

TOWN OF FORT FRANCES

Planning & Development Executive Committee

AGENDA - September 8, 2020 at 8:30 AM

MEETING - VIRTUAL MEETING

[Join Microsoft Teams Meeting](#)

[+1 807-701-5975](#) Canada, Thunder Bay (Toll)

Conference ID: 678 763 96#

	Page
1. <u>Call to Order</u> Session #25.	
2. <u>Disclosure of pecuniary interest and the general nature thereof</u>	
3. <u>Approval of Previous Committee Minutes</u>	
3.1 Approval of Previous Meeting Minutes.	3 - 4
3.2 Approval of Amended Meeting Minutes - July 6th 2020.	5 - 6
4. <u>Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting.</u>	
5. <u>In-Camera</u>	
6. <u>Items Referred from Council</u>	
6.1 Reg Consent letter from residents near Volunteer Bureau. Re: issues with use.	7 - 8
7. <u>New Business</u>	
7.1 Syncor Request to Retract SPCA From Title.	9 - 16
7.2 B4-2020 Zoning Exception - 840 Sixth Street West.	17 - 31
7.3 Ryan Lundy – Request for Private Well and Septic Services – Eighth Street East.	32 - 41
7.4 B3-2020: Application to Remove Holding Provision – Ryan Lundy – Eighth Street East.	42 - 65
8. <u>Outstanding Items</u>	
8.1 Municipal Cannabis Policy Statement.	66 - 80
9. <u>Information</u>	

	Page
9.1 Signs West Entrance to Town.	81
9.2 Sight Plan Control Demolition Discussion (Verbal Report from CBO/Planner).	
10. <u>Non-agenda Items</u>	
11. <u>Adjourn / Next Meeting Date</u> September 21st, 2020.	

TOWN OF FORT FRANCES

MINUTES

SESSION NO. #24

August 4, 2020

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held in the VIRTUAL MEETING on August 4, 2020 from 8:30 a.m. to 10:02 a.m.

PRESENT: J. McTaggart - Chairperson, W. Brunetta - Councillor, D. Judson - Councillor, Mayor J. Caul (ex-officio)

ALSO PRESENT: D. Brown, CAO, C. Vangel, CBO/Planner, P. Briere, Committee Secretary, Arlene Byrnes, By-Law Officer

1. Call to Order

Session #24.

2. Disclosure of pecuniary interest and the general nature thereof

None

3. Approval of Previous Committee Minutes

3.1 Approval of Previous Meeting Minutes.

- Revisions for the July 6, 2020 meeting minutes are required. Revisions will be placed upon next agenda.

4. In-Camera

None

5. Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting.

None

6. Items Referred from Council

6.1 REG CONSENT R. Lundy - Lot 19 Eighth Street East Services Letter.

- Discussion was held on the request for private well and septic services on the subject lands.

- Discussion held during the meeting recommended that the conditions remain flexible to ensure a single detached dwelling is allowable along with a second dwelling unit and accessory building (i.e. garage)

- During the meeting it was recommended that the liability agreement provide verbiage for well water quality provided the proximity of the property to the railway

- Divisional comments were not all received at time of meeting and it was requested that the item be carried over to the next meeting for further discussion and recommendation

7. New Business

7.1 Application to Remove Holding Provision (B3-2020) – Ryan Lundy – Eighth Street East.

- Brief discussion was held on this item as it will proceed along side the request for private well and septic services.

- Provided that all divisional comments were not obtained at time of meeting it was requested that the item be carried over to the next meeting for further discussion.

7.2 SPC06-2019 - Site Plan Control Application - 737 Scott Street.

- Discussion was held regarding the application for site plan control

- In order to mitigate delays to the development the committee recommend that the building permit for the remaining storage garage structure be issued prior to finalizing

the site plan control agreement, and that the site plan control agreement be finalized prior to constructing the associated parking lot.

- 7.3
- SPC01-2020 Mill Demolition - Site Plan Control
- The committee had the opportunity to discuss the item and ask questions
 - The committee asked that administration canvas other municipalities to determine if and how they may have used site plan control for a demotion
 - The committee also suggested outreach to the Town's solicitor for clarification prior to preparing agreement

8. **Outstanding Items**

- 8.1
- TOFF-Aazhogan Renewal Planning Committee - Verbal Update & Discussion.
- Discussion was held and the opportunity for questions was provided to the committee
 - Administration advised that in discussions with Riversedge they preferred to not have mayor or council participation on the proposed committee
 - Members of PDEC stressed that any outcomes from the proposed committee will require approval by mayor and council prior to amending any policies
 - PDEC subsequently recommned to allow administration to enter the Fort Frances/Aazhogan Renewal Planning Committee as per the provided Terms of Reference, and subsequently authorize the application for grant funding.

9. **Information**

- 9.1
- By-Law Enforcement.
- PDEC members expressed concern over the jurisdiction and ability for the Town along with OPP to enforce various by-laws and regulations in attempt to better control tenting/camping within the Town of Fort Frances
 - Town by-law officers provided a summary of their limitations on enforcement on tenting/camping within Town limits
 - PDEC members want to ensure transparency on the limitations and information regarding tenting/camping within the Town to the public
 - During the discussion it was made aware that other municipalities have tenting/camping by-laws and that the Town should explore these options with the Town's solicitor

10. **Non-agenda Items**

None

11. **Adjourn / Next Meeting Date**

Tuesday September 8th, 2020.

Executive Committee Chair

Secretary, Planning & Development Executive Committee

TOWN OF FORT FRANCES

MINUTES

SESSION NO. # 23

July 6, 2020

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held in the Committee Room, Civic Centre and virtually for attendees off site on July 6, 2020 from 8:30 a.m. to 9:15 a.m.

PRESENT: Councillor J. McTaggart - Chairperson, Councillor W. Brunetta, Mayor J. Caul

ALSO PRESENT: D. Brown, CAO, C. Vangel, CBO/Planner, T. Rob, Manager Operations and Facilities, K. Lawson, Deputy Clerk, R. Thoms, B93. The Border

1. Call to Order

Session #23

2. Disclosure of pecuniary interest and the general nature thereof - None identified

3. Approval of Previous Committee Minutes

3.1 Approval of Previous Meeting Minutes.

- Approved as presented.

4. Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting. - No items identified

5. In-Camera - no items identified

6. Items Referred from Council - No items identified

7. New Business

7.1 Fort Frances/Aazhogan Renewal Planning Committee – Draft Terms of Reference.

Cody and Doug spoke about recent meetings with Riversedge to discuss planning opportunities for the pulp and paper mill properties. Cody provided an overview respecting the draft terms of reference for the renewal planning committee. Cody advised that the draft has been reviewed by administration members, RRFDC representative and Jeff Port, planning consultant. Mayor Caul suggested that Council should be involved and have representation on this Committee. Councillor Brunetta expressed concerns about the Town taking on 100% of the costs. Cody advised that RRFDC is waiting on confirmation of their appointment to the Committee prior to applying for Federal and Provincial funding for the land use and economic development development feasibility study. Cody and Doug will be having a conversation with Riversedge after the meeting to further political appointments. This item will be placed on the next agenda with respect to the response received from this conversation.

8. Outstanding Items

8.1 Site Plan Control Discussion.

Cody Vangel provided an overview of recent discussions he had with Jeff Port, Planning Consultant with respect to the information requested by P&D Executive Committee. Mr Port advised that he was not aware of other specific land use planning tools that provide the municipality with the control over a project that a Site Plan Control Agreement provides. He advised that Site Plan Control should be utilized only when necessary and further that each Site Plan Control application or development should be considered on its own merit and decided upon on a case by case basis. He was also unaware of any alternatives that may be utilized to enforce stormwater management. A discussion was had respecting stormwater management in the matter of development. Committee recommended that Cody bring this information to Council.

9. Information - No matters identified

10. Non-agenda Items - No items identified

11. Adjourn / Next Meeting Date
Monday August 4th, 2020.

Executive Committee Chair

Secretary, Planning & Development Executive
Committee

July 22, 2020



Open letter to Mayor and Council of the Town of Fort Frances.

In the time since the Volunteer Bureau, in conjunction with the Family Centre, has allowed people to pitch tents on the Old CN Station property there have been consistent issues created by people residing in the tents. Home owners in the area are regularly inspecting their property for dirty needles, feces and other trash left behind. The neighbours have called the police and by-law enforcement yet nothing appears to be being done about the issue. On Saturday, July 18th there were 5 reported overdoses at the location. The cost of the ambulances being called to the area will ultimately be paid by the taxpayers.

This situation gives rise to many questions.

- What is the mandate for the Volunteer Bureau?
- Does the director have the authority to allow this use of the property?
- Does this use of the property conform to the by-laws of the Town of Fort Frances?
- Is the Family Centre a registered charity?
- What is the mandate of the Family Centre?

The initial idea for the Family Centre was commendable and needed in the area, it was a place for women and children to drop in, a safe place to just hang out, have a cup of coffee and a chat. Donations were given of money, food and clothing to help the less fortunate predominantly single mothers, it was geared to women and children. Unfortunately, this changed and now you will not see many mothers and children in attendance when meals are served.

The Family Centre is now perceived as a place for homeless, addicted individuals to get a meal and a tent to sleep in. With no requirements for accountability or the need to be a productive member of the community that developed on the property. Instead they are free to do as they please, they roam the adjacent neighbourhood, at times making themselves at home on private property, defecating on lawns, hiding drugs in landscaping features and leaving dirty needles for children and/or pets to find.

The neighbours have called the police and by-law enforcement daily yet nothing appears to be being done about the issue. To the best of our knowledge by-law enforcement has not charged anyone involved in the situation under the nuisance by-law or the zoning by-law.

It is understood that the individuals residing at the Volunteer Bureau "need to be somewhere"! But we, as tax paying homeowners, have rights as well. This cluster of tents does not address the underlying issues of addiction and homelessness. It has created an environment where we and our families do not feel safe on our own property.

There is a need in the community for comprehensive help for these individuals. The Town of Fort Frances does not have the mandate to provide the required facilities, but working in conjunction with credible not for profit organizations and the area First Nations it could be done.

We realize that it is not the duty of the Town of Fort Frances to provide for these individuals, but it is within the duty of the Town to ensure the by-laws are adhered to, and to bring charges when warranted.

Respectfully

Residence of the area around the Volunteer Bureau

CC: Marcus Powlowski, Member of Parliament
Greg Rickford, Member of Provincial Parliament
Fort Frances Times
Northwestern Health Unit, Fort Frances
Fort Frances Area Tribal Health

Jessie Burns.

Scott Wensley

[Signature]

Dennis Ryback

[Signature]

Brad Smith

[Signature]

Dave Woodgate

[Signature]

James Rosenthal

[Signature]

Jamie Lawson

Left Eric

Bucky

Robert E. Brunell

TRINE

Leo Roscoe

Hele Wensley

Connie Gray

[Signature]

Dustin Gray

Jack H. Ross

Tat H. Ross

[Signature]

Date: August 25, 2020

Report To: Planning and Development Executive Committee

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: Syncor Request to Retract SPCA From Title

The Planning and Development Executive Committee may recall that in 2016 the Town of Fort Frances sold various parcels of land bound by Front Street, Mosher Avenue and Nelson Street to Syncor Contracting Ltd. for the purpose of developing five townhomes with future potential of constructing five additional for a total of ten (see attached site map). Syncor subsequently completed construction of five townhomes in 2018.

A request has come forward from Rene Larson, solicitor acting on behalf of Syncor Contracting, asking for retraction of the Site Plan Control Agreement from the titles of PINs 56018-0199 and 56018-2279. The request outlines that Syncor's future endeavors do not foresee that it will be able to develop the lands into a second five-unit residential townhome complex. The Site Plan Control Agreement is also registered on the lands that are occupied by the constructed townhomes being PINs 56018-2277, 56018-2278, 56018-2281, 56018-2282 and 56018-2283.

The intent for the request for retraction of the agreement from the title of PINs 56018-0199 and 56018-2279 is a condition as part of a potential sale from Syncor to another interested party. The deadline for the condition of removal is October 6, 2020. The formal request via email is attached with this report.

The request has been made aware to the Town's solicitor with the following comments were made:

- Have the Works in paragraph 6 and Schedule 2 been completed to the satisfaction of the Municipality?
- After the above Works have been installed, Syncor has also agreed to maintain them until the agreement is amended or otherwise released from title.
 - a. Are these Works completed to the satisfaction of the Municipality? Is the town ready to release Syncor from this commitment?
 - b. In paragraph 6(g) Syncor also guarantees the workmanship and materials for the construction and installation of the external Works and to maintain the same free from defects for a period of 2 years from the date of certification by the Municipality of substantial completion.

- Has it been two years since the date of certification by the municipality of substantial completion such that Syncor can be released from its obligations with respect to the Works?

A follow up on the solicitor's comments finds the following:

- The works outlined in paragraph 6 and schedule 2 of the agreement have generally been conformed to.
- These works were completed in 2016 and inspected to the satisfaction of the municipality. We are now beyond the 2-year maintenance period.

Discussions with the Public Works department find that there is no objection on their end.

