



TOWN OF FORT FRANCES

Planning & Development Executive Committee

AGENDA - March 21, 2022 at 8:30 AM

MEETING - Civic Centre

Microsoft Teams meeting

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[+1 807-701-5975,,129334704#](#) Canada, Thunder Bay

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	Page
1. <u>Call to Order - Session no 20 - Roll Call</u>	
2. <u>Disclosure of pecuniary interest and the general nature thereof</u>	
3. <u>Approval of Previous Committee Minutes</u>	
3.1 Session no 19 - 07 March 2022	2 - 3
4. <u>Items Referred from Council</u>	
4.1 North Air Re: Taxi Rates	4 - 7
5. <u>New Business</u>	
5.1 B1-2022 Zoning By-law Amendment - 1037 Third Street East	8 - 30
5.2 B2-2022 Zoning By-law Amendment - 1229 Cornwall Avenue (Lagoon Property)	31 - 66
6. <u>Outstanding Items - none</u>	
7. <u>Information</u>	
7.1 OLT Case No. 21-001133 Final Order of the Tribunal	67 - 77
8. <u>In-Camera - none</u>	
9. <u>Adjourn / Next Meeting Date - 04 April 2022</u>	

MINUTES

March 7, 2022

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held virtually and in the Civic Centre on March 7, 2022 from 8:30 a.m. to 8:48 a.m.

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

ALSO PRESENT: F. Anwar, CAO, C. Vangel, CBO/Planner, K. Haney, Deputy Clerk

REGRETS: P. Briere, By-law Enforcement Officer

1. Call to Order - Session no. 19/Roll Call

1.1 Chair John McTaggart called the meeting to order at 8:30 a.m.

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

3. Approval of Previous Committee Minutes

3.1 Planning and Development Executive Committee - Session no 18 - 22 Feb 2022 - Accepted as presented.

4. Items Referred from Council

4.1 Proposed Telecommunications Tower - 238 Church Street - Request for Letter of Concurrence - Temporary installation required on same parcel of land to maintain service between tower becoming operational. Policy may be looked at going forward to ensure consistency. Recommendation back to Council to issue letter of concurrence.

4.2 Flint House - Front Street (Marina) Food Truck & Patio Request - Pending further feedback from CSEC, Committee is prepared to advance to Council meeting of 14 March 2022.

5. New Business - none

6. Outstanding Items - none

7. Information

7.1 PDEC Report - February By-Law Stats - Approved as presented

8. In-Camera - none

9. Adjourn - Next Meeting Date - 21 March 2022

9.1 The meeting adjourned at 8:48 a.m.

Executive Committee Chair

Secretary, Planning & Development Executive
Committee

Date: March 16th, 2022

Report To: Planning & Development Executive Committee

From: Patrick Briere, By-Law Enforcement Officer

Re: Taxi Tariff Rate Increase Request Letter.

Planning & Development Executive Committee will recall at the regular Council meeting held March 14th, 2022, that a request for Taxi Tariff Rate Increase was referred to the Planning & Development Executive Committee for recommendation.

As you are aware with the increases in a number of items (ex: insurance, gas prices, etc.) the taxi owners are looking to increase the taxi rates accordingly. With this stated, this office has had a meeting with both taxi company owners to discuss the proposed rates. The outcome of these meetings was that both taxi company owners agreed to raise the rates as outlined in the request letter.

The proposed rate increase for 2022 is as follows:

1. Four dollars and twenty-five cents (\$4.75) for the first .25 kilometres or part thereof.
2. Three dollars and seventy-five cents (\$3.75) for each kilometre thereafter.
3. For waiting time, the charge shall be at the rate of Sixty dollars (\$60.00) per hour.
4. For any deliveries, the charge will be the meter rate with a minimum of Three dollars and fifty cents (\$3.50) for each delivery.

Lastly, the proposed changes for Limousine rates will remain the same:

1. Group transportation – Reservations Only – Minimum Fifty dollars (\$50.00) per hour with a maximum of One hundred dollars (\$100.00) per hour for larger vehicles

For your awareness, the last taxi tariff rate increase was done in 2018. We are asking the Planning & Development Executive Committee to recommend that Council support the rate increase as proposed.

