

TOWN OF FORT FRANCES

Planning & Development Executive Committee

AGENDA - November 16, 2020 at 8:30 AM

MEETING - VIRTUAL MEETING

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1. **Call to Order**
Session #30
2. **Disclosure of pecuniary interest and the general nature thereof**
3. **Approval of Previous Committee Minutes**
 - 3.1 Approval of Previous Meeting Minutes. 3 - 4
4. **Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting.**
5. **In-Camera**
6. **Items Referred from Council**
 - 6.1 2020 November 9 - R. Breeze Presentation re: Honey Bee Appreciation. 5 - 9
7. **New Business**
 - 7.1 2021 User Fees. 10 - 15
 - 7.2 Fort Frances/Aazhogan Renewal Planning Committee – Funding Allocation. 16 - 19
8. **Outstanding Items**
 - 8.1 Site Plan Control Discussion/Amendments.

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- No Update at this time, referred to next meeting.	
8.2 REG CONSENT Letter to Town Council from New Fort Development.	
- No Update at this time, referred to next meeting.	
8.3 REG CONSENT Letter to Mayor & Council from owners of 245 Fifth Street East.	20 - 32
9. <u>Information</u>	
9.1 By-Law Enforcement Activities Report (3rd Quarter).	33 - 37
10. <u>Non-agenda Items</u>	
11. <u>Adjourn / Next Meeting Date</u>	
Monday December 7th, 2020.	

TOWN OF FORT FRANCES

MINUTES

SESSION NO. #29

November 2, 2020

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held in the VIRTUAL MEETING on November 2, 2020 from 8:30 a.m. to 9:16 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.
Guest(s): K. Perry, R. Thoms, 93.1 The Border.

1. Call to Order - 0830am.

Session #29.

2. Disclosure of pecuniary interest and the general nature thereof

None.

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.

None.

5. In-Camera

None.

6. Items Referred from Council

6.1 REG CONSENT Letter to Town Council from New Fort Development.

- An overview of the item was presented to the Committee. After a discussion was had on the item, the Planning & Development Executive Committee is recommending that Administration investigate the request further and direct New Fort Development to Economic Development for funding research. The item will be brought back to the Committee at a later meeting.

6.2 REG CONSENT Letter to Mayor & Council from owners of 245 Fifth Street East.

- An overview of the item was provided to the Committee by the CBO/Planner and Mr. Ken Perry, property owner/representative 245 Fifth Street East. Mr. Perry was provided an opportunity to discuss with the Committee, his letter that was submitted. After a good discussion was had on the item, the Planning & Development Executive Committee is recommending that Administration revisit the enterprise zoned properties in the Fifth Street Area and propose a recommendation to the Committee that would resolve the matter.

6.3 REG CONSENT Oct 15, 2020 Letter to Town of Fort Frances re: Dog By-Law Enforcement.

- This item was tabled until the next meeting so that Administration can provide more information to the appropriate level, for further review and decision of this Operational matter.

7. New Business

None.

8. Outstanding Items

- 8.1 Site Plan Control Discussion/Amendments
 - No Update at this time. Referred to next meeting.

9. Information

None.

10. Non-agenda Items

None.

11. Adjourn / Next Meeting Date - 0916am.

Monday November 16th, 2020.

Executive Committee Chair

Secretary, Planning & Development Executive Committee

Date: November 12th, 2020

Report To: Planning & Development Executive Committee.

From: Patrick Briere, By-Law Enforcement Officer

Re: 2020 November 9 - R. Breeze Presentation re: Honey Bee Appreciation.

As you will recall at the Council meeting held on Monday November 9th, 2020. Council heard a presentation from Mr. R. Breeze, regarding honey bee appreciation. Council referred this presentation and request to the Planning & Development Executive Committee.

Our office has been in contact with Mr. Breeze for a while now regarding this request and provided information regarding our by-laws governing properties and yards. We have also spoken to the City of Dryden who have provided Mr. Breeze with a proclamation for the months of April & May for Honey Bee Appreciation months. The City of Dryden did not make any changes to their existing by-laws with respect to properties and yards as it is early in the growing season and will have no direct impact to their enforcement operations.

With this said, our office is supportive of the request from Mr. Breeze, as the timeline that he is requesting (April & May) are months early in the growing season and would not have any effect on our enforcement operations with regards to properties.

Therefore, we are asking that the Planning & Development Executive Committee to recommend that Council approve the request that April & May be proclaimed as Honey Bee Appreciation Months in the Town of Fort Frances and that no changes be made to our existing by-laws.

Respectfully submitted,

Original Signed By

Patrick Briere
By-Law Enforcement Officer

From: [Reagan Breeze](#)
To: lslomke@fort-frances.com; [Kathy Lawson](#)
Subject: [External] Proclamation and change to municipal By-law
Date: Tuesday, October 27, 2020 3:01:25 PM

[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.

Good afternoon your worship,

You may have heard recently on the positive news that the City of Dryden has proclaimed the months of April and May for 2021. I had approached the council in Dryden, as I am asking to do respectfully with the Committee of the Whole for the Municipality of Fort Frances.

I am asking that Fort Frances proclaims to declare April and May as "Honey Bee Appreciation" months as well. I have started a positive movement that has gained support from thousands for honeybees. This movement is receiving a lot of positive news coverage from all over.

After reviewing the Municipality of Fort Frances By-laws, I am also asking for a review to change the following By-laws 3.03 on vegetation growth during April and May be allowed to grow without enforcement action from By-law Officers and 4.06 Pest Prevention to allow honeybees to be practiced within your Zoning By-law.

The By-law is signed from March 9th, 2009 and as many are aware, our honeybees and pollinators need our support as we need them more as they are vital in our existence. I have attached two support signs that are being displayed in residences yards all over Canada now. I am in hopes to sit and discuss further with you and respected elected officials in making a positive change that is needed.

