

TOWN OF FORT FRANCES

Planning & Development Executive Committee

AGENDA - March 1, 2021 at 8:30 AM

Microsoft Teams meeting

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MEETING - Civic Centre Session #4

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|---|---------|
| 1. <u>Call to Order / Roll Call</u> | |
| 2. <u>Disclosure of pecuniary interest and the general nature thereof - none</u> | |
| 3. <u>Approval of Previous Committee Minutes</u> | |
| 3.1 Session no 3 - 01 February 2021 | 2 - 3 |
| 4. <u>Items Referred from Council - None.</u> | |
| 5. <u>New Business - None</u> | |
| 6. <u>Outstanding Items</u> | |
| 6.1 Draft Snowmobile by-law | 4 - 9 |
| 7. <u>Information</u> | |
| 7.1 Land Use Planning - Beyond the Basics | 10 - 11 |
| 7.2 January by-law report | 12 - 13 |
| 8. <u>In-Camera</u> | |
| 8.1 proposed or pending acquisition or disposition of land by the municipality or local board; agreement conditions | |
| 8.2 proposed or pending acquisition or disposition of land by the municipality or local board; lane way matter | |
| 9. <u>Adjourn / Next Meeting Date - 15 March 2021</u> | |

TOWN OF FORT FRANCES

MINUTES

SESSION NO. #3

February 1, 2021

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held virtually on February 1, 2021 from 0830 hours to 0903 hours

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, By-law Enforcement Officer,
K. Haney, Deputy Clerk/Secretary, L. Slomke, Municipal Clerk

1. Call to Order - 0830 hrs

Session #3

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

3. Approval of Previous Committee Minutes

3.1 Session No. 2 dated 18 January 2021- Approved as presented.

4. Items Referred from Council - None

5. New Business - None

6. Outstanding Items

6.1 Snowmobiling - Current by-law requires updating. Revised draft by-law will be brought back to next PDEC meeting for review.

6.2 Colonization Road Matter - Cody Vangel - Draft policy to be forwarded to legal for review. If no amendments, will move forward to Council for approval.
Education/consultation pamphlet to be sent out with next tax bill.

6.3 B-6-2020: Zoning By-Law Amendments - Tenting Provisions - Cody Vangel -
Approved as presented. Education piece to be forwarded via upcoming water bill.

7. Information

7.1 Mill Demolition - Material being moved offsite and will continue accordingly with market conditions.

8. In-Camera - None

9. Meeting Adjourned @ 0903 hrs / Next Meeting Date - 16 February 2021

Executive Committee Chair

Secretary, Planning & Development Executive
Committee

Date: February 10th, 2021

Report To: Planning & Development Executive Committee.

From: Patrick Briere, By-Law Enforcement Officer.

Re: Draft Snowmobile By-Law.

As you are aware, Administration has been working with relevant stakeholders for the past month to rewrite/update the Town's Snowmobile By-Law. The current By-Law was found to be dated and required clarification with some of the wording within it.

Attached to this report for your review are:

- a copy of the Draft Snowmobile By-Law and;
- schedule A Snowmobile Roads Map, which, identifies acceptable routes for snowmobiles to use when accessing services/businesses within Town limits.

It is important to mention that our office has received the support of the Borderland Snowmobile Club, OPP, Operations & Facilities and the original request letter writers on the draft by-law and map as presented today.

Therefore, we are asking the Planning & Development Executive Committee to recommend that Council approve the report as presented and direct Administration to have a By-Law prepared for signing by Mayor and Clerk.

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

ATTACH: Draft Snowmobile By-Law
Schedule A - Snowmobile Roads Map

TOWN OF FORT FRANCES

DRAFT BY-LAW

A BY-LAW OF THE CORPORATION OF THE TOWN OF FORT FRANCES TO REGULATE THE USE OF MOTORIZED SNOW VEHICLES WITHIN THE TOWN OF FORT FRANCES.

WHEREAS The Motorized Snow Vehicles Act, R.S.O. 1990, Chapter M 44 Section 7 provides that a local Municipality may pass by-laws regulating, governing or prohibiting the operation of motorized snow vehicles within the Municipality including any highways therein or any part thereof;

AND WHEREAS The Council of the Corporation of the Town of Fort Frances deems it desirable to regulate, govern and prohibit motorized snow vehicles on municipal highways, school zones as specified in this by-law;

AND WHEREAS on February 8th, 2021, Council approved a recommendation from the Planning & Development Executive Committee to review and update the by-law pertaining to motorized snow vehicles within the Municipality;

AND WHEREAS In keeping with supporting the Borderland Snowmobile Club the Municipality will provide access routes for motorized snow vehicles within the Municipality and;

AND WHEREAS The Municipal Act, 2001, as amended, provides that a municipality may establish a system of fines for offences, subject to section 429 under by-law of the municipality passed under the Act.