The building and planning department is in support of the removal of the agreement from the title of the vacant lands with the condition that all costs associated are borne by Syncor. Additionally, it should be noted that depending on the future development scope a new site plan control agreement may be required. The building and planning department does not recommend retracting the agreement from the title of the occupied lands.

The Planning and Development Executive Committee may wish to recommend the following:

- To approve the request by Syncor Contracting to retract to site plan agreement from the title of PINs 56018-0199 and 56018-2279 and that all costs associated be borne by Syncor Contracting.

OR

- To reject the request by Syncor Contracting to retract to site plan agreement from the title of PINs 56018-0199 and 56018-2279

Respectfully submitted



Cody Vangel, EIT
Chief Building Official & Municipal Planner

From: [Rene Larson](#)
To: [Cody Vangel](#)
Cc: [Caryn Myers](#); carynmyers@remax.net; [SYNCOR CONTRACTING LIMITED \(don@syncorcontracting.ca\)](#)
Subject: [External] Vacant Lands NELSON STREET, Town of Fort Frances - Owner: Syncor Contracting Limited; Request for Release of Site Plan Control Agreement registered as RD31539
Date: Thursday, August 20, 2020 2:16:50 PM
Attachments: [RD31539 Instrument Statement 61.pdf](#)
[RD31539.pdf](#)
[20200820 SPCA SCHEDULE 1 DRAWING.pdf](#)
[20200820 PIN MAP & TITLE PINs.pdf](#)

[EXTERNAL] Don't click links or attachments unless you recognize the sender and know the content is safe. You can forward suspicious messages to support@fortfrances.ca.

Dear Cody

Further to my recent telephone discussion regarding the above, I am now writing to formally request that the Town of Fort Frances release the Site Plan Control Agreement registered as RD31539 against the vacant lands described as PINs 56018-0199 and 56018-2279 (known municipally as 619-627 Nelson Street although currently vacant).

This Site Plan Control Agreement (SPCA) registered as RD31539 was for purposes of the development of a 5 townhouse complex known municipally as 629, 631, 633, 635 & 637 Nelson Street, which has been completed. Schedule 3 to this SPCA refers to a Letter of Credit for \$25,000, and we ask that you confirm that this Letter of Credit has been released or is expired now that the project has been completed in accordance with this SPCA.

I have attached separately a copy of the Schedule 1 drawings and point out that the lands which we are asking to be released are indeed shown as "Future Development". Paragraph 3. (a) of the SPCA refers to the development/construction of 1 new 5 unit residential townhouse complex.

It is respectfully submitted that Syncor has completed all obligations pursuant to the SPCA with regard to the completion of the 5 unit residential townhouse complex. In this respect it would be possible to remove the SPCA against all lands. However, should the Town wish that the SPCA remain registered against the townhouse complex, that is why Syncor is requesting only a partial discharge/removal of the SPCA

against the two PINs described above.

Syncor has looked into its future activities and does not foresee that it will be able to develop the vacant lands into a second 5 unit residential townhouse complex as had been originally contemplated. Therefore it has put the property up for sale, and has received an acceptable Offer to Purchase and entered into an Agreement of Purchase and Sale with a buyer named CDF INVESTMENTS LTD. scheduled to close on October 13, 2020. I have a deadline of October 6, 2020 to have the SPCA removed against the two PINs described above, and am respectfully requesting an early advice from the Town that the removal is approved in principle. I will then draft such further documents as are necessary, including the land registration documents. I am of course most willing to work together with your municipal solicitor.

Thank you

Rene

Rene Larson HBA, JD

Cell or Text: 807-632-7650 (preferred anytime)

E: rene.larson@larsonlawyers.com

LARSON LAWYERS PROFESSIONAL CORPORATION

620 Victoria Ave E

Thunder Bay, ON P7C 1A9

P: 807-285-7777 EXT 111

F: 807-623-1354

W: www.larsonlawyers.com

LAND
REGISTRY
OFFICE #48

56018-0199 (LT)

PAGE 1 OF 1
PREPARED FOR rene0001
ON 2020/08/06 AT 13:49:55

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PCL 151-1 SEC ALBTP; LT 152 TOWN PLOT ALBERTON; PT LT 151 TOWN PLOT ALBERTON DESIGNATED AS PT 1 & 2, 48R3781; FORT FRANCES

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
ABSOLUTE

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
2003/06/16

OWNERS' NAMES
SYNCOR CONTRACTING LIMITED

CAPACITY SHARE
ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2003/06/13 **						
48R3781	2000/05/26	PLAN REFERENCE				C
A76015	2000/10/06	TRANSFER		*** COMPLETELY DELETED ***		
RD30477	2016/06/30	TRANSFER	\$180,000	THE CORPORATION OF THE TOWN OF FORT FRANCES	THE CORPORATION OF THE TOWN OF FORT FRANCES SYNCOR CONTRACTING LIMITED	C
REMARKS: PLANNING ACT STATEMENTS.						
RD31539	2016/11/10	NOTICE		SYNCOR CONTRACTING LIMITED		C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

LAND
REGISTRY
OFFICE #48

56018-2279 (LT)

PAGE 1 OF 1
PREPARED FOR rene0001
ON 2020/08/06 AT 13:31:15

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: LT 153 TOWN PLOT ALBERTON; LT 154 TOWN PLOT ALBERTON EXCEPT PARTS 1 TO 5, 48R4508; FORT FRANCES

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
ABSOLUTE

RECENTLY:
DIVISION FROM 56018-0201

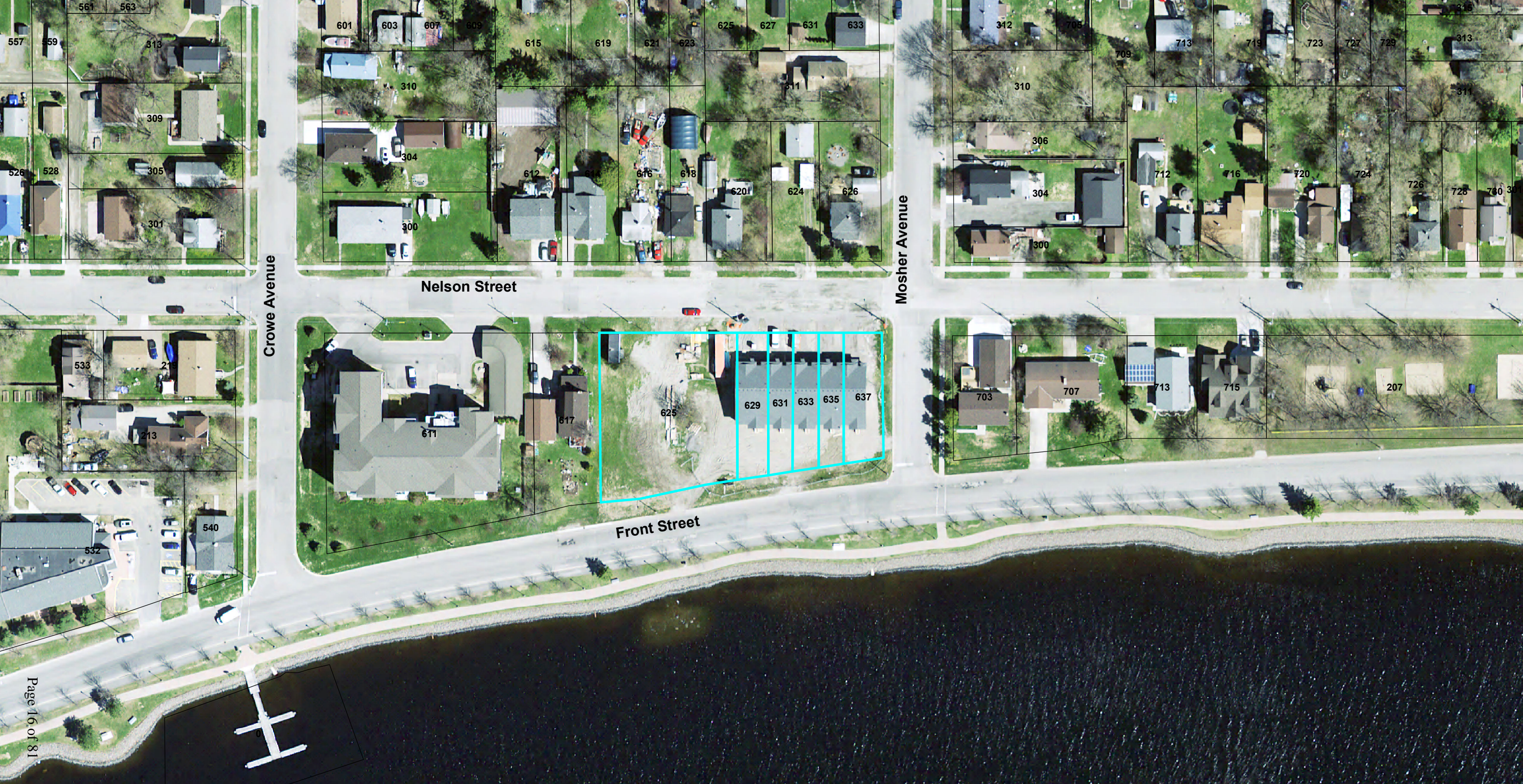
PIN CREATION DATE:
2017/04/26

OWNERS' NAMES
SYNCOR CONTRACTING LIMITED

CAPACITY SHARE
ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2017/04/26 **						
RD30477	2016/06/30	TRANSFER	\$180,000	THE CORPORATION OF THE TOWN OF FORT FRANCES	SYNCOR CONTRACTING LIMITED	C
REMARKS: PLANNING ACT STATEMENTS.						
RD31539	2016/11/10	NOTICE		SYNCOR CONTRACTING LIMITED		C
RD32451	2017/04/12	NOTICE		SYNCOR CONTRACTING LIMITED	SYNCOR CONTRACTING LIMITED	C
REMARKS: INDETERMINATE PERIOD						

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.



Crowe Avenue

Nelson Street

Mosher Avenue

Front Street

Date: August 24, 2020

Report To: Planning and Development Executive Committee

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: B4-2020: Zoning Exception – 840 Sixth Street West

Background

An application was submitted by authorized agent, Ian McKay, requesting a zoning by-law exception to include a site-specific permitted use of a Recreation or Fitness Establishment at 840 Sixth Street West.

In the fall of 2019 Ian McKay met with myself and Lisa Slomke to explore potential rental or purchase options that we may be aware of around town for him to conduct his business. At that time, a few options were verbally discussed, but nothing was solidified or decided upon in that meeting. One challenge with Ian's business is the two varied aspects; on one side there is the fitness and training classes, whereas the other side is the manufacturing or constructing of actual fitness equipment.

As defined under the zoning by-law, Ian's fitness portion of the business falls under the following definition:

RECREATION OR FITNESS ESTABLISHMENT Premises where entertainment or fitness instruction is offered for gain or profit such as a motion picture or other theatre, a bowling alley, an ice or roller skating rink, a gym, indoor rock climbing, fitness centre, fitness instruction including yoga, batting cages, miniature golf course and all other similar forms of recreation or fitness activities.

A recreation or fitness establishment is a permitted use within the General Commercial (C2), Enterprise (E), or Tourist Commercial (TC) zones.

However, the gym construction portion fits well within the following definition:

MANUFACTURING, LIGHT The assembly or repair or fabrication of goods and materials utilizing materials which have been manufactured in another location and which does not produce waste water in excess of 4500 litres per day, chemical by-products or utilize and area for outdoor storage of goods or materials except for equipment or vehicles which are for sale, lease or hire.

Light manufacturing fits well within the manufacturing or processing within an enclosed building which is a permitted used in the Light Industrial (M1) zone.

Ian has selected a location for his business at 840 Sixth Street West, which is currently zoned Light Industrial (M1). As described above, this location works well for the gym construction portion, though does not permit the recreation or fitness establishment portion of the business. It should be noted that his business has already moved into the location and began operation. To achieve compliance with the zoning by-law Ian would be required to apply for a zoning by-law amendment to request a site-specific permitted use of a recreation or fitness establishment.

Property History

The property is located at 840 Sixth Street West which is between McIrvine Road and Keating Avenue in the industrial area of Fort Frances. There is no information contained on file regarding previous uses on the lands.

Information on file shows that the primary structure on the property was constructed as a warehouse in 1990.

Official Plan

The property is designated as an **Employment Area** which typically hold Industrial, Commercial and Business uses.

The applicable Official Plan policies have been attached to this report.

Zoning

The property is currently zoned **Light Industrial (M1)** which does not permit the proposed use of a Recreation or Fitness Establishment. The following are permitted uses in the Light Industrial zone:

4.12 LIGHT INDUSTRIAL (M1) ZONE

No person shall within a Light Industrial (M1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.12.1 Permitted Uses

- a) animal shelter or veterinary hospital
- b) building supply and lumber outlet
- c) bulk fuel depot
- d) contractors yards
- e) heavy or light equipment sales and services
- f) manufacturing or processing within an enclosed **building**
- g) motor vehicle repair garage
- h) motor vehicle body shop
- i) outside storage
- j) public works yard
- k) recycling depot
- l) retail sales accessory to a permitted use not exceeding 35% of the total floor area
- m) self-storage facility
- n) telecommunications tower
- o) transmission towers and hydro-electric substations
- p) transportation depot and rail line uses
- q) warehouse
- r) wholesale sales
- s) work/service shop
- t) microbrewery¹

Provincial Policy Statements

The Planning Act requires that zoning by-law amendments be consistent with provincial policy statements as identified in the 2020 Provincial Policy Statements (PPS). The proposed permitted use appears to remain consistent with employment area policies as outlined in the 2020 PPS:

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.3.2.2 At the time of the official plan review or update, planning authorities should assess *employment areas* identified in local official plans to ensure that this designation is appropriate to the planned function of the *employment area*.

Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from *sensitive land uses* to maintain the long-term operational and economic viability of the planned uses and function of these areas.

1.3.2.3 Within *employment areas* planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other *sensitive land uses* that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-*employment areas*.

1.3.2.4 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing *employment areas* may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- b) the proposed uses would not adversely affect the overall viability of the *employment area*; and
- c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

1.3.2.6 Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

1.3.2.7 Planning authorities may plan beyond 25 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

Divisional Comments

Fort Frances Power Corporation: No comments received

Fort Frances Recreation and Culture: No comments received

Fort Frances Fire Rescue: No concerns

Fort Frances Public Works: No concerns

Fort Frances Planning and Development: Provides for a more consistent use for the property.
Request does not fit in well with surrounding land uses.

Committee of Adjustment

This matter was considered at the August 12, 2020 session of the Committee of Adjustment. The applicant had the opportunity to explain the proposal to the Committee, where the Committee had an opportunity to ask questions.

The Committee of Adjustment has recommended the approval of the request.

Public Meeting

September 28, 2020

Join Microsoft Teams Meeting

[+1 807-701-5975](#) Canada, Thunder Bay (Toll)

Conference ID: 957 553 966#

Summary

Based on the information provided above, the Planning and Development Executive Committee may wish to provide recommendation to Mayor and Council to approve or reject the proposal to add a site specific permitted use as a recreation or fitness establishment at 840 Sixth Street West which is a property zoned as Light Industrial (M1).

Respectfully submitted



Cody Vangel, EIT
Chief Building Official & Municipal Planner



Town of Fort Frances
320 Portage Avenue
Fort Frances, ON P9A 3P9
T: 807-274-5323
F: 807-274-8479

www.fort-frances.com

APPLICATION FOR ZONING BY-LAW AMENDMENT

The Planning Act, RSO 1990, as amended (O'Reg. 545/06)

Notice of Public Record:

In accordance with section 1.0.1 of the Planning Act, RSO, 1990, all information and materials required in support of your application shall be made available to the public.

Complete Application:

All applicable sections of the application form must be completed. An incomplete application will be returned. For assistance, contact the Planning Department by phone at 807-274-5323 ex. 1216 or by email at cvangel@fortfrances.ca.



APPLICATION TYPE (check one)

- ☒ Zoning By-Law Amendment (section 34) ☐ Removal of Holding Provision (section 36)
☐ Removal of Interim Control By-Law (section 38) ☐ Temporary Use By-Law (section 39)

1. The name, address, telephone number and email address (if any) of the Applicant:	
Ian Anthony McKay 807-271-0856 ian@mckaypts.com 840 6th St W Fort Frances, ON P9A3T6	
2. If known the names and full addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:	
James Alan Burnett 724 Third St W Fort Frances, ON P9A 3B6	
3. The current Official Plan designation of subject land:	Employment
4. Describe how the application conforms to the official plan of the municipality?	
We comit to the community Strategic Direction of quality of life is exactly what RefleXion Studio brings. As for the current Policy Direction 2.2.2, (v.) we will work hard to retain our youth for sports, and familys by offering and engaging and health focuses acitivitys not found currently in Fort Frances (vii.). We offer support to all ages to offer preventive health care for seniors and youth to our (xi.) to aid in lessening the burden of our understaffed health care facilities. 2.4.2 (xi.) Fort Frances will enhance community health and wellness services in the municipality	
5. The current zoning of the subject land:	Light Industrial (M1)
6. The nature and extent of the rezoning requested:	
Primairry request is to allow my building and yard site for use as a recreation or fitness establishment. This would allow me to train in the facility i also receive and manufacture products for home & commerical gyms.	

7. The reason why the rezoning is requested.					
M1 status does not permit a fitness center, both inside and outdoors.					
8. Is the subject land within an area where the municipality has pre-determined minimum & maximum density requirements or minimum or maximum height requirements?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide information relative to these requirements.					
N/A					
9. The description of the subject land, such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number:					
PL 24-1 SEC 48 M357; LT 24 PL 48 M357 MCIRVINE; FORT FRANCES					
10. The frontage, depth and area of the subject land (in metric):					
Frontage:	40.6 M	Depth:	72.5 M	Area:	2943.5 M2
11. Is the application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide details of the official plan that deals with the matter					
N/A					
12. Is the application to remove land from an area of employment?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide details of the official plan that deals with the matter.					
N/A					
13. Is the subject land within an area where zoning with conditions may apply?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions					
N/A					
14. Is access to the subject land by provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way or by water?					
Yes, 6th Street West in Fort Frances and Maintained year round.					

15. If access to the subject land is by water only, provide details of the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public land:	
N/A	
16. Existing uses of the subject land:	
I have deliveries of large equipment needing a large door to bring into my studio delivered by a flatbed or lift system on a truck. I then assemble on site, or transfer to site to assemble. Customize on site to suit the needs of the customer with the help of fabricators down the road at Busch's	
17. Are there any buildings or structures on the subject land: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>	
18. If answer to question 17 is yes, provide, for each building or structure, the type of building or structure and the setback from the front lot lines, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:	
The Main steel building is 40X50, 4.2672 high, Aprox 30 feet from 6th st W. Aprox 30 feet from rear lot line. 6 feet of the left lot line, 30 feet off the left lot line. 1 freight container for storage, 2.43m High aprox 100 feet from 6th st W., 2 feet from rear lot 6 feet of the left lot line, 15 feet off the left lot line.	
19. The proposed uses of the subject land:	
Build and customize Fitness Equipment for home gyms Recive orders in bulk Outdoor/Indoor classes and coaching Nutrition Sales	
20. Are any buildings or structures proposed for the subject land? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
21. If answer for question 20 is yes, provide, for each building or structure, the type of building or structure proposed, the setback from the front lot line, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:	
22. If known,	
a. the date the subject land was acquired by the current owner:	2001
b. the date existing buildings or structures on the subject land were constructed:	1990
c. the length of time that the existing uses of the subject land have continued:	
Unknown	
23. Water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or by other means:	
Yes, Public - Fort Frances Water and Sewer Access	

24. Whether sewage disposal is provided to the subject land by a publicly owned and operated piped sewage disposal system, a privately owned and operated individual or communal septic system, a privy or other means:	
Yes, Public Fort Frances	
25. If the application permits development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report, and a hydrogeological report are required. Are these reports attached?	
a. a servicing options report,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
b. a hydrogeological report	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
26. Indicate whether storm drainage is provided by sewers, ditches, swales or other means:	
Ditches	
27. If known,	
a. is the subject land the subject of an application under the Act for approval of a plan of subdivision or a consent: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, provide file number and status of the application:	
b. has the subject land ever been the subject of an application under Section 34 of the Act: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, provide file number and status of the application:	
c. has the subject land ever been the subject of a Minister's Zoning Order? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, provide Ontario Regulation number of the Order:	

28. A sketch showing, in metric units, the following:

- a. the boundaries and dimensions of the subject land.
- b. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the lot lines.
- c. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to it, and that in the applicant's opinion, may affect the application (*for examples buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks*).
- d. The current uses on land that is adjacent to the subject land.
- e. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way.
- f. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- g. The location and nature of any easement affecting the subject land.

29. Is the application for an amendment to the zoning by-law consistent with the policy statements issued under subsection 3(1) of the Act. Yes ☒ No ☐

30. Is the subject land within an area of land designated under any provincial plan or plans? Yes ☐ No ☒

31. If answer to question 30 is yes, does the application conform to the applicable provincial plan or plans? Yes ☐ No ☒

32. An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.

DECLARATION
Of Applicant or Authorized Agent

I, Ian McKay of the Town of Fort Frances, in the District of Rainy River solemnly declare that:

All the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

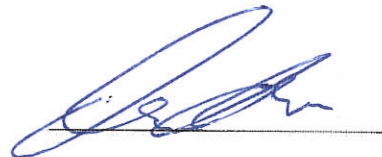
DECLARED before me at the

Town of Fort Frances, in the

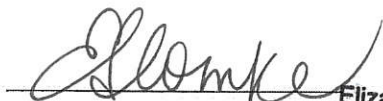
District of Rainy River, this 6th

day of August 2020

)
)
)
)
)
)
)



Signature of Applicant or
Authorized Agent



Signature of Commissioner etc.
Elizabeth Slomke, a Commissioner, etc.,
District of Rainy River, for the Corporation
of the Town of Fort Frances.

PLEASE NOTE:

1. *The Owner must complete the Owner's Consent.*
2. *If the applicant is not the Owner, the application must be accompanied by an Authorization of Owner.*
3. *12 copies of this application are required for processing accompanied by the required fee as outlined in current user fee by-law.*
4. *Application and fee to be filed with the Municipal Planner*
5. *It takes approximately 3 months to complete the process for a Zoning Amendment Application.*
6. *It is strongly recommended that you consult with the Municipal Planner to ensure the timelines of your application coincide with your development proposal.*

COMPLETE IF APPLICANT IS THE OWNER

OWNER'S CONSENT

I, _____, am the owner of the land that is the subject of this application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

Date

Signature of Owner

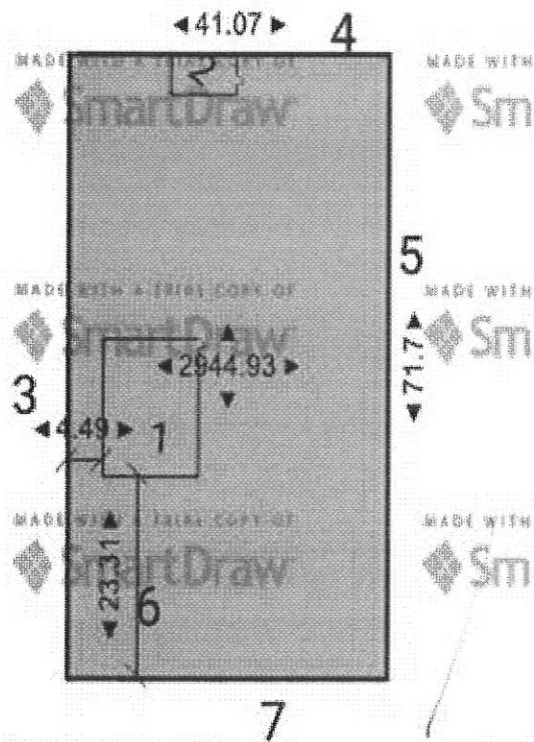
COMPLETE IF APPLICANT IS NOT THE OWNER

AUTHORIZATION OF OWNER

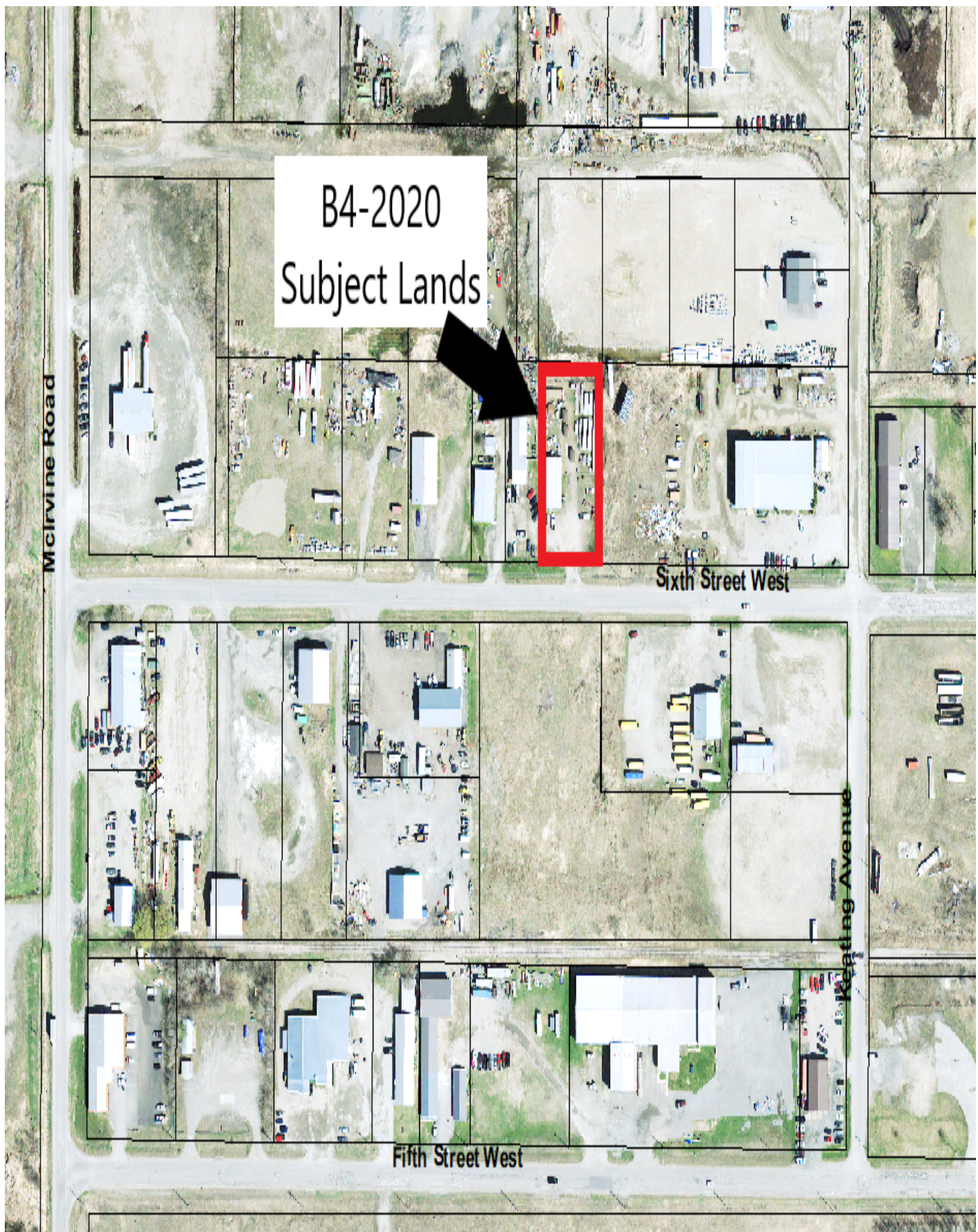
I, JAMES A. BONNETT, am the owner of the land that is the subject of this application for zoning amendment and, for the purpose of processing and the Freedom of Information and Protection of Privacy Act, I authorize IAN MCKAY to act as my agent for this application and provide any of my personal information that will be included in this application or collected during the processing of the application and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application