Keep safe,
Reagan Breeze

Pesticide Free

To Save A Bee



Excuse Me Please

*I'm Allowing My Weeds To Grow
So The Bees Will Show*



Administration & Finance Division
Planning & Development Division
Phone: 807-274-5323
Fax: 807-274-8479

Mailing Address for All Divisions:
Civic Centre
320 Portage Avenue
Fort Frances, ON
P9A 3P9



Operations & Facilities Division
Phone: 807-274-9893
Fax: 807-274-7360

Community Services Division
Phone 807-274-4561
Fax: 807-274-3799

email: town@fortfrances.com
www.fort-frances.com

November 10, 2020

Reagan Breeze

Via e-mail: bringitdown07@gmail.com

Dear Reagan:

At the recent meeting of Council held on Monday, November 9, 2020, the following resolution was approved:

"THAT the presentation from R. Breeze re: Request Honey Bee Proclamation and Change to Municipal By-law be received with thanks and further that this request be referred to the Planning & Development Executive Committee for recommendation."

Yours very truly,

ADMINISTRATION & FINANCE DIVISION

Elizabeth (Lisa) Slomke, Clerk

/es

c.c. P. Briere, By-law Enforcement Officer

November 9, 2020

Report To: Mayor & Council

From: Doug Brown, CAO

SUBJECT: 1st Draft of 2021 Planning & Development Division User Fees & Charges

Please find attached spreadsheet No. 1 outlining the proposed 2021 user fees and charges for the Planning & Development Division. The 2020 rates were increased by 0.6 % across the board with a few exceptions.

The exceptions are as follows and are shown highlighted in “yellow & lime green” on the spreadsheet;

1. **Annual Parking Spaces & Loading Zone Fees** - Same as in 2020. The new rate was introduced in July of 2018. At that time there were 27 spaces paying annual fees. Currently, in 2020 there were only 13 spaces paying these annual fees.
2. **Meter fees** – same as in 2020. These fees are highlighted in lime green- 2.14.2 & 2.15. These fees can be increased but the Town will incur additional costs to calibrate or program the metering equipment.
3. **Animal Control Impound Fee** – As in 2020, as a result of the Enforcement Officers requiring exact change to deal with customers at the animal shelter. Rounding to nearest half dollar.
4. **Planning Fees** – Our planning applications (OPA, ZBLA, Removal of Hold, Temporary Use by-law, Consent & MVA) have been charged out at an established user fee. With these applications the Town must provide public notice through the newspaper which has been theoretically covered by the user fee. It was discovered this past year that public notices in the newspaper range from \$250.00-\$450.00, therefore in some cases for example, minor variance applications don't even cover the public notice fee, never mind the CBO/Planner time involved.
Regarding OPA/ZBLA/Removal of Hold/Temp Use by-law applications the applicable fee is fair in that it is covering the CBO/Planner time and public notice fees. Therefore, it is recommended that OPA/ZBLA be reduced by \$400 and the customer or applicant be responsible for the exact cost for the public notice placed in the newspaper.
Regarding Removal of Hold (H symbol) & Temporary Use By-law, applications be reduced by \$200.00, and the customer or applicant shall be responsible for the exact cost for the public notice being placed in the newspaper.

Regarding Consent and Minor Variance/Special Permission Applications the 2020 fees be increased by 0.6% and the customer or applicant be responsible for the exact cost for the public notice being placed in the newspaper.

The forecasted increase in revenue is as follows for the Planning & Development Division;

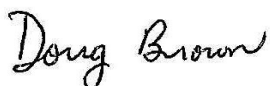
Area	0.6 % & adjustments
Building	\$ 13.46
Planning	\$ 66.91
Animal control	\$ 8.40
Parking/Enforcement	\$ <u>3.82</u>
Total	\$ 92.59

This administration report has been prepared to ensure that a frank discussion takes places regarding establishing the 2021 fees for the Planning & Development area of the Corporation.

The Planning & Development Executive Committee recommends the following:

- 1) That Council endorses the 2021 proposed user fees and charges for the Planning & Development Division, in principle with an increase of 0.6 % with the exception of those highlighted fees as outlined on the attached spreadsheets and further recommends and that an authorizing by-law be prepared prior to January 1st, 2021.

Respectfully submitted,



Doug Brown, P. Eng.
CAO

Council approval of this report will ensure the following:

- 1) That Council endorses the 2021 proposed user fees and charges for the Planning & Development Division, in principle with an increase of 0.6% with a few exceptions as outlined on the attached spreadsheets and that a by-law be prepared prior to January 1st, 2021.

TOWN OF FORT FRANCES
Spreadsheet No. 1 - 2021 SCHEDULE OF FEES- As of November 13, 2020

2.0 Planning & Development (Plus applicable taxes) Effective January 1, 2021
2.1 Building/Demolition Permits

- 2.1.1.1 Garages, Accessory Use Buildings, Covered Decks
- 2.1.1.2 Uncovered Decks, Sheds, Temporary Structures
- 2.1.1.3 Residential Constructions (Single Detached Dwellings, Attached Garages, Factory Built Structures)

2.1.1.3.1 Main Floor

2.1.1.3.2 Basement

2.1.1.3.3 Each Additional Floor
- 2.1.2 All Other Construction Nor Conforming to the Above Fee Schedule

2.1.2.1 1st \$1,000 of Value

2.1.2.2 Each Additional \$1,000 of Value or Part Thereof

2.1.2.3 Progress Reports

2.1.2.4 Conditional Permit

2.1.2.5 Re-Inspection Fee

2.1.2.6 Special Call Out Services

Plumbing Inspection
2.2 Fee

- 2.2.1 Per Fixture

2.3 Change of Use

2.4 Residential Demolition

2.5 Administration Fee

- 2.5.1 Construction/Demolition Commenced
Prior to Issuance of Building Permit

2.6 Transfer of Permit Fee

2.7 Application for Deferral of Revocation

2.8 Refund of Fees

- 2.8.1 Permit Issued but Construction Not Commenced
- 2.8.2 Reduction of Refund for Each Field Inspection Performed
After Issuance of Permit

