

Report To: Mayor and Council

From: Patrick Briere, By-Law Enforcement Officer

Date: Monday August 19, 2013

Re: Fort Frances Community Garden Fence Request.



Council will recall at their meeting held November 13, 2012 a letter from The Fort Frances Community Garden requesting permission to erect fencing at the garden site. Council deferred this matter until the re-zoning of the property was completed.

The last day for appeal on the re-zoning application was Wednesday, August 14, 2013 and the Municipal Planner has received no appeals.

Therefore, with this stated The Fort Frances Community Garden is now asking Council to consider their fence and gate request for the garden site. I have attached maps and background information for your reference.

The Fort Frances Community Garden's fence request is as follows:

- 1) Keep existing fence as is currently built, with the option to construct a more permanent fence in the future when the funding becomes available and with the guidance of By-Law Enforcement.
- 2) Construct four 3-foot gates & two 10-foot gates to allow easier access for gardeners and machinery tending to the garden site. The posts will be set into concrete to ensure safety and to minimize maintenance.

It was recommended by The Planning & Development Executive Committee at their meeting Monday August 19, 2013 that Council approve the Fort Frances Community Garden's requests.

Respectfully submitted

Patrick Briere  
By-Law Enforcement Officer

**Council approval of this report will:** a) allow the Fort Frances Community Garden to keep their existing fence, with the option to construct a more permanent fence in the future when the funding becomes available and with the guidance of By-Law Enforcement. b) allow the construction of four 3-foot gates & 2 10-foot gates to allow for easier access for gardeners and machinery tending to the garden site.

Administration & Finance Division  
Civic Centre

Operations & Facilities Division  
Fifth Street & Wright Avenue  
Phone: 807-274-9893  
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Civic Centre  
320 Portage Avenue  
Phone: 807-274-5323  
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Planning & Development Division  
Civic Centre

Community Services Division  
740 Scott Street P9A 1H8  
Phone: 807-274-4561

Mailing Address:  
320 Portage Avenue  
Fort Frances, Ontario  
P9A 3P9

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November 14, 2012

Fort Frances Community Garden  
Attn: Krista Nielson  
c/o Northwestern Health Unit  
396 Scott Street  
Fort Frances, Ontario  
P9A 1G9

Dear Ms. Nielson:

At the recent meeting of Council held on Tuesday, November 13, 2012, the following resolution was approved:

"THAT the report dated November 5, 2012 from R. Hallam, Superintendent of Planning and Development re: Fort Frances Community Garden re: Request for the Erection of Fencing and Filling of Water Tanks be approved and further that the temporary fencing be allowed to remain in place until after the growing season is ended in 2013 conditional on the application of warning reflective tape."

A copy of Mr. Hallam's report is attached.

Please note that the reflective warning tape to be used is to alert operators of snowmobiles of the hazard presented by the fence.

Please direct any questions or need for clarification on any aspect of Mr. Hallam's report to Mr. Hallam.

Yours very truly,

ADMINISTRATION & FINANCE DIVISION

G.W. Treflin, AMCT, Clerk  
GWT/kl

c.c. R. Hallam, Superintendent Planning and Development  
F. Flatt, Municipal Planner



**Planning & Development Executive Committee**

## **Report**

**Date;** 2012 November 5th  
**To:** Mayor & Council  
**From:** Rick Hallam, CBCO, CRBO, Supt. Planning & Development Div.  
**Subject:** Fort Frances Community Garden re; Request for the Erection of Fencing and filling of water tanks

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Council will recall that at their meeting held 2012 July 4<sup>th</sup> Council referred the above noted request to the PDEC for recommendation with input from the OFEC.

This matter was spoken to at the PDEC meeting held 2012 September 17<sup>th</sup>, at which time the PDEC received comment from attending members of the public which included for members of the FFCG group as well as some adjacent property owners. At that meeting PDEC deferred the matter until such time as staff could consult with the Town's insurance providers and look further into the matter.

PDEC have received comment from the Town's insurance provider, as well as OFEC, and have met with staff and discussed the issue.

Part of the discussion included the existence of the temporary fencing at the site, specifically whether or not it should be removed or allowed to remain with a condition that it have reflective tape affixed to it to alert those transiting the area at night. This area is used extensively during winter months by persons on snowmobiles. As only two members of the PDEC were physically present at the meeting, (*Councillor Tibbs joined the meeting by speaker phone*), Town Clerk Glenn Treftlin advised the committee that only those physically present could vote on an issue. The committee were divided with respect to the existing temporary fencing and have deferred to the Committee of the Whole to decide this matter.

As to the request made by the FFCG Group, the PDEC recommend that the request to erect permanent fencing at the site be denied at this time pending the outcome of the permanent re-zoning of the property. As Council is aware, there is a temporary use by-law in effect on this property which expires in August 2013.

As to the request made by the FFCG Group for the filling of their water tanks by Operations & Facilities Division, the PDEC recommend that this request be denied for reasons stated in the OFEC response to the request.

Respectfully Submitted,  
Planning & Development Executive Committee,

*R. Hallam*

R. Hallam, CBCO, CRBO  
Superintendent  
Planning & Development Division

**Council approval of this report will:** a) deny the request to fence the property at this time pending the outcome of the permanent re-zoning of the property and, b) deny the request to fill water tank reservoirs and, c) defer the matter of the removal of the temporary fencing to the Committee of the Whole for their decision.

**RECOMMENDED**  
PLANNING & DEVELOPMENT  
DATE: *2012 Nov 5*  
DIV. MNG. *R. Hallam*  
EXECUTIVE COMM. *R. Hallam*



Krista Nielson  
<knielson@nwhu.on.ca>

06/12/2013 04:28 PM

To "fflatt@fort-frances.com" <fflatt@fort-frances.com>

cc

Subject community garden info

Hi Faye,

Here are the measurements that correspond with the attached map -- please let me know if there is anything else missing still!