JUNE 17/2020
Date

[Signature]
Signature of Owner



1. Main building
2. Storage container
3. Jays Autobody
4. Veerts lot
5. Bushes lot
6. Parking
7. 6 Street road access







Date: August 25, 2020

Report To: Planning and Development Executive Committee

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: Ryan Lundy – Request for Private Well and Septic Services – Eighth Street East

A request has come forward from Ryan Lundy, who is acting as an authorized agent for the property owners, to request permission from Mayor and Council to install private well (water) and septic (sewage) services on a property along Eighth Street East (PCL 12043 SEC RAINY RIVER; PT LT 19 RIVER RANGE MCIRVINE PARTS 1 & 2, RR138; FORT FRANCES).

The property is not currently serviced by municipal water or sewer and is zoned Residential Type One with a holding provision (R1-H). Mr. Lundy has subsequently applied to remove the holding provision from the zoning designation on the subject land, which will be considered alongside but separately from this matter.

The Town of Fort Frances Zoning By-Law 03/14 states the following regarding municipal services:

3.3 ADEQUATE MUNICIPAL SERVICES

No land shall be used or the intensity of any **use** of land expanded or any **building** placed, **erected** or altered, enlarged or used within the **Town** of Fort Frances unless the land is serviced by municipal water and sewer systems that have adequate capacity, except under the following conditions:

- a) in the Resource¹ Development (RD) **Zone**, the Seasonal Residential (SR) **Zone**, or where municipal water and/or sewage systems are not available, private services approved by the Northwestern Health Unit may be permitted; or
- b) where the lands are subject to unique servicing constraints or restricted connection privileges through separate municipal by-laws and through legal and servicing agreement with the **Town** of Fort Frances, such lands are considered to be in compliance with this **By-Law**.

The Town of Fort Frances Official Plan also speaks to servicing requirements and the supporting information has been attached with this report.

This matter was considered by the Committee of adjustment at their August 12, 2020 session with recommendation to approve the request subject to the following conditions:

1. That prior to any development in, on, or with respect to the property, the owner shall have executed an agreement in form and substance satisfactory to the municipality as to or in respect of existing and future water and septic services in, on, and to the

- property including, without limitation, provisions confirming responsibility and liability of the owner(s) for and in respect of services whether past, current or future
2. That the above stated agreement provide verbiage relating to mandatory connection to municipal water and sewer in the event they are ever extended to the property in the future
 3. That the above stated agreement include verbiage regarding noise and vibration due to proximity to the railway

If the Planning and Development Executive Committee wishes to make recommendation to approve the installation of private well and septic, they may wish to recommend the following conditions:

- a) That permission be granted to service one single detached dwelling plus potential associated second dwelling unit
- b) That prior to any development in, on, or with respect to the property, the owner shall have executed an agreement in form and substance satisfactory to the municipality as to or in respect of existing and future water and septic services in, on, and to the property including, without limitation, provisions confirming responsibility and liability of the owner(s) for and in respect of services whether past, current or future, and that said agreement be registered on title
- c) That the above stated agreement provide verbiage relating to mandatory connection to municipal water and sewer in the event they are ever extended to the property
- d) That the above stated agreement include verbiage regarding noise and vibration due to proximity to the railway
- e) That approval of well and septic be conditional to successfully removing the holding provision from the zoning designation
- f) That the by-law to remove the hold, if approved with conditions, be registered against the title to the property

The above stated conditions would be the same as recommended for the subsequent removal of the holding provision.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Cody Vangel', with a stylized flourish at the end.

Cody Vangel, EIT
Chief Building Official & Municipal Planner

(b) Accessible Design for New Buildings

All new public, commercial, residential, recreational and institutional buildings and facilities will incorporate accessible design, including, but not limited to, elevators where appropriate, automatic door openers, and ramps at building entrances.

(c) Development Review Considerations

In the review of development applications, the Town will address accessibility needs by:

- I. Requiring driveway and sidewalk slopes at a ratio of 1:12, height to length;
- II. Requiring sidewalk curb cuts at all intersections;
- III. Requiring that paving changes (e.g. interlocking brick, tactile strips, etc.) be incorporated at grade changes and intersections;
- IV. Requiring disability parking spaces, as specified in the Zoning by-law;
- V. Encouraging any other features appropriate to ensure that barrier-free design is provided; and
- VI. Where appropriate, circulating the application to an Accessibility Advisory Committee for comment.

(d) Preparation of Guidelines

The Town may prepare specific design guidelines for accessibility and/or ensure that accessible design is addressed when preparing design guidelines for neighbourhoods.

3.4 Infrastructure and Utilities

3.4.1 Planning Objectives

- The Town will ensure there is a sufficient amount of land designated to accommodate infrastructure and utilities.
- The Town will ensure issues related to land use compatibility are addressed.
- The Town will work with appropriate providers to ensure the safe and efficient provision of power, cable and telecommunications in an environmentally acceptable manner.
- The Town is responsible for providing a supply of municipal sanitary sewer and water services within the Town. The Town will work closely with the Province to ensure there is sufficient supply of sanitary and water services to meet long term growth projections outlined in this Plan.
- The Town will ensure all new development within the Townsite occurs on lands with access to full municipal services and necessary utilities. For lands outside of the Townsite, the Town will ensure that development, where necessary, complies with the standards of, and are subject to, the approval of all applicable authorities/agencies.
- The Town aims to improve water quality and reduce stormwater run-off by promoting innovative techniques for stormwater management.

- In the provision of infrastructure and utilities, the Town will encourage the use of innovative techniques and new technology.

3.4.2 Policies

(a) Planned Function

The planned function of the Infrastructure and Utility designation is to allow for the efficient and effective use of land to accommodate utilities and infrastructure.

(b) Permitted Uses

Uses include public and/or privately owned facilities, including water and sanitary sewage facilities, Stormwater Management Facilities, pumping stations, hydro corridors, communications/telecommunications infrastructure and facilities and transmission towers. These facilities are permitted in all land use designations, subject to the Policies of the Plan.

(c) Design

The built form of new infrastructure and utility facilities will be in harmony with the character of the surrounding area and will be appropriately landscaped.

3.4.3 Water and Sanitary Sewerage

(a) General Water Supply

The Town will ensure there is a sufficient supply of water capacity within the treatment plant to serve Fort Frances and accommodate the long term growth projections for Fort Frances.

(b) Water Supply within the Townsite

All new development within the built area is required to be connected to the water system as a condition of development.

(c) General Sanitary Sewerage

The Town will ensure there is a sufficient reserve capacity within the sanitary treatment plant to serve Fort Frances and accommodate the long term growth of Fort Frances.

(d) Sanitary Sewage Supply within the Townsite

All new development within the built area is required to be connected to the sanitary sewage system as a condition of development.

(e) Sewage Outside of the Townsite – Private Services and Systems

- I. New development outside the urban service area of the Townsite shall utilize private sewage disposal and water services.
- II. No development shall be permitted unless it can be shown to the satisfaction of the Municipality that there is an adequate water supply, sewage disposal system and public road access to service the development. In addition, no development shall be permitted unless Council is satisfied that the development will not have an adverse impact on neighbouring wells and sewage disposal systems. In considering impacts on ground water quality and quantity, the Municipality may

require a hydrogeology study that considers among other matters the cumulative impacts of development on the sustainability of ground water resources.

(f) Communal Services

- I. Where full municipal sewage and water services are not or cannot be provided, and site conditions are suitable, communal services may be considered.
- II. Development dependant on communal services may be permitted only where Council is prepared to either assume ownership of communal services, or to enter into a responsibility agreement provided for municipal ownership in the event of default.
- III. The Municipality will consider approving development on communal services only where there is a legal mechanism to ensure that the municipal responsibility and liability related to the ownership, operation and maintenance of such a system is protected and that sufficient financial securities are in place to protect the municipality.
- IV. Any new development on communal services shall be consistent with Policy 1.6.4.1 of the 2005 Provincial Policy Statement to ensure that:
 - the communal systems can be sustained by the existing water resources;
 - is financially viable;
 - protects human health and the natural environment; and
 - is integrated with land use and phasing of the development.

3.4.4 Stormwater

(a) Stormwater Water Management Plan

A Stormwater Water Management Plan and Sediment Erosion Control Plan, prepared and signed by a qualified engineer, may be required depending on the scale, location and other site specific issues related to a proposed development.

(b) Innovative Techniques

The Town encourages the use of innovative techniques to reduce the need for large stormwater management facilities, thereby reducing run-off and improving water quality. Innovative techniques include, but are not limited to, rainwater harvesting systems (rain barrels and cisterns), green roofs, landscape systems and vegetated swales, downspout disconnection and permeable surfaces.

(c) Location

Stormwater Management Facilities should generally be located at the edge of neighbourhoods; at the interface with natural areas; and/or within large public open spaces, including community parks. Stormwater Management Facilities should not be located within the Natural Area.

(d) Naturalization

Where appropriate, Stormwater Management Facilities shall be naturalized, making use of native plants and species.

(e) Integration

Stormwater Management Facilities shall be designed to have a high level of public exposure and should be integrated in, and contribute to, the enhancement of the neighbourhood's public realm.

(f) Safety

The design and layout of Stormwater Management Facilities shall address issues related to safety and shall be designed with gentle slopes in areas with direct access. Areas with steeper slopes shall not have direct access and shall be designed to include overhangs, railings and dense plantings.

3.4.5 Power, Telecommunications and Other Cabled Services

(a) Location

New development will have local service power lines, communications/ telecommunications infrastructure and other cabled services located underground in road rights-of-way, where feasible.

(b) Land Use Compatibility

The Town will encourage utility installations for telecommunications towers to be located outside of residential areas, where feasible. In instances where the facilities are of a scale and function which is perceived to present significant issues related to land use compatibility, infrastructure which must be located within residential areas or within close proximity to residential areas shall be designed to be compatible with the adjacent and surrounding land uses.

(c) Design

Where feasible, the Town will seek to have local service power lines, communications/telecommunications infrastructure and other cabled services located underground. Above ground shall be sited to reduce their visual impact on the streetscape and/or screened using street furniture and landscaping. The Town encourages utility providers to consider innovative methods of containing utility services within streetscape features such as gateways, lamp posts, transit shelters, etc., when determining appropriate locations for large utility equipment and utility cluster sites.

(d) Location and Siting of Large Utility Equipment

The Town will ensure that appropriate locations for large utility equipment and cluster site have been determined and that consideration be given to locational requirements for larger infrastructure within public rights-of-way, as well as easements on private property.

(e) Permissions

Utility infrastructure shall be permitted in all land use designations, subject of the policies of this Plan.

(f) Servicing

The Town will ensure that adequate utility networks, are or will be, established to serve the anticipated development through discussions with public and/or private utility providers.

(g) Coordination

The Town encourages all utilities to be planned for and installed in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruptions.

(h) Communication Towers

The Municipality of Fort Frances recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of service. Communication towers of 16.5 m in height or greater are designated as a structure under the Ontario Building Code and will be subject to building permits, as well as regulations under the Zoning By-law.

Local zoning by-laws cannot prevent a telecommunication tower from being constructed, since the Federal Government has the approval authority under the *Radio Communications Act*. Industry Canada recognizes the importance of considering the potential impact of communication towers on the adjacent surroundings and the community. A proponent seeking to establish a communications tower shall work with the Municipality, seek input from the community, and meet the requirements as set out in the *Radio Communications Act*.

