



**ADMINISTRATION & FINANCE DIVISION
TREASURY REPORT 2014/74**

TO: Mayor Avis & Members of Council
FROM: Laurie Witherspoon, Treasurer
DATE: August 5, 2014
SUBJECT: A. Boivin Refund of Planning Fees Request

BACKGROUND

At the July 14, 2014 Council Meeting, the email received from Alan Boivin requesting consideration of planning fees refund was referred to Administration & Finance Executive Committee for recommendation.


Mr. Boivin originally made application for a Zoning Amendment from Seasonal Residential (SR) to Residential Type one (R1) for owned property (Pcl 22252, Pt Res 1B pts 1 & 2 Pan 48R-1246) and paid the corresponding fee of \$1,733.15. At the June 23, 2014 Council meeting, F. Flatt, Planner's Report #2014-09 was approved authorizing an amendment to Section 4.7.1 of the Zoning By-Law No. 3/14, adding Home Occupation as a permitted use instead of proceeding with a Zoning Amendment specifically for Mr. Boivin's seasonal residential property.

The Planning & Development Executive Committee recommended a refund of 50% of the fee paid by Mr. Boivin for the zoning amendment application (File 3-14-A), as per the attached report from F. Flatt, Municipal Planner.

RECOMMENDATION

The Administration & Finance Executive Committee recommend that Council approve a refund of planning fees to Mr. Boivin in the amount of \$1,133.15. The Town will retain \$600.00 to cover administrative expenses on the Zoning Amendment Application (File 3-14-A).

Council Approval of this Report Will Agree to the Administration & Finance Executive Committee recommendation to approve a refund of planning fees to Mr. Boivin in the amount of \$1,133.15. The Town will retain \$600.00 to cover Zoning Amendment Application (File 3-14-A) administrative expenses.

 Kathy Lawson/Frances

14/07/2014 02:24 PM

To

cc

bcc

Subject Fw: Boivin - Request for Refund

Alan Boivin <afandcaratboivin@hotmail.ca>

07/02/2014 08:17 PM

Tofflatt@fort-frances.com

cc

Subject Letter to Mayor and Council.

To Mayor & Council.

First I would like to thank you for helping me achieve my business licence. It's a big deal for me and helps me move on to another challenge and closer to my retirement job. Even though there was some opposition you guys hung in there for me and I thank you.

Second I paid the town \$1733.15 to have my property rezoned and in the end it wasn't necessary. So I ask the question am I entitled to a refund?
Thank you again for your help.

Alan Boivin

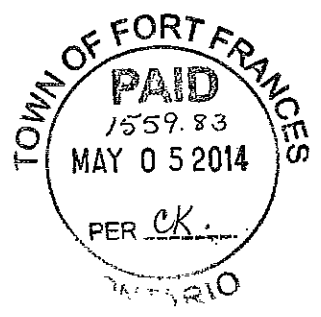
Rainy Lake Boat Taxi.

Sent from my iPad

REMARKS: 67 Balance of Fee
for Zoning By-law
ZBL 3/14 A. Amendment.

\$1559.83.

RECEIVED FROM:
Alan Boivin
Site 210-11.
RR #2
FF



SUNDRY RECEIPT

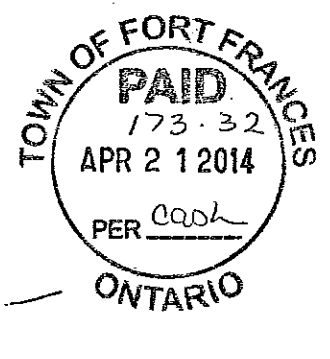
TOWN OF FORT FRANCES
FORT FRANCES, ONTARIO

41881

REMARKS:
Zoning Amendment.

173.32.

RECEIVED FROM: PC File #3/14-A.
Alan Boivin
Site 210-11. RR #2.



SUNDRY RECEIPT

TOWN OF FORT FRANCES
FORT FRANCES, ONTARIO

41702

\$1,559.83
173.32
\$1,733.15

Memo

To: Administration & Finance Executive Committee

From: Planning & Development Executive Committee

Date: 5 August 2014

Re: **Boivin – Request for Refund Rezoning Application**

This issue was referred to the Administration and Finance Executive Committee with input from the Planning and Development Executive Committee and was considered at its meeting held this morning.

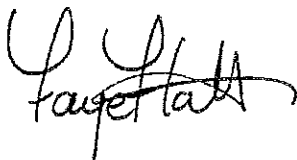
Mr. Boivin applied for a business license and was refused because his property was not zoned appropriately to allow the business. He submitted a zoning application to add a Home Occupation as a permitted use to his property (zoned Seasonal Residential) (SR). Council decided to add the use to ALL properties zoned SR. Mr. Boivin has requested a refund of the application fee (\$1733.15) because his application was not necessary.

Had staff been aware of this change prior to Zoning By-Law 3-14 approval in February, it could have been included. The fact is, however, that it only came on the radar as a result of the business license application in March so the only way to deal with it was by amendment.

The basic rule is that general public should not fund private development. In this instance, although staff has not expended a great deal of time on this application (approximately 3 hrs), there have been expenses, such as advertising for public meeting. The Planning and Development Executive Committee felt it appropriate that these costs be recovered and estimated that half of the application fee would be fair.

The Planning and Development Executive Committee recommends a refund of 50% of the fee paid by Mr. Boivin for the zoning amendment application (File 3-14-A).

Respectfully Submitted



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