



## APPLICATION FOR ZONING BY-LAW AMENDMENT

### INFORMATION AND MATERIAL TO BE PROVIDED BY APPLICATION UNDER SUBSECTION 34(10.1) OF THE PLANNING ACT (Ontario Regulation 545/06)

1. The name, address, telephone number and email address (if any) of the Applicant:

Town of Fort Frances

320 Portage Avenue

Fort Frances, ON P9A 3M9

Attn: Municipal Planner 807-274-5323 ex. 275

fflatt@fort-frances.com

2. If known the names and full addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:

3. The current Official Plan designation of subject land: Living Area

4. Describe how the application conforms to the official plan of the municipality?

Uses permitted in the Living Area include all forms of residential development that serve the homes in the immediate neighbourhood. The proposal would not be classified as residential development but as rather an enhancement to the existing surrounding residential areas. The proposal supports the objective of the Official Plan that properties in the living area are intended to provide for residential, local commercial and recreational uses which are normally associated with everyday activities within residential areas.

5. The current zoning of the subject land: Residential Type Two (R2)

6. The nature and extent of the rezoning requested:

The proposal is to add, as a site specific use, a community garden as well as permit an accessory building, structure or use where a principal building, structure or use does not exist (s. 3.2.1.), and reduce the minimum front yard setback from 7.5 metres to 3.657 metres (s.4.2.2.(iii)(a).

7. The reason why the rezoning is requested

The property is zoned Residential. The proposed use is more agricultural and recreational in nature with an educational component. The property is not zoned appropriately for either recreational or agriculture use therefore an amendment is required.

8. Is the subject land within an area where the municipality has pre-determined minimum & maximum density requirements or minimum or maximum height requirements?

Yes ☐ No ☒ If yes, provide information relative to these requirements.

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9. The description of the subject land, such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number:

Part of PIN 56019-0502 being part of Block K on SM-140 fronting on Lillie Avenue between Fifth Street West and Sixth Street West together with part of PIN 56019-0987 being part of the unopened road allowance Elizabeth Street West between Lillie Avenue and York Avenue.

10. The frontage, depth and area of the subject land (in metric):

Frontage: 90 ft +/- Depth: 250 ft +/- Area: irregular

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11. Is the application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

Yes ☐ No ☒ If yes, provide details of the official plan that deals with the matter

12. Is the application to remove land from an area of employment?

Yes ☐ No ☒ If yes, provide details of the official plan that deals with the matter.

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13. Is the subject land within an area where zoning with conditions may apply?

Yes ☒ No ☐ If yes, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions

The current official plan does contain policies relating to zoning with conditions but the Zoning By-Law does not designate the circumstances under which zoning with conditions is to apply. For this reason the proposed use was initiated as a Temporary Use By-Law which will expire August 23, 2013.

14. Is access to the subject land by provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way or by water?

Municipal highway maintained all year.

15. If access to the subject land is by water only, provide details of the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public land:

N/A

16. Existing uses of the subject land:

Vacant residential

17. Are there any buildings or structures on the subject land: Yes ☐ No ☒

18. If answer to question 17 is yes, provide, for each building or structure, the type of building or structure and the setback from the front lot lines, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:

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19. The proposed uses of the subject land:

The property is proposed to be used as a community garden

20. Are any buildings or structures proposed for the subject land? Yes ☐ No ☒

21. If answer for question 20 is yes, provide, for each building or structure, the type of building or structure proposed, the setback from the front lot line, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:

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22.If known,

- a. the date the subject land was acquired by the current owner: **unknown**
  - b. the date the existing buildings or structures on the subject land were constructed:
  - c. the length of time that the existing uses of the subject land have continued: **unknown**
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23.Water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or by other means:

Municipal water service is not provided to the property

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24.Whether sewage disposal is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal septic system, a privy or other means:

Municipal sewage disposal is not provided to the property

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25.If the application permits development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report, and a hydrogeological report are required. Are these reports attached?

- a. a servicing options report, Yes ☐ No ☒
- b. a hydrogeological report Yes ☐ No ☒

26.Indicate whether storm drainage is provided by sewers, ditches, swales or other means:

Storm drainage is not provided

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27.If known,

- a. is the subject land the subject of an application under the Act for approval of a plan of subdivision or a consent: Yes ☐ No ☒

b. If yes, provide file number and status of the application:

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- c. has the subject land ever been the subject of an application under Section 34 of the Act: Yes ☐ No ☒

- d. has the subject land ever been the subject of a Minister' s Zoning Order? Yes ☐ No ☒

If yes, provide Ontario Regulation number of the Order: \_\_\_\_\_

28.A sketch showing, in metric units, the following:

- a. the boundaries and dimensions of the subject land.
- b. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the lot lines.
- c. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to it, and that in the applicant' s opinion, may affect the application (*for examples buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks*).
- d. The current uses on land that is adjacent to the subject land.
- e. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way.
- f. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- g. The location and nature of any easement affecting the subject land.

