

## **Attachment A**

July 29, 2025

**Edward Terry**

Manager, Policy and Community Planning  
Town of Fort Erie  
1 Municipal Centre Drive  
Fort Erie, ON, L2A 2S6

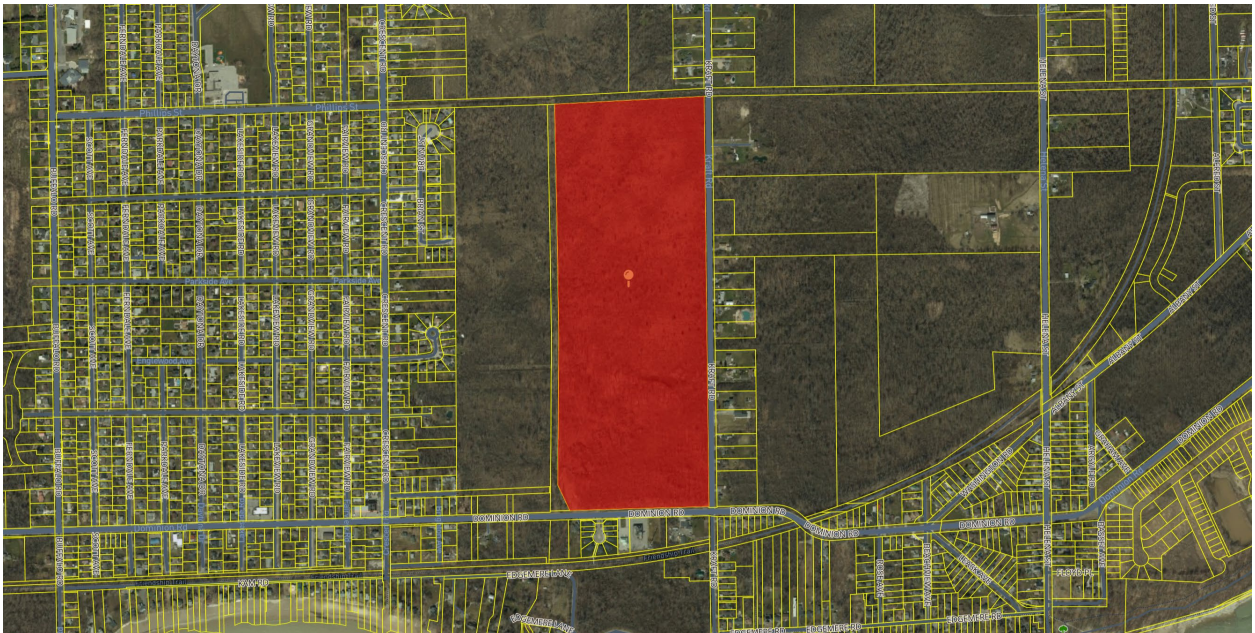
Via E-mail: [opreview@forterie.ca](mailto:opreview@forterie.ca)

**RE: Comments on July 2025 Draft New Fort Erie Official Plan  
Northwest Corner of Dominion and Kraft Road (PIN 644700049), Fort Erie, Ontario  
Zeljko Holdings Limited**

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We represent Zeljko Holdings Limited, the “owners” of a parcel at the northwest corner of the intersection of Dominion and Kraft Roads in Fort Erie (“subject site” or site”). The site is legally described as Part of Lot 3, Concession 2 on Lake Erie, Bertie as in RO762407, and Subject To RO329109; Fort Erie. The subject site is illustrated on Figure 1 below.

*Figure 1 - Subject Site (In Red)*



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PLANNING | PROJECT MANAGEMENT | URBAN DESIGN | HERITAGE

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## Background

### Subject Site and Proposal

The subject site is approximately 37.4 hectares (92.5 acres) in size and located at the northwest corner of Dominion Road and Kraft Road within the Kraft Drain Area (the “Kraft Neighbourhood”). There is approximately 347 metres and 1,017 metres of frontage along Dominion Road and Kraft Road, respectively. The site is currently undeveloped but was historically used for agriculture, with a clear 1934 aerial image showing the land being cultivated. The current vegetation on site has more recently grown in.

Following site investigations, the owners’ ecologist (GEI) have produced an updated Natural Heritage System map, reflecting on-site conditions more accurately (enclosed for your reference as **Attachment 1** as part of a letter from GEI consultants dated July 25, 2025).

The owners are in the process of preparing applications for an Official Plan Amendment (“OPA”), Zoning By-law Amendment (“ZBA”), and a Draft Plan of Subdivision (“DPOS”) to facilitate the development of the site for a new residential subdivision. The proposal involves a DPOS designed to provide new housing, make efficient use of urban land, and conserve significant natural heritage features.

The DPOS, at full build out has the potential to offer many new homes for the Town, with some conceptual plans demonstrating at least 300 new homes in a mix of single-detached dwellings with a range of lot widths, street-facing townhouses, and rear-lane townhouses, and the possibility for other, more dense uses as the market permits. The subdivision will feature new public roads connecting Dominion and Kraft Road, a stormwater management pond, public parks, future connections to the north, and a naturalized trail system linked to sidewalks through mid-block walkways.