3.4.6 Power Generation Facilities and Green Energy

Fort Frances will encourage and support alternative and renewable-source energy generation facilities which are developed in accordance with this Plan and Provincial and Federal legislation, policies, and regulations. Proposed developments will be encouraged to locate in areas where their adverse impacts on adjacent lands and natural features are minimized and mitigated to the greatest extent possible. Where feasible and practical, power generation facilities which are primarily buildings (e.g. cogeneration plant) may be encouraged to develop on brownfield sites. When evaluating proposals for alternative energy generation facilities the Town will consider the following:

- a) Location of facility;
- b) Size and scale of proposed facility;
- c) Potential for land use compatibility issues with adjacent land uses and potential for adverse impacts related to air, noise, odour, vibration, etc.;
- d) Potential for perceived risks to human health and safety; and
- e) Any additional considerations.

For highway safety reasons, wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade.

Developments which fall under the jurisdiction of the Green Energy Act do not require an Amendment to this Plan.

3.4.7 Energy Conservation

Fort Frances shall encourage and support energy conservation, district heating and combined heat and power, and the on-site use of alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies, and

regulations, and where all potential negative impacts to adjacent lands are mitigated. The Town will also encourage the application of energy conservation measures in the infrastructure and utility servicing of new buildings and in the rehabilitation and upgrading of existing neighbourhoods, buildings and structures. The Town will encourage and support water conservation methods (such as efficient landscape irrigation, low water consumption fixtures, etc.) in the development of new sites and buildings and in the rehabilitation and upgrading of existing sites and buildings. The Town may establish energy conservation design guidelines to encourage, or require, future development to implement energy conservation measures.

3.4.8 Site Plan Control

The development of all new infrastructure and utilities are subject to Site Plan Control.

3.5 Gateway Policies

There are three main approaches into Fort Frances. The east-west approaches are along King's Highway No. 11 while the approach from the south is via the International Bridge between International Falls and Fort Frances. The International Bridge traffic connects with Church Street, Central Avenue and eventually with the King's Highway.

These important corridors are gateway entrances into Fort Frances and provide potential economic benefits to the Town. The Town wishes to capture this traffic by providing a welcoming entrance into Fort Frances, with the intent of increasing the time spent in the Town by the travelling public. The Town recognizes that there are unsightly existing uses along these important corridors and it will work with the land owners to relocate these uses to a more appropriate land use designation away from the corridors.

The Plan includes a Gateway Economic Overlay at the three main entrances into the Town of Fort Frances. The Gateway Economic Overlay designation is planned to be a specialized employment area for businesses related to transportation and logistics, including facilities related to shipping and receiving, warehouses, major offices, manufacturers' showrooms, prestige manufacturing, light other similar uses. Minor retail, personal and professional services, commercial uses which are scaled to meet the needs of the employees within the immediate area are also permitted. Educational institutions that are complimentary to the aforementioned uses are also permitted. There shall be no outside storage of raw goods, materials or waste materials.

3.5.1 Design

Gateway Economic Area uses should be planned and designed to reflect the important role they play in serving the Town, the Rainy River District and Ontario. Gateway Economic Area uses should have high quality exteriors and landscaping. Gateway Economic Area uses at the convergence of transportation corridors will be encouraged to incorporate high quality, but unobtrusive, signage, architectural detailing on the principal building, and/or landscaping. The Gateway Economic Area, given its important locational characteristic, will be required to accommodate a high degree of streetscaping. The design of Gateway Economic Area uses should be pedestrian-friendly, barrier-free and accessible. Where outdoor storage is allowed as a previously existing use, it shall be screened using fencing and/or plantings so that the storage area or materials are not



Eighth Street East

Lake Road

Lake Road

Calder Drive

Calder Drive

Woodward Street

Elizabeth St East

Fifth Street East

Colonization Road E

Minnie Avenue

Williams Avenue

Shevlin Avenue

Fifth Street East



Eighth Street East

Lake Road

Williams Avenue

Strachan Place

Woodward Street

Bayview Avenue

Mill Road

Calder Drive

Date: August 25, 2020

Report To: Planning and Development Executive Committee

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: B3-2020: Application to Remove Holding Provision – Ryan Lundy – Eighth Street East

Background

An application has been submitted by authorized agent for the subject lands, Ryan Lundy, requesting to remove the holding provision from the zoning designation to permit the construction of a single detached dwelling. The subject land is located on Eighth Street East and legally described as PCL 12043 SEC RAINY RIVER; PT LT 19 RIVER RANGE MCIRVINE PARTS 1 & 2, RR138; FORT FRANCES. The holding provision on the land halts any development from taking place unless mayor and council agree to pass a by-law to remove said holding provision.

It is believed that the holding provision has been assigned to this property and many others in the area due to the lack of fire protection via municipal fire hydrant as well as lack of municipal sewer and water services.

Two other properties within the area have successfully removed the holding provision from their properties. One of which was approved to use both well and septic, where the other was approved for well as they do have access to a municipal sewer tie in.

It should also be noted that there are multiple properties along Frog Creek Road and McIrvine Road, albeit zoned Resource Development (RD), which do not contain holding provisions on their zoning designation which subsequently do not have access to municipal sewer, water or fire hydrants.

Property History

The property is located on Eighth Street East between Williams Avenue and Mill Road. The subject land is bound by railway to the south, residential type one with a holding provision to the east, residential type one with a holding provision to the west, and residential type one with a holding provision to the north. The property to the north of the subject land is sometimes locally referred to as an old air strip.

The property does not have any existing structures and it is not serviced by municipal water or sewer.

Official Plan

The property is designated as a **Living Area** which supports the use a residential in the form of a single detached dwelling.

The Official Plan States the following regarding holding provisions:

5.4.3 Holding Provisions

5.4.3.1 Purpose of Holding

The Zoning By-law will incorporate provisions for Holding Zoning which may be applied on lands where the lands are pre-zoned for a use, but presently there exist a number of conditions which must be satisfied prior to development. Lands subject to Holding Zoning will be identified with an "H" symbol beside the land use symbol on the Zoning map.

5.4.3.2 Application of the Holding Provision

Holding provisions will be applied where there is a need for additional conditions which cannot be applied on a pre-zoning basis or through the Site Plan Approval process.

5.4.3.3 Interim Uses for Lands Subject to Holding

The Zoning By-law may specify interim uses which may be deemed compatible and/or permissible, even though lands are subject to a Holding Provision.

5.4.3.4 Lifting of the Holding Provision

The Zoning By-law will be amended to remove the Holding symbol when it has been determined that the conditions requiring the Holding have been satisfied. Such conditions may include, but are not limited to:

- a) Completion of special studies related to the area, or site's opportunities or constraints, or the impact of development and mitigation thereof;
- b) The grading of the site;
- c) The provision of road infrastructure, including, but not limited to, the road base, streetlights, signage and traffic control signals;
- d) The provision of water, wastewater, or stormwater servicing for the lands;
- e) Satisfying certain financial requirements of the municipality;
- f) Any other matter provided for by the provisions of the Planning Act.

5.4.3.5 Stakeholder Consultation

Consultation related to lifting of the Holding provision will be done in accordance with the Planning Act.

Zoning

The property is currently zoned **Residential Type One with a holding provision (R1-H)**. The holding provision is required to be removed to facilitate any development on the lands and to achieve a zoning designation as **Residential Type One (R1)** where the following uses are permitted:

- a) single detached dwelling
- b) home occupation
- c) group home
- d) community garden

The zoning by-law 03/14 states the following regarding the holding provision:

3.10 HOLDING PROVISIONS

Where the zone symbol on Schedule 'A' is followed by an 'H', the lands shall be deemed to be in a special Holding Zone. Council may pass a By-law to remove the Holding provision when Council has approved a Site Plan or a Subdivision Agreement has been registered against the title of the lands. No new buildings or structures may be constructed on the lands until the Holding Provision (H) has been removed. Until such time as the Holding Provision has been removed by a By-law passed by Council, the lands may be used for existing uses in accordance with the provisions of the applicable zone.

Provincial Policy Statements

The Planning Act requires that zoning by-law amendments including removal of holding provisions be consistent with provincial policy statements as identified in the 2020 Provincial Policy Statements (PPS). Applicable PPS 2020 statements have been attached with this report.

Divisional Comments

Fort Frances Power Corporation – No comments received.

Fort Frances Fire Rescue – Nearest fire hydrant is over 200m away. If there was ever a fire at the property, fire rescue service would have to deploy the majority of all 4-inch supply line from the fire hydrant to the pumper truck.

Fort Frances Public Works – The property is not serviced, nor are there mains in front of the property for service connection. Watermain ends approximately 250ft east of the northeast property corner (water line is a service main 25mm copper with existing connections on the South side of Eighth Street); sewer main ends approximately 240ft East of the NE corner of the property (250mm PVC main). Storm sewer is open ditches, with a PVC subdrain located on the South side of Eighth in front of the property. Will need to conform will all aspects of the Northwestern Health Unit for septic and well installation. Further at some time in the future we will likely be installing sewer and watermain along this road segment. At that time services will be ran to property and in the future they property owners would have to pay for those services when they connect to those.

Fort Frances Recreation & Culture – No comments received.

Fort Frances Planning & Development - In the event of approval the below conditions are recommended. This proposal would allow the municipality to generate a greater tax assessment rather than a vacant lot. Other properties towards the airport are serviced by well and septic. To comply with NWHU regulations for well and septic, with proof of approvals prior to building permit.

Committee of Adjustment

The Committee of Adjustment considered this matter at their August 12, 2020 session with recommendation to approve with the following conditions:

1. That prior to any development in, on, or with respect to the property, the owner shall have executed an agreement in form and substance satisfactory to the municipality as to or in respect of existing and future water and septic services in, on, and to the property including, without limitation, provisions confirming responsibility and liability of the owner(s) for and in respect of services whether past, current or future
2. That the above stated agreement provide verbiage relating to mandatory connection to municipal water and sewer in the event they are ever extended to the property in the future
3. That the above stated agreement include verbiage regarding noise and vibration due to proximity to the railway

Public Meeting

September 14, 2020

Join Microsoft Teams Meeting

[+1 807-701-5975](#) Canada, Thunder Bay (Toll)

Conference ID: 582 261 596#

Summary/Recommendation:

If the Planning and Development Executive Committee decides to recommend in favour of removing the holding provision, they may wish to recommend the following conditions:

- a) That permission be granted to service one single detached dwelling plus potential associated second dwelling unit
- b) That prior to any development in, on, or with respect to the property, the owner shall have executed an agreement in form and substance satisfactory to the municipality as to or in respect of existing and future water and septic services in, on, and to the property including, without limitation, provisions confirming responsibility and liability of the owner(s) for and in respect of services whether past, current or future, and that said agreement be registered on title
- c) That the above stated agreement provide verbiage relating to mandatory connection to municipal water and sewer in the event they are ever extended to the property
- d) That the above stated agreement include verbiage regarding noise and vibration due to proximity to the railway
- e) That approval of well and septic be conditional to successfully removing the holding provision from the zoning designation
- f) That the by-law to remove the hold, if approved with conditions, be registered against the title to the property

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Cody Vangel', with a stylized, sweeping flourish at the end.

Cody Vangel, EIT
Chief Building Official & Municipal Planner



Town of Fort Frances
 320 Portage Avenue
 Fort Frances, On P9A 3P9
 T: 807-274-5323
 F: 807-274-8479

www.fort-frances.com

APPLICATION FOR ZONING BY-LAW AMENDMENT

The Planning Act, RSO 1990, as amended (O'Reg. 545/06)

Notice of Public Record:

In accordance with section 1.0.1 of the Planning Act, RSO, 1990, all information and materials required in support of your application shall be made available to the public.

Complete Application:

All applicable sections of the application form must be completed. An incomplete application will be returned. For assistance, contact the Planning Department by phone at 807-274-5323 ex. 1216 or by email at cvangel@fortfrances.ca.



APPLICATION TYPE (check one)

- ☐ Zoning By-Law Amendment (section 34)
 ☒ Removal of Holding Provision (section 36)
☐ Removal of Interim Control By-Law (section 38)
 ☐ Temporary Use By-Law (section 39)

1. The name, address, telephone number and email address (if any) of the Applicant:	
Ryan Lundy 905 Phair Ave, Fort Frances, ON (807)271-0479 rlundy20@gmail.com	
2. If known the names and full addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:	
N/A	
3. The current Official Plan designation of subject land:	LIVING AREA
4. Describe how the application conforms to the official plan of the municipality?	
The application is to continue to use the land as residential, and to have the area be used for a single family home in the future.	
5. The current zoning of the subject land:	R-1 (H)
6. The nature and extent of the rezoning requested:	
Requesting the property be rezoned to R-1, removing the current "hold" on the property.	

