



## INTEROFFICE MEMORANDUM COMMUNITY & DEVELOPMENT SERVICES

September 8, 2006

To: Mayor and Council  
From: Dave Heyworth, Senior Policy Planner  
Subject: **Modifications As A Result Of The September 5, 2006 Council-in-Committee Meeting.**

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The purpose of this memo is to confirm with and present to Council the modifications made to the Final Draft of the Official Plan as directed by Council on September 5, 2006 or based on Council discussions on September 5, 2006. The modifications discussed in this memo have been incorporated in to the Final Draft Official Plan. Due to the time and expense of reproducing all of the associated mapping, Council is requested to bring the previously distributed mapping to the Council meeting. However, attached to this memo are copies of the revised mapping resulting from the Council-in-Committee meeting of September 5, 2006. The Clerk will have the full set of maps at the meeting. The modifications are illustrated by the attached maps and outlined as follows:

- Site 1 involves the modification made to the lands associated with 767 Garrison Road. The Environmental Protection area, associated with the Provincially Significant Wetland mapping, and the Environmental Conservation Area mapping has been removed from Schedule A of the Final Draft Plan leaving a Commercial designation. **Further, any mapping of natural heritage features on Schedule C has been removed from the lands in order to be consistent with Schedule A. This approach was used for similar situations such as Draft Plans of Subdivision.**
- Site 2 involves the modification made to the lands associated with the Garrison Green Plan of Subdivision. The Environmental Conservation Area overlay designation has been removed from the lands on Schedule A. **Further, any mapping of natural heritage features on Schedule C has been removed from the lands in order to be consistent with Schedule A.**

- Site 3 involves modifications made to two properties owned by Ed Feiertag. The first property involves a parcel of approximately 20 acres in size bounded by Rebstock Road on the south; Schooley Road on the east and Michener Road on the north. The subject property is currently outside the urban boundary, but the property owner is requesting the lands be included in the urban area boundary. The modification to Schedule A identifies the lands as Deferred, as opposed to Agricultural.

The second property involves the frontage lands of a larger parcel of land approximately 48 acres in size on the north side of Michener Road. The first 200ft of frontage property depth is within the Urban Area Boundary and designated as Urban Residential in the existing Official Plan. The Final Draft Official Plan, considered by Council on September 5, 2006, designated the entire parcel as Agricultural on the basis of the Urban Area Boundary being modified to correspond to Michener Road. A modification has been made to Schedule A to identify the 200 ft. of frontage depth as Deferred on Schedule A. **Council should note planning staff have made the same modification to the adjoining property to the west based on Council's position for this property.**

Council's directed the above modifications based on presentations by delegations at the September 5, 2006 Council-in-Committee meeting. Further details on these presentations can be found in the September 5, 2006 Council-in-Committee Minutes.

At the meeting, clarification was requested on the following Policy in Section 4.9 Commercial of the Final Draft Official Plan:

***"V. Approval of the Niagara Parks Commission is required for any Commercial developments along Niagara Boulevard or large scale development up to 800 metres from Niagara Parks Commission lands."***

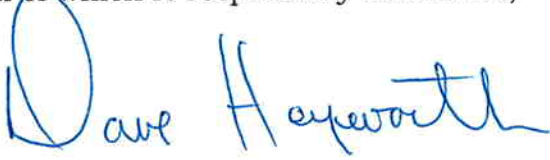
The above policy was requested by The Niagara Parks Commission (NPC) based on the Niagara Parks Commission Act and Public Transportation and Highways Act. The approval of the NPC for large scale developments up to 800 metres from Niagara Parks Commission lands would generally relates to possible traffic impacts to the Niagara Boulevard, especially if alternative traffic routes are not available or not sufficiently effective. Given concern at Council, the following policy modification has been incorporated into the Final Draft Official Plan:

Policy V of section 4.9 Commercial is deleted and the following policy is added to Section 12.7.1 Road classifications, Niagara parkway:

***"(b) Approval of the Niagara Parks Commission is required for any Commercial developments fronting along Niagara Boulevard. The comments of the Niagara Parks Commission relating to traffic concerns and/or requirements shall be obtained pertaining to large scale development applications up to 800 metres from Niagara Parks Commission lands. "***

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The document has been further modified with respect to typos, spelling and grammatical corrections and clarification of Schedule references.

All of which is respectfully submitted,

A handwritten signature in blue ink that reads "Dave Heyworth". The signature is written in a cursive style with a large, looped initial "D".