A key component of the plan is also the conservation of identified significant natural heritage resources through on-site investigations and study. However, studies by the owner’s ecologists indicate discrepancies between actual site conditions and the mapping in the Niagara Region Official Plan (now a local Official Plan for Fort Erie), the in-force Town of Fort Erie Official Plan, and now continues to be erroneously carried over into the July 2025 Draft New Fort Erie Official Plan. Several various Natural Environment System Features appear to be inaccurately delineated, overvalued or overstated, as described in the letter for GEO consultants. In reality, much of the site today is dominated by Buckthorn—an invasive species that disrupts native ecosystems, alters soil chemistry, and attracts pests.

A pre-application consultation (“PAC”) meeting request was filed on February 6, 2024 and a PAC meeting was held on March 26, 2024 to discuss the redevelopment plans and identify the list of materials required for a complete submission. We were informed by Mark Iamarino (Development Approvals) and Aaron Hair (Policy Planning) during the PAC meeting that the proposed development for the subject site was pre-mature due to ongoing and planned neighbourhood planning studies (secondary plans), and that all development should either wait for those to be completed (with no estimate of the date to be completed) or that the owners should endeavor to complete a neighbourhood planning study for the Kraft Neighbourhood on their own.

### Current 2011 Fort Erie Official Plan Implications

Under the current in-force 2011 Fort Erie Official Plan ("2011 OP"), the subject site is located within the Urban Boundary and Site-Specific Policy Area 5 (Kraft Drain Area), and designated Urban Residential and Environmental Protection on Schedule A. Schedule C identifies the site as containing various natural heritage features, including Provincially Significant Wetlands and Significant Natural Areas, while Schedule C1 indicates potential Natural Hazards such as floodplain and marginal fish habitat.

However, ecological assessments prepared by the client's consultants indicate that some of these features are incorrectly mapped (refer to Attachment 1).

Section 4.7 of the 2011 OP permits a full range of residential forms in Urban Areas, including accessory apartments, and supports intensification where infrastructure exists. The Urban Residential designation allows for a mix of housing types and compatible community uses intended to support complete and livable neighbourhoods.

The Environmental Protection designation applies to features such as Provincially Significant Wetlands, Areas of Natural and Scientific Interest (ANSIs), and Natural Hazard areas. Development and site alteration are generally prohibited within these areas, with limited permitted uses such as conservation, passive recreation, and flood control. Adjacent development may require an Environmental Impact Study (EIS), subject to review by the Region, Town, NPCA, and potentially the Ministry of Natural Resources.

Importantly, the 2011 OP allows for the refinement of Environmental Protection boundaries through detailed studies such as EISs, without necessarily requiring an Official Plan Amendment. Policies 8.2 and 8.3 allow updated boundaries to be reflected in zoning or Official Plan mapping during the five-year review or by site-specific amendment, provided appropriate consultation occurs. The Plan also permits new natural features to be identified and evaluated through development applications, with applicable policies applied as needed.

### Timing of Development

Policy 4.7.4.1.I of the 2011 OP states that the Town will prepare a Neighbourhood Plan before considering large-scale development applications that could significantly impact the affected neighbourhood.

Similarly, Policy 4.14.5 – Kraft Drain Area (Site Specific Policy Area 5) of the 2011 OP applies to lands designated *Urban Residential* (such as the subject site), *Environmental Conservation* overlay, and *Environmental Protection Area* on Schedule "A." Due to the presence of significant natural heritage features, an Environmental Planning Study (EPS) by a qualified consultant is required, in line with the Natural Heritage policies of the Plan. The EPS must be completed alongside a Neighbourhood Plan that outlines development and servicing. A Comprehensive Servicing Study and Stormwater Management Plan are also required. Development cannot proceed until the Frenchman's Creek Trunk Sanitary Sewer Project is constructed.

We believe Policy 4.7.4.1.I is flawed in that it fails to define what constitutes a "large-scale development," leaving the policy open to subjective interpretation and inconsistent application.

Without clear criteria—such as thresholds related to land area, number of units, or anticipated impacts—developers, planners, and the public are left uncertain about when the need for a Neighbourhood Plan would be triggered. This lack of clarity undermines transparency, delays decision-making, and may result in unequal treatment of applications depending on how the policy is interpreted in each case. A more effective policy would establish measurable benchmarks or examples to guide its implementation consistently.

### Review of the July 2025 Draft OP

We have reviewed the July 2025 Draft New Fort Erie Official Plan (“July 2025 Draft OP”) and its Schedules. The draft policies of Section D.4 of the July 2025 Draft OP provide detailed direction on the mapping, refinement, and interpretation of natural heritage features shown on various Schedules.