NOW THEREFORE, the Council of The Corporation of the Town of Fort Frances enacts as follows:

SECTION 1- Definitions

Definitions in this by-law:

“by-law enforcement officer” – means the person or persons duly appointed by Council as Municipal Law Enforcement Officers for the purpose of enforcing all regulatory by-laws;

“council” – means the Municipal Council of the Town of Fort Frances;

“highway: - means a highway as defined in the Highway Traffic Act R.S.O. 1990, Chapter H-8, as amended and includes, but not limited to a street, lane, parkway, boulevard or any other Town Right-of-Way:

“motorized snow vehicle” means a self-propelled vehicle designed to be driven primarily on snow;

“municipality” – means the land within the geographic limit of the Town of Fort Frances;

“noise(s)” – means unwanted sound;

“police officer” means a member of the Ontario Provincial Police;

“private property” – means property which is privately owned and is not property owned by the Town;

“public property” – includes all lands owned by the Town, any local boards, any corporations owned or controlled by the Town and includes all Crown lands;

“regulations” – means regulations made under the Motorized Snow Vehicles Act, R.S.O. 1990, Chapter M 44;

“sidewalk” – means a path or strip of land paved or otherwise in, on or alongside a highway and designed and intended for or used by the general public for pedestrian use. In addition, sidewalk includes any property in the Town that is or hereafter may be physically set apart or made available and intended for pedestrian use and to include walkways;

“town” – means the Corporation of the Town of Fort Frances;

SECTION 2 - GENERAL PROVISIONS

2.1 SHORT TITLE

This By-law shall be cited as the Snow Vehicles By-Law.

2.2 SCOPE

Except where otherwise provided, the provisions of this By-law shall apply to all persons and property within the geographic limits of the Town of Fort Frances.

2.3 ENFORCEMENT

This By-law shall be enforced by a By-Law Enforcement Officer for the Town of Fort Frances, or any member of the Ontario Provincial Police.

2.4 CONFLICTS WITH OTHER BY-LAWS

Where a provision of this By-law conflicts with a provision of another by-law in force in the Town, the provision that establishes the higher standard in terms of protecting the health, safety and welfare of the general public and the environmental wellbeing of the municipality, shall prevail to the extent of the conflict.

2.5 SEVERABILITY

Should any section of this by-law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

SECTION 3 – REGULATIONS

3.1 Every person shall operate a motorized snow vehicle in accordance with this by-law and the Motorized Snow Vehicles Act, R.S.O. 1990, Chapter M 44 and any other relevant Provincial Statutes and Regulations, as may be amended from time to time, while in the Town of Fort Frances.

3.2 Every person who operates a motorized snow vehicle in accordance with this by-law shall be trying to access a snowmobile trail, lake access, access to a residence or a local service/business.

3.3 No person shall operate a motorized snow vehicle at a speed greater than 20km/h.

3.4 Every operator of a motorized snow vehicle shall be at least 16 years of age and possess a valid driver's license or a motorized snow vehicle license.

3.5 Every person shall operate a motorized snow vehicle on the highways listed in green in the Town of Fort Frances in accordance with the attached Schedule A.

3.6 No person shall operate a motorized snow vehicle on any Town owned property, pathway, sidewalk, or other foot path used by or set apart for the use of pedestrians and any highway listed in red in the Town of Fort Frances in accordance with the attached Schedule A.

3.6.1 Highways listed in red in Schedule A attached, may be crossed for the purpose of accessing a permitted highway, property, or business/service.

3.7 No person shall operate a motorized snow vehicle on the highways between the hours of 11:00pm to 7:00am.

3.8 The provisions of this by-law shall only apply once the snowmobile trails entering Fort Frances show available, or limited availability on the OFSC interactive trail guide and further that the provisions shall cease once the snowmobile trails entering Fort Frances show unavailable on the OFSC interactive trail guide.

SECTION 4 – EXCEPTIONS

4.1 No part of this by-law shall apply to the Ontario Provincial Police, Rainy River District EMS, Fort Frances Fire/Rescue Service, Utility Companies, or the Town of Fort Frances whilst in the course of their legal duties.

4.2 That in the event of an emergency weather situation, the Mayor or Deputy Mayor through the Municipal Emergency Control Group may waive the provisions of this by-law upon giving proper notice to its residents and also to reinstate and again enforce the provision of this by-law once such emergency weather situation ceases to exist.