29. Is the application for an amendment to the zoning by-law consistent with the policy statements issued under subsection 3(1) of the Act. Yes ☒ No ☐



30. Is the subject land within an area of land designated under any provincial plan or plans?

Yes ☒ No ☐

31. If answer to question 30 is yes, does the application conform to the applicable provincial plan or plans?

Yes ☒ No ☐

32. An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.

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DECLARATION  
Of Applicant or Authorized Agent

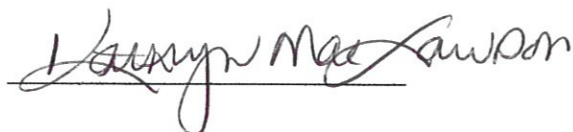
I, Faye Platt of the Town of Fort Frances, in the District of Rainy River solemnly declare that:

1. I am the Municipal Planner for the Town of Fort Frances and have knowledge of the matters herein deposed to.
2. This application was prepared pursuant to Council resolution on June 14, 2010.
3. The statements contained in this application are true to the best of my knowledge and belief and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the  
Town of Fort Frances, in the  
District of Rainy River, this 18<sup>th</sup>  
day of June 2013

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Signature of Representative  
for Owner

  
\_\_\_\_\_  
Signature of Commissioner etc.

Kathryn Mae Lawson, a Commissioner, etc.,  
District of Rainy River, for the Corporation of the  
Town of Fort Frances. Expires August 17, 2013.



Sixth Street West

Lillie Avenue North

90 ft

250 ft

SUBJECT LAND

R2

165 ft

Elizabeth St West

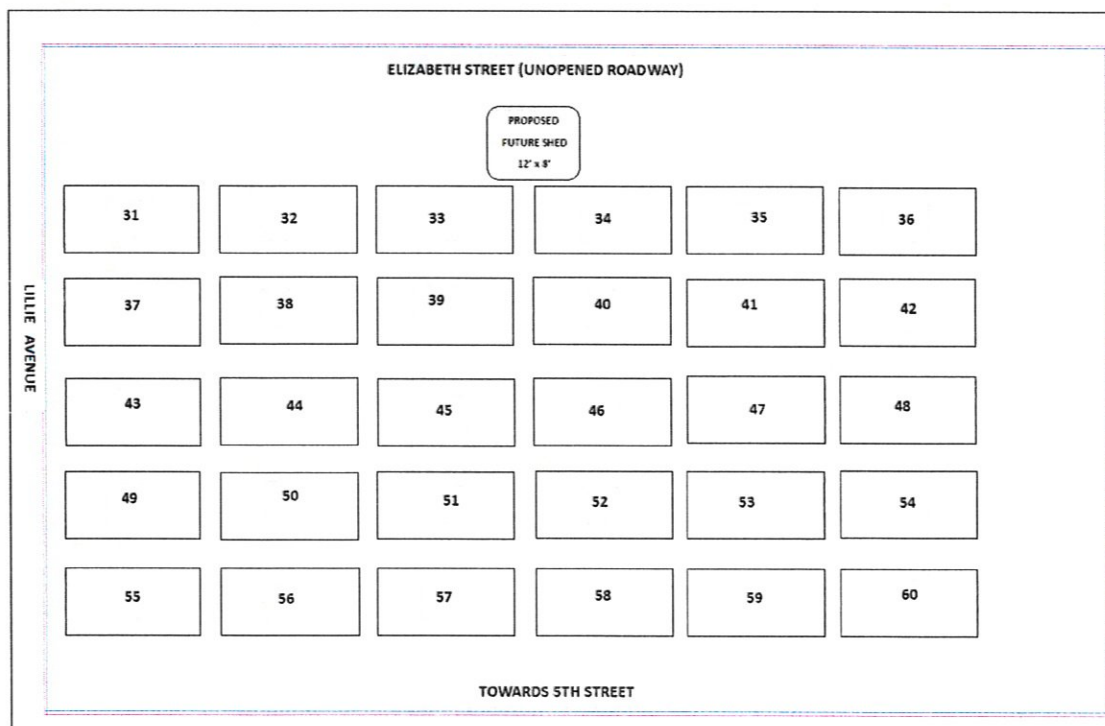
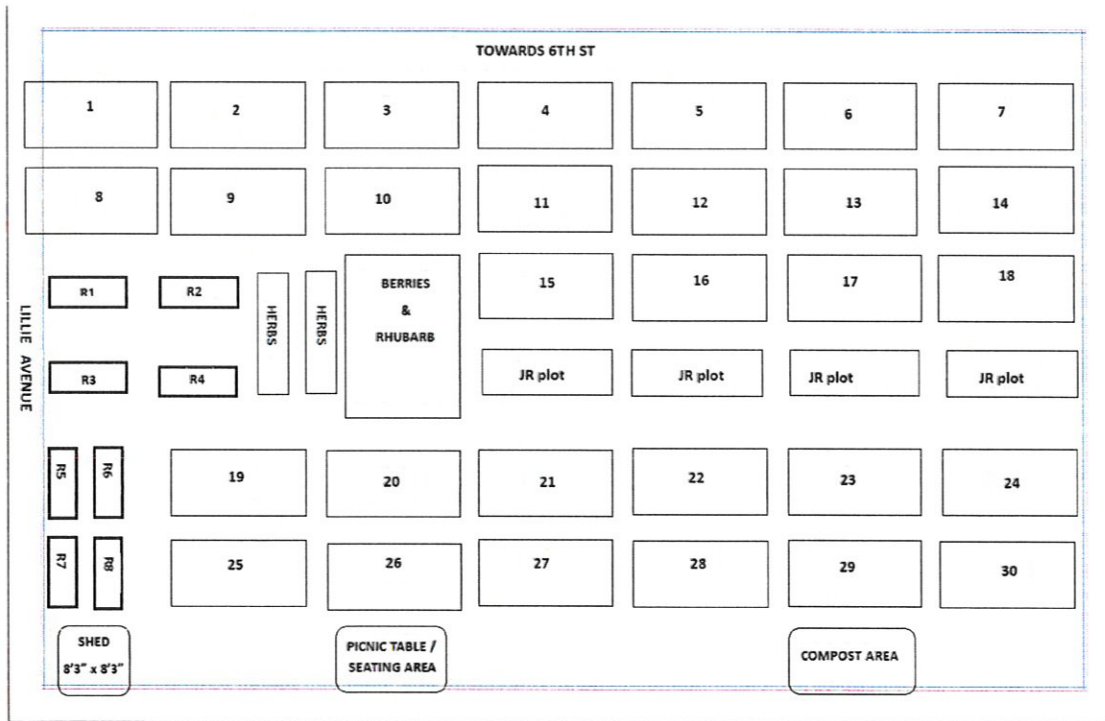
SUBJECT LAND