7. The reason why the rezoning is requested.					
To allow the land to be serviced with well, septic, etc. to be able to be used in the future to build a single detached dwelling.					
8. Is the subject land within an area where the municipality has predetermined minimum & maximum density requirements or minimum or maximum height requirements?					
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, provide information relative to these requirements.					
If the hold were to be removed the land would fall under the R-1 zone. The requirements would be as follows: Minimum Lot Area = 460 m ² Minimum Lot Frontage = 15 m Minimum Yard Requirements: Front Yard = 7.5 m Interior Side Yard = 1.5 m Exterior Side Yard = 3 m Rear Yard = 7.5 m Maximum Lot Coverage = 40% Minimum Landscaped Open Space = 20% Maximum Height of Building = 12m Minimum Floor Area = 79 m ²					
9. The description of the subject land, such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number:					
Lot 19, 8th Street East, Fort Frances, ON P9A 1X7 Legally described as: PCL 12043 SEC RAINY RIVER; PT LT 19 RIVER RANGE MCIRVINE PARTS 1 & 2, RR138; FORT FRANCES O PIN#56017006					
10. The frontage, depth and area of the subject land (in metric):					
Frontage:	100.88 m	Depth:	87.43 - 114.76 m (irregular)	Area:	10,191.99 m (2.52 acres)
11. Is the application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide details of the official plan that deals with the matter					
N/A					
12. Is the application to remove land from an area of employment?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide details of the official plan that deals with the matter.					
N/A					
13. Is the subject land within an area where zoning with conditions may apply?					

Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions	
N/A	
14. Is access to the subject land by provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way or by water?	
Access is by a municipal road that is maintained all year.	
15. If access to the subject land is by water only, provide details of the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public land:	
N/A	
16. Existing uses of the subject land:	
- vacant land	
17. Are there any buildings or structures on the subject land: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
18. If answer to question 17 is yes, provide, for each building or structure, the type of building or structure and the setback from the front lot lines, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:	
N/A	
19. The proposed uses of the subject land:	
To have serviced to build a single detached dwelling in the future.	
20. Are any buildings or structures proposed for the subject land? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
21. If answer for question 20 is yes, provide, for each building or structure, the type of building or structure proposed, the setback from the front lot line, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:	
Single Detached Dwelling - 140-280 m ² (1500-3000 sqft) floor area, setback/lines/height to be determined (will comply with all minimum and maximum requirements).	
22. If known,	
a. the date the subject land was acquired by the current owner:	Unknown
b. the date existing buildings or structures on the subject land were constructed:	

N/A	
c. the length of time that the existing uses of the subject land have continued:	
N/A	
23. Water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or by other means:	
None, but currently proposing permission from Council for an individual well.	
24. Whether sewage disposal is provided to the subject land by a publicly owned and operated piped sewage disposal system, a privately owned and operated individual or communal septic system, a privy or other means:	
None, but currently proposing permission from Council for a privately owned and operated septic system.	
25. If the application permits development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report, and a hydrogeological report are required. Are these reports attached? N/A	
a. a servicing options report,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
b. a hydrogeological report	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
26. Indicate whether storm drainage is provided by sewers, ditches, swales or other means:	
Storm drainage is provided by ditches. It may also be provided by man-made swales in the future.	
27. If known,	
a. is the subject land the subject of an application under the Act for approval of a plan of subdivision or a consent: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, provide file number and status of the application:	N/A
N/A	
b. has the subject land ever been the subject of an application under Section 34 of the Act: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, provide file number and status of the application:	N/A
N/A	
c. has the subject land ever been the subject of a Minister's Zoning Order? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, provide Ontario Regulation number of the Order:	N/A
28. A sketch showing, in metric units, the following:	
a. the boundaries and dimensions of the subject land.	
b. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the lot lines.	

- c. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to it, and that in the applicant's opinion, may affect the application (*for examples buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks*).
- d. The current uses on land that is adjacent to the subject land.
- e. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way.
- f. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- g. The location and nature of any easement affecting the subject land.

29. Is the application for an amendment to the zoning by-law consistent with the policy statements issued under subsection 3(1) of the Act. Yes ☒ No ☐

30. Is the subject land within an area of land designated under any provincial plan or plans?
Yes ☐ No ☒

31. If answer to question 30 is yes, does the application conform to the applicable provincial plan or plans?
Yes ☐ No ☒ (N/A)

32. An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.

DECLARATION
Of Applicant or Authorized Agent

I, Ryan Lundy of the Town of Fort Frances, in the District of Rainy River solemnly declare that:

All the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the


Town of Fort Frances, in the

District of Rainy River, this 22nd

day of July 2020

)
)
)
)
)
)
)


Signature of Applicant or
Authorized Agent

 Elizabeth Slomke, a Commissioner, etc.,
District of Rainy River, for the Corporation
of the Town of Fort Frances.

Signature of Commissioner etc.

PLEASE NOTE:

1. *The Owner must complete the Owner's Consent.*
2. *If the applicant is not the Owner, the application must be accompanied by an Authorization of Owner.*
3. *12 copies of this application are required for processing accompanied by the required fee as outlined in current user fee by-law.*
4. *Application and fee to be filed with the Municipal Planner*
5. *It takes approximately 3 months to complete the process for a Zoning Amendment Application.*
6. *It is strongly recommended that you consult with the Municipal Planner to ensure the timelines of your application coincide with your development proposal.*

COMPLETE IF APPLICANT IS THE OWNER**OWNER'S CONSENT**

I, _____, am the owner of the land that is the subject of this application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

Date

Signature of Owner

COMPLETE IF APPLICANT IS NOT THE OWNER**AUTHORIZATION OF OWNER**

Roslyn N Broman Bonny C Montgomery Elizabeth J. Guenette

I, Janet Eldret Lydia D Harris, am the owner of the land that is the subject of this application for zoning amendment and, for the purpose of processing and the Freedom of Information and Protection of Privacy Act, I authorize Ryan Lundy to act as my agent for this application and

provide any of my personal information that will be included in this application or collected during the processing of the application and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application

7/13/2020 | 5:40 PM CDT

DocuSigned by:

Bonny C Montgomery

Date

7/14/2020 | 1:04 PM CDT

DocuSigned by:

Ed Bonarath

B589789B124A403...

Signature of Owner

7/14/2020 | 9:25 PM CDT

DocuSigned by:

Janet P. J. J.

CA19A81CDC25430...

7/13/2020 | 8:14 PM PDT

DocuSigned by:

Lydia Dianne Harris

638ADADAE89C4E3...

7/13/2020 | 6:57 PM CDT

DocuSigned by:

Roslyn N Broman

33CC7D16676B4E8...

[Back](#)[Overview](#)[Property Details](#)[Site & Structure](#)[Valuation & Sales](#)[PDF & Survey Print](#)[Demographic Comparables](#)[Tools](#)[Close](#)

Fort Frances

[Suggest an address correction](#)**Owner Name**ELDRET, JANET; HARRIS,
LYDIA DIANNE;
GUENETTE, ELI...Multiple Owners
(See Property Details)**Last Sale****\$0**

Jan 10, 2012

**Lot Size****333.83 ft**

Frontage

N/A

Depth

Measurements Available
(See Site & Structure)**Assessed Value****\$34,000**

Based on Jan 1, 2016

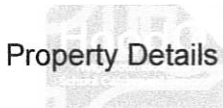
Phased-In Value**\$34,000**

2020 Tax Year

Legal Description

PCL 12043 SEC RAINY RIVER; PT LT 19 RIVER RANGE MCIRVINE PARTS 1 & 2, RR138; FORT FRANCES

Property Details



Google

© Google

GeoWarehouse Address

FORT FRANCES

Land Registry Office

Rainy River (48)

Owner Names

ELDRET, JANET; HARRIS, LYDIA DIANNE; GUENETTE, ELIZABETH JOHANN; MONTGOMERY, BONNY CHRISTINE; BROMAN, ROSLYN NAN

Ownership Type

Freehold

Land Registry Status

Active

Registration Type

Certified (Land Titles)

PIN

560170006

Site & Structure



Valuation & Sales

Map & Survey

Demographics

Tools

Close

ARN 591203000714500

PIN 560170006

Map data ©2020 Google

Lot Size Area: 109,705.67 ft² (2.518 ac) Perimeter: 1,335.30 ft
 Measurements: 286.85 ft x 343.09 ft x 376.50 ft x 330.96 ft
 Lot Measurement Accuracy: LOW

Assessment 1 ARN : 591203000714500

Site Frontage: 333.83 ft Depth: 0.00 ft

Structure Property Description: Vacant residential land not on water Property Code: 100

Phased-In Value Click to purchase the 4-year Phase-in Report Assessed Value
 \$34,000 \$34,000
 2020 Tax Year Based on Jan 1, 2016

Valuation & Sales

Sales History

Sale Date	Sale Amount	Type	Party To	Notes
Jan 10, 2012	\$0	Transfer by Personal Representative	ELDRET, JANET; HARRIS, LYDIA DIANNE; GUENETTE, ELIZABETH JOHANN; MONTGOMERY, BONNY CHRISTINE; BROMAN, ROSLYN NAN;	
Jan 10, 2012	\$0	Transmission by Personal Representative (Land)	ELDRET, JANET;	
Aug 27, 2004	\$1	Transfer	ELDRET, JANET; HARRIS, LYDIA DIANNE; GUENETTE, ELIZABETH JOHANN; MONTGOMERY, BONNY CHRISTINE; BROMAN, ROSLYN NAN; LEATHERDALE, LYDIA CHRISTINA;	
May 04, 1995	\$1	Transfer	LEATHERDALE, LYDIA CHRISTINA;	

Assessed Value



THE CORPORATION OF THE TOWN OF FORT FRANCES
(the “Municipality”)

BY-LAW No. 03/14 - F

(Being a By-law to amend By-Law No. 03/14 as amended)

WHEREAS Council (“Council”) of the Municipality has been requested to amend By-Law 03/14, as amended, by removing the “H” symbol (the “Holding Symbol”) used in conjunction with the “R1” zone symbol on or with regard to the lands and premises (the “Property”) legally described as Pt Lt 21 River Range McIrvine Parts 1, 2, 3, 4, 5 & 6, 48R4004; Fort Frances (PIN 56016-0743).

NOW THEREFORE the Council of the Municipality **HEREBY ENACTS** as follows:

1. Subject to and provided that:
 - (a) prior to any development in, on, or with respect to, the Property the registered owner(s) of the Property (the “Owners”) shall have entered into a site plan control agreement with the Municipality in form and substance satisfactory to the Municipality; and
 - (b) prior to any development in, on, or with respect to, the Property, the Owners shall have executed an agreement in form and substance satisfactory to the Municipality as to or in respect of existing and future water and septic services (collectively, the “Services”) in, on, and to the Property including, without limitation, provisions confirming responsibility and liability of the Owner(s) for and in respect of the Services whether past, current, or future; and
 - (c) no person shall use or cause to permit the Property to be used, and no person shall erect or use, or cause or permit to be erected or used any building or structure thereon, except in accordance with the provisions paragraphs 1 (a) and 1 (b) of this By-Law

the zoning of the Property shall be and is hereby deemed amended to remove the Holding Symbol.

2. This By-Law shall be registered against title to the Property.
3. The Mayor and the Clerk of the Municipality shall and are hereby authorized and directed to sign any and all documents and take all action necessary or desirable to carry out the intent of this By-law.

ENACTED and passed this 23rd day of May, 2017.