Respectfully submitted

Original Signed By

Patrick Briere, CMM III, Property Standards Professional
MLEO/Alternate CEMC/Public Information Officer

Taxi Meter Rates

1. Four Dollars and Twenty-five Cents (\$4.25) for the first .25 kilometers or part thereof;
2. Three Dollars and Twenty-five (\$3.25) for each kilometer thereafter;
3. For waiting time, the charge shall be at the rate of Sixty (\$60.00) Dollars per hour.
4. For any deliveries, the charge will be the meter rate with a minimum of Three Dollars and Fifty Cents (\$3.50) for each delivery.

The foregoing rates are inclusive of the Harmonized Sales Tax (HST).

THE DRIVER/OWNER OF EVERY TAXI SHALL PLACE THIS TARIFF CARD IN A POSITION CLEARLY VISIBLE TO THE TAXI PASSENGER(S).

ALL TAXI-CABS SHALL AT ALL TIMES OPENLY DISPLAY IN A MANNER VISIBLE TO ALL PASSENGERS:

1. The name of the Taxi Owner.
 2. Driver shall have Photo ID Card Displayed.
-



LIMOUSINE TARIFF RATES

- 1. Group Transportation – Reservations Only**
- \$50.00 Per Hour

- 2. Stretch Limousine – Group Transportation – Reservations Only.**
- Maximum Per Hour \$100.00

The foregoing rates are inclusive of the Harmonized Sales Tax (HST).

THE DRIVER/OWNER OF EVERY LIMOUSINE SHALL PLACE THIS TARIFF CARD IN A POSITION CLEARLY VISIBLE TO THE LIMOUSINE PASSENGER(S).

ALL LIMOUSINES SHALL AT ALL TIMES OPENLY DISPLAY IN A MANNER VISIBLE TO ALL PASSENGER(S)

- 1. The name of the Limousine Owner.**
- 2. Driver shall have Photo ID Card displayed.**

The Corporation of the Town of Fort Frances 274-5323



NORTH AIR
539989 Ontario Ltd.
600 Scott Street
Fort Frances, Ontario P9A 1H6
Phone: (807) 274-5301 Fax: (807) 274-6360

February 28, 2022

Town of Fort Frances

Council:



This request comes as operating costs rise, highlighted by a jump in insurance costs, fuel and minimum wage.

Our current rates are \$4.25 for the flag rate, which is the initial fee charged when a customer gets in the cab, \$3.25 per kilometre and \$60.00 per hour of waiting time. This has remained unchanged since 2018. We are requesting these rates would increase to \$4.75 for the flag rate, \$3.75 per kilometre.

The price of insurance has risen. Gas is up over 50 per cent over what it was the last time we had a rate increase. We are looking at how much things have gone up in the last 3 years and trying to base our increase accordingly.

We thank you for your time and consideration pertaining to this matter.

Sincerely,

Kevin & Lisa Pocock

**Town of Fort Frances
Administrative Report**

TO: Planning and Development Executive Committee
FROM: Cody Vangel, Chief Building Official & Municipal Planner
SUBJECT: **B1-2022: Zoning By-law Amendment – 1037 Third Street East**
DATE: March 21, 2022

Issue:

Consideration of zoning by-law amendment B1-2022 submitted by authorized agent Kevin Brothers seeking to add a site-specific permitted use as a duplex dwelling located at 1037 Third Street East which is currently zoned Residential Type One. The site-specific permitted use as a duplex dwelling would be subject to the provisions of the residential type one zone.

Strategic Impact:

11. Undertake residential development

Options/Alternatives:

1. Recommend approval of application;
2. Recommend amendment to application; or
3. Recommend rejection of application.

Administrative Recommendation:

Recommended to agree with the recommendation of the Committee of Adjustment to approve the proposed zoning by-law amendment on the condition that no concerns are brought forward from the public during the April 11, 2022 open public meeting.