2.9 Moving Permit Fees

- 2.9.1 Single Trip
- 2.9.2 Single Short Term Job
- 2.9.3 Single Job - 6 Months
- 2.9.4 Annual Permit

Number of Units per year	Proposed 2020		Proposed 2021		2021 Additional Revenue from increase to rates	Notes
			Proposed at 0.6% increase	Rounded to nearest \$0.05		
		0.42	0.42	0.42		
		0.27	0.27	0.27		
		0.83	0.83	0.83		
		0.67	0.67	0.67		
		0.42	0.42	0.42		
		56.65	56.99	57.00		
		11.30	11.37	11.40		
0		97.40	97.98	98.00		
0		257.90	259.45	259.45		
0		97.40	97.98	98.00		
	Applicable Rates (Time & OH)					
		11.30	11.37	11.40		
		86.50	87.02	87.00		
		57.60	57.95	57.95		
2		158.85	159.80	159.80	1.91	
		Greater of \$158.85 or 10% of Building or Demolition Permit Fee		Greater of \$159.80 or 10% of Building or Demolition Permit Fee		
		57.60	57.95	57.95		
		56.65	56.99	56.99		
		50%		50%		
		5%		5%		
4		97.40	97.98	98.00	2.40	
0		129.05	129.82	129.80	0.00	
0		258.05	259.60	259.60	0.00	
1		516.10	519.20	519.20	3.10	
					0.00	

TOWN OF FORT FRANCES
Spreadsheet No. 1 - 2021 SCHEDULE OF FEES- As of November 13, 2020

		Number of Units per year	Proposed 2020	Proposed 2021		2021 Additional Revenue from increase to rates	Notes
				Proposed at 0.6% increase	Rounded to nearest \$0.05		
2.10 Sign Permit Fee						0.00	
2.10.1	Permanent Sign Fee	9	64.50	64.89	64.90	3.60	
2.10.2	Mobile Sign - 30 Day Permit	2	11.75	11.82	11.80	0.10	
2.10.3	Mobile Sign - 90 Day Permit	0	29.35	29.53	29.30	0.00	
2.10.4	Mobile Sign - 180 Day Permit	1	58.55	58.90	58.90	0.35	13.41
2.10.5	Annual Sign Fee (signs on Town property)	1	152.55	153.47	153.50	0.95	New Fee introduced in May of 2019
2.11 Swimming Pool Fencing Permit Fee		2	79.45	79.93	79.95	1.00	Pool Fence By-Law - Permit is for the fence around the pool for security. One time fee when constructing the pool fencing. Based on 1.5 hours for the CBO to review and issue permit.
2.12 Animal Control							
2.12.1	2.12.1.1 Cat/Dog License - Spayed/Neutered	29	\$25.75	25.90	\$25.90	4.35	7.10
	2.12.1.2 Cat/Dog License - Unspayed/Non-Neutered	3	\$37.95	38.18	\$38.20	0.75	
	2.12.1.3 Cat/Dog Lifetime Licence Spayed/Neutered/ Microchip/Tattoo		\$20.85	20.98	\$21.00	0.00	
	2.12.1.4 Replacement for Lost Tag	0	\$19.00	19.11	\$19.10	0.00	
2.12.2	Impound Fee	4	\$83.50	84.00	\$84.00	2.00	This rate can increase but needs to be a rounded number as enforcement officer take payment from customers at the shelter. In-line with similar size municipalities in Ontario.
2.12.3	Protective Care Fee per day		\$21.00	21.13	\$21.15	0.00	
						0.00	
2.13 Private Parking Spaces (Rented)						0.00	
2.13.1	Annual Fee Each	3	\$600.00	603.60	\$600.00	0.00	Set Rate for 2021 in July of 2018 same in 2019 & 2020
2.14 Portage Avenue Municipal Parking Lot							
2.14.1	Each Parking space Per Year	12	\$600.00	603.60	\$600.00	0.00	Set Rate for 2021 in July of 2018 same in 2019 & 2020
2.14.2	Unreserved Parking Spaces - Daily		\$4.00	4.02	\$4.00	0.00	meter equipment
2.15 Metered Parking			\$1.25	1.26	\$1.25	0.00	meter equipment
2.16 Loading Zone - Annual Fee Each		5	\$600.00	603.60	\$600.00	0.00	Set Rate for 2021 in July of 2018 same in 2019 & 2020
2.17 Church Loading Zone - Annual Fee Each		3	\$74.95	75.40	\$75.40	3.82	3.82

TOWN OF FORT FRANCES
Spreadsheet No. 1 - 2021 SCHEDULE OF FEES- As of November 13, 2020