Under Schedule A (Town Structure), the subject site would remain within the Town’s *Settlement Area Boundary* (previously *Urban Area*) and would be subject to a new *Natural Environment System* overlay.

This is different from the May 2025 draft which had previously identified the site as a *Designated Growth Area (Kraft DGA)*. Instead, a new Schedule B (Designated Growth Areas) has been created since the May 2025 Draft, which applies the *Kraft DGA to the subject site on a stand along schedule*.

Schedule C of the July 2025 Draft OP does not identify the subject site within an *Employment Areas*.

Schedules D and D.1 (Delineated Built-Up Area) of the July 2025 Draft OP excludes the subject site from the Town’s Delineated Built-Up Area, essentially drawing the built-up limits around erroneously mapped natural environment system features.

Under Schedule E (Land Use Plan) of the July 2025 Draft OP, the site would be redesignated as *Community Area* and *Natural Environment System*. It is noted that the *Natural Environment System* designation does not envelope the entire site, and that the mix between *Community Area* and *Natural Environment System designations* is roughly an even mix in terms of area.

Our understanding is that the new *Community Area* designation in the July 2025 Draft OP permits a broad range of uses including residential dwellings, additional residential units, home occupations (such as bed and breakfasts), additional needs housing, public service facilities, and small-scale commercial uses. These areas are intended to accommodate a mix of housing types that are affordable, accessible, and suitable for residents of all ages and incomes. While no specific density targets are identified, the policies emphasize compact urban form, residential intensification, and compatibility with surrounding uses. We also understand that density caps have been removed and agree with this approach.

We appreciate that the *Community Area* designation permits small-scale commercial uses, as this enhances land use flexibility and supports the development of complete, walkable neighbourhoods. Allowing uses such as convenience retail, cafés, daycares, personal services, and artisan shops within residential contexts ensures that daily needs can be met locally. We

particularly support the policy framework enabling these uses on corner lots and along public frontages, whether as part of mixed-use buildings or standalone structures, provided they are well-integrated with the surrounding residential character. These permissions offer meaningful opportunities for compact, context-sensitive development, and we recognize the role of detailed zoning and design standards—such as screening and landscaping—to ensure compatibility where commercial uses abut residential properties.

With regard to the Natural Environment System” overlay shown on site on Schedule A (Town Structure) of the July 2025 Draft OP, it is our understanding that this overlay reflects areas with potential environmental significance or sensitivity, subject to further study and refinement. According to the July 2025 Draft OP, the Natural Environment System overlay is intended to recognize the Town’s interconnected system of natural features, including wetlands, woodlands, watercourses, fish habitat, and areas with potential ecological function. Importantly, this overlay is conceptual in nature and is used at a high-level structural planning scale to flag areas where environmental components may require additional study or environmental review through development applications.

The *Natural Environment System* mapping is continued for the site on Schedule F (Natural Environment System) and Schedule G (Natural Environment System Features) of the July 2025 Draft OP but has generally been expanded to encompass the entire site, which is not consistent with the *Natural Environment System* designation shown on Schedule E.

Schedule G (Natural Environment System Features) of the July 2025 Draft OP identifies a plethora of features on the site including *Non-Provincially Significant Wetlands*, *Provincially Significant Wetlands*, and even *Significant Woodlands* and *Fish Habitat*. It is noted that the scale of the schedules is quite large, and these mapped features are difficult to glean. This is a change from the May 2025 draft which also mapped *Significant Valleylands*, *Valleylands*, and *Stream Corridor* – and we are unclear how these features were determined for the site and also the reason for the removal of these features since the May 2025 draft.

Furthermore, Schedule H (Key Hydrologic Areas and Intake Protection Zones) of the July 2025 Draft OP identifies as Shoreline Area along the site’s western boundary and to some extent internal to the site, and Schedule I (Hazardous Lands) identifies large swaths of the subject sites as being within the *Approximate Regulatory Limit of the Niagara Peninsula Conservation Authority*.

The Natural Environment System (“NES”) mapping, particularly as shown on Schedules F, G, and H, reflects various NES features that we believe have been erroneously mapped and not based on ground-truthed field data. However, the July 2025 Draft OP does acknowledge that not all features have been mapped—specifically, habitat for endangered and threatened species, species of special concern, and significant wildlife habitat are not shown and must be identified through site-specific studies like Environmental Impact Studies (EIS) (Policy D.4.1.4.5).

Draft Policies D.4.1.4.7 and D.4.1.4.8 allow minor changes to the boundaries or classifications of natural features based on an Environmental Impact Study (EIS), with Town and Conservation Authority approval, without requiring an Official Plan Amendment (OPA). However, if the feature is identified through provincial criteria, provincial approval is required for changes. Even with approval, the boundaries of the Provincial Natural Heritage System can only be refined through a comprehensive municipal review.

We understand that the mapping is based on a combination of provincial evaluations, the Town's Natural Areas Inventory, Conservation Authority data, and other environmental studies, but our client's ecologist has confirmed that the mapping for the subject site is inaccurate to what is found on site.