History:

Information contained on file related to the property indicates that historically the property had been used as a single-family dwelling. In December 2021 because of a property information inquiry as part of a property sale, it was indicated that the property was being used as a duplex dwelling. As a result, this application has been submitted to permit said use.

Information contained on file for this property indicates the following respective building permits being issued:

- No. 4797 – 10' by 26' addition to dwelling
- No. 1222 – 18' 10" by 22' accessory building (not constructed)
- 2014-101 – Demolish front deck and reconstruct 5' by 5' landing and stair per by-law order

In 1988 a minor variance application was approved for the reduction of the side yard requirement on the west side of the property from 5ft to 3.92ft.

Official Plan:

The Official plan designation for the subject property is "Living". Living areas promote a wide variety of residential uses including the influence for intensification and the promotion of additional dwelling units. The proposed application generally complies with multiple provisions of the Official Plan in relation to housing and residential development including but not limited to the following:

2.2.2.ii. Fort Frances will promote social inclusion, improved access to housing, commerce, job opportunities and social services.

2.2.2.iv. Fort Frances will encourage the adequate supply and range of different housing types which are affordable and meet the special housing needs for its citizens.

An excerpt of the Town's Official Plan, particularly Section 4.1 Living Areas, has been included with this report to further demonstrate general compliance of this request as it relates to the Town's Official Plan.

Zoning:

The request submitted is to include a duplex dwelling as a site-specific permitted use for the property, subject to the specific provisions of the Residential Type One (R1) zone.

For the information of all considering parties, it should be noted that in the Residential Type One (R1) zone, the Town of Fort Frances does permit interior second dwelling units which are similar in nature to a duplex dwelling. Ultimately, the difference between the two comes down to legal verbiage in the Town's zoning by-law.

The Zoning By-law offers the following definition for duplex dwelling:

DWELLING, DUPLEX: A dwelling located on one lot which contains two dwelling units.

The following specific provisions apply to the Residential Type One zone:

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

The following table provides comparison of the required specific provisions versus the actual based on the provided site plan:

Provision	Required	Actual – Per Site Plan	Compliance
Minimum Lot Area	460 m ²	389.95 m ²	No
Minimum Lot Frontage	15 m	9.75 m	No
Front Yard	7.5 m	7.47 m	No
Interior Side Yard	1.5 m	1.19 m	MVA A18/88
Exterior Side Yard	3.0 m	1.07 m	No
Rear Yard	7.5 m	> 7.5 m	Yes
Maximum Lot Coverage	40%	< 40%	Yes
Minimum Landscaped Open Space	20%	>20%	Yes
Maximum Height of Building	12 m	>12 m	Yes
Minimum Floor Area	79 m ²	59.9 m ²	No

Provided the information detailed in the previous table, and the fact that the lot and building legally existed prior to the passing of this Zoning By-law, the subject property and building would be considered as legally non-complying per section 3.17 of the Zoning By-law.

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 site-specific permitted use appears to be consistent with the 2020 PPS as follows:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

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

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

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

Northern Ontario Growth Plan:

The proposal appears to generally comply with the Northern Ontario Growth Plan based on the following:

3.4.3 Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.

Consultation:

- Manager of Operations and Facilities
 - o No issues or concerns
- By-law Enforcement
 - o No issues or concerns
- Fort Frances Fire Rescue
 - o It is my understanding that the property located at 1037 Third St. E. is a duplex, consisting of a basement unit and a main level unit. If the apartments share a common interior means of escape, then the property will be subject to the retrofit requirements of Section 9.8 ***Two Unit Residential Occupancies*** of the Ontario Fire Code. There are specific requirements for fire separation, rated closures, egress and detection. It would be necessary for the Fire Department to inspect the property to determine if the building is compliant or requires updates for Fire Code compliance. As indicated within the Regulation, it is the owner's responsibility to achieve and maintain compliance with the Ontario Fire Code. Please advise if there is a request for a Fire Safety Inspection.
- Chief Building Official
 - o Given there are already two dwelling units, and the rezoning application is to rectify the zoning matter, it is strongly recommended that an inspection be arranged to review applicable fire separations.
- Fort Frances Power Corporation
 - o Each living space already has separate meters
- Committee of Adjustment
 - o The Committee of Adjustment recommends to approve the requested zoning by-law amendment

Public Meeting

An open public meeting is scheduled for April 11, 2022. Any objections or concerns brought forward during this scheduled meeting will be considered and brought back to Committee for further discussion and consideration on the proposal.