Dave Heyworth, MCIP, RPP  
Senior Policy Planner

DH/dh

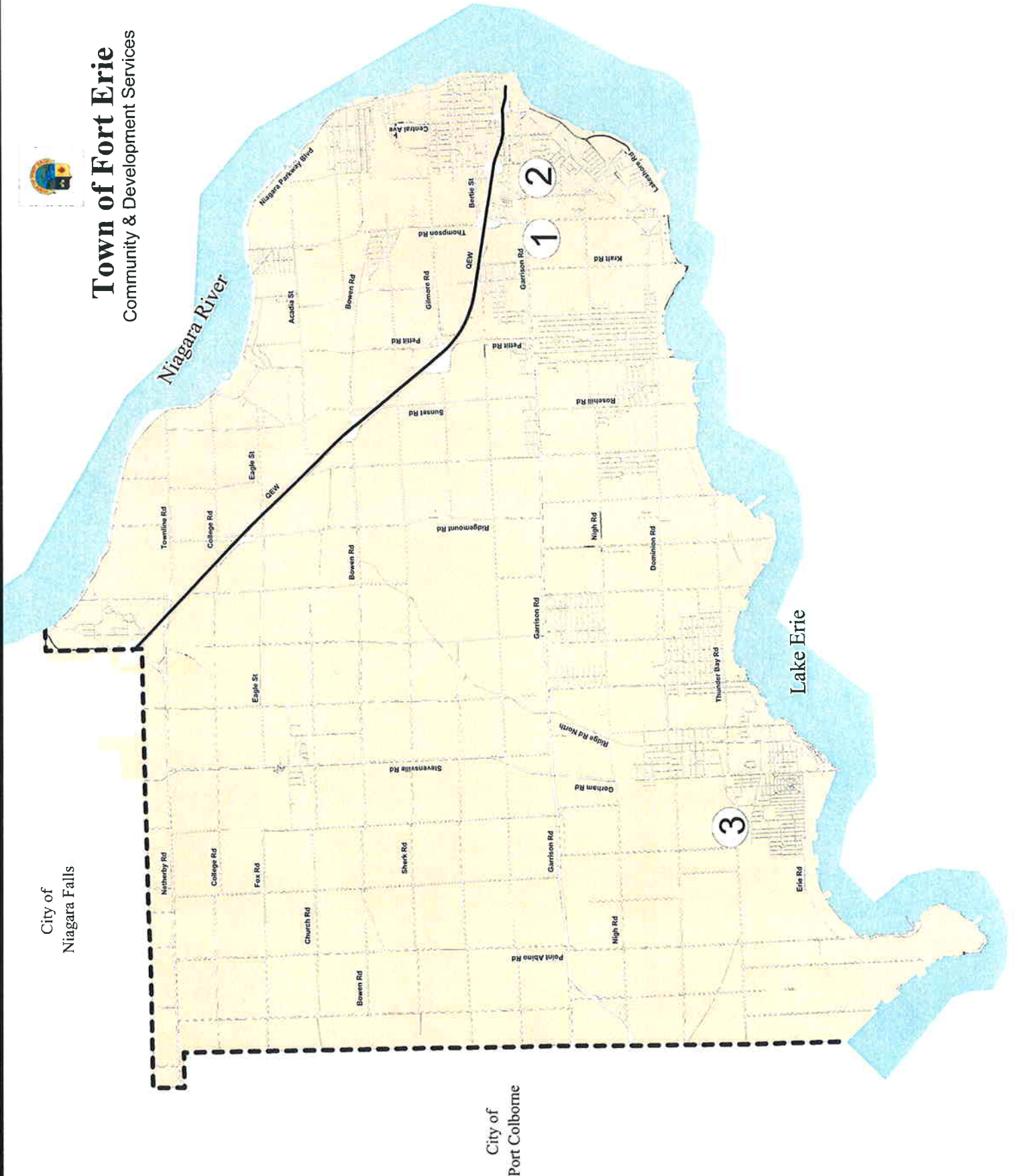
Attachments: Revised Mapping

c.c. Harry Schlange, Chief Administrative Officer  
Department Directors  
C. J. Kett

# LOCATION MAP OF REVISIONS - SEPTEMBER 11th, 2006



**Town of Fort Erie**  
Community & Development Services



City of  
Niagara Falls

City of  
Port Colborne

Niagara River

Lake Erie

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# MAPPING MODIFICATIONS AS REQUESTED BY COUNCIL AT SEPTEMBER 5, 2006 COUNCIL-IN-COMMITTEE MEETING

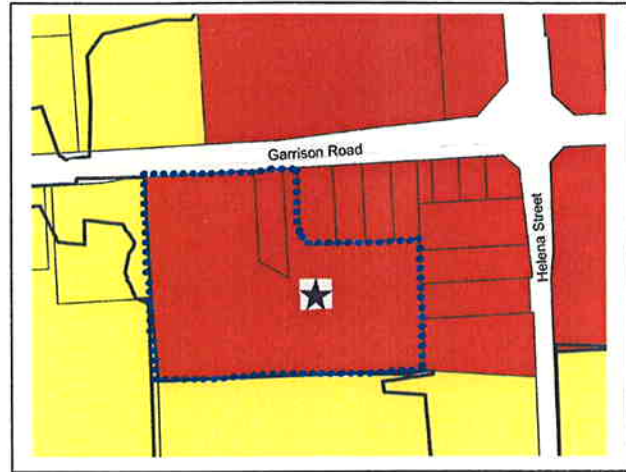
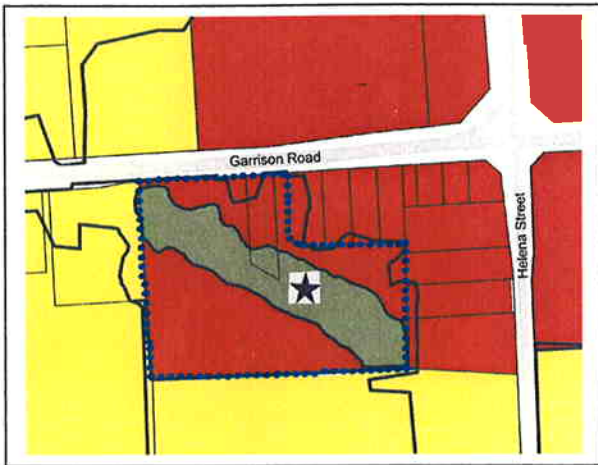
## MAPPING MODIFICATIONS

### SCHEDULE "A" MODIFICATIONS

APRIL 2006 – Proposed Draft Official Plan

Proposed Modifications

1)



### SCHEDULE "C" MODIFICATIONS