We also understand that refinements to feature boundaries and classifications are governed primarily by Environmental Impact Studies (EIS) and, for broader areas, by Subwatershed Studies (Policy D.4.1.18). These studies must be completed to the satisfaction of the Town and relevant authorities and must demonstrate no negative environmental impacts (Policies D.4.1.4.18 and D.4.1.19.4). An EIS may justify development or refinement of buffers and features provided it aligns with applicable criteria (Policies D.4.1.17 and D.4.1.19). Major boundary changes to PSWs, however, still require an OPA unless the change is minor (i.e., 1 metre or less) (Policy D.4.1.5.6).

We further understand that a Subwatershed Study is required when development is proposed as part of secondary plans for designated growth areas or other large undeveloped areas (not a defined term) within the Town (Policy D.4.1.18). This broader-scale study is intended to inform the identification, refinement, and protection of the Natural Environment System across a large area. It covers comprehensive ecological and hydrological assessments, cumulative impact analysis, water quality targets, stormwater management guidelines, and refined mapping for future planning and infrastructure coordination.

In contrast, an Environmental Impact Study (EIS) is a site-specific study required when a development or site alteration is proposed within or adjacent to a natural heritage feature (Policy D.4.1.19). It evaluates potential negative impacts on ecological or hydrologic features at the site scale and proposes avoidance, mitigation, or compensation measures. An EIS is required for most planning applications (e.g., site plans, subdivisions, rezonings) unless the development is minor or qualifies for a waiver, or a Subwatershed Study or other broader environmental review has already addressed the issues in sufficient detail.

Requiring a full Subwatershed Study for development in designated growth areas—like the *Kraft DGA*—especially when a site is already within the urban boundary and designated for Community Area, is problematic for individual landowners because it creates costly and time-consuming delays. The policy does not distinguish between large, multi-owner tracts and single properties, meaning one landowner may be forced to complete a broad watershed-scale study typically reserved for secondary planning. This contradicts the growth intent of the Official Plan, duplicates Environmental Impact Study requirements, and could have the effect of sterilizing otherwise developable land, especially where no coordinated study is underway and timelines are undefined.

Based on ecological site investigations already completed by 8Trees Inc. and GEI Consultants, we are concerned that while the subject site is located within the Town's Settlement Area (previously *Urban Area*), identified as a *Designated Growth Area (Kraft DGA)*, and partially designated as *Community Area*—which permits residential development—nearly the entire site is also overlain by NES mapping on Schedules F, G, H, and/or I which the owner's ecologist has found to be overstated and potentially limiting its development despite its intended growth function.

According to GEI Consultants, several discrepancies were identified in the Town's draft mapping of the subject site. The designation of Provincially Significant Wetlands (PSWs) is based on outdated information; studies conducted by 8Trees and confirmed by Land Information Ontario (LIO) indicate that no PSWs are present on the site. Additionally, Schedule G inaccurately maps the entire property as non-PSW wetlands, whereas verified mapping by 8Trees and LIO shows that the actual extent of wetlands is significantly smaller. According to GEI Consultants, the mapping of valleylands and fish habitat is generally accurate; however, an extension into the northeastern portion of the site does not align with observed field conditions. Lastly, the woodlands shown in the southwestern corner are generally appropriate, though minor adjustments are needed to better reflect actual feature boundaries.

We are concerned that the Natural Environment System mapping shown on these schedules is not accurate or up to date. Although the mapping is stated to be partially based on provincial data, it does not align with the most recent Ministry of Natural Resources (MNR) mapping. As shown in **Attachment 2**, the latest available MNR Natural Heritage mapping indicates there is generally no Provincially Significant Wetland (PSW) on the site.

Despite the site's intended role in accommodating future growth, policies such as D.4.1.4.2 and D.4.1.4.6 clarify that Natural Environment System policies must be implemented in conjunction with the underlying land use designations. Where there is overlap, the most restrictive environmental policy applies (Policy D.4.1.4.6). This creates a functional sterilization of land designated for growth, as any development proposal will be subject to extensive environmental evaluation and possible prohibition depending on the study outcomes.

This dual designation creates uncertainty for landowners and developers. Although refinements are technically possible without an OPA, they appear to be discretionary. This misalignment between the growth vision and environmental mapping should be addressed to provide clarity, especially given the site's designation as a Designated Growth Area. There should be more clarity on the purpose and intent of the Town's Natural Environment System and the accuracy of these mapped features and how such features may be removed, refined, and altered to reflect ground-truth ecological investigations and analysis by qualified experts.

Overall, we find the mapping of natural features in the July 2025 Draft OP intentionally broad and inaccurate and may conflict with planned growth areas. While the policies provide mechanisms to refine or alter natural feature boundaries—primarily through EIS and Subwatershed Studies, such refinements depend heavily on Town and agency discretion. The current overlap of growth designations with Natural Environment System mapping risks undermining growth intentions unless reconciled through a clear refinement process or mapping updates that better reflect developable land.

