



January 12, 2022

Regional Municipality of Niagara
Planning and Development Services Department
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, Ontario
L2V 4T7

Attn: Ms. Michelle Sergi, Commissioner

Dear Commissioner Sergi,

Re: Settlement Area Boundary Review-Urban Recommendations

Evans Planning Inc. acts on behalf of 2779103 Ontario Limited and 2779347 Ontario Inc., the owners of a 20.2 hectare parcel of land located at the north-west quadrant of the intersection of Gorham Road and Farr Avenue, bounded by the Friendship Recreation Trail to the north, within the Town of Fort Erie. The property has a municipal address of 171 Gorham Road. Our Client has recently entered into a contract to purchase land abutting this property located at 225 Gorham Road, thereby adding 0.16 hectares and 38.5 metres of frontage onto Gorham Road to this landholding. A total of 1.39 hectares of this landholding are presently located within the Town of Fort Erie urban area. The boundary of this property, its natural features and the areas located within the current urban area are shown on Figure 1.

In concert with Regional Staff's consideration of candidate locations for urban expansion, we have requested that these lands be added to the Region's and Town's urban settlement area. To this end, discussions have been held and submissions made to Regional and Town Staff, and formal delegations made to Town of Fort Erie Council throughout the past year.

It is our respectful submission to you that these lands are strategically located to be seamlessly integrated with the existing community and are relatively free of constraints to a successful community expansion. As it will be referenced below, Town of Fort Erie Staff and Council were also of a similar opinion, as Town Staff recommended in its May 31, 2021 report to Council that these lands be highly ranked for supplemental urban expansion. Our Client's lands were ranked second in priority of the lands evaluated in this report. Town Council adopted the recommendations contained within the Planning Report.

On December 8, 2021, Regional Planning Staff tabled their recommendations for urban expansion within the Region. It was noted at the meeting of the Planning and Economic Development Committee that the recommendations were provided for consideration and for further input. The following is a review of the merits of our Client's land for inclusion within the Town of Fort Erie settlement area. We would appreciate Regional's Staff examination of the locational attributes of this land with the purpose of adding these 19.9 hectares of land (1.39 ha. Are currently within the urban area) to the list of lands for which urban expansion is recommended

The addition of these lands does not need to be at the expense of other lands previously recommended by Staff for urban expansion, as it offered that the target populations sought within the Regional Official Plan are not prescribed maximums, per below.

A) Inclusion of Subject Lands in Settlement Area would be In Conformity with Growth Plan and Provincial Policy

The Growth Plan for the Greater Golden Horseshoe was recently amended by the provincial government to clarify that the Schedule 3 population and jobs forecasts represent a "minimum" (5.2.4.2). Niagara Region staff are already proposing to take advantage of this provision to include additional population of 20,000 over the Growth Plan forecasts for the Region. This additional population has been proposed as additional intensification in Lincoln and Welland.

Further increases above the population forecast would also be consistent with the Provincial Policy statement objective of ensuring sufficient housing to meet market-based housing needs of current and future residents.

The inclusion of the subject lands would represent only a modest population increase. As such, if their lands were incorporated, the Region would still be comfortably achieving the Growth Plan targets for intensification, population forecasts and greenfield density. To the extent any minor shift would occur, it would arguably be in the direction of more closely approximating actual market demand, as required by the provincial Land Needs Assessment Methodology.

It can reasonably be expected that the Province would welcome this additional supply as helping to advance the provincial Housing Supply Action Plan. It would help address the increasing challenges of delivering an adequate supply of housing - as evidenced by the dramatic rise in the cost of housing.

B) Inclusion of the Subject Lands Will Implement Important Aspects of the Growth Plan

The planning analysis conducted by Regional Planning Staff confirms that the addition of the subject lands into the settlement area would conform with the policies of the Growth Plan for determining the appropriate location of settlement area boundary expansion (policy 2.2.8.3).

In the December 2021 report entitled “Niagara Falls and Fort Erie Contextual Review, Staff conclude that “From a planning perspective, this location displays the potential for growth.”

The Growth Plan is particularly concerned in ensuring that any settlement area expansion corresponds with existing or planned servicing capacity. This site fulfils this objective.

