

Date: December 15, 2020

Report To: Committee of Adjustment

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: B5-2020: Zoning By-Law Amendment - 1150 Portage Avenue
C2-2020: Official Plan Amendment - 1150 Portage Avenue

Background

An application has been submitted by Tom Veert Contracting to request a site-specific zoning amendment from Open Space (OS) to Local Commercial (C1) with the inclusion of a site-specific permitted accessory use as a boarding house which will permit an office facility with accessory housing for out-of-town traveling employees at 1150 Portage Avenue.

Tom Veert Contracting has also submitted a subsequent application for a site-specific Official Plan amendment to alter the designation from Living to Employment for 1150 Portage Avenue.

Property History

This property and building were formerly used as a childcare facility operated by the Town of Fort Frances. Information contained on file indicates that the main facility was constructed in 1990 with an accessory storage building being constructed in 1991. An addition to this storage building was constructed in 1996.

In 1995 a minor variance application was approved to permit an addition to the existing accessory building to allow the addition to be 15ft closer to the west lot line and 4ft closer to the north lot line than the main building is to the streets.

Official Plan

The property is currently designated as a Living Area. Living areas typically promote residential developments and commercial uses which directly serve the surrounding residential uses such as convenience stores, entertainment sales and personal services.

The proposed use for the land is better suited with an Employment designation as the commercial office use will not directly serve the surrounding neighborhood. The proposed commercial office space will increase diverse employment opportunities. The proposed use may also serve the Rainy River District and beyond.

Zoning

The property is currently zoned **Open Space (OS)** which does not support the proposed use for the facility. The property is requested to be rezoned to **Local Commercial (C1)** where the following uses are permitted:

- a) bank or financial institution
- b) community health and resource centre
- c) day nursery
- d) a maximum of 2 dwelling units located on the second storey or at the rear of the first storey
- e) office
- f) personal services establishment
- g) post office
- h) private club
- i) retail store not exceeding 185 m²

In addition to the rezoning, a site-specific permitted accessory use as a boarding house is requested to permit the housing of travelling employees. The zoning by-law offers to following definition for this use:

BOARDING HOUSE: *A building containing rooming units, and which may also contain dwelling units and an accessory office and provides accommodation for at least three people and no more than ten.*

The following table provides a comparison between required general provisions for the Local Commercial zone and a survey of the property dated September 2007.

General Provision	Required (Local Commercial)	Indicated on 2007 Survey
Minimum Lot Area (m2)	550	5,295.47
Minimum Lot Frontage (m)	15	86.868
Minimum Front Yard (m)	7.5	7.81 to accessory building 18.44 to main building
Interior Side Yard (m)	Abutting commercial = nil Abutting another zone = 3	>3
Exterior Side Yard (m)	5	8.75 to accessory building 9.96 to main building
Rear Yard (m)	Abutting non-residential = 7.5 Abutting residential = 10	3.5 to shed 10.90 to main building
Maximum Lot Coverage (%)	40	≈13.68
Minimum Landscaped Open Space (%)	10	>10
Maximum Building Height (m)	12	<12

Provincial Policy Statements

The Planning Act requires that official plan amendments and zoning by-law amendments be consistent with provincial policy statements as identified in the 2020 Provincial Policy Statements (PPS). The proposed re-development appears to be consistent with the 2020 PPS as follows:

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
- e) ensuring the necessary infrastructure is provided to support current and projected needs.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower tier municipalities;
- b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Divisional Comments

Fort Frances Power Corporation

- No comments receive

Fort Frances Fire Rescue

- No comments received

Fort Frances Public Works

- No concerns

Planning and Development Executive Committee

Scheduled for Monday January 4, 2021

Public Meeting

Scheduled for Monday January 11, 2021

Summary/Recommendation:

Administration acts as an advisory body to the Committee of Adjustment. Comments received and research conducted on the application are provided in the form of recommendations to assist the Committee. The Committee is requested to provide a recommendation to mayor and council to accept or reject the application and provide reasoning.

Respectfully submitted



Cody Vangel
Chief Building Official & Municipal Planner