Original signed by R. Avis

per: _____
R. Avis, Mayor

Original signed by E. Slomke

per: _____
E. Slomke, Clerk



Minnie Avenue

Eighth Street East

Lake Road

Lake Road

Idylwild Drive

Calder Drive

Calder Drive

Woodward Street

Elizabeth St East

Fifth Street East

Colonization Road E

1050

1022

1020

1018

1016

1014

1012

1010

1008

1006

1004

1002

1000

907

905

903

901

900

900

900

900

900

900

900

900

900

900

900

900

900

900

900

900

900

900

900

900

1049

1047

1045

1043

1041

1039

1037

1035

1033

1031

1029

1027

1025

1023

1021

1019

1017

1015

1013

1011

1009

1007

1005

1003

1001

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1056

1054

1052

1050

1048

1046

1044

1042

1040

1038

1036

1034

1032

1030

1028

1026

1024

1022

1020

1018

1016

1014

1012

1010

1008

1006

1004

1002

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1209

1207

1205

1203

1201

1199

1197

1195

1193

1191

1189

1187

1185

1183

1181

1179

1177

1175

1173

1171

1169

1167

1165

1163

1161

1159

1157

1155

1153

1151

1149

1147

1145

1143

1141

1139

1137

1135

1133

1131

1129

1127

1220

1218

1216

1214

1212

1210

1208

1206

1204

1202

1200

1198

1196

1194

1192

1190

1188

1186

1184

1182

1180

1178

1176

1174

1172

1170

1168

1166

1164

1162

1160

1158

1156

1154

1152

1150

1148

1146

1144

1142

1140

1138

1300

1298

1296

1294

1292

1290

1288

1286

1284

1282

1280

1278

1276

1274

1272

1270

1268

1266

1264

1262

1260

1258

1256

1254

1252

1250

1248

1246

1244

1242

1240

1238

1236

1234

1232

1230

1228

1226

1224

1222

1220

1218

1305

1303

1301

1299

1297

1295

1293

1291

1289

1287

1285

1283

1281

1279

1277

1275

1273

1271

1269

1267

1265

1263

1261

1259

1257

1255

1253

1251

1249

1247

1245

1243

1241

1239

1237

1235

1233

1231

1229

1227

1225

1223

1365

1363

1361

1359

1357

1355

1353

1351

1349

1347

1345

1343

1341

1339

1337

1335

1333

1331

1329

1327

1325

1323

1321

1319

1317

1315

1313

1311

1309

1307

1305

1303



Eighth Street East

Lake Road

Williams Avenue

Strachan Place

Mill Road

Woodward Street

Bayview Avenue

Calder Drive

1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

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.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and Public Service Facilities

1.6.1 *Infrastructure* and *public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

1.6.2 Planning authorities should promote *green infrastructure* to complement *infrastructure*.

- 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:
- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible.
- 1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.
- 1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.6 Sewage, Water and Stormwater

- 1.6.6.1 Planning for *sewage and water services* shall:
- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
 - 1. *municipal sewage services* and *municipal water services*; and
 - 2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
 - b) ensure that these systems are provided in a manner that:
 - 1. can be sustained by the water resources upon which such services rely;
 - 2. prepares for the *impacts of a changing climate*;
 - 3. is feasible and financially viable over their lifecycle; and
 - 4. protects human health and safety, and the natural environment;
 - c) promote water conservation and water use efficiency;
 - d) integrate servicing and land use considerations at all stages of the planning process; and
 - e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services* and *municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.
- 1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. Within *settlement areas* with existing *municipal sewage services* and *municipal water services*, *intensification* and *redevelopment* shall be promoted wherever feasible to optimize the use of the services.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, *individual on-site sewage services* and *individual on-site water services* may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in *rural areas* in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into *rural areas* is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of

sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the *impacts of a changing climate* through the effective management of stormwater, including the use of *green infrastructure*;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7 Transportation Systems

1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

1.6.8 Transportation and Infrastructure Corridors

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

THE CORPORATION OF THE TOWN OF FORT FRANCES
(the "Municipality")

BY-LAW No. 03/14 - Q

(Being a By-law to amend By-Law No. 03/14 as amended)

WHEREAS Council ("Council") of the Municipality has been requested to amend By-Law 03/14, as amended, by removing the "H" symbol (the "Holding Symbol") used in conjunction with the "R1" zone symbol on or with regard to the lands and premises (the "Property") legally described as PCL BLK A-6 SEC SM81; PT BLK A PL SM81 MCIRVINE AS IN SLT29611; EXCEPT SLT56690; SLT 59640, S128, PT 1, RR586, PT 2, 48R1109, A8429, A8430; FORT FRANCES (PIN 56016-0644).

NOW THEREFORE the Council of the Municipality **HEREBY ENACTS** as follows:

1. Subject to and provided that:
 - (a) prior to any development in, on, or with respect to, the Property, the Owners shall have executed an agreement in form and substance satisfactory to the Municipality as to or in respect of existing and future water and septic services (collectively, the "Services") in, on, and to the Property including, without limitation, provisions confirming responsibility and liability of the Owner(s) for and in respect of the Services whether past, current, or future; and
 - (c) no person shall use or cause to permit the Property to be used, and no person shall erect or use, or cause or permit to be erected or used any building or structure thereon, except in accordance with the provisions paragraphs 1 (a) of this By-Law

the zoning of the Property shall be and is hereby deemed amended to remove the Holding Symbol.

2. This By-Law shall be registered against title to the Property.
3. The Mayor and the Clerk of the Municipality shall and are hereby authorized and directed to sign any and all documents and take all action necessary or desirable to carry out the intent of this By-law.

ENACTED and passed this 9th day of September, 2019.

per: 
J. J. Caul, Mayor

per: 
E. Slomke, Clerk

Date: August 31, 2020

Report To: Planning and Development Executive Committee

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: Municipal Cannabis Policy Statement

The Planning and Development Executive Committee may recall that on January 14, 2019 Mayor and Council passed a resolution to opt-in allowing cannabis retail stores in the Town of Fort Frances. Along with the above stated resolution it was also agreed to defer the development of a Municipal Cannabis Policy Statement to a later date. During these initial meetings, a draft municipal cannabis policy statement was included, though was never formally approved.

The intent behind the Municipal Cannabis Policy Statement is to:

- Provide better guidance to prospective retail developers on suitable locations for their cannabis retail store
- Identify sensitive areas within the community such as schools, parks, children facilities, etc. in which a 150m buffer is recommended and/or regulated
- Provide municipal staff with a framework for providing comment to the Alcohol and Gaming Commission of Ontario (AGCO) during the statutory 15-day consultation period for a proposed cannabis retail store

Attached with this report is the proposed draft Municipal Cannabis Policy Statement along with associated Schedule A for comment from the Planning and Development Executive Committee, and subsequent recommendation for approval if deemed appropriate.

Multiple unofficial Municipal Cannabis Policy Statements from other Ontario municipalities have been attached for reference.

Respectfully submitted



Cody Vangel, EIT
Chief Building Official & Municipal Planner

<i>The Town of Fort Frances</i>	SECTION Planning & Development Division
<u>Policy</u> Municipal Cannabis Policy Statement	NEW: January 2019 REVIEWED:
Resolution No. #####	
Policy Number 6.3	PAGE 1 of 2

1. Purpose and Vision

The purpose of this policy statement is to provide a format for municipal government input to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in The Town of Fort Frances.

The AGCO is the provincial authority that licences cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. Municipal governments have no licensing authority.

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, that the proposed store location is consistent with the public interest as defined in the regulations.

The Town of Fort Frances has chosen to allow retail sales of recreational cannabis. The following provides municipal staff and residence of the Town of Fort Frances with guidance on commenting to AGCO when notice on a specific proposed cannabis retail store site is provided on the site location.

For the purposes of this policy statement, a cannabis retail store shall mean a store licenced by the AGCO.

2. Principles for Cannabis Retail Store Locations (Relationship to Applicable Law)

Land Use Planning: The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents. The definitions within the municipality's Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the employment or downtown business areas of the Municipality.

Municipal Building Inspections: while the licencing of the store operation is the responsibility of the AGCO, the Building Code applies to cannabis retail store locations. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.

3. Cannabis Retail Stores and Sensitive activities

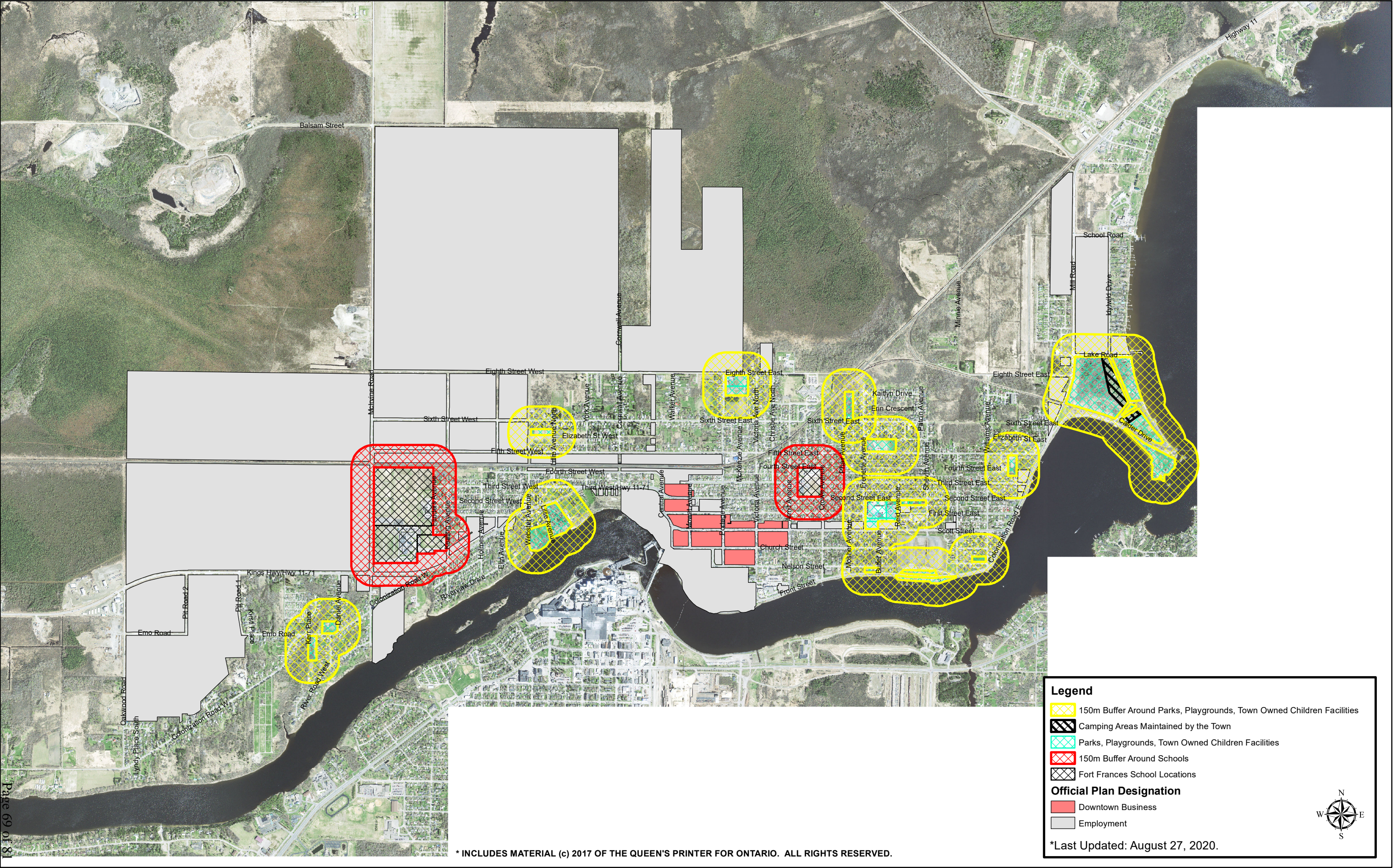
Cannabis retail stores shall conform with the Town of Fort Frances Official Plan and Zoning By-Law designations.

Cannabis retail stores shall carry all required AGCO licences as well as a Town of Fort Frances Municipal Business Licence.

In order to promote public health and safety, protect youth and restrict their access to cannabis and reduce illegal sales, retail cannabis stores should be located at least 150 m from nearby properties which are designed to serve youth including schools, parks, playgrounds, Town-owned children facilities and federally-funded First Nation schools off-reserve.

Schedule A attached hereto identifies areas where retail stores may be permitted, as well as identifying a 150m buffer where a retail cannabis store may not be permitted through Provincial Regulation and Municipal recommendation.

150 m Buffer Zone Around Fort Frances Schools, Parks, Playgrounds and Town Owned Children's Facilities



Corporation of the Town of Hearst

Cannabis Policy Statement

1. Purpose and Vision

The purpose of this policy statement is to provide a format for municipal government input to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in the Town of Hearst.

The AGCO is the provincial authority that licenses cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. Municipal governments have no licensing authority.

The Town of Hearst has chosen, pursuant to Resolution No. 384-18, to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to AGCO when notice of a proposed cannabis retail store within the municipality is provided.

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, that the proposed store location is consistent with the public interest as defined in the regulations.

- The AGCO will have a 15-day window for municipal comments respecting the proposed location of a retail cannabis store within the Municipality. Notice will be provided through the AGCO website and posted at the site of a proposed retail store.
- Municipal comments and comments from the public must focus on the three provincial public interest objectives:
 - a) public health and safety,
 - b) protecting youth and restricting their access to cannabis, and
 - c) ending illegal sales of cannabis and illicit activities in relation to cannabis.
- The Registrar has mandated a 150m setback from schools where no retail cannabis store will be permitted to be located.

2. In addition, this policy:

- a) Sets out locally sensitive uses (in addition to schools under the Ontario Education Act) with respect to the location of retail cannabis stores that the Municipality would want considered by the AGCO with respect to the licensing process;
- b) Provides municipal staff a framework on which to base comments to the AGCO during the 15-day comment window;
- c) Assists individuals and businesses who are planning to make an application to the AGCO to operate a dispensary, understand the local context of where a cannabis retail store may be most appropriate, understanding however, that all licensing is the sole responsibility of the AGCO.

3. Principles for Cannabis Retail Store Locations

Relationship to other applicable law:

- Land Use Planning: The provincial licensing process does not remove the requirements to comply with the Town of Hearst Zoning By-law and other municipal planning documents. The definitions within the Town's Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores/dispensaries. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the retail zones.
- Municipal Building Inspections: While the licensing of the store operations is the responsibility of the AGCO, the Building Code applies to cannabis retail store locations. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.

4. For the purpose of this policy statement, a cannabis retail store (or dispensary) shall mean a store licensed by the AGCO.

a) Cannabis Retail Stores and Sensitive Activities:

In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged where nearby properties are designed to serve youth or other sensitive facilities that service persons with mental health or addiction challenges, including:

- 30 metres from the Notre-Dame Hospital and Notre-Dame Hospital Foundation properties,
- 30 metres from the Maison Renaissance property,
- 30 metres from the Université de Hearst property, (so long as Passeport jeunesse public school is a tenant in the building),
- 30 metres from the Public Library property,
- 30 metres from the Counselling Services offices,
- 30 metres from the North Eastern Ontario Family and Children Services offices,
- 30 metres from the family physicians offices,
- 30 metres from the Éducatôt Hub property
- 30 metres from Familicare Agency providers.