In the Contextual Review, staff concluded that wastewater servicing is existing and available. “Servicing can be accommodated at the Crystal Beach WWTP.”

Similarly, the Contextual Review concludes that water servicing is also existing and available. “Water supply is available from the Rosehill WTP.”

Overall, incorporating these lands would result in an efficient use of existing servicing infrastructure. “No capacity issues were identified through the assessment review”. This outcome is ideal from a fiscal perspective for the taxpayers of Fort Erie and Niagara, and fits with the policy direction from the Growth Plan.

In addition, the lands would represent a logical addition, incremental to the existing settlement area. As well, it will strengthen the active transportation networks and connectivity of the community by facilitating a key linkage to the popular and important Friendship Trail.

Overall, the inclusion of these lands (along with the other lands evaluated in the same contextual evaluation area “1” in the Region’s Contextual Review) will strengthen the overall community, and making it a more complete community, as sought by the Growth Plan.

C) Planning Preferences of Fort Erie Council Should be Accommodated in the New Official Plan

During the process of the current Municipal Comprehensive Review, Fort Erie Council endorsed a staff report considering the possibility of pursuing a number of settlement area expansions under Growth Plan Policy 2.2.8.5 (40 hectare additions outside of a Municipal Comprehensive Review). The subject lands were endorsed by Council as a prime location for the application of this policy. In fact, this site was the second highest rated site in Fort Erie for inclusion in the settlement area in the current Municipal Comprehensive Review Process.

We understand that Niagara Region takes the position that such additions to settlement area can only be initiated by the Region. However, it makes sense that the Region should give due consideration to this stated preference of Fort Erie Council to include these lands in the settlement area. Certainly, it makes more sense to do so now during the current Official Plan process - rather than returning to the question after the Official Plan is in place, with an addition pursuant to policy 2.2.8.5.

While the Region is the planning authority for the purposes of a Municipal Comprehensive Review, the province has made clear that local municipalities are to play a role in the decisions on where growth should proceed. As such, Fort Erie's stated support for settlement area expansion on the lands should be seriously considered.

The new Land Needs Assessment Methodology makes explicit the need to consult and take into account the wishes of local municipalities in this process. Page 9 of the provincial methodology includes the following: "Upper-tier municipalities should, in consultation with lower-tier municipalities and the public, make the allocation among the municipalities based on such factors as the planned urban structure, housing affordability, a mix of housing types, servicing capacity and the potential for intensification." It should be noted that housing at this location represents an ideal opportunity to deliver ownership housing to families at one of the most affordable levels in the Niagara Region Market Area.

The Region should give due consideration to the Fort Erie staff and Council endorsement of the subject lands as preferred for inclusion in the settlement area.

D) The Addition of These Lands will Provide Development Flexibility for Situation Where Development Cannot Practically Occur

The addition of approximately 19.9 hectares to the urban settlement area of Fort Erie, will allow a greater latitude for achieving municipal development, population and facilities objectives. Should lands elsewhere not be available for development due to environmental constraints, fragmented or public ownership, the modest increase of the urban land supply will ensure that the future population of Fort Erie can be viably accommodated.

E) The Size of the Landholding is Sufficient to Allow for Comprehensive Urban Planning

With the inclusion of the contracted purchase of 225 Gorham Road, a total of 21.3 hectares of land is under the ownership of one entity and have the capability of producing a coordinated planned and built extension to the Ridgeway community. Of this area, approximately 16.8 hectares of land is developable—namely, not constrained by environmental features. This area is of sufficient size that planning for this area can ensure that coordinated planning of residential land uses can occur and that necessary municipal services such as parks, a road

network, trail system and storm detention facilities can not only be comprehensively designed, but more importantly, constructed in a logical, orderly manner to ensure that the public amenities are entirely in place for future residents and that the existing community will not be exposed to an incomplete, prolonged development phasing.

Due to the size of these lands which are available for urban expansion, an array of housing forms can be provided within the one community area.

The ability to ensure all development is sequenced in a controlled manner is a superior trait that will be difficult to achieve with the inclusion of a larger number of smaller properties.