Supporting Document / Financial Documents:

- B1-2022 Zoning Amendment Application – Final – Signed
- 1988 Survey
- Official Plan – Section 4.1



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:	
Ann Roisin, Estate Trustee for the Estate of Alfred Albert Roisin aka Fred Roisin 571 Rocky Point Road, Shuniah, ON, P7A 0Y3 807-629-1250 anne.roisin@hotmail.com (also known as Anne Roisin)	
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:	R1 - Residential Type One Living
4. Describe how the application conforms to the official plan of the municipality?	
See Schedule "A" attached.	
5. The current zoning of the subject land:	R1 - Residential Type One
6. The nature and extent of the rezoning requested:	
Duplex dwelling - to add this as a site specific Permitted use, subject to the zoning provisions of the R1 zone	

7. The reason why the rezoning is requested.			
To permit the continued use as a duplex dwelling.			
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.			
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:			
Parcel 157-1 Sec 5M50; Lt 157 Pl 5M50 McIrvine; Fort Frances PIN 56017-0672 (LT) 1037 Third Street East, Fort Frances, ON P9A 1S3			
10. The frontage, depth and area of the subject land (in metric):			
Frontage:	31.99'	Depth:	130'
Area:	4,158.7 sq.ft.		
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			
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.			
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			
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 - municipal road			

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:	
Residential duplex.	
17. Are there any buildings or structures on the subject land: Yes <input checked="" type="checkbox"/> No <input 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:	
See Building Location Survey attached	
19. The proposed uses of the subject land:	
Residential duplex.	
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:	
N/A	
22. If known,	
a. the date the subject land was acquired by the current owner:	MAY 31, 1993
b. the date existing buildings or structures on the subject land were constructed:	
c. the length of time that the existing uses of the subject land have continued: 20 YEARS	
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 - municipal water	

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 - municipal sewer 	
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:	
SEWER	
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 ☐ 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, Ann Roisin of the Town of Shuniah in the District of Thunder Bay ~~Rainy River~~ solemnly declare that:

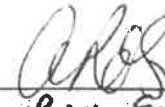
All the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.


DECLARED before me at the

✓ CITY OF THUNDER BAY ✓
Town of Fort Frances, in the
✓ in the DISTRICT OF THUNDER BAY ✓
District of Rainy River, this 27TH ✓

day of JANUARY 2022.

)
)
)
)
)
)
)


Ann Roisin, Estate Trustee
Signature of Applicant or
Authorized Agent
for the Estate of Alfred Albert
Roisin (aka Fred Roisin)



Signature of Commissioner etc.

~~In accordance with O. Reg 431/20~~
~~administering Oaths or Declaration remotely.~~

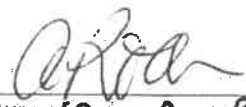
PLEASE NOTE:

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

I, ANN ROISIN, ESTATE TRUSTEE FOR ESTATE OF ALFRED ALBERT ROISIN, deceased, ^{OWNER'S CONSENT} 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.