SECTION 4 – INTERFERE

4.1 No person shall interfere with or hinder a By-Law Enforcement Officer or Police Officer in the performance of their duties.

4.2 No person shall refuse to produce any documents or things required by a By-Law Enforcement Officer or Police Officer in the exercise of a power or performance of a duty under this by-law.

4.3 No person shall knowingly furnish false information to a By-Law Enforcement Officer or Police Officer.

SECTION 5 – PENALTIES

5.1 GENERAL PENALTIES

Every person who contravenes any provision of this by-law is guilty of an offence and on conviction where a fine for the contravention is not otherwise provided for herein is liable to a fine not exceeding \$1,000.00 pursuant to the Provincial Offences Act, R.S.O., 1990, c. P.33, As amended. Where an offence is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.

SECTION 6 - REPEAL

6.1 By-Law 66/90 and all amendments are hereby repealed.

This By-Law shall come into force and take effect on the final passing thereof.

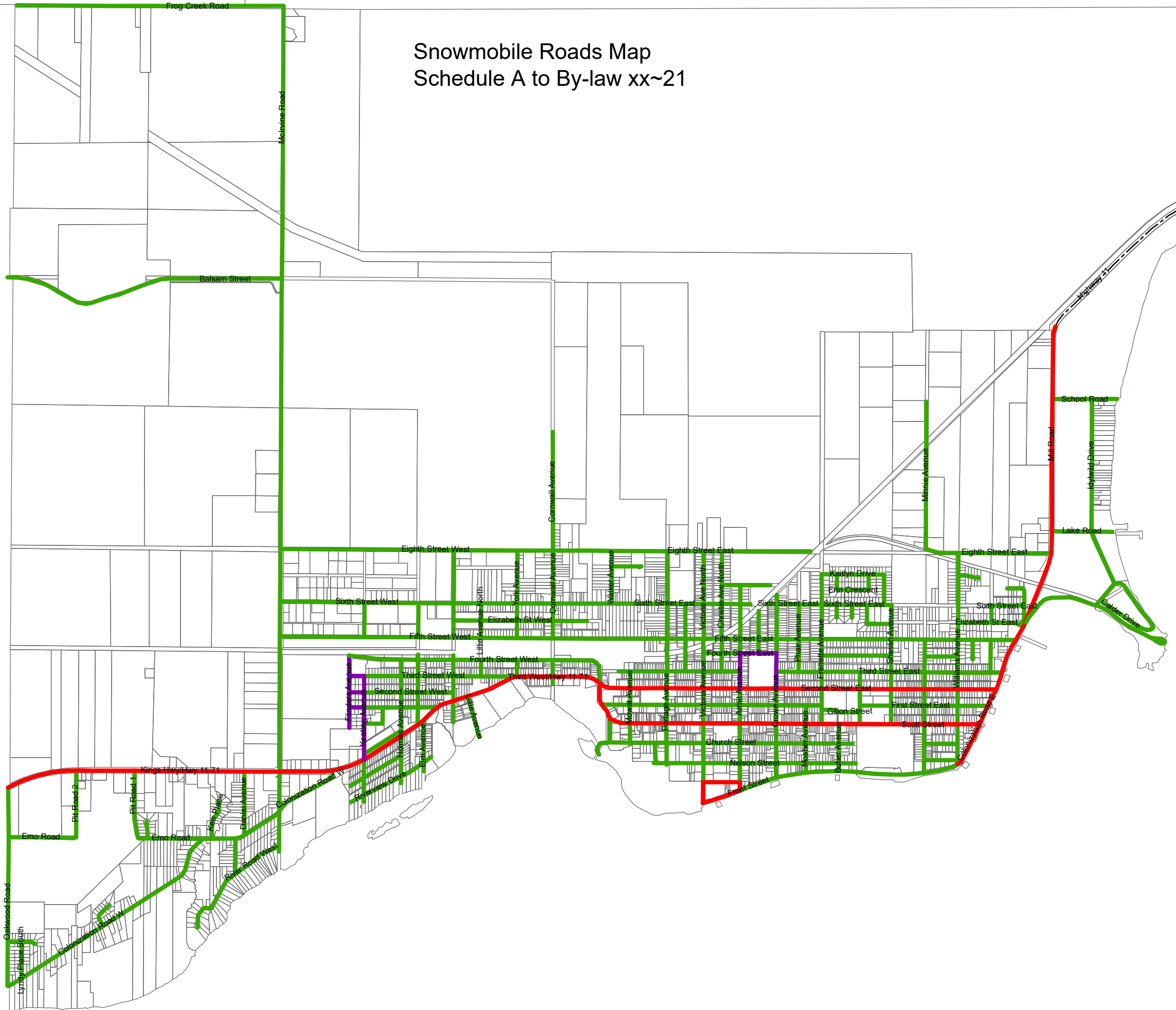
READ THREE TIMES and finally passed in open Council this _____ day of _____ 2021.