F) The Property Has Multiple Points of Access to Adjacent Road Network

The property is bounded by Gorham Road, a Regional Arterial Road and Farr Avenue, a local Collector Road. These roads provide convenient, safe access for the future residents to the larger Fort Erie community and to intra-regional travel via the Queen Elizabeth Highway to the north.

The site will have the opportunity to provide three or more points of access onto Gorham Road and possibly onto Farr Avenue. Two of these possible points of access will align directly opposite existing municipal streets (Elm Street and Highland Drive). This will enable traffic movement to be dispersed through multiple accesses, thereby creating an efficient movement of vehicle for homeowners within the expansion area, and in doing so, mitigate any traffic impacts which may be perceived by existing residents.

G) The Land is Largely Free of Environmental Constraints

As part of the supporting submissions which were made to the Region and Town during the Municipal Comprehensive Review Process, a preliminary Natural Heritage Evaluation and an on-site staking of environmental features by Senior Regional Environmental Planning Staff occurred. The wooded area located on an adjacent property extends onto this land at the north-west sector and a wooded area ribbons the south property limit. The long-term protection of these features will leave approximately 16.8 hectares of contiguous land for creation of residential community which can offer planned pedestrian trails to and through the natural amenities of this area. The remaining developable land is flat in topography. The area of land which will be available for development is shown on Figure 2.