2.18 Planning Fees

		Number of Units per year	Proposed 2020	Proposed 2021		2021 Additional Revenue from increase to rates	Notes
				Proposed at 0.6% increase	Rounded to nearest \$0.05		
2.18.1	Official Plan Amendment (Delegation of OPA approval January 1, 2016)	2	3,000.00	3,018.00	2,600.00	0.00	Reduce to \$ 2600, though applicant is required to cover public notice (cost recovery)
2.18.2	Zoning By-Law Amendment	1	1,800.00	1,810.80	1,400.00	0.00	Reduce to \$ 1400, though applicant is required to cover public notice (cost recovery)
2.18.3	Removal of "H" Symbol	1	1,200.00	1,207.20	1,000.00	0.00	Reduce to \$ 1000, though applicant is required to cover public notice (cost recovery)
2.18.4	Temporary Use By-Law	0	1,200.00	1,207.20	1,000.00	0.00	Reduce to \$ 1000, though applicant is required to cover public notice (cost recovery)
2.18.5	2.18.4.1 Extension to Temporary Use By-Law		360.00	362.16	362.15	0.00	
	Application for Subdivision/Condominium		3,000.00	3,018.00	3,018.00	0.00	
	2.18.5.1 Amendment to Subdivision/Condominium		600.00	603.60	603.60	0.00	
2.18.6	Consent (i.e. new lot, easement, lot addition, etc.)	5	\$581.65	585.14	\$585.15	17.50	Increase 0.6%, and applicant required to cover public notice (cost recovery)
	2.18.6.1 Successive Applications (related property)		\$291.95	293.70	\$293.70	0.00	
	2.18.6.2 Additional Fee if easement, ROW included		\$291.95	293.70	\$293.70	0.00	
2.18.7	Minor Variance / Special Permission	8	\$322.55	324.49	\$324.50	15.60	Increase 0.6%, and applicant required to cover public notice (cost recovery)
2.18.8	Acknowledgement, Undertaking & Indemnification		\$63.85	64.23	\$64.25	0.00	
2.18.9	Site Plan Agreement	3	\$1,034.10	1,040.30	\$1,040.30	18.60	
	2.18.9.1 Amendment to Site Plan Agreement		\$322.55	324.49	\$324.50	0.00	
2.18.10	Request for Property Information	32	\$64.50	64.89	\$64.90	12.80	
2.18.11	Encroachment Agreement or other land use agreement not listed elsewhere		\$387.00	389.32	\$389.30	0.00	
2.18.12	Validation of Title / Power of Sale		\$322.50	324.44	\$324.45	0.00	
2.18.13	Reschedule Public Meeting (at applicant's request) all planning applications		\$322.50	324.44	\$324.45	0.00	
2.18.14	Deeming By-Law (applies to second and successive lot)	4	\$64.50	64.89	\$64.90	1.60	
2.18.15 2.18.16	Land Titles, Ontario Municipal Board, Planner's Fees, if applicable, excessive staff time		Cost Recovery Basis	Cost Recovery Basis			66.91
	Solicitor Fees incurred by the Municipality related to any Planning matter within Section 2.18		Cost Recovery Basis	Cost Recovery Basis			New Fee in 2017 Recommendation by Town Lawyer

TOWN OF FORT FRANCES
Spreadsheet No. 1 - 2021 SCHEDULE OF FEES- As of November 13, 2020

		Number of Units per year		Proposed 2020		Proposed 2021		2021 Additional Revenue from increase to rates	Notes
						Proposed at 0.6% increase	Rounded to nearest \$0.05		
2.18.17	Pre-consultation fee pertaining to 2.18.1, 2.18.2, 2.18.3, 2.18.4, 2.18.5 "applied to applicable fee as noted upon receipt of completed application"		10% of applicable fee	10% of applicable fee					
2.18.18	Assign Property Address	2		\$64.50	64.89	\$64.90	0.80		
2.19	Daily Impoundment Fee for vehicles, trailers, boats etc...			\$101.70	102.31	\$102.30	0.00	per day per unit	

Date: November 16, 2020

Report To: Planning and Development Executive Committee

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: Fort Frances/Aazhogan Renewal Planning Committee – Funding Allocation

On May 27, 2020 members of the Town of Fort Frances administration along with our land use planning and economic development consultants met with Riversedge Developments Inc. (2670568 Ontario Ltd.) and Rainy River First Nations, together in joint venture as Aazhogan Renewal, to discuss land use planning policies and mechanisms associated with the potential redevelopment of the Fort Frances mill properties. In this meeting it was discussed that in order to facilitate the implementation of various policies and mechanisms, that the Town apply for funding opportunities to prepare a study of the lands similar to that of the Shevlin Woodyard and Gateway to Market Square. In support of the study it was also discussed that a joint planning committee be formed known as the “Fort Frances / Aazhogan Renewal Planning Committee”. The terms of reference behind this committee are attached.

The intent of this committee and study will be to engage a consultant to craft location specific land use planning policies, identify economic development opportunities and to provide recommendations that will be used to amend the Town of Fort Frances Official Plan and Zoning By-Law to assist in the redevelopment of the subject lands. The outcome of these amendments will assist to mitigate delays and reduce turnaround times on planning applications associated with the subject lands and to promote redevelopment of the lands for a wide range of uses.

Through discussions with RRFDC and our regional representative with the Ministry of Energy, Northern Development and Mines (ENDM), it has been brought forward that a revised resolution is required as part of the grant funding application. The correspondence from ENDM has requested the resolution include the following verbiage “That the Town of Fort Frances will cover project costs of \$11,000.00 plus any project cost overruns” and that the final terms of reference be included as well. It should be noted that this is required as part of the grant funding application, though ultimately as per the terms of reference of the committee project costs not covered by grant funding will be split 50/50.

Funding allocation for the project would be structured as follows:

Funding Source	Funding Type	Eligible Project Costs	Ineligible Project Costs	Funding Amount
NOHFC	Conditional Grant	\$67,500	nil	\$67,500
TOFF	Cash	\$10,000	\$1,000	\$11,000
Partner	Cash	\$10,000	nil	\$10,000
RRFDC	Cash	\$2,500	nil	\$2,500
Total		\$90,000	\$1,000	\$91,000

At this time, it is recommended by administration that the Planning and Development Executive Committee recommend to Mayor and Council to:

1. Pass a resolution confirming that the Town of Fort Frances will contribute \$11,000 plus any cost overruns to satisfy the request of ENDM on behalf of NOHFC with regard to funding of the Fort Frances-Aazhogan Renewal mill property re-development planning initiative, and that cost overruns covered by the Town of Fort Frances will be allocated as per the agreed upon committee terms of reference; and
2. Authorize Mayor and Clerk to execute the funding agreements under the Northern Ontario Heritage Fund Corporation on behalf of the Corporation of the Town of Fort Frances, conditional upon award of funding.

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

Terms of Reference

Fort Frances / Aazhogan Renewal Planning Committee

1.0 Background on Aazhogan Renewal

2670568 Ontario Ltd. acquired the former Fort Frances mill properties in July 2019. Since that time, 2670568 and Rainy River First Nations have formed a joint venture with the intent to collaboratively redevelop the mill properties. The joint venture operates as Aazhogan Renewal.