"A" -- shed is 12' in from the fencing -- shed measurements are 8' 3" X 8' 3"

"B" -- 3' gate proposed to be 30' from front(Lillie) of fencing

"C" -- 10' (double 5' gates) proposed to be 100' from front of fencing

"D" -- 3' gate proposed to be 56' in from corner

"E" -- 3' gate proposed to be 87' from the front (Lille) of fencing

"F" -- 3' gate proposed to be 40' in from front (Lillie) of fencing

"G" -- future proposed site of additional accessory shed (potential possible measurements of 12' X 8')

"H" -- 10' (double 5' gates) proposed to be 100' in from front of fencing (directly across from other garden gates)

I'm also attaching the picture that we had used before to show the location of the garden -- I'm not sure if you are needing that or not, or if anything needs changed. Note that the markings on the attached are approximate and not necessarily to scale; actual measurements are accurate though.

Thanks again for everything,

Krista

**Krista Nielson**  
Health Promoter  
Northwestern Health Unit  
396 Scott Street  
Fort Frances, ON P9A 1G9  
(807) 274-9827 ext.3639  
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CommunityGarden - proposed fencing.jpg

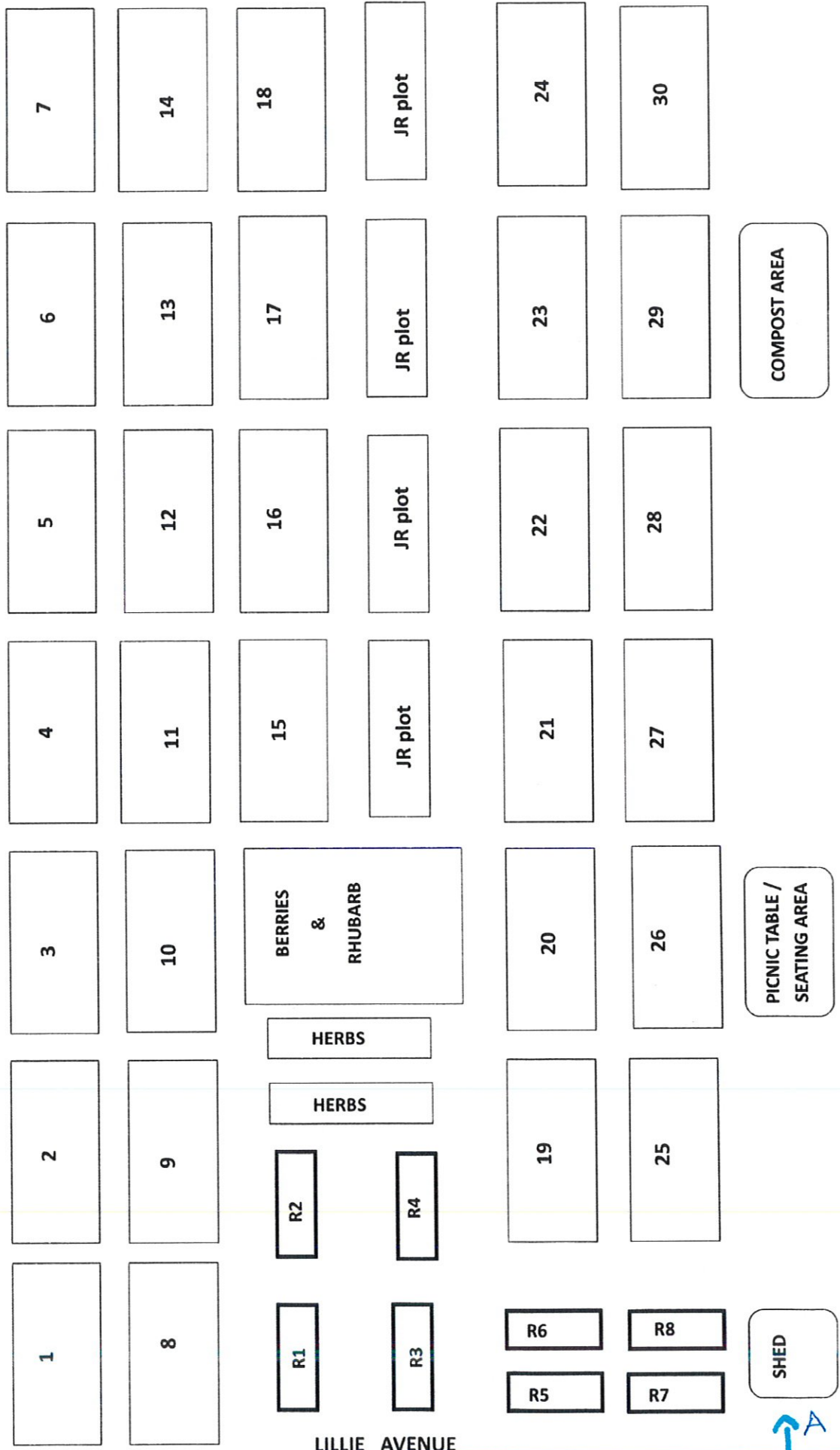


proposed gate location.pdf

3' Gate  
D

3' Gate  
E

TOWARDS 6TH ST



10' Gate  
C

B  
3' Gate

LILLIE AVENUE



ELIZABETH STREET (UNOPENED ROADWAY)

31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48
49	50	51	52	53	54
55	56	57	58	59	60

10' Gate

TOWARDS 5TH STREET

future  
shed  
(proposed)

3' Gate

