

TOWN OF FORT FRANCES

MINUTES

COMMITTEE OF ADJUSTMENT

October 25, 2017

The meeting of Committee of Adjustment of the Town of Fort Frances was held in the Civic Centre Committee Room on October 25, 2017 from 5:30 p.m. to 6:45 p.m.

PRESENT: Tyson Dennis, Charleen Mallory, Don Taylor, Barry Jackson, Cindy Mason, Gary Rogozinski

ALSO PRESENT: Paul Noonan, Clint Calder, Neil Kabel, Christine Belluz, Glenda Belluz

1. Call to Order - 5:30 PM

Gary Rogozinski chaired meeting and called meeting to order.

2. Non-agenda items - 5:31 PM

None

3. Declarations, Municipal Conflict of Interest Act - 5:32 PM

Cindy Mason declared conflict with the Committee of Adjustment on application A13-2017.

4. Minutes of Previous Meetings - 5:37 PM

Previous meeting minutes were approved.

4.1 Previous Meeting Minutes September 26, 2017

Motion Carried

Moved by Charleen Mallory

Seconded by Barry Jackson

5. Committee Applications - 5:37 PM

5.1 A11-2017 Application for Zoning By-Law Amendment Site Specific Zoning Amendment from C2 to R2. 5:37 PM

Application was explained by Tyson Dennis Secretary Treasurer of the Committee of Adjustment. The applicant went through the application and explained in detail the need for changing zoning of the building and property to R2. The Committee members asked if neighboring properties had the same or similar designations. There are properties with the R2 zoning in the area. The change would benefit the property owner and still fit the Official Plan and Zoning By-Law requirements. Fort Frances has a shortage of rental properties and this would be fitting to allow more options for living areas. Off street parking would not be an issue, the property was being consolidated to be one property as it was originally a single lot (604/608 Scott Street), and existing accessory buildings would fit within the zoning designation. The Committee of Adjustment voted to recommend the change in zoning designation from C2 Light Commercial to R2 Type Two Residential.

Carried

Moved by Don Taylor

Second by Barry Jackson

5.2 A12-2017 Application for Zoning By-Law Amendment for changes to the current 03-14 Zoning By-Law. 5:59

Application was explained to the Committee by Tyson Dennis Secretary Treasurer of the Committee of Adjustment. Origin of the application stemmed from letters being submitted by citizens with concerns of property being unable to develop land within 15m

of an embankment of navigable and non navigable water courses. History of zoning by-law changes were explained as well. The changes in 2014 to the Zoning By-Law 03-14, were made from a provincial starting point which allowed municipalities to make set-backs in waterway and hazard lands while using area specific interpretation to govern those set-backs. Such interpretation was not made during this time and the wording of Section 3.31 of the existing zoning by-law does not fit very well with the Fort Frances Township. Research of other area communities, Ontario Land Survey information, local residential input as well as Town divisional input allowed for draft wording of the by-law to read:

Notwithstanding any other provisions of this By-law, a **structure** in any zone, may be required to have the *normal ordinary water edge* determined by an Ontario Land Surveyor and a set-back determined from the *normal ordinary water edge*, back 15m, measured horizontally, to allow for development near navigable and non-navigable watercourses. This is to be determined on a site-specific basis.

In the case of **hazard lands and municipal surface drains**, no part of any **structure** shall be constructed closer than 15 meters, horizontally measured, to the nearest point of the area to which the hazardous condition is deemed to exist by an Ontario Land Surveyor.

The Committee of Adjustment voted of the changes and made the recommendation to Council to adopt the changes allowing changes to watercourse setbacks.

Carried
Moved by Cindy Mason
Seconded by Charleen Mallory

- 5.3 A13-2017 Application for special permission to have parking lot surfacing requirement date extended. 6:20

Neil Kabel and Clint Calder were representing the Wahkaiganun Futures Corporation for an extension of surface treating the driveway at 237 Eighth Street in Fort Frances. Cindy Mason declared conflict of interest as she works for the contractor which will be completing the surface treatment. The two representatives gave reasoning of delayed funding for the project was the primary reason for the surface treatment delay. The original project started with a ten-plex. As funding become available, two more six-plexes were constructed. The property allowed for a final six-plex to be built. The Wahkaiganun Corporation had an extension previously which allow the surface treatment to be completed by October 31, 2017. The Committee recognised the final phase of the project had delays in funding with intentions of completing the surface treatment by October 31, 2017. This was confirmed by Dennis Robinson LTD which has been granted the contract for surfacing the parking area. The Committee agreed to a final extension to July 31, 2018 preemptory. This will come the final extension for surface treatment of the parking lot. The Committee Voted.

Moved by Don Taylor
Second by Barry Jackson

- 6. **Other Business**
None

- 7. **Outstanding Items**
None

- 8. **Meeting Close - 6:45 PM**

T. Dennis, Chief Building Official