

THE TOWN OF FORT FRANCES

To: Mayor Avis and Members of Council  
From: N. Faye Flatt, AMCT, ACST, CPT  
Municipal Planner  
Date: 30 November 2012  
Re: **Zoning By-Law Amendment #8/98-WW**  
**Part block C Plan SM-112 ("Huffman School")**

Municipal Planner  
Report #2012-16



**THE PROPOSAL:**

The proposal is to change the zoning for this property to Residential Type Two (R2) to permit the creation of a sixteen lot residential subdivision for disposition and development for single family dwelling units. The rezoning also proposes, as a site-specific provision, a minimum ground floor area for the main building.

**SUBJECT LAND:**

The subject land is legally described as part of Block C on Plan SM-112. It is located at Fifth Street East and Williams Avenue and is approximately 136.55 m x 130 m. The Town of Fort Frances is the owner of the property (see illustration on Appendix "A" attached).

**HISTORY:**

This property was owned by the local school board since 1955 and operated as an elementary school until 2010 when it was purchased by the Town of Fort Frances with the intent of developing it for residential use. It was the second property identified in a phased-in residential development planned by the Town. The removal of the first property (Nelson Street) because of a successful appeal to the OMB, prompted the shifting of focus to this property.

**EXISTING LAND USE**

The property is occupied by an elementary school that was vacated in 2009. This structure is slated for demolition in 2013.

**PROPOSED LAND USE:**

The proposal is to rezone the property to "Residential Type Two" to accommodate the creation of a residential subdivision with 6 lots fronting Williams Avenue and an addition 10 on a cul de sac to be created off of Fifth Street East. Lots in an R2 zone are required to have 15 metres frontage. The minimum proposed frontage for these lots is 22.75 metres and are in keeping with existing residential lots within the immediate area.

The proposal to rezone this property for residential development has generated a number of positive enquiries and, as at the time of this writing, 23 expressions of interest for the purchase of the proposed lots, from persons both in and outside the municipality.



### **OFFICIAL PLAN:**

A planning proposal must conform to the official plan (OP) of the municipality. The current OP was enacted in 1998 and, in November of 2011, Council adopted an updated OP that will, once approved, replace the existing one. Although the Town is awaiting final approval of the latest plan, legislation dictates that a municipality must have regard the OP that has been adopted and being considered by the Ministry of Municipal Affairs and Housing (MMAH). For this reason this proposal has been evaluated against both the existing and proposed OP.

The subject lands are located in the **Living Area** of both the existing and proposed Official Plan. The updated OP mirrors many of the residential policies of the existing one, specifically in regards to:

- permitting all forms of residential development on properties under this designation (s. 2.1.2)
- residential development as intensification within the existing developed areas or plan of subdivision (s. 4.1.1.)
- the boundary of land use category will be adjusted as authorized by (s 4.1. and 6.1 respectively)
- Living areas intended to provide for stable residential areas, which will encourage continuous improvement in property standards and housing conditions and encourage pedestrian access and provide for a variety of housing types to meet the demands of the present and future inhabitants of the Town and opportunities for residential intensification and redevelopment on lands located within the serviced area of the Tow; and that the development can be adequately serviced with sanitary sewers, municipal water, fire protection and utilities... and safe access to the development for existing and future traffic (s. (s. 4.1.3.)

The proposal will be evaluated in accordance with the criteria set out in section 5.5.2 of the proposed updated OP as appropriate and applicable.

### **ZONING:**

The subject property is zoned Institutional in the current Zoning By-Law. Residential use is not permitted in this zone and as such is the purpose of the proposed amendment.

The lots proposed are larger than the current standard and although one could speculate that the dwellings constructed will be larger as well, there is no mechanism to ensure this unless a minimum standard is imposed. For this reason, to ensure the dwellings that will be constructed are in keeping with one another, and as a mechanism to avoid the construction of a 'starter home', it has been recommended that a minimum ground floor area regulation be imposed, as an amendment specific to this subdivision. Research conducted shows the requirement for minimum ground floor area differs greatly from one municipality to another (see attached Appendix "A"). Based on that research and discussions with our Planning Consultant, it would not be unreasonable to impose a minimum ground floor area of 157.94 sq. m. (1700 sq. ft) for a 1 Storey dwelling and 116.13 sq. m. (1250 sq. ft) for a 2 Storey dwelling (Note - a 1½ storey structure is not contained in the Town of Fort Frances Zoning By-Law).

The residential character of the area is not expected to be negatively affected by the proposal.