Schedule P (Secondary Plan Areas) of the July 2025 Draft OP shows the site within the limits of a new Future Secondary Plan Area labelled Area 16 (Crescent Park/Kraft Neighbourhoods).

The July 2025 Draft OP introduces implementation policies that continue to pose challenges for landowners and developers, particularly regarding the timing and permissibility of development within identified Secondary Plan Areas. Draft Policy F.4.1.2 of the July 2025 Draft OP states that a Secondary Plan may be prepared for large-scale development in existing designated growth areas where direction is required to coordinate planning and ensure the efficient use of land and

infrastructure. However, the term “large-scale development” remains undefined in both the policy and in the Glossary of Defined Terms (Section F.11), which creates a significant issue. Without a clear definition or threshold—such as a minimum number of units, site area, or square footage—it is unclear when this policy applies. This lack of clarity introduces uncertainty for landowners and developers, as the Town retains discretion to determine what constitutes large-scale development on a case-by-case basis. As a result, even relatively modest proposals could be subject to delay or additional study requirements if Town staff or Council determine they fall within this undefined category.

This uncertainty is compounded by the fact that many Secondary Plan areas have not yet been initiated, adopted, or brought into force and effect. In some cases, their timing is unknown or subject to appeal, further delaying development. While Policy F.4.1.1 allows designated growth areas under 15 hectares to be exempt from requiring a Secondary Plan or as otherwise determined by the Town, Policy F.4.1.2 introduces an exception whereby the Town can still require a Secondary Plan if it considers a proposal to be large-scale. This undermines the clarity provided by this 15-hectare threshold and makes it difficult for individual landowners to proceed independently, even where their land is fully within the urban area boundary and does not require coordination with adjacent parcels. Draft Policies F.4.1.1 and F.4.1.2 should be revised to reflect site-specific opportunities.

Here is a sample revision that could be inserted into Draft Policies F.4.1.1 and F.4.1.2 to better reflect site-specific opportunities determined through study:

*Notwithstanding Policy X.XX, where demonstrated by site-specific technical studies, the requirement for a Secondary Plan may be waived or an alternative planning process shall be permitted.*

This revision introduces flexibility for landowners with ready-to-develop parcels supported by detailed studies.

Policy F.4.1.7 add complexity by not providing any flexibility in terms of the types of supportive studies allowed to support single-site developments restricting all development to the broader secondary plan and sub-watershed study processes. Policy F.4.1.8 further complicates the matter stating that development applications within areas where a Secondary Plan is required but not yet in effect must demonstrate consistency with an adopted plan (if one exists) or show how the development will integrate positively into the broader plan area. This places the burden on the applicant to address undefined planning direction, especially in areas where no plan has been prepared. Moreover, the requirement for extensive supporting studies—including a subwatershed study, functional servicing review, transportation study, and potentially a development phasing plan—creates further barriers to advancing applications in the absence of a completed Secondary Plan.

In short, the combination of undefined terminology, unknown timing for secondary planning, and discretionary application of these requirements continues to present a significant issue for otherwise ready-to-develop sites. Without a clear definition of large-scale development and a transparent, timely process for initiating and completing Secondary Plans, this policy framework risks stalling growth in areas that should be able to proceed.

Schedule H (Mineral Aggregate and Petroleum Resources) maps a portion of the subject site as containing a *Natural Gas Pool*; however, the application of this mapping within the Town's Urban Area is questionable, as the intent of this overlay is not fully established in the text of the July 2025 Draft OP.

Finally, Schedule M (Site Specific Policy Areas) identifies SSPA G.31 (Kraft Drain Area) on site and much of the surrounding land to the north, northeast, and east.

Draft Policy G.31 (Kraft Drain Area) states that for the lands shown on Schedule M, a Subwatershed Study by a qualified consultant is required due to significant natural heritage features. This study must be completed alongside a Secondary Plan detailing development and servicing. A Comprehensive Servicing Study and Storm Water Management Plan are also key parts of the Secondary Plan.

We believe this policy is problematic for individual parcels of land within the settlement area (urban area) boundary that are serviceable and capable of accommodating new homes because it imposes the requirement for a comprehensive Subwatershed Study and Secondary Plan across the entire Kraft Drain Area, regardless of the scale or readiness of individual properties. In practice, this means that a single landowner—who may have a fully serviced, development-ready site—cannot proceed without undertaking large-scale studies typically intended for broader, multi-owner planning exercises. This creates an unreasonable burden on individual developers, particularly when other landowners within the same Site Specific Policy Area (SSPA) are not actively collaborating or are uninterested in development. The policy effectively stalls otherwise feasible development by tying it to the completion of area-wide studies, which may be logistically or financially unworkable for a single owner to lead. As a result, the policy risks undermining efficient land use, delaying much-needed housing supply, and discouraging investment in areas that are already within the urban boundary and designated for growth.