Note: Ontario Regulation restricts a cannabis retail store from being located within a distance of 150 meters of a public school or most private schools. The Municipality cannot adopt a greater distance. The distance buffer is measured from the property line, if the school is the primary or only occupant of a building; or the boundary of any space occupied by the school within the building, if the school shares space.

5. Comment Preparation & Submission

- a) When preparing comments to be submitted to the AGCO, staff shall have regard for:
- i) Ensuring zoning allows a retail establishment as a permitted use;
 - ii) The separation distances listed in Section 4. a) of this Policy are respected; and
 - iii) The purpose of Section 1 is met.
- b) The Director of Planning, or designate, is delegated the responsibility to submit comments to the AGCO on behalf of the Town of Hearst. Regular updates are to be provided to Council regarding correspondence with the AGCO.

- **Schedule A** attached hereto generally identifies the areas where retail stores is a permitted use.
- **Schedule B** attached hereto identifies all schools, as identified by the Education Act, as well as the 150m buffer where a retail cannabis store may not be permitted by Provincial Regulation.
- **Schedule C** identifies other sensitive facilities that, based on a consultation with service providers, Council considers as sensitive land uses. The following criteria, prescribed by the Province, determine "public interest"; a 30 meter buffer is identified.
 - a) Protection of health and safety;
 - b) Protection of youth and restriction of their access to cannabis;
 - c) Prevention of illicit activities in relation to cannabis.

Municipal Cannabis Policy Statement



Section	Date	By-Law Number	Page	Of
Administration & Finance	August 13, 2019	-2019	1	3
Subsection	Repeals By-Law Number		Policy Number	
Administration	N/A		AF-11-5	

Background

Bill C-45, the Cannabis Act, came into effect on October 17, 2018. The Act legalizes access to recreational cannabis in Canada and controls and regulates how cannabis is grown, distributed and sold.

In Ontario, the Cannabis License Act, 2018 and Ontario Regulation 468/18 provide the Registrar of the Alcohol and Gaming Commission of Ontario (AGCO) with the authority to establish standards and requirements respecting the licensing of retail cannabis stores.

The AGCO is the provincial authority that licenses cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. Municipal governments have no licensing authority.

Retail Store Licensing

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input that the proposed store location is consistent with the public interest as defined in the regulations.

The AGCO licensing process has three (3) parts: operator approval, retail site location approval and store management licensing.

The AGCO will have a 15 day window for municipal comments respecting the proposed location of a retail cannabis store within a local municipality. Notice will be provided through the AGCO website and posted at the site of a proposed retail store.

The AGCO registrar is not obligated to decline a store license where a municipality or a member of the public provides a submission that is not supportive of a proposed location.

Municipal comments and comments from the public must focus on the three provincial public interest objectives: public health and safety, protecting youth and restricting their access to cannabis, and ending illegal sales of cannabis and illicit activities in relation to cannabis.

By Council decision, the City of Kenora has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to the AGCO when notice on a specific proposed cannabis retail store site is provided on the site location.

Holders of a Retail Operator License are responsible for meeting all Standards established and controlled by the AGCO.

Purpose

The purpose of this policy statement is to provide a format for municipal government input to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in the City of Kenora.

This policy is to set out locally sensitive uses (in addition to schools under the Ontario Education Act) with respect to the location of retail cannabis stores that the municipality would want considered by the AGCO with respect to the licensing process.

Provide municipal staff a framework on which to base comments to the AGCO during the 15 day comment window.

Principles for Cannabis Retail Store Locations:

1. Land Use Planning: The provincial licensing process does not remove the requirements to comply with the zoning bylaw and other municipal planning documents. The definitions within the municipality's Official Plan and Zoning Bylaw are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the retail zones.
2. Municipal Building Inspections: While the licensing of the store operation is the responsibility of the AGCO, the Building Code applies to cannabis retail store locations. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.

Retail Store Restrictions

The City acknowledges that retail cannabis stores are permitted within areas zoned for retail stores within the City's Zoning Bylaw.

Schedule "____" identifies generally the areas where "retail store" is a permitted use.

Schedule "____" identifies all schools as defined by the Education Act as well as the 150m buffer where a retail cannabis store would not be permitted by Provincial Regulation.

Schedule "____" identifies other sensitive facilities that Council considers as sensitive land uses. A ____ m buffer is identified from these uses.

In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged where nearby properties are designed to serve youth. The City has considered the matters of "public interest" to include:

- **For Council consideration: youth facilities, libraries, recreation or community centres, addictions facilities, Day care, Church, Drinking establishment, Existing beer store or AGCO Liquor sales outlet, Group home or any other facility that Council deems sensitive to the community

These considerations are to protect public health and safety, protect youth and restrict their access to cannabis and prevent illicit activities in relation to cannabis.

It is the City's position that the Registrar for the AGCO respect these locally sensitive uses and not permit a retail cannabis store within ____ (suggested 70) m of these other sensitive uses.

Cannabis retail stores are only authorized to be open to the public between 9 a.m. and 11 p.m. on any day.

Township of Selwyn – Municipal Cannabis Retail Policy Statement

Purpose & Vision

The purpose of this policy statement is to provide a format for municipal government input to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in Township of Selwyn.

The AGCO is the provincial authority that licences cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. Municipal governments have no licensing authority.

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, that the proposed store location is consistent with the public interest as defined in the regulations.

The Township of Selwyn has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to AGCO when notice on a specific proposed cannabis retail store site is provided on the site location.

Principles for Cannabis Retail Store Locations:

Relationship to Other Applicable Law:

- **Land Use Planning:** The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents. The definitions within the municipality's Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the Local Commercial (C2) zone.
- **Municipal Building Inspections:** while the licencing of the store operation is the responsibility of the AGCO, the Building Code applies to cannabis retail store locations. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory. For the purposes of this policy statement, a cannabis retail store shall mean a store licenced by the AGCO.

1. Cannabis Retail Stores and Sensitive activities:

In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged where nearby properties are designed to serve youth or persons with mental health or addiction challenges.

2. Attached is a map showing the properties within the Local Commercial (C2) zone in the municipality above as well as the regulated 150 metre buffer around schools. Municipal Libraries and Community Centres have also been identified as they are uses which are designed to serve youth. A proposed cannabis retail store may not be located less than 50 metres from these facilities.

Policies and Procedures

Corporate

[All Documents \(/PoliciesAndProcedures/Corporate/AllCorp.aspx\)](/PoliciesAndProcedures/Corporate/AllCorp.aspx)

Policies

[By Number \(/PoliciesAndProcedures/Corporate/Policies/ByNumber.aspx\)](/PoliciesAndProcedures/Corporate/Policies/ByNumber.aspx)

[By Section of Manual \(/PoliciesAndProcedures/Corporate/Policies/BySection.aspx\)](/PoliciesAndProcedures/Corporate/Policies/BySection.aspx)

Procedures

[By Division \(/PoliciesAndProcedures/Corporate/Procedures/ByDivision.aspx\)](/PoliciesAndProcedures/Corporate/Procedures/ByDivision.aspx)

[By Number \(/PoliciesAndProcedures/Corporate/Procedures/ByNumber.aspx\)](/PoliciesAndProcedures/Corporate/Procedures/ByNumber.aspx)

[By Section \(/PoliciesAndProcedures/Corporate/Procedures/BySection.aspx\)](/PoliciesAndProcedures/Corporate/Procedures/BySection.aspx)

Corporate Safety

[Policies \(/PoliciesAndProcedures/CorporateSafety/Policies.aspx\)](/PoliciesAndProcedures/CorporateSafety/Policies.aspx)

[Procedures \(/PoliciesAndProcedures/CorporateSafety/Procedures.aspx\)](/PoliciesAndProcedures/CorporateSafety/Procedures.aspx)

POLICIES AND PROCEDURES

Close

Corporate Policy

POLICY STATEMENT:

The City of Thunder Bay has chosen to allow cannabis retail stores as defined by the *Cannabis Act*, 2017. The following provides municipal staff with guidance on commenting to the Alcohol and Gaming Commission of Ontario (AGCO) when a notice on a specific proposed cannabis retail store site within the City of Thunder Bay is provided.

For the purpose of this Policy Statement, a cannabis retail store shall mean a store licensed by the AGCO.

In order to protect youth and promote public health and safety cannabis retail stores are discouraged where nearby properties are designed to serve youth and/or provide support to individuals with substance use and/or mental health challenges. Cannabis retail stores should be located a minimum of 150 metres from the property line of all of the following:

Any daycare facility; elementary, secondary or private school; college; university

Any youth group home

Any emergency shelter
Any location where youth-focused programming is offered
Any facilities where substance use and/or mental health challenges are treated
Any community centre
Any municipal library
Any recreational facility, area, playground, and/or park
Any LCBO or beer store

River and other watercourse areas within the city of Thunder Bay have been identified as areas where substance use activity is concentrated, resulting in public health and safety concerns. Cannabis retail stores should be located a minimum of 150 metres from all rivers and watercourses as identified in Schedule A to this Policy.

PURPOSE:

The purpose of this Policy Statement is to provide guidance for the City of Thunder Bay's input to the AGCO as well as help prospective recreational cannabis retailers in considering the location of cannabis retail stores in Thunder Bay.

The AGCO is the provincial authority that licenses cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. The City of Thunder Bay has no licensing authority.

The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, to determine whether store locations are contrary to public interest as defined in the regulations.

GUIDELINE

Principles for Cannabis Retail Store Locations

Land Use Planning: The provincial licensing process does not remove the requirement to comply with the City's Official Plan and Zoning By-law. The policies of the Official Plan and the regulations of the Zoning By-law are applicable to all retail stores, including cannabis retail stores. The retail sale of cannabis from a provincially licensed store is legal and is permitted in all zones where a retail store is a permitted use. Areas zoned to permit retail stores that are located a minimum of 150 metres from identified sensitive uses are shown in Schedule A to this policy. The AGCO is encouraged to consult all current zoning regulations during the site selection process.

Site Design: A cannabis retail store site should incorporate Crime Prevention through Environmental Design principles into the design of the facility and the entire site on which it is located.

Municipal Building Inspections: While the licensing of the store operation is the responsibility of the AGCO, the Building Code applies to retail stores including cannabis retail stores. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.

Municipal Enforcement: While the licensing of the store operation is the responsibility of the AGCO, enforcement of the City's Zoning By-law is the responsibility of the municipality. Where a complaint is received with respect to Zoning By-law compliance, Licensing & Enforcement staff will conduct an investigation as usual.

Location Criteria: Cannabis retail stores should be located in a commercial area where there is appropriate traffic circulation and on-site parking or transit access. Cannabis retail stores should not be permitted in areas where the predominant land use is residential. Schedule A to this policy shows properties within the city where it would be appropriate to locate a cannabis retail store. The locations of recreational facilities and other sensitive areas are also shown. The properties identified as being appropriate for cannabis retail stores are a minimum of 150 metres from the property boundary of each of the sensitive uses or areas identified as high risk. The information contained in Schedule A is subject to change without notice.

Density Criteria: Cannabis retail stores should not be permitted in areas that already have a high concentration of cannabis retail stores.

REFERENCE:

Corporate Report R 125/2019 (City Manager's Office – Corporate Strategic Services)

Thunder Bay, ON P7C 5K4

[Contact Us - Department Directory](#)

City Infrastructure Dispatch:

(807) 625-2195

TTY: (807) 622-2225

Office Hours:

Monday to Friday from 8:30 am to 4:30 pm.

[A-Z Directory](#)

[Freedom of Information](#)

[Departments](#)

[Sitemap](#)

[Subscribe](#)

[Disclaimer and Copyright Notice](#)

© 2018 City of Thunder Bay

Date: August 28th, 2020

Report To: Planning & Development Executive Committee.

From: Patrick Briere, By-Law Enforcement Officer.

Re: West End Signs Update.

As you will recall, an item regarding the signage at the West Entrances to Town was brought forward at the Planning & Development Executive Committee awhile back. It has since been requested for an update to be brought forward to the Committee.

The By-Law Enforcement Office has contacted the owners of the signs along the West Entrance to Town as well as, the property owners where the signs are located. By-Law Enforcement has to date provided an opportunity for these individuals to create a game plan to either update/maintain the signage or have the signs removed. By-Law Enforcement has factored into account the current situation(s) that these businesses may be facing at this time when the initial timeline was provided.

With this said, the timeline for this has expired. By-Law Enforcement will be beginning the next phase of the process to have a deadline set for action to occur on the signage. This will occur in priority sequence to the items that are currently ongoing in our office.

Respectfully submitted,

Original Signed By

Patrick Briere, CMM III, Property Standards Professional
MLEO/Alternate CEMC/Public Information Officer. Planning & Development Division
Town of Fort Frances
PH: 1-807-274-5323 ext. 1218
pbriere@fortfrances.ca