

TOWN OF FORT FRANCES
By-Law 03/14 – ****

(Being a By-Law to amend Zoning By-Law #03/14, as amended, *The Planning Act*, Section 34)

WHEREAS Council wishes to amend the Town of Fort Frances Zoning By-Law 03-14, Section 3.31 Setback from Navigable and Non-Navigable watercourses, Hazard Land and Municipal Surface Drains.

AND WHEREAS in accordance with Section 34(12) of the Planning Act, a Public Meeting was held on Wednesday October 25, 2017 to consider the subject Zoning By-Law Amendment, with proper notice given to the public according to Ontario Regulation 545/06.

AND WHEREAS at its meeting held November 27, 2017, Council approved the Report and recommendation of the Municipal Planner, supported by the Planning and Development Executive Committee and the Committee of Adjustment, that the application be approved.

NOW THEREFORE the Council of the Corporation of the Town of Fort Frances HEREBY ENACTS as follows:

1. Town of Fort Frances Zoning By-Law #03-14 be amended to change Section 3.31 of the By-Law to read:

Notwithstanding any other provisions of this By-law, a structure in any zoning designation, may be required to have the *normal ordinary water edge* determined by an Ontario Land Surveyor and a set-back determined from the *normal ordinary water edge*, back 15m, measured horizontally, to allow for development near navigable and non-navigable watercourses. This is to be determined on a site-specific basis.

In the case of hazard lands and municipal surface drains, no part of any structure shall be constructed closer than 15 meters, horizontally measured, to the nearest point of the area to which the hazardous condition is deemed to exist by an Ontario Land Surveyor.

2. That this By-Law shall come into force and take effect upon the final passing thereof by the Clerk as there were no appeals filed within the (20) days from the date of public notice October 26, 2017.

READ THREE TIMES and passed in open Council December 11, 2017.

R. Avis, Mayor

E. Slomke Clerk