### **PROVINCIAL POLICY STATEMENTS:**

The 2005 Provincial Policy Statement (PPS) enacted in March 2005, provides overall policy direction on matters of provincial interest related to land use and development in Ontario. The PPS sets the policy foundation regulating the development and use of land. The key objectives include: building strong communities, wise use and management of resources, and protecting public health and safety. In respect of the exercise of authority affecting a planning matter, decisions are required to be consistent with the PPS. The 2005 PPS requires that land use be carefully managed to accommodate appropriate development to meet current and future needs while achieving efficient

development patterns that optimize the use of land, resources and public investment in infrastructure.

This proposal is to create 16 new residential lots and is consistent with the policy direction of intensification and redevelopment as those terms are defined in the 2005 PPS. Highlights of the applicable policies are to:

- Sustain healthy, livable communities by managing land use to achieve efficient development and land use patterns that:
  - avoid development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
  - focus growth on the settlement areas;
  - promote cost-effective development standards to minimize land consumption and servicing costs;
  - promote intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety; and
  - encourage new development to adjacent to the existing built-up area and provides mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. (*section 1.1.1.*)
- Focus growth in settlement areas by promoting land use patterns based on:
  - densities and mix of land which efficiently use land and resources;
  - appropriate and efficient use of the infrastructure ... which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
  - facilitation of intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety;
  - new development taking place in *designated growth areas* adjacent to the existing built-up area (*section 1.1.3.*)
- use a coordinated, integrated and comprehensive approach when dealing with planning matters including:
  - managing and/or promoting growth and development; and
  - population, housing and employment projections, based on *regional market areas*.
- Provide an appropriate range of housing types and densities to meet projected requirements of current and future residents by
  - Maintaining the ability to accommodate residential growth for a minimum of 10years through residential intensification and redevelopment and lands which are designated and available for residential development;
  - Maintaining land with servicing capacity sufficient to provide a 3-year supply of residential units through lands suitable zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans. (*section 1.4*)
- Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs. Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs and should
  - use existing infrastructure wherever feasible;
  - be strategically located to support the effective and efficient delivery of emergency management services;
  - use and promote municipal sewage services and municipal water services as the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible. (*section 1.6.*)

The lots that will be created are adjacent to an existing built-up area and is considered intensification and infilling. The proposal allows for the efficient use of land, infrastructure and public service facilities and as such, in my professional opinion, is consistent with 2005 PPS



direction of intensification and redevelopment within the settlement areas by avoiding development and land use patterns which may cause environmental or public health and safety concerns to meet projected requirements of current and future residents.

### **CONSIDERATIONS/IMPLICATIONS:**

**Legal** – The *Planning Act* requires that Council hold at least one (1) public meeting to receive comment on a proposed amendment. The Public Meeting for this application was held on November 26, 2012 at 6:45 pm. Notice of the public meeting was published on November 5, 2012 in the local edition of the Fort Frances Bulletin - a newspaper having sufficient general circulation to satisfy the requirements of Ontario Regulation 545/06 regarding notice to the public.

**Economical** – During my tenure with the Town, I have had discussions with a number of private individuals and developers regarding residential development in the municipality. Notwithstanding an indication of the need and desire by the Town to facilitate such developments, there has been no significant movement by the private sector to develop residential lots.

### **COMMENTS FOR CONSIDERATION:**

#### **Divisions:**

As is standard procedure, the application was circulated for comment to manager/supervisor of each division for dissemination to appropriate staff, and to the Treasurer and the Fort Frances Power Corporation. Other than an easement that will be required to accommodate municipal services, there have been no concerns identified.

#### **Committee of Adjustment:**

On November 19<sup>th</sup> the Committee of Adjustment, acting in its mandated advisory capacity, considered and agreed unanimously to a recommendation that the rezoning be approved.

#### **Public Meeting**

Four people spoke at the public meeting. Robert Schulz, representing the Seniors and Law Enforcement (SALT) and the Assisted Living Action Group (ALAG) and Robert Armit in his personal capacity, did not state opposition to the rezoning but did ask Council to postpone making a decision on the rezoning until the SALT and ALAG groups identified a suitable property for an assisted living facility.

Councillor Rick Wiedenhoeft and Councillor Ken Perry both spoke in favour of the rezoning, stating that will help resolve the issue of the lack of residential building lots that was identified in 2004. They each also expressed that an assisted living facility would require residential zoning.

There were no issues identified that required research to enable for this proposal to proceed.