JANUARY 27, 2022
Date



Signature of Owner ANN ROISIN, ESTATE TRUSTEE
FOR ESTATE OF ALFRED ALBERT ROISIN
(aka FRED ROISIN)

COMPLETE IF APPLICANT IS NOT THE OWNER

AUTHORIZATION OF OWNER

I, ANN ROISIN, ESTATE TRUSTEE FOR THE ESTATE OF ALFRED ALBERT ROISIN (aka FRED ROISIN) 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 Kevin W. Brothers 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

JANUARY 27, 2022
Date


Signature of Owner
ANN ROISIN, ESTATE TRUSTEE
FOR THE ESTATE OF ALFRED ALBERT ROISIN
(aka FRED ROISIN)

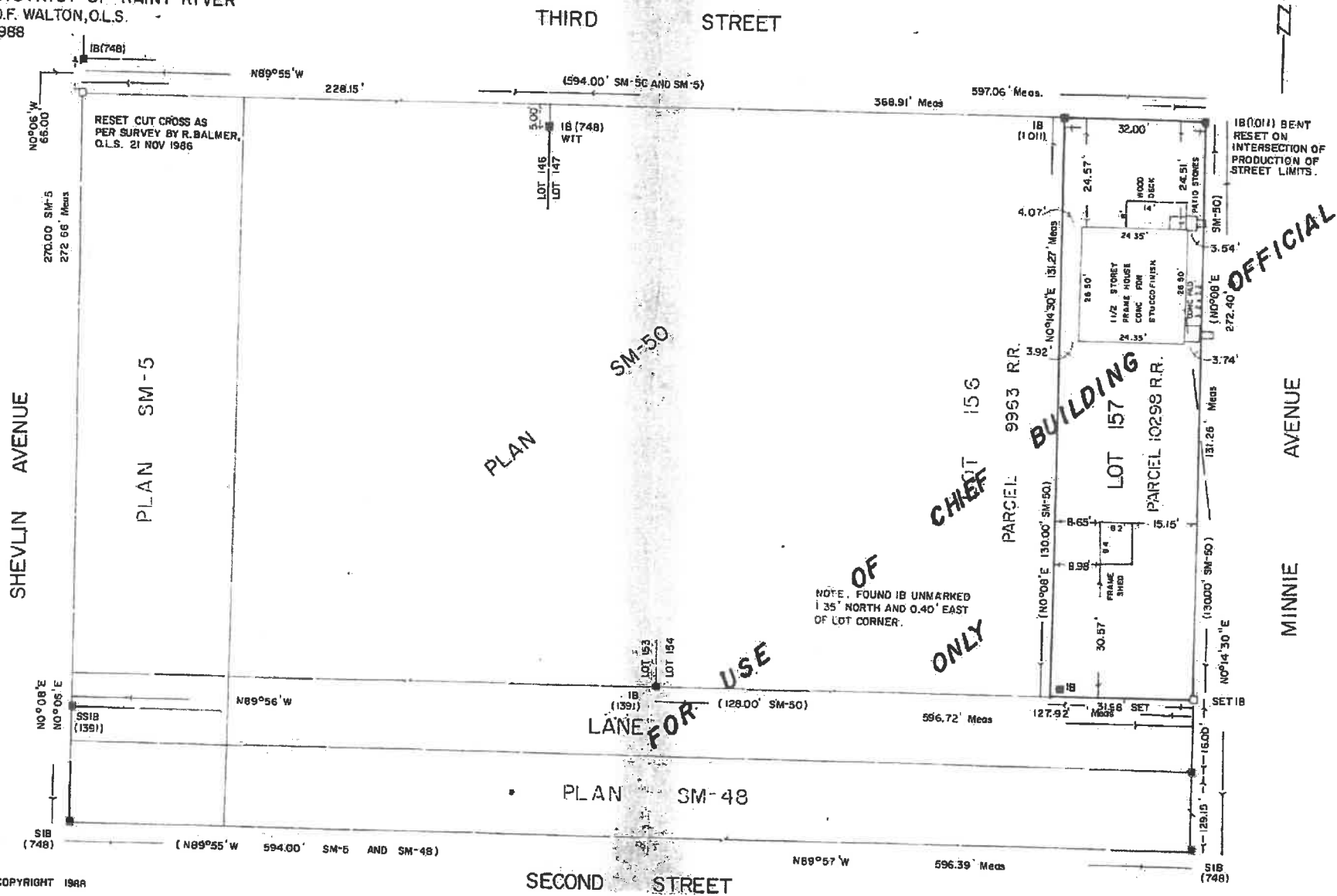
Schedule A

4. Describe how the application confirms to the official plan of the municipality

It is our understanding that this Application will confirm to the Official Plan of Fort Frances on account of the fact that it allows for a second dwelling unit in the premises directly. This is particularly in light of the fact that the up-to-date zoning by-law came into effect on or about 2020.