### Comments on the July 2025 Draft OP

Upon review of the July 2025 Draft Official Plan, we offer the following comments and requests. While the site is within the *Settlement Area (Urban Area)* boundary, identified as a *Designated Growth Area* and partially designated *Community Area*, the Draft OP maps nearly the entire property as part of the Natural Environment System, based on outdated or inaccurate data. Our ecological investigations demonstrate that these environmental overlays are overstated and erroneous, and recent MNR mapping confirms little to no PSW presence on-site. We are concerned that this broad environmental mapping functionally sterilizes a designated growth area, creating unnecessary barriers to development.

We also take issue with Draft Policies F.4.1.1, F.4.1.2, and G.31, which require completion of a Secondary Plan and Subwatershed Study for development, despite the subject site being individually owned, urban-bound, and serviceable on public services. The term “large-scale development” remains undefined, creating uncertainty and discretionary application. These requirements unfairly burden single landowners where no collaborative secondary planning process exists. While some exceptions exist based on site area, this should not be the only metric to avoid a full Secondary Plan and Subwatershed Study for a single site's development. We recommend revising the policies to allow site-specific development to proceed based on detailed

technical studies, without the need for a Secondary Plan, where appropriate. Accordingly, we respectfully request the following

**1. Support for Community Area Designation**

We support the proposed *Community Area* designation on Schedule E (Land Use Plan) of the July 2025 Draft OP, which accommodates a mix of residential and small-scale commercial uses consistent with our proposed redevelopment.

**2. Support for Removal of Residential Density Caps**

We support the policy of no maximum densities for residential uses in the Community Area designation. Setting maximum residential density caps is overly rigid and can limit opportunities for diverse, affordable, and efficient housing. A better approach is to assess proposals based on site and building design, including height, massing, setbacks, and transitions, which more effectively ensure compatibility with surrounding uses. Good urban design—not arbitrary unit limits—should guide development, allowing flexibility to respond to context, optimize land use, and support complete communities.

**3. Revise Natural Environment System Mapping for On-Site Accuracy**

We request that the Natural Environment System mapping on Schedules F and G be revised to reflect current on-site ecological conditions and recent MNR data. We ask the Town to revisit draft policies to provide greater clarity that environmental mapping is conceptual and subject to refinement based on Environmental Impact Studies (EIS) or a Subwatershed Study prepared by qualified professionals

**4. Large-Scale Development**

The term “large-scale development” should be defined and also allow for exemptions based on site-specific technical studies in lieu of waiting on a new Secondary Plan or Subwatershed Study to be completed, or the policy framework should be revised so as not to arbitrarily stall development for sites that can be brought online through site-specific studies. We also note that the 2024 Provincial Planning Statement does not offer further direction of what may be “large-scale”.

**5. Kraft Drain Area**

We request that the Town modify Policy G.31 (Kraft Drain Area) to remove the blanket requirement for a Subwatershed Study and Secondary Plan, allowing ready-to-develop parcels to proceed independently pursuant to supportive site-specific studies.

These changes are necessary to enable appropriate growth on the subject site, which is land within the Town’s *Urban Area*, support housing delivery, and ensure policies are predictable, implementable, and evidence based.

## Conclusions

In conclusion, we respectfully submit that the July 2025 Draft Official Plan, while commendable in its broader vision, requires refinement to ensure it facilitates rather than frustrates development within designated growth areas such as the subject site. Our client, Zeljko Holdings Limited, is advancing a well-considered proposal that aligns with the Town's goals for complete communities, housing supply, and compact urban form. However, the current policies and mapping—particularly those related to the Natural Environment System and Secondary Plan requirements—create unnecessary uncertainty and procedural barriers that risk sterilizing land intended for growth.

We urge the Town to update its environmental mapping based on current field data, clarify and limit the application of Secondary Plan and Subwatershed Study requirements, and adopt a more flexible, evidence-based approach that supports timely development of shovel-ready sites. These modest but critical adjustments will help unlock much-needed housing, improve policy clarity, and ensure the successful implementation of the Town's long-term planning vision. We thank the Town for the opportunity to provide comments on the July 2025 Draft OP and welcome any further discussion or clarification as the review process advances. If you require any additional information, please don't hesitate to contact the undersigned.

Lastly, we request that you provide us with notice of any decisions made on this matter.

Yours truly,  
The Biglieri Group Ltd.