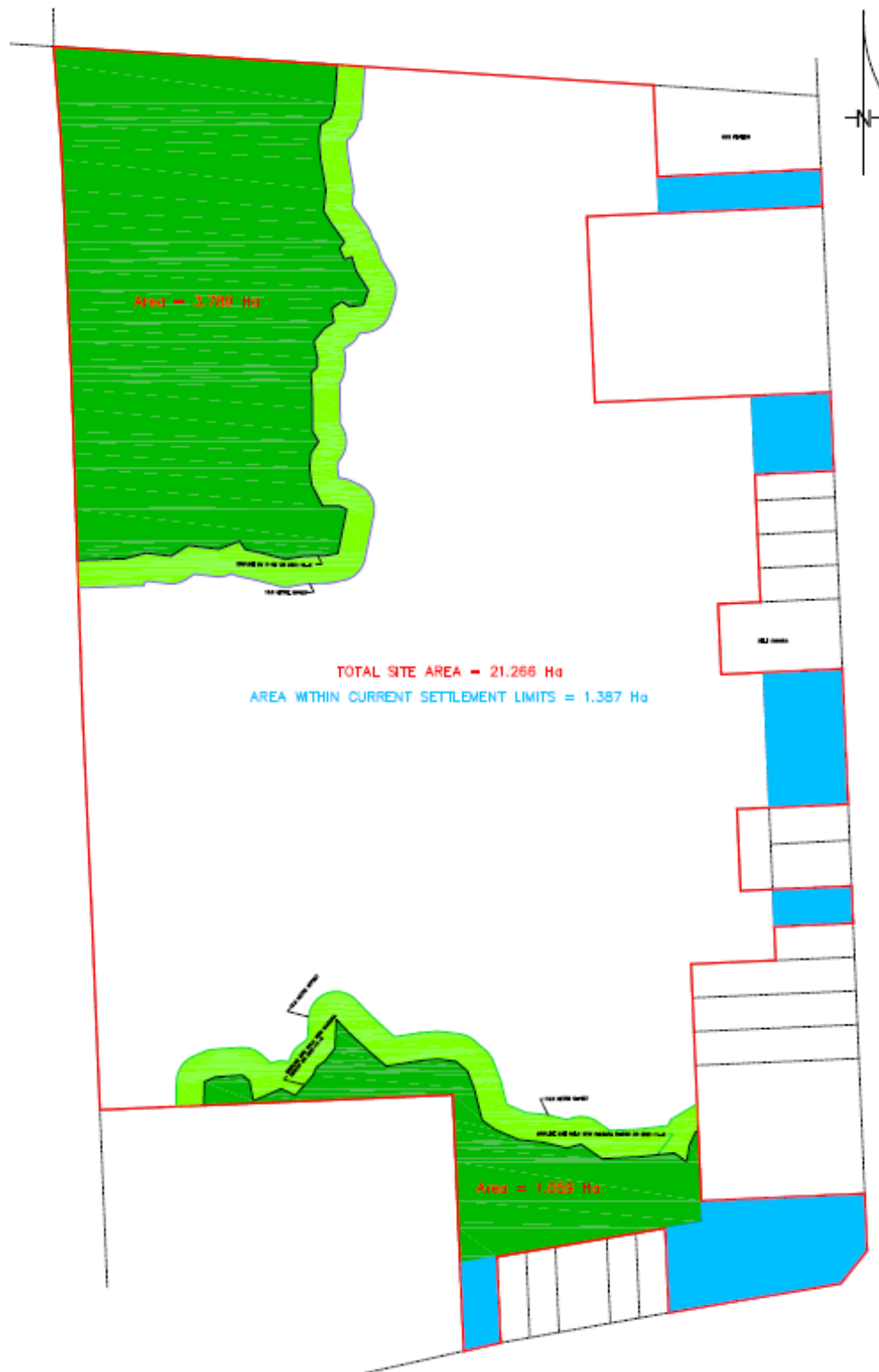


Figure 1 Environmental and Developable Areas

H) The Land Provides an Opportunity to Connect Pedestrian Paths from Crystal Beach and Ridgeway to the Friendship Recreational Trail

Recently adopted Official Plan Amendment No. 54- The Crystal Beach Secondary Plan provides that it shall be a policy of the Town to:

“...seek opportunities to establish a liner connection in the vicinity of Michener and Schooley Roads leading north to connect with the Friendship Recreational Trail.”

The inclusion of the subject lands will enhance the opportunity to achieve this policy. Of the properties being considered by the Region for urban expansion in fort Erie, this is the only property which maintains a direct access to the Friendship Recreation Trail. The aforementioned environmental areas will be protected in perpetuity and can be connected through a coordinated pedestrian trails system which will ultimately connect to the Friendship Recreational Trail, which abuts the north limit of this property. The attached concept sketch provides an illustration of how a trail system can be designed to connect the lands to the south of the planning area through the natural amenities to the Friendship Recreational Trail. The omission of these lands will delay this stated policy from being implemented for a considerable period of time.



Figure 2: Pedestrian Trail Opportunities

I) Portions of the Lands are Currently within the Existing Settlement Area

The inclusion of this parcel of land is logical in the sense that parts of the property along the south and east property limits are currently within the Fort Erie settlement area. The expansion of urban uses onto this land is orderly and logical and would be consistent with the built form of the surrounding area.

J) Existing Municipal Facilities are Available to Accommodate Development

A preliminary evaluation of municipal services by SCS Consulting Group has concluded that development can occur on these lands by employing the existing or previously planned infrastructure of the Town and Region. Capacity exists within the Crystal Beach Wastewater Plant, while upgrades planned for the Nigh Road Sewage Pumping Station will be sufficient to accommodate growth at this location.

Local education and recreation facilities are located within blocks of this property. Two elementary schools, a library, arena and park facilities are within walking distance of this land.

The commercial area located immediately to the north of these lands provides an opportunity to establish a walkable community.

