



Date: November 30, 2017

Report To: Planning and Development Executive Committee

From: Tyson Dennis, Chief Building Official/Municipal Planner

Re: **Hamilton Letter to Extend Driveway Agreement and Develop Land**

Planning and Development department had a letter submitted and referred from Council regarding property owned by the Hamilton's at 1341 Woodward Street. This property has an agreement which became By-Law 22/85 allowing John Martin Sus, property now owned by the Hamilton's, to be accessed and maintained privately as a driveway to their property.

The Hamilton's have purchase the neighboring property and wish to develop a single detached dwelling. To allow for this, the access agreement must be extended to allow further development. There are services which would need to be extended, moved, and an agreement made by the Hamilton's and the Town of Fort Frances.

There is a railway east of the property which is located within 75m of the proposed development. Zoning By-Law 03/14 states:

"New residential development within 75 m of the railway corridor and within 1000 metres of a rail yard shall be required to submit acceptable Noise and Vibration studies with recommended mitigative measures and such developments will only be permitted if appropriate mitigation measures can be implemented."

This allows for future development of the land if a study is completed during the design of the dwelling by a professional. The study may indicate the design of the dwelling should include noise dampening construction such as masonry, insulation requirements as well as central air, HVAC etc.

Planning and Development would like direction on extending the access agreement along Woodward Avenue, pursuing information on if service upgrades are needed to allow for development and whether action should be taken to pursue development of land in this area.

Respectfully submitted by,

Tyson Dennis Chief Building Official and Municipal Planner.