A handwritten signature in black ink, appearing to read "Evan Sugden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Evan Sugden, HBASc, MA, CAHP, RPP, MCIP  
Senior Associate

Cc. *Zeljko Holdings Limited*  
*Sean Male, GEI*  
*Michael Foderick, McCarthy Tétrault LLP*



**ATTACHMENT 1: Refined Natural Environment System Based on  
Fieldwork (GEI)**

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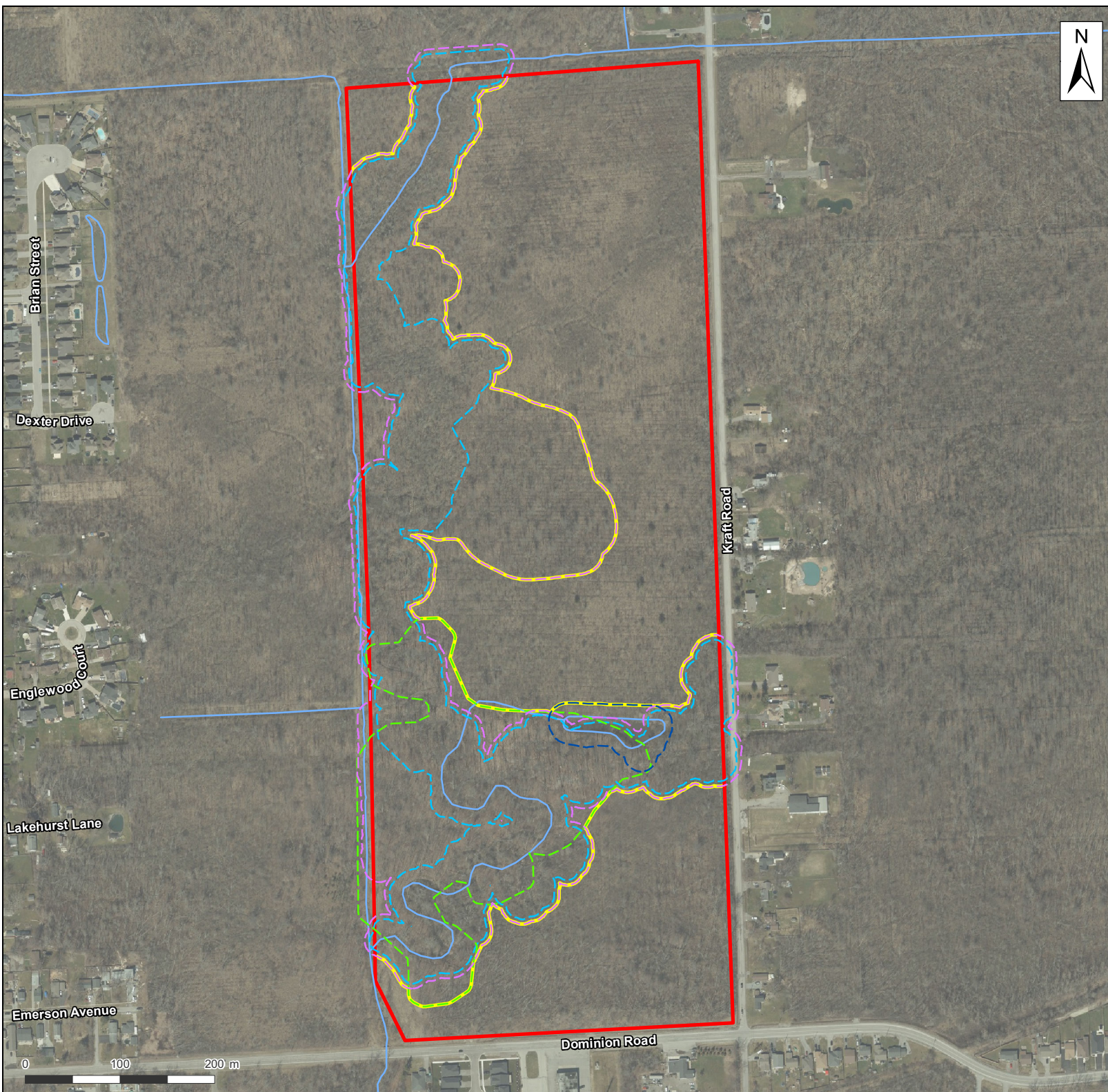
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- █ Subject Lands
- █ Recommended Limits of Natural Heritage System
- █ Watercourse
- █ Waterbody
- █ Creek Valley + 10 metres
- █ Old Growth Forest + 10 metres
- █ Pond + 15 metres
- █ Wetland + 15 metres

- Reference(s):**
1. Coordinate System: NAD 1983 CSRS UTM Zone 17N.
  2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © King's Printer for Ontario, 2025.
  3. Orthoimagery © First Base Solutions, 2025. Imagery taken in 2023.

**Figure**  
**Recommended Limits of**  
**Natural Heritage System**

**Project Name:**  
 Dominion and Kraft Road, Fort Erie  
 Environmental Impact Study

**Client Name:**  
 Placemaker Co.  
 (Ontario, Canada)



Last Updated: July 2025  
 Document ID: 2407761

Document Path: \\bos-pzcc-1\Data\_Storage\Working\PLACEMAKER CO\2407761 - Environmental Impact Study\_Dominion & Kraft Rd\05\_CIS\MXD\2025-03\_previous\_data\2407761\_pp1\_fig01\_recommended\_limits\_nhs.mxd



## ATTACHMENT 2: Current MNR Natural Heritage Areas

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21 King Street W Suite 1502, Hamilton, Ontario L8P 4W7