In June 2020, Aazhogan Renewal and the Town of Fort Frances (together, The “Parties”) agreed to work together to address anticipated planning and development requirements associated with the mill properties, most notably with amendments that may be required with the Town of Fort Frances Official Plan ([click here](#)) and the ambitions of Aazhogan Renewal. The Town of Fort Frances and Aazhogan Renewal agreed to work together through a newly formed *Fort Frances/ Aazhogan Renewal Planning Committee* (“the Committee”).

2.0 Purpose

The Committee has been established to provide a forum to align The Parties’ priorities and to develop recommendations for amending Town planning documents relevant to ongoing renewal efforts within the Town limits.

The Committee is an advisory committee and will have no official authorities.

3.0 Principal responsibilities

The principal responsibilities of the Committee will be to:

1. Meet with the Town of Fort Frances’ designated planner to understand requirements within the municipality (i.e. *The Planning Act*, Official Plan, Zoning By-law, Provincial Policy Statement, etc.) as may be necessary.
2. Recommend appropriate mechanisms for efficiently re-zoning the mill properties from current designations to more appropriate Official Plan land use designations.
3. Develop a Request for Proposal (RFP) to hire a qualified consultant*. The consultant will have four primary responsibilities;
 - a. work with Aazhogan Renewal to develop a conceptual master plan for the former mill properties;
 - b. work with the entire Committee to identify opportunities for advancing the Official Plan and Zoning By-law in support of anticipated renewal projects;

- c. prepare and present a report to the Town of Fort Frances which shows the conceptual master plan and provide recommendations on amendments to the Official Plan and Zoning By-Law and;
- d. conduct public engagement activities upon request from the Committee.

**Selection of consultant will be through a scoring process and presented to both Aazhogan Renewal principles and the Town of Fort Frances for acceptance of consultant through a resolution.*

4. If necessary, develop and execute engagement and communication plans to gain support from key stakeholder groups, including governments, regulators, companies, and investors.

4.0 Membership

Membership of the Committee will include;

- 2 (two) representatives for Aazhogan Renewal and
- 2 (two) representatives from the Town of Fort Frances administration.

Members will sit on the Committee as representatives of their organization, in addition to bringing individual expertise.

The Committee will be chaired on a rotational basis by each of the four members.

5.0 Funding for the Committee

Each party will pay any out of pocket and travel expenses for their representatives.

The Town of Fort Frances will pay for all expenses related to the qualified consultant, including fees, expenses, etc. pending approval of funding submissions to granting agencies. Any fees or expenses for the consultant that are not covered by the grant will be split 50/50 by The Town of Fort Frances and Aazhogan Renewal.

6.0 Meeting Frequency and Location

The Committee will meet two times per month, on the second and fourth Tuesday.

The time requirement for each session will vary, but generally the session will begin at 1:30 pm and end by 3:30pm. Once a consultant is engaged, the committee may mutually agree to vary day and time requirements to facilitate an efficient process.

Meetings will be held in a location to be determined.

7.0 Duration

Duration of the Committee will continue to exist until the work is adopted by the Town of Fort Frances within their Official Plan and Zoning By-law.

Date: November 16, 2020

Report To: Planning and Development Executive Committee

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: Perry Family Zoning Change Request – Fifth Street East

When the Town of Fort Frances conducted their most recent zoning by-law update in 2013/2014, some properties within the Town of Fort Frances had their zoning designations changed. A block of residential properties on the southwest corner of Portage Avenue and Fifth Street East were changed from Residential to Enterprise (Enterprise being a form of commercial use). Upon investigation it was found that this change was due to consultation with the CN Railway (see attached correspondence from zoning by-law consultant). The allowable permitted uses within the Enterprise Zone can be seen below:

4.10 ENTERPRISE (E) ZONE

No **person** shall within the Enterprise (E) **Zone**, **use** any land or erect, alter or **use** any building or **structure** except in accordance with the following:

4.10.1 Permitted Uses

- a) bank or financial institution
- b) building supply and lumber outlet
- c) car wash
- d) clinic
- e) commercial greenhouse/nursery including retail
- f) convenience store
- g) equipment sales/rental establishment
- h) gas bar
- i) hotel
- j) laboratory
- k) laundromat
- l) motel
- m) motor vehicle service station
- n) motor vehicle parts and accessory sales
- o) motor vehicle sales or rental
- p) office
- q) personal services establishment
- r) recreation or fitness establishment
- s) recreational vehicle sales and service operation
- t) research and development establishment
- u) restaurant
- v) retail store (minimum floor area of 500 m²)
- w) tavern
- x) self-storage facility
- y) work/service shop
- z) veterinary hospital
- aa) uses that legally existed as of the date of passing of this By-law
- bb) microbrewery¹
- cc) nanobrewery¹

In discussion with the zoning by-law consultant it was determined that the inclusion of 4.10.1.aa being uses that legally existed as of the date of passing this by-law permits the residential uses to continue while creating opportunity for a number of commercial uses.

The following table provides a comparison of the regulations governing the permitted uses between the Residential Type One (R1) zone, Enterprise Zone (E) and the General Commercial (C2) zone.

	Residential Type One (R1)	Enterprise (E)	General Commercial (C2)
Minimum Lot Area	460 m ²	930 m ² with municipal sewage service	230 m ²
Minimum Lot Frontage	15 m	23 m	7.5 m
Minimum Front Yard	7.5 m	7.5 m	Nil
Minimum Interior Side Yard	1.5 m	6.0 m	Nil
Minimum Exterior Side Yard	3.0 m	10.0 m	Nil
Minimum Rear Yard	7.5 m	7.5 m	4.5 m
Maximum Lot Coverage	40%	30%	75%
Minimum Landscaped Open Space	20%	20%	20%
Maximum Height of Building	12 m	12 m	15 m
Minimum Floor Area	79 m ²	Not defined	Not defined

Given that the current properties are zoned Enterprise, based information from the Town's GIS system, most of which do not meet the minimum/maximum requirements as shown in the table above for the Enterprise zone. It should be noted that yard setbacks, lot coverage and landscaped space cannot be determined without an appropriate survey.