J. Caul, Mayor

E. Slomke, Clerk

DRAFT

Snowmobile Roads Map
Schedule A to By-law xx~21



Legend

Snowmobile

- Not Allowed
- Prohibited M-F 8-9 AM & 3-4 PM
- Allowed

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COUNCILLOR TRAINING

February 17, 2021

LAND USE PLANNING: BEYOND THE BASICS March 25th, April 15th & 29th 2021

Back by popular demand and updated to reflect Ontario's evolving planning landscape, AMO's *Land Use Planning: Beyond the Basic's* is being offered on three dates coming to you soon.

This workshop builds on AMO's on-line planning primer and clarifies the central role municipalities play in implementing and managing the land use policy framework in Ontario.

Land Use Planning: Beyond the Basic's includes a review of the *Ontario Planning Act* as well as key planning tools and how they apply in the municipal context. You will become familiar with the nature and role of the *Provincial Policy Statement* as the overall roadmap for land use management in Ontario. Understand what shifting from the Ontario Municipal Board to the Local Planning Appeal Tribunal means as well as the implications on how municipal councils make decisions on planning matters.

WORKSHOP DETAILS

- **Cost:** \$180.00 plus HST (\$203.40)

Registration in this training includes all materials and free access to AMO's online *Land Use Planning: The Basics* (regular price: \$177) available at MunicipalEducation.ca

Registration is open to: Elected officials and municipal staff [here](#).

Dates and Locations: This 3 hour training session will be held on the following dates: March 25th, April 15th & 29th 2021

For all inquiries please contact AMO Events at: events@amo.on.ca

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200 University Ave. Suite 801, Toronto ON Canada M5H 3C6

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Date: February 4th, 2021

Report To: Planning & Development Executive Committee.

From: Patrick Briere, By-Law Enforcement Officer

RE: January Activities for By-Law Enforcement Department.

Please see the below information for the month of January activities for this department.

Operational Constraints

- Provincial Stay at Home Order in effect.

January 2021

Animal Pound Statistics

Impounded Dogs	1
Impounded Cats	0
After Hours Visits	4
Total Shelter Visits for Month	8

Monthly Parking Statistics

Tickets for Month	69
Ticket by OPP	0
Monthly Total	69
Yearly Total Issued	69

Daily Activities completed by By-Law Officers.

- Animal Pound Activities.
- Pawn Shop Visits.
- Checking Parking Equipment (Repairs/Maintenance to Meter Equipment).
- Garbage Collection Issues.
- Parking Enforcement (Fire Lanes, Handicap Zones, Calendar Parking, Parking Lots, Downtown Core).
- Fine Box Collections & Ticket Processing.
- Snow on Sidewalks Inspections (Downtown BIA Area).

Other Duties Completed by By-Law Officers

- Month End Office Reports.
- OPP Monthly Parking Stats.
- Weekly Mileage for Civic Centre Vehicles.
- Emergency Management COVID-19 Response.
- OFMEM PEOC Calls Twice per Week.
- NWHU Vaccination task Force Meetings.
- JHSC Activities & Monthly Inspections.
- Monthly Activities Reporting to PDEC.
- OFMEM EEPMO Project Meetings.
- Tent By-Law Review.

- Snow Vehicle's Request Letter.
- Business License Renewals Underway.
- Taxi Licensing on Hold (COVID Stay at Home Order).
- Moving Permit Renewals Underway.
- Transporting Documents to Staff Working from Home.
- Alberton Township Questions on Enforcement Agreement.
- Training New Head Cashier on Parking Payment Processes.
- Mobile System for By-Law Truck.
- POA Court Health & Safety Inspection.
- Transferring PDEC files to Deputy Clerk.
- Parking Meter Vandalism/Theft.

Occurrence Type (Complaints & Information)	Calls for Service/Complaints
Single Use Plastics	12
Parking	7
Animals	4
Business Licensing	11
Property Standards (Includes Landlord/Tenant)	5
Building Code Issues with CBO	1
Taxi	4
Sign Permits	1
Moving Permits	2
Snow Issues	9
Heavy Trucks	2
Waste Management (Includes Recycling Changes)	14
COVID Legislation	3
OPP Call Outs	4
TOTAL CALLS FOR SERVICE	79

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@fortfrances.ca