### **SUMMARY, CONCLUSION AND RECOMMENDATION:**

The initiative by Council to take this step toward satisfying an identified need for residential lots in the municipality is anticipated to act as an attractant to draw residents to the municipality rather than as a deterrent. It has been expressed that the creation of the subdivision is in response to an identified need and not as a revenue generating exercise.

It is my professional opinion that the proposal being considered conforms to both the existing Official Plan and the Official Plan awaiting Ministerial approval; is consistent with the Provincial Policy Statement direction in regards to residential intensification and

redevelopment within an existing built-up residential area, and is a step toward satisfying an identified need for residential lots for the municipality.

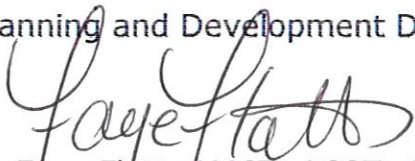
Based on the foregoing, it is my recommendation that the subject land be rezoned to Residential Type Two (R2) with site-specific provision for minimum ground floor area for a:

- (a) 1 storey dwelling – 139.35 sq. m (1500 sq. ft.)
- (b) 2 or more storey dwelling – 116.13 sq. m. (1250 sq. ft.)

The Planning and Development Executive Committee considered this report and supported the above recommendation at it's meeting held December 3, 2012.

Respectfully submitted

Planning and Development Division



N. Faye Flatt, AMCT, ACST, CPT  
Municipal Planner  
Att'

**RECOMMENDED**  
**PLANNING & DEVELOPMENT**

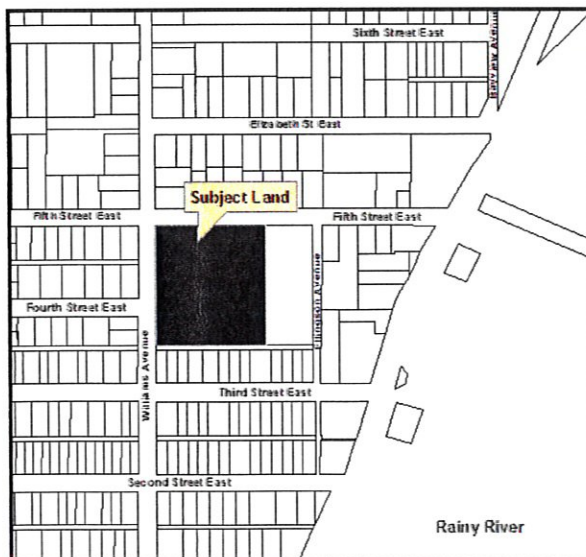
DATE: 2012 Dec 3

DIV. MNG. R. Deelman

EXECUTIVE COMM. John Albano

**COUNCIL APPROVAL OF THIS REPORT WILL:** authorize the preparation of a by-law to amend Zoning By-Law 8/98 to rezone that part of Block C Plan SM-112 (the "Subject lands") as identified (approximately 136.55 m. x 130 m.) to Residential Type Two (R2) to permit the creation of sixteen new residential lots for future development and disposition.





## Planning Department

### LOCATION MAP

#### Subject Property:

part of Block C Plan SM-112  
aka "Huffman School"

File No.

**ZBLA - 8-98-WW**

Date

**30 November 2012**

Prepared By:

**Municipal Planner  
N. F. Flatt**

Map Not to Scale

APPENDIX "A"

APPENDIX "B"

Examples of minimum ground floor provisions:

<b>Municipality</b>	<b># of Storeys</b>	<b>Min. G.F.A. +/- (sq. m) (sq. ft)</b>	
Brampton	1 Storey	170	1829
	More than 1 Storey	115	1237
Brant	1 Storey	232.25	2500
	1½ storey or greater.	139.5	1500
	Increased GFA where no basement GFA	18.58	
Etobicoke	1 Storey	116	1248
	1½ Storey	78	840
	2 or More Storey	65	700
Pelham	1 Storey	88	950
	2 Storey	50	540
Springwater	1 Storey	150	1615
	1½ or 2 Storey	80% reduction permitted	
Tay	1 Storey	85	915
	1½ Storey	55	592
	2 Storey	55	592
Oshawa	1 Storey	111	1195
	1½ Storey	89	957
	2 Storey	67	720
Guelph	1 Storey	80	861
	1½ Storey	55	592
	2 or more Storey	40	430
Manitoulin	Not specified	55	592
Strong	1 Storey	60	645
	1 ½ Storey	50	540
	2 Storey	50	540
Richmond Hill	Not specified	116.13	1250
Wellesley	1 Storey	100	1075
	Multi-Storey	70	753