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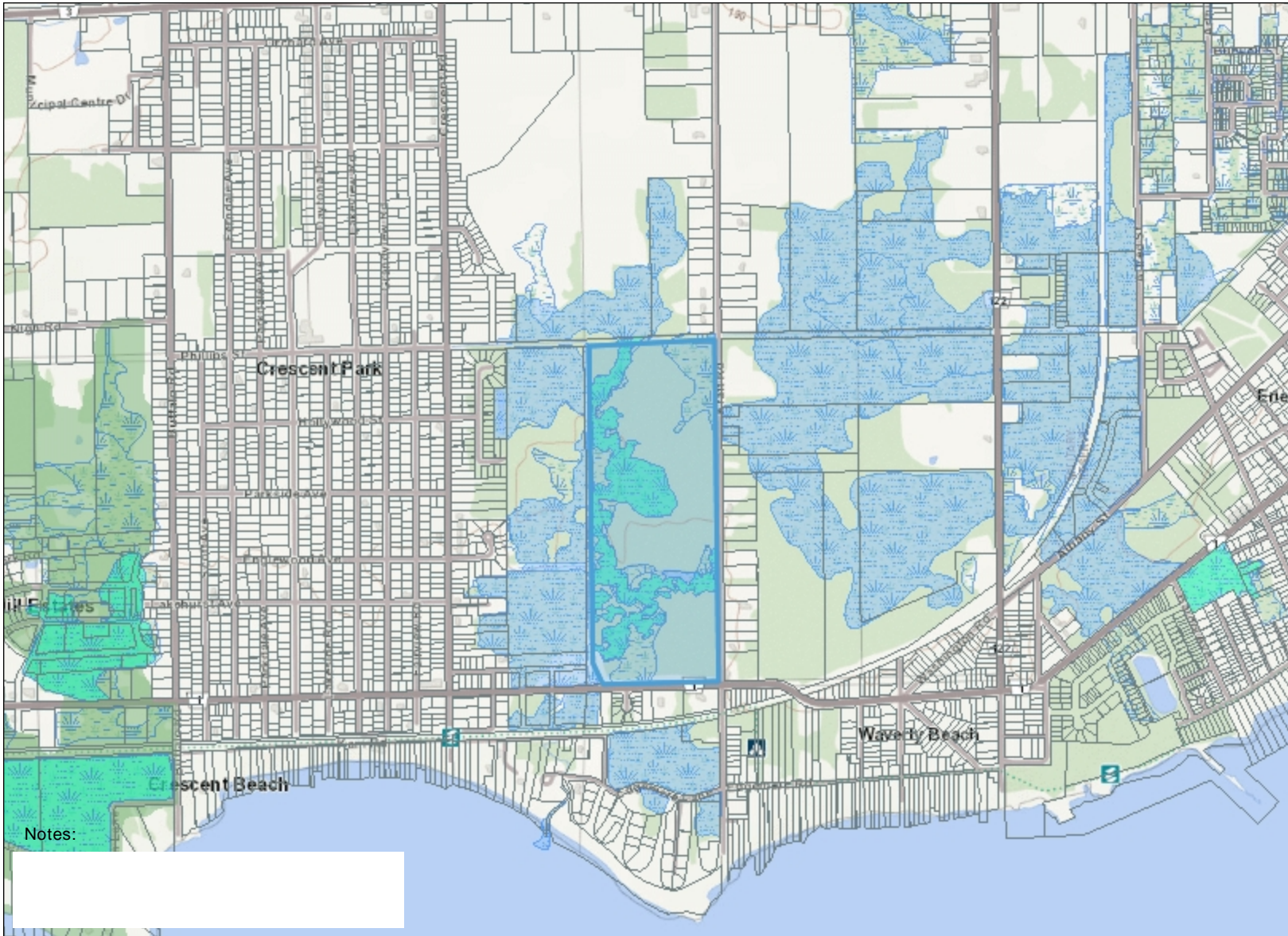
[tbg@thebiglierigroup.com](mailto:tbg@thebiglierigroup.com)

# MNR Natural Heritage Areas

Map created: 7/2/2025

## Legend

-  Assessment Parcel
- ANSI**
-  Earth Science Provincially Significant/sciences de la terre d'importance provinciale
-  Earth Science Regionally Significant/sciences de la terre d'importance régionale
-  Life Science Provincially Significant/sciences de la vie d'importance provinciale
-  Life Science Regionally Significant/sciences de la vie d'importance régionale
-  Evaluated Wetland
-  Provincially Significant/considérée d'importance provinciale
-  Non-Provincially Significant/non considérée d'importance provinciale
-  Unevaluated Wetland
-  Conservation Reserve
-  Provincial Park
-  Natural Heritage System



Notes:

[Redacted notes area]



Absence of a feature in the map does not mean they do not exist in this area.

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources (OMNR) shall not be liable in any way for the use of, or reliance upon, this map or any information on this map.

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