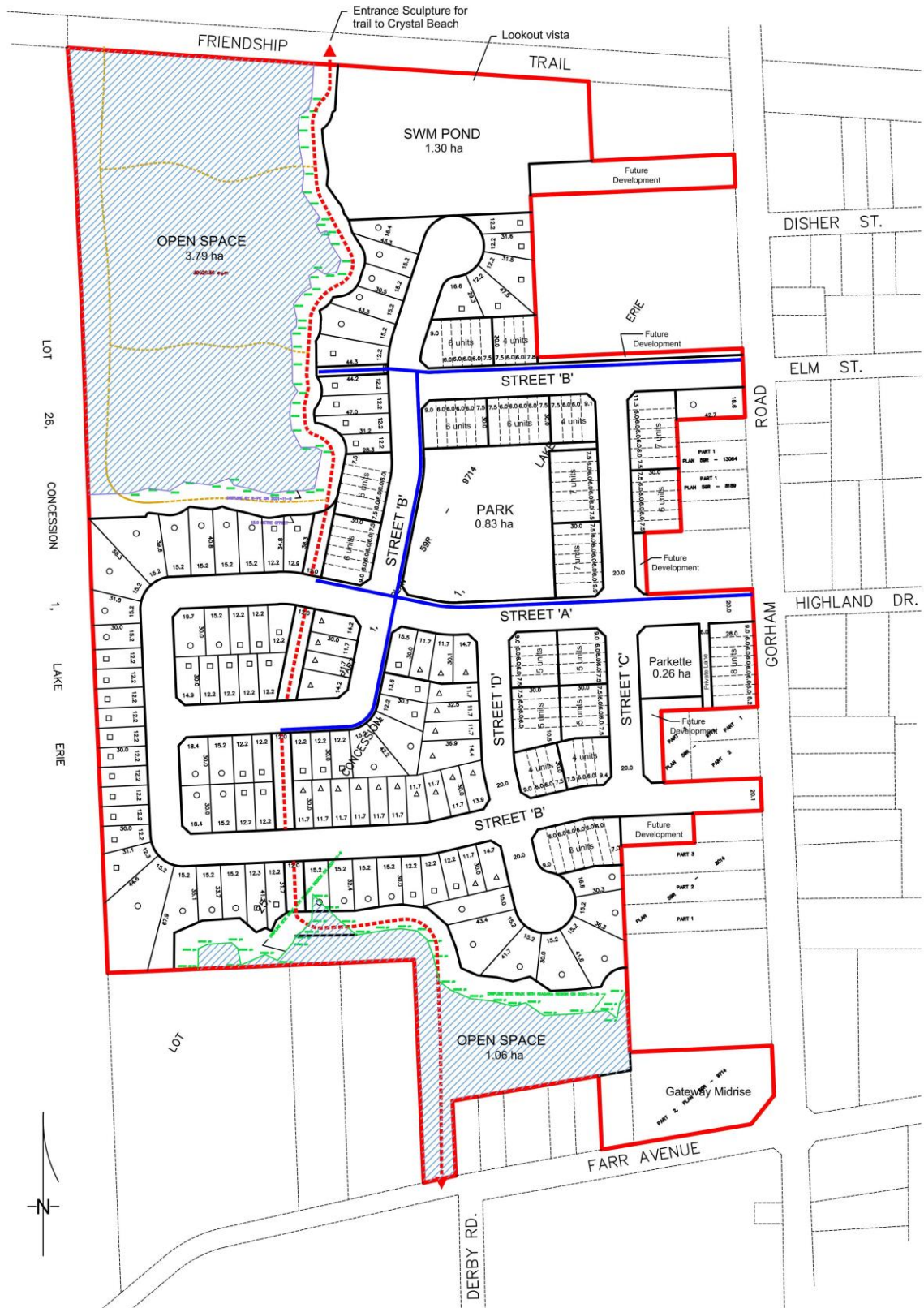
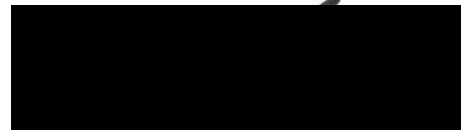


Figure 3: Concept Development Plan and Trail System

Summary

It is recognized that the assignment of future development lands is a multi-faceted, difficult process. Many lands can, and possible should, be considered for urban development. However, in the case of the lands located at Gorham Road and Farr Avenue, not only are the locational factors of being adjacent to existing residential and commercial development, largely sized and not encumbered by environmental constraints supportive of urban growth being planned for these lands, municipal infrastructure is readily available to accommodate said development and this land is the only candidate property which possesses direct frontage onto the Friendship Recreation Trail. Further, most importantly in any consideration of future growth areas should be the direction sought by the local municipality. In this case, the Town of Fort Erie Council has considered these lands as a highly ranked candidate urban expansion location and deemed them to be of high priority. It is respectfully submitted that Regional Staff should place a high value on the direction provided by the local municipality and recommend that these lands be included in the urban settlement areas of the Town and Region.

Yours truly,

A black rectangular redaction box covering the signature of Murray Evans.

Murray Evans

cc. Mayor Wayne Redekop
Regional Councillor Tom Insinna
Mr. Isaiah Banach, Manager Long Range Planning