85 ft.

York Avenue

Fifth Street West

M1







## TOWN OF FORT FRANCES NOTICE OF PUBLIC MEETING Proposed Zoning Amendment 8/98-YY

**TAKE NOTICE** that Council has received a request from the Community Garden Group to rezone the municipally owned property fronting Lillie Avenue between Fifth Street West and Sixth Street West as illustrated on the map below to permit the continued use of the property as a community garden. The subject land was the subject of a Temporary Use By-Law in August of 2010 and is now seeking to rezone an expanded area of the lands to allow the proposed use on a permanent basis (File 8/98-YY). The proposed amendment also includes site-specific provision to permit accessory structure(s) without the existence of the principal building, and reduce the front yard setback to 3.65 m.

**AND TAKE NOTICE** that if you are interested in learning more or providing comments on the proposed Zoning Amendment, you are invited to attend the statutory public meeting required by the Planning Act that will be held:

**Meeting Date:** 8<sup>th</sup> day of July 2013  
**Meeting Time:** 6:45 p.m. or as soon thereafter as can be accommodated  
**Meeting Place:** Civic Centre, Council Chambers, 320 Portage Avenue, Fort Frances

Any person may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposal. Any submission to Council, either in hard copy or in electronic format, must be forwarded to the Clerk's Department for receipt no later than noon on the day of the meeting to ensure its availability to the Members of Council at the meeting. Individuals making oral submissions at the Public Meeting are requested to submit a written outline of the submission to the Town Clerk. All submissions should include the full name and address of the presenter.

If you wish to be notified of subsequent meetings or the adoption of the proposed Zoning By-law Amendments, or of the refusal of a request to amend the Zoning By-law, you must make a written request to the Clerk's Department, 320 Portage Avenue, Fort Frances, On P9A 3P9.

### **Appeals:**

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Fort Frances before the by-law is passed:

- a) the person or public body is not entitled to appeal the decision of the Town of Fort Frances Council to the Ontario Municipal Board; and
- b) the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Additional information relating to the proposal is available for inspection between 8:30 a.m. and 4:30 p.m. at the Planning Department or by calling Faye Flatt, Municipal Planner at 807-274-5323 ex. 275 or by email at [fflatt@fort-frances.com](mailto:fflatt@fort-frances.com).

Date of Notice: 13<sup>th</sup> day of June 2013

**Key Map**



N. Faye Flatt, AMCT, ACST, CPT  
Municipal Planner  
Town of Fort Frances  
320 Portage Avenue  
Fort Frances, Ontario  
P9A 3P9