**BUILDING LOCATION SURVEY OF
LOT 157, PLAN SM-50
TOWN OF FORT FRANCES
DISTRICT OF RAINY RIVER
D.F. WALTON, O.L.S.
1988**

SCALE 3/4" = 20 FEET



BUILDING LOCATION SURVEY OF
LOT 157, PLAN SM-50
TOWN OF FORT FRANCES
DISTRICT OF RAINY RIVER
D.F. WALTON, O.L.S.
1988

SCALE: 1 INCH=20 FEET

THIRD STREET

SHEVLIN AVENUE

PLAN SM-5

PLAN

SM-50

CHIEF

BUILDING

LOT 157

PARCEL 10298 R.R.

MINNIE AVENUE

PLAN SM-48

SECOND STREET

LANE

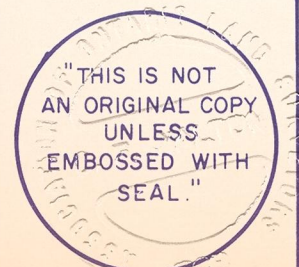
FOR USE

ONLY

NOTE: FOUND IB UNMARKED
1.35' NORTH AND 0.40' EAST
OF LOT CORNER.

OFFICIAL

© COPYRIGHT 1988.



NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
SOUTH LIMIT OF THIRD STREET, AS SHOWN ON PLAN SM-50,
HAVING A BEARING OF N89°55' W.

CLIENT: EUSTACE, MORGAN AND DERKSEN
RE: TAYLOR TO FRIESEN
BUILDING TIES SHOWN HEREON ARE TO THE FINISHED WALL
UNLESS OTHERWISE NOTED.
MUNICIPAL ADDRESS: 1037 THIRD STREET EAST

LEGEND
Meas DENOTES MEASURED
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET
SIB DENOTES STANDARD IRON BAR
SSIB DENOTES SHORT STANDARD IRON BAR
IB DENOTES IRON BAR
748 DENOTES D.F. WALTON, O.L.S.
1011 DENOTES H.A. SMITH, O.L.S.
1391 DENOTES R. BALMER, O.L.S.
— DENOTES NOT TO SCALE

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED ON THIS PLAN
WAS COMPLETED ON THE 26th DAY OF APRIL, 1988.

APRIL 28th, 1988
FORT FRANCES, ONTARIO

D.F. WALTON
ONTARIO LAND SURVEYOR

D.F. WALTON
ONTARIO LAND SURVEYOR
227 CHURCH STREET
FORT FRANCES, ONTARIO P9A 1C7
(807) 274-7036

DRAWN BY: R.H.
CHECKED BY: D.W.

JOB No.
88-727

4.1 Living Areas

4.1.1 Objectives

- a) Living areas are intended to provide for residential uses and local commercial, institutional and recreational uses which are normally associated with everyday activities within residential areas.
- b) The policies of this Plan are intended to provide for stable residential areas, which will encourage continuous improvement in property standards and housing conditions and encourage pedestrian access.
- c) Residential areas should provide for a variety of housing types to meet the demands of the present and future inhabitants of the Town. The desired mix of housing in the Town will be:

Dwelling Type	Percent	Density Units/Net ha
Low Density	65 %	12 – 16 units/ha
Medium Density	20 %	17 – 39 units/ha
High Density	15 %	40 or higher units/ha

- d) The Town will promote opportunities for residential intensification and redevelopment on lands located within the serviced area of the Town.
- e) The Town will promote pedestrian-friendly neighbourhoods and encourage the application of sustainable design criteria for new buildings and neighbourhoods.

4.1.2 Permitted Uses

The uses permitted in Living Areas include all forms of residential development such as group homes, home businesses and garden suites, and small scale institutional uses such as elementary schools, health care services, places of worship and neighbourhood parks.