Mayor and Council of the Town of Fort Frances at the time had passed and accepted zoning by-law 03/14, and in doing so created legal non-complying lots, buildings and structures. Section 3.17 of zoning by-law 03/14 sets out the standards for legal non-complying lots, buildings and structures as seen below:

3.17 NON-COMPLYING LOTS, BUILDINGS AND STRUCTURES

Where a building or structure is located on a lot having less than the minimum frontage and/or lot area, and/or having less than the minimum setback and/or side yard and/or rear yard required by this By-law, the said building or structure may be enlarged, reconstructed, repaired and/or renovated provided that:

- a) the enlargement, reconstruction, repair and/or renovation does not further reduce a front yard, and/or side yard and/or rear yard and/or lot coverage less than the minimum required by this By-law;
- b) the building or structure is being used for a purpose permissible within the zone in which it is located; and,
- c) all other applicable Zone Provisions of this By-law are complied with.

Nothing in this By-law shall apply to prevent the reconstruction of any permitted building which is accidentally damaged or destroyed by causes beyond the control of the owner. Such permitted building may be reconstructed in accordance with the previously existing standards, even if such did not conform with one or more of the provisions of this By-law, but the non-compliance may not be further increased provided that the reconstruction occurs within 12 months of the damage being done.

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority such smaller lot may be used and a permitted building or structure, may be erected, altered and/or used on such smaller lot provided that all other applicable Zone Provisions of this By-law are complied with. All vacant islands and existing vacant lots of record on islands must have an area of at least 0.5 ha above the normal or controlled high water mark.

A lot which has been increased in size following the passage of this By-law may also be used in accordance with this provision and the resultant lot shall be deemed to comply with all of the provisions of this By-law and all zone provisions applicable to any existing building on the benefiting lot shall be deemed to comply with the provisions of this By-law.

Based on the information found through research, the request to change the entire block to General Commercial (C2) is not believed to be an appropriate land use for the entire block of properties nor an individual property due to the following:

- Concerns over yard setbacks
- Concerns over lot coverage
- Creation of legal non-conforming uses which could not be expanded (i.e. residential could not be added onto)

To Summarize:

- The properties in question are currently zoned Enterprise
- The pre-existing use as single family dwellings is permitted as per 4.10.1.aa
- The other permitted uses in the Enterprise zone are permitted as per 4.10
- The subject lands are considered legal non-complying
- The said legal non-complying building or structure may be enlarged, reconstructed, repaired and/or renovated provided that:
 - o the enlargement, reconstruction, repair and/or renovation does not further reduce a front yard, and/or side yard and/or rear yard and/or lot coverage less than the minimum required by By-law 03/14;

- the building or structure is being used for a purpose permissible within the zone in which it is located; and,
- all other applicable Zone Provisions of By-law 03/14 are complied with.

It is the recommendation of administration that the Planning and Development Executive Committee:

1. Receive the letter submitted by Ken Perry, Ken Perry Jr. and Megan Perry with thanks, and that the zoning for the subject lands remain as is.

OR

2. Receive the letter submitted by Ken Perry, Ken Perry Jr. and Megan Perry with thanks, and that contact be made with the property owner(s) of the subject land to inform them of the scenario and determine if they would be accepting of rezoning from Enterprise to Residential Type One along with amending the Official Plan designations from Employment to Living, and that the costs associated be borne by the Town of Fort Frances.

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

Oct. 18 2020



MAYOR AND COUNCIL

TOWN OF FORT FRANCES

In recent history, 2008-2012, the Town of Fort Frances reviewed and updated the official plan and amended the planning by-law to reflect the changes. The Town in its discretion, rezoned properties within the town. My property at 245 Fifth Street East was one such property. The changes to the zoning was completed without direct contact with the property owners. There were no fees directed at the property owners, and the public notice to the process was of little consequence. The property in question was the area along Fifth East from Portage Ave. to the C N yard to the west. The entire area was rezoned from Residential to Enterprise, with an employment designation attached. At first glance the change is a good fit as at the time the Town was looking into more commercial and industrial areas to develop, the industrial park area was being bought up, and other serviced areas were in short supply. Enterprise zones allow for a wide array of uses while allowing existing uses to be continued, as is. However the individual lots within the area are not conducive to Enterprise as they are all too small, unless the vacant area next to the alley is attached to the adjacent home. Lots smaller than a frontage width of 75' are not allowed to be Enterprise. The side yard limits are about 6 meters. Except for the above noted property, none of the other lots are large enough to be designated Enterprise.

Because of the allowed uses in an Enterprise zone, I have been approached by an individual to sell my property. Upon closer investigation, he and I have discovered that my property has been deemed almost useless, unless the existing structure is left as is and the Enterprise designation is not exercised. Additions to the "residence" are not allowed, as a residential addition is not an existing condition.

The entire area would be better served to be zoned General Commercial, as frontage and side yard requirements do not restrict the use of any individual lot. The employment designation could remain. Leaving the Enterprise Zoning is of no value to the homeowners nor the Town

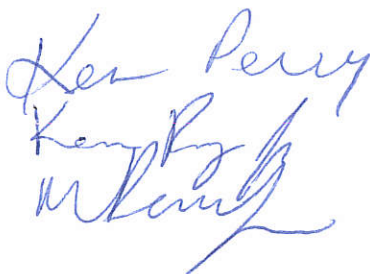
which is seeking useable serviced properties that can now and in the future become commercial property with an expanded employment and tax base.

SINCERELY,

KEN PERRY

KEN PERRY JR.

MEGAN PERRY

Three handwritten signatures in blue ink are stacked vertically. The top signature is 'Ken Perry', the middle is 'Ken Perry Jr.', and the bottom is 'Megan Perry'.

Jan 28,2020

From: Greg Hynde. ghynde@me.com

Subject: Town of Fort Francis Zoning By-law 03/14
Enterprise Zone

To: Cody Vangel cvangel@fortfrances.ca
C.B.O. & Municipal Planner

Hi Cody

Further to your enquire of Jan15/20 and our discussions of Jan 28/20
the following clarification is provided.

