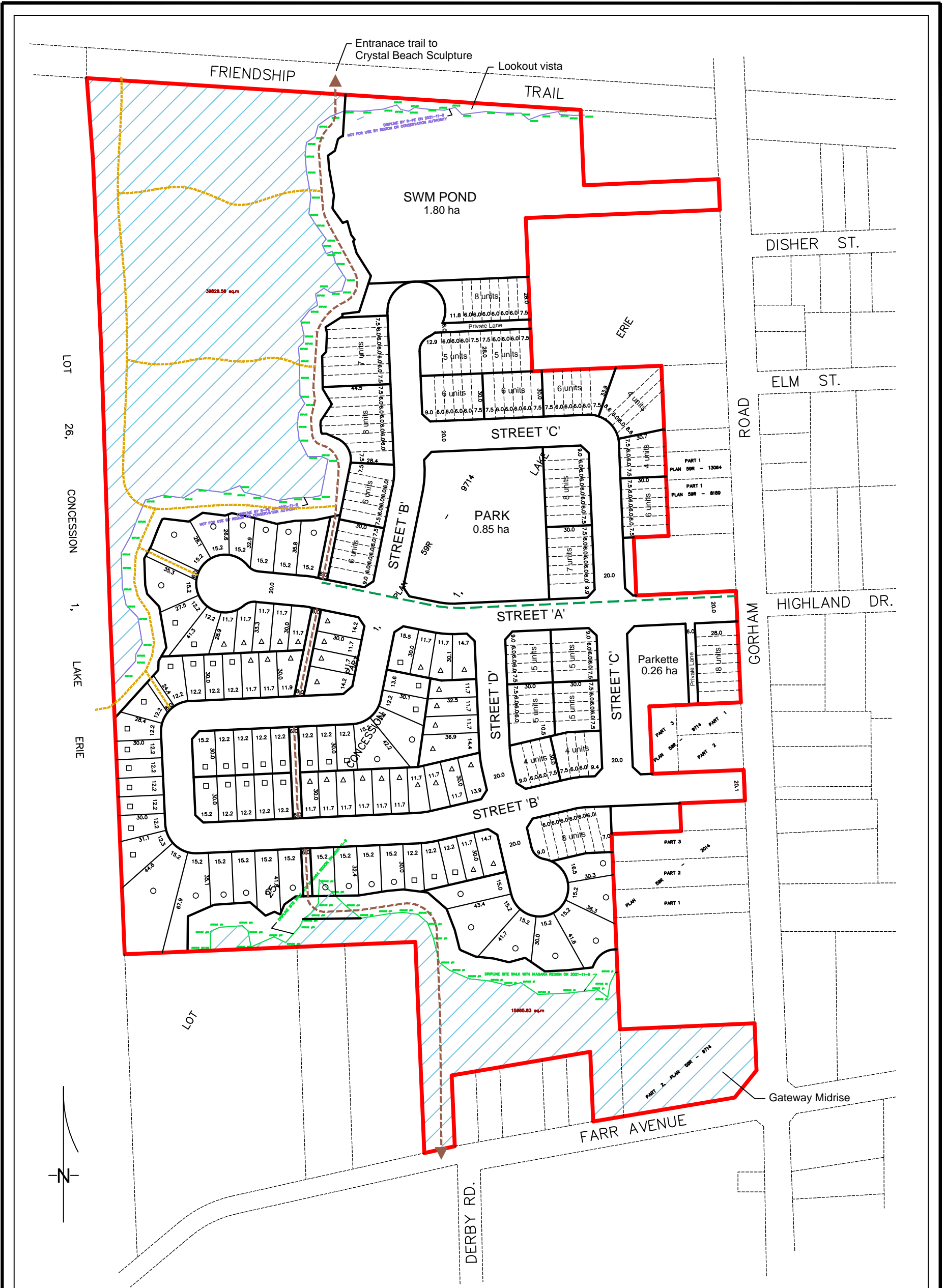


SKETCH TO ILLUSTRATE SITE ELEVATIONS AND PERCENTAGE SLOPE

SCALE: 1:750
 10m 0m 10m 20m 30m 40m 50m 60m 70m 80m 90 metres
 METRIC

BENCHMARK NOTE
 ELEVATIONS ARE GEODETIC AND ARE REFERRED TO MNR VERTICAL BENCH MARK NUMBER 0011834579 HAVING AN ORTHOMETRIC ELEVATION OF 190.331 METRES. ELEVATIONS ARE REFERENCED TO THE CANADIAN GEODETIC VERTICAL DATUM OF 1929, 1978 ADJUSTMENT (CGVD-1929/1978).
 THE BENCHMARK IS LOCATED ON THE RIDGEWAY POST OFFICE BUILDING, ON THE SOUTHWEST CORNER OF THE INTERSECTION OF RIDGE STREET AND HUBBARD STREET, TABLE SET IN THE NORTH CONCRETE FOUNDATION WALL, 5.72 M WEST OF THE NORTHEAST CORNER, 57 CM WEST OF A SMALL INWARD CUT IN WALL, 15 CM ABOVE GROUND AND 15 CM BELOW THE RED BRICK SIDING.

CAUTION NOTE
 THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.
 BOUNDARIES ARE NOT CERTIFIED BY THIS PLAN, AND ARE SUBJECT TO CLARIFICATION UPON THE INCORPORATION OF ADDITIONAL DOCUMENTARY AND FIELD SURVEY EVIDENCE.
 THE SKETCH IS AN ORIGINAL COPY IF EMBOSSED BY THE SURVEYOR.
 THE FIELD OBSERVATIONS REPRESENTED ON THIS PLAN WERE COMPLETED ON THE 28th DAY OF NOVEMBER, 2021.



KEY MAP

NT&

11/11/21	

LEGEND

- Subject Lands - 21.08 ha
- - - Dedicated bike route
- - - 3.6 Trail surface pavement
- - - - - Low impact nature trails

DEVELOPMENT STATISTICS:

Unit Type	# of Units
○ 15.2m Single Detached	26
□ 12.2m Single Detached	33
△ 11.7m Single Detached	31
6.0m Street Townhouse	110
6.0m Lane Townhouse	26
Total Units	226

CONCEPTUAL DEVELOPMENT PLAN

20-256 GORHAM ROAD
TOWN OF FORT ERIE
REGIONAL MUNICIPALITY OF NIAGARA

Scale:

Evans
PLANNING

6681 Eadie Street
Unit 1E
Vaughan, Ontario
L4L 1T7
Tel: (905) 880-0908 Fax: (905) 880-8882
www.evansplanning.com