4.1.3 Residential Development

- a) Residential development may occur by plan of subdivision, consent to sever lands or as intensification within the existing developed areas. Where more than three lots are being created and significant extensions or new municipal roadways or major sewer, water or other municipal services are being provided or improved to service the development, a plan of subdivision will generally be required. The islands within the Town limits may be developed subject to the approval of private individual sewage disposal facilities by the Northwestern Health Unit, pursuant to the requirements of Part 8 of the Ontario Building Code.
- b) Wherever possible, roads and services should follow grid systems, which are similar to the original lot configuration in the Town in order to provide a variety of routes for pedestrian and vehicular traffic.
- c) New housing developments should reflect a range of lot and housing sizes, including smaller, affordable housing units, which would be suitable for seniors

and smaller families. Where the development of smaller forms of housing occurs adjacent to older housing on larger lots, the new development should be designed and landscaped to be compatible with the character of the surrounding neighbourhoods.

- d) Within and nearby Living Areas there are uses which have existed prior to this plan. These uses may not be compatible with future residential uses, but are of economic importance to the community. In addition, uses may be permitted within adjacent areas that are not compatible with existing or future residential and sensitive uses.

New residential and sensitive uses shall be designed to consider pre-existing uses such that those existing uses can continue to function without ongoing conflicts between the new and prior existing uses.

The zoning by-law shall identify appropriate setbacks between proposed sensitive uses and existing non-compatible uses. Mitigation measures such as setbacks, fences and landscaping, may be required to minimize impacts.

Where development is proposed within 100 metres of the CNR rail line, the proponent shall provide noise mitigation and safety features to the satisfaction of the Ministry of Environment and the CNR.

- e) Prior to approving new residential uses, Council shall be satisfied that the development can be adequately serviced with sanitary sewers, municipal water, fire protection and utilities. Provisions for storm water management shall be provided on-site to ensure that the predevelopment run-off rates are maintained or improved. Council shall also be satisfied that there is safe access to the development for existing and future traffic.
- f) The implementing Zoning By-law will establish separate zones for low density, medium density and high density residential. Development of medium density and high density uses will require an Amendment to the Zoning By-law. In considering such an application, Council shall ensure that the development satisfies the land use compatibility policies in this Plan.
- g) Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision is to be designed such that the lots back onto the provincial highway and front onto a local internal street.

4.1.4 Small Scale Commercial Uses

- a) Commercial uses that serve the needs of the immediate neighbourhood shall be permitted throughout Living Areas. These uses may include convenience stores, entertainment sales/rental outlets and personal services.
- b) The size of local commercial uses shall be limited in the Zoning By-law to ensure that these uses are compatible with the built form of the surrounding residential uses. Council may use Site Plan Control to ensure that there is sufficient

landscaping, and that fencing, parking and signs do not detract from the attractive nature of the adjacent residential lands.

4.1.5 Small Scale Institutional Uses

- a) Places of worship, medical clinics and offices and elementary schools are examples of small scale institutional uses, which serve the day-to-day needs of the community. These uses are encouraged to locate where residents can walk from their homes to use these services.
- b) New institutional uses in Living Areas will require an Amendment to the Zoning By-law. When considering such an application, Council will ensure that the scale and design of the proposed use is in character with the adjacent residential uses. Site Plan control may be used to ensure that the design of the building, parking, landscaping, lighting and signs is in keeping with the residential character of the neighbourhood.

4.1.6 Neighbouring Parks

- a) Within Living Areas, neighbourhood parks should be provided within 1000 meters of all residential uses. Pedestrian and bicycle access to and between these parks should be developed wherever possible.
- b) Neighbourhood parks should be between 1.5 and 2.0 ha in size and should have suitable dimensions to provide for junior soccer pitches and junior baseball diamonds.