The Enterprise Zone was used in this section of Town to address the
CNR position of no residential development within a certain distance
of the ROW through Town.

Instead of creating legal non conforming uses in proximity to ROW which would have
prevented the home owners from rebuilding, adding additions to their dwellings and
impacting the refinancing of their properties - the Town decided to include existing
uses as a permitted use in the Enterprise Zone.

A set of regulations (Section 4.10.2) for new builds and additions was included to
regulate new development.

I trust the above provides the clarification you require.

Regards

Greg Hynde RPP

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any **existing**, legal **non-conforming building** or **structure** or part thereof, provided that the strengthening or restoration does not increase the **building** height, size or volume or change the **existing**, lawful **use** of such **existing building** or **structure** unless these changes are necessary to provide for floodproofing of the **building**.

The provisions of this By-law shall not apply to prevent the **erection** or **use**, for a purpose prohibited by this By-law, of any **building** or **structure**, the plans for which have, prior to the date of passing of this By-law, been approved by the **Municipality**, so long as the **building** or **structure**, when **erected**, is used and continues to be used for the purpose for which it was **erected**.

3.17 NON-COMPLYING LOTS, BUILDINGS AND STRUCTURES

Where a **building** or **structure** is located on a **lot** having less than the minimum **frontage** and/or **lot area**, and/or having less than the minimum **setback** and/or **side yard** and/or **rear yard** required by this By-law, the said **building** or **structure** may be enlarged, reconstructed, repaired and/or renovated provided that:

- a) the enlargement, reconstruction, repair and/or renovation does not further reduce a **front yard**, and/or **side yard** and/or **rear yard** and/or **lot coverage** less than the minimum required by this By-law;
- b) the **building** or **structure** is being used for a purpose permissible within the **zone** in which it is located; and,
- c) all other applicable **Zone Provisions** of this By-law are complied with.

Nothing in this By-law shall apply to prevent the reconstruction of any permitted **building** which is accidentally damaged or destroyed by causes beyond the control of the owner. Such permitted **building** may be reconstructed in accordance with the previously **existing** standards, even if such did not conform with one or more of the provisions of this By-law, but the non-compliance may not be further increased provided that the reconstruction occurs within 12 months of the damage being done.

Where a **lot**, having a lesser **lot area** and/or **lot frontage** than required herein, existed on the date of passing of this By-law, or where such a **lot** is created by a **public authority** such smaller **lot** may be used and a permitted **building** or **structure**, may be **erected**, altered and/or used on such smaller **lot** provided that all other applicable **Zone Provisions** of this **By-law** are complied with. All vacant islands and **existing** vacant **lots** of record on islands must have an area of at least 0.5 ha above the normal or controlled high water mark.

A **lot** which has been increased in size following the passage of this By-law may also be used in accordance with this provision and the resultant **lot** shall be deemed to comply with all of the provisions of this By-law and all zone provisions applicable to any existing building on the benefiting **lot** shall be deemed to comply with the provisions of this By-law.

4.4 RESIDENTIAL TYPE ONE (R1) ZONE

No **person** shall within a Residential Type One (R1) **Zone**, **use** any land or **erect**, alter or **use** any **building** or **structure** except in accordance with the following:

4.4.1 Permitted Uses

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

4.4.2 Regulations for Permitted Uses

- a) Minimum **Lot Area** 460 m²
- b) Minimum **Lot Frontage** 15 m
- c) Minimum Yard Requirements
 - Front Yard 7.5 m
 - Interior Side Yard 1.5 m
 - Exterior Side Yard 3.0 m
 - Rear Yard 7.5 m
- d) Maximum **Lot Coverage** 40%
- e) Minimum **Landscaped Open Space** 20%
- f) Maximum Height of Building 12 m
- g) Minimum Floor Area 79 m²

4.9 GENERAL COMMERCIAL (C2) ZONE

No **person** shall within a General Commercial (C2) **Zone**, **use** any land or **erect**, alter or **use** any **building** or **structure** except in accordance with the following:

4.9.1 Permitted Uses

- a) accessory dwelling units on a floor above the **first storey** and/or on the first floor behind the commercial use¹
- b) assembly hall
- c) bank or financial institution
- d) clinic
- e) community health and resource centre
- f) crisis centre
- g) day nursery
- h) funeral home
- i) gas bar
- j) hotel
- k) laundromat
- l) motel
- m) offices
- n) parking lot
- o) personal services establishment
- p) post office
- q) private club
- r) recreation or fitness establishment
- s) restaurant
- t) retail store
- u) tavern
- v) taxi or bus depot
- w) work/service shop
- x) microbrewery²
- y) nanobrewery²

4.9.2 Regulations for Permitted Uses

- | | |
|-------------------------------------|--------------------|
| a) Minimum Lot Area | 230 m ² |
| b) Minimum Lot Frontage | 7.5 m |
| c) Minimum Yard Requirements | |
| Front Yard | nil |
| Interior Side Yard | nil |
| Exterior Side Yard | nil |
| Rear Yard | 4.5 m |
| d) Maximum Lot Coverage | 75% |

¹ Amendment May 9, 2016 to clarify accessory residential units in C2 Zone

² Amended February 6, 2020

- e) Minimum **Landscaped Open Space** 20%
in any yard abutting a residential zone a planting strip shall be required
- f) Maximum **Height of Building** 15 metres

4.10 ENTERPRISE (E) ZONE

No **person** shall within the Enterprise (E) **Zone**, **use** any land or erect, alter or **use** any building or **structure** except in accordance with the following:

4.10.1 Permitted Uses

- a) bank or financial institution
- b) building supply and lumber outlet
- c) car wash
- d) clinic
- e) commercial greenhouse/nursery including retail
- f) convenience store
- g) equipment sales/rental establishment
- h) gas bar
- i) hotel
- j) laboratory
- k) laundromat
- l) motel
- m) motor vehicle service station
- n) motor vehicle parts and accessory sales
- o) motor vehicle sales or rental
- p) office
- q) personal services establishment
- r) recreation or fitness establishment
- s) recreational vehicle sales and service operation
- t) research and development establishment
- u) restaurant
- v) retail store (minimum floor area of 500 m²)
- w) tavern
- x) self-storage facility
- y) work/service shop
- z) veterinary hospital
- aa) uses that legally existed as of the date of passing of this By-law
- bb) microbrewery¹
- cc) nanobrewery¹

¹ Amended February 6, 2020

4.10.2 Regulations for Permitted Uses

- a) Minimum **Lot Area**
 - without municipal sewage services 4,000 m²
 - with municipal sewage services 930 m²
- b) Minimum **Lot Frontage** 23 m
- c) Minimum **Yard Requirements**
 - Front Yard** 7.5 m
 - Interior Side Yard** 6 m
 - Exterior Side Yard** 10 m
 - Rear Yard** 7.5 m

- d) Maximum **Lot Coverage** 30%
- e) Minimum **Landscaped Open Space** 20%

in any yard abutting a residential zone a **planting strip** shall be required.

- f) Maximum **Height of Building** 12 m

Date: November 12th, 2020

Report To: Planning & Development Executive Committee.

From: Patrick Briere, By-Law Enforcement Officer

RE: Update on Activities in 3rd Quarter for By-Law Enforcement Department.

Please see the below information for the months of August, September & October activities for this department.

Operational Constraints

- Parking Enforcement during COVID-19 was put on hold by the Provincial Government between March 2020 – September 2020. After September 14th, enforcement could resume with regular processes (issuing, impending conviction notifications, convictions). It is important to note that POA cannot add late fees or plate denials to convicted tickets issued until after December 1st, 2020.

- Landlord/Tenant Complaints – July 1st, 2018 the Government downloaded all landlord/tenant complaints regarding maintenance to properties to Municipalities. All Municipalities that had By-Law Enforcement were to ensure a Property Standards By-Law was in place to deal with these issues.

August 2020

Animal Pound Statistics

Impounded Dogs	1
Impounded Cats	0
After Hours Visits	1
Total Shelter Visits for Month	7

Monthly Parking Statistics

Tickets for Month	0
Police Issued	0
Final Total	0

Daily Activities completed by By-Law Officers

- Animal Pound Activities.
- Pawn Shop Visits.
- Checking Parking Equipment.
- Garbage Collection Issues.
- Parking Enforcement (Fire Lanes, Handicap Zones).
- Fine Box Collections.
- Treasury Staff Escort to Bank & Post Office.

Other Duties Completed by By-Law Officers

- Month End Office Reports.
- OPP Monthly Parking Stats.
- Emergency Management COVID-19 Response.
- JHSC Activities & Monthly Inspection.
- PDEC Secretary Duties.
- Deliver Agenda's for Clerk's Office
- Deliver Cheques for Treasury.
- Assist Clerk with Shredding.
- Flag Raising.

Occurrence Type (Complaints & Information)	Calls for Service/Complaints
Found Bikes	3
Moving Permits	2
Fences	7
Parking	3
Animals	13
Business Licensing	2
Property Standards (Includes Landlord/Tenant)	6
Taxi	1

September 2020

Animal Pound Statistics

Impounded Dogs	0
Impounded Cats	0
After Hours Visits	0
Total Shelter Visits for Month	0

Monthly Parking Statistics

Tickets for Month	0
Police Issued	0
Final Total	0

Daily Activities completed by By-Law Officers

- Animal Pound Activities.
- Pawn Shop Visits.
- Checking Parking Equipment.
- Garbage Collection Issues.
- Parking Enforcement (Fire Lanes, Handicap Zones, Kiss N Ride, etc).
- Fine Box Collections.
- Treasury Staff Escort to Bank & Post Office.

Other Duties Completed by By-Law Officers

- Month End Office Reports.
- OPP Monthly Parking Stats.
- Emergency Management COVID-19 Response.
- JHSC Activities & Monthly Inspection.
- PDEC Secretary Duties.
- Deliver Agenda's for Clerk's Office
- Deliver Cheques for Treasury.
- Assist Clerk with Shredding.
- Flag Raising.

Occurrence Type (Complaints & Information)	Calls for Service/Complaints
Found Bikes	1
Moving Permits	5
Fences	3
Parking	3
Animals	6
Business Licensing	2
Property Standards (Includes Landlord/Tenant)	6
Taxi	1
Noise	2

October 2020

Animal Pound Statistics

Impounded Dogs	1
Impounded Cats	0
After Hours Visits	2
Total Shelter Visits for Month	7

Monthly Parking Statistics

Tickets for Month	2
Police Issued	0
Final Total	2

Daily Activities completed by By-Law Officers

- Animal Pound Activities.
- Pawn Shop Visits.
- Checking Parking Equipment.
- Garbage Collection Issues.
- Parking Enforcement (Fire Lanes, Handicap Zones, Kiss N Ride, etc).
- Fine Box Collections.
- Treasury Staff Escort to Bank & Post Office.

Other Duties Completed by By-Law Officers

- Month End Office Reports.
- OPP Monthly Parking Stats.
- Emergency Management COVID-19 Response.
- JHSC Activities & Monthly Inspection.
- PDEC Secretary Duties.
- Deliver Agenda's for Clerk's Office
- Deliver Cheques for Treasury.
- Assist Clerk with Shredding.
- Flag Raising.
- New Insurance Cards for Civic Centre Vehicles.
- Weekly Mileage for Civic Centre Vehicles.

Occurrence Type (Complaints & Information)	Calls for Service/Complaints
Found Bikes	1
Moving Permits	6
Sign Permits	1
Fences	2
Parking	5
Animals	11
Business Licensing	2
Property Standards (Includes Landlord/Tenant)	8
Taxi	3
Noise	1
Cannabis	2
Open Air Burning	2
Waste Management	1

Respectfully submitted,

Original Signed By

Patrick Briere, CMM III, Property Standards Professional
MLEO/Public Information Officer, Planning & Development Division
PH: 1-807-274-5323 ext. 1218
pbriere@fort-frances.com