4.1.7 Islands

- a) The islands in Rainy Lake within the Town limits may be developed subject to the approval of adequate sewage disposal facilities by Northwestern Health Unit, pursuant to the requirements of Part 8 of the *Ontario Building Code*.
- b) Development on islands will be linked to recreational and seasonal uses. No municipal services will be provided to islands. Prior to approving development on islands, the Town shall be satisfied that adequate mainland parking has been secured.

4.1.8 Additional Residential Policies

(a) Design Policies for Existing Neighbourhoods

New Development in existing neighbourhoods (redevelopment or intensification) shall reinforce and improve upon the character defined by the existing built form and landscaping. The Town will maintain and improve existing neighbourhoods through tools such as By-laws (e.g., property standards, tree cutting), civic beautification, heritage conservation initiatives, and urban design guidelines.

(b) Location and Design of Elementary School Sites

Elementary schools should be located adjacent to public parks and open spaces, where possible. Generally, the school should be centrally located in regard to the area being served. The location should be selected and designed in consultation with the School

Boards. The location should also be selected and designed to minimize traffic conflicts with pedestrians. Sidewalks are considered to be an integral design aspect and will be required to link all school sites to adjacent neighbourhoods; bicycle lanes will be incorporated wherever feasible.

(c) Location and Design of Places of Worship

Where possible, places of worship should be located on the appropriate road classification. Places of worship should provide on-site parking located at the rear or side of the building. Proposals for developing new places of worship may require the applicant to submit a traffic impact study, lighting study, parking study and other studies deemed appropriate by the Town.

(d) Infill and Intensification Development

Infilling and intensification is encouraged throughout the Town's existing built up residential areas. Intensification in residential areas should address (notwithstanding the requirements for a severance, site plan or plan of subdivision):

- I. Land use and neighbourhood character compatibility;
- II. Lot pattern and configuration;
- III. Accessibility;
- IV. Parking requirements;
- V. The potential for additional traffic and traffic maneuverability;
- VI. Natural (including natural hazards) and built heritage conservation/protection;
- VII. The available capacity of municipal infrastructure; and
- VIII. Residential intensification targets identified in this Plan.

(e) Live/Work Opportunities

Medium density and high density residential units designed for live/work may be permitted subject to Site Plan Approval and provision of sufficient parking. Live/work development is encouraged to locate on collector and arterial roads and/or in an area planned for intensification.

(f) Affordable Housing

The Town will work with the appropriate housing agencies to ensure that a sufficient supply of housing is provided which is affordable to low and moderate income households. The Town will also consider alternative requirements for residential lot standards and required floor space in the Zoning By-law which would support the provision of affordable housing.

(g) Accessible Housing

The Town will work with the Province and the private sector to ensure that an adequate supply of accessible housing is provided to meet long term demand for persons with physical disabilities.

(h) Group Homes

Group homes administered by the Ministry of Health or Ministry of Community and Social Services under Provincial legislation shall be permitted in any residential area. The types of group homes which are permitted include:

- I. Approved homes;

- II. Homes for special care;
- III. Supportive housing programs;
- IV. Accommodation for adult mental health programs;
- V. Accommodation services for individuals with a developmental disability;
- VI. Satellite residences for seniors; and
- VII. Homes for individuals who have physical disabilities, where the Province licenses, funds or approves such a group home program.

(i) Accessory Dwelling Units

Once (1) Accessory Dwelling Unit may be permitted, in addition to the principal dwelling unit, of single-detached and semi-detached dwellings through a Zoning By-law or minor variance application. The following criteria shall be considered when evaluating proposals for the creation of accessory dwelling units:

- I. The floor area of the accessory unit is equal to, or less than, the gross floor area of the principal unit without any modification to the building's bulk or massing;
- II. The Accessory Dwelling Unit is not located in an attached garage;
- III. One additional one (1) unit on-site parking space is provided exclusively for the accessory dwelling unit;
- IV. The outdoor private amenity area is adequate for the amenity and leisure needs of all occupants;
- V. The Accessory Dwelling Unit meets the requirements of the Town's Zoning By-law, the Building Code and Fire Code;
- VI. A lot may not have both an Accessory Dwelling Unit and a Garden Suite.

(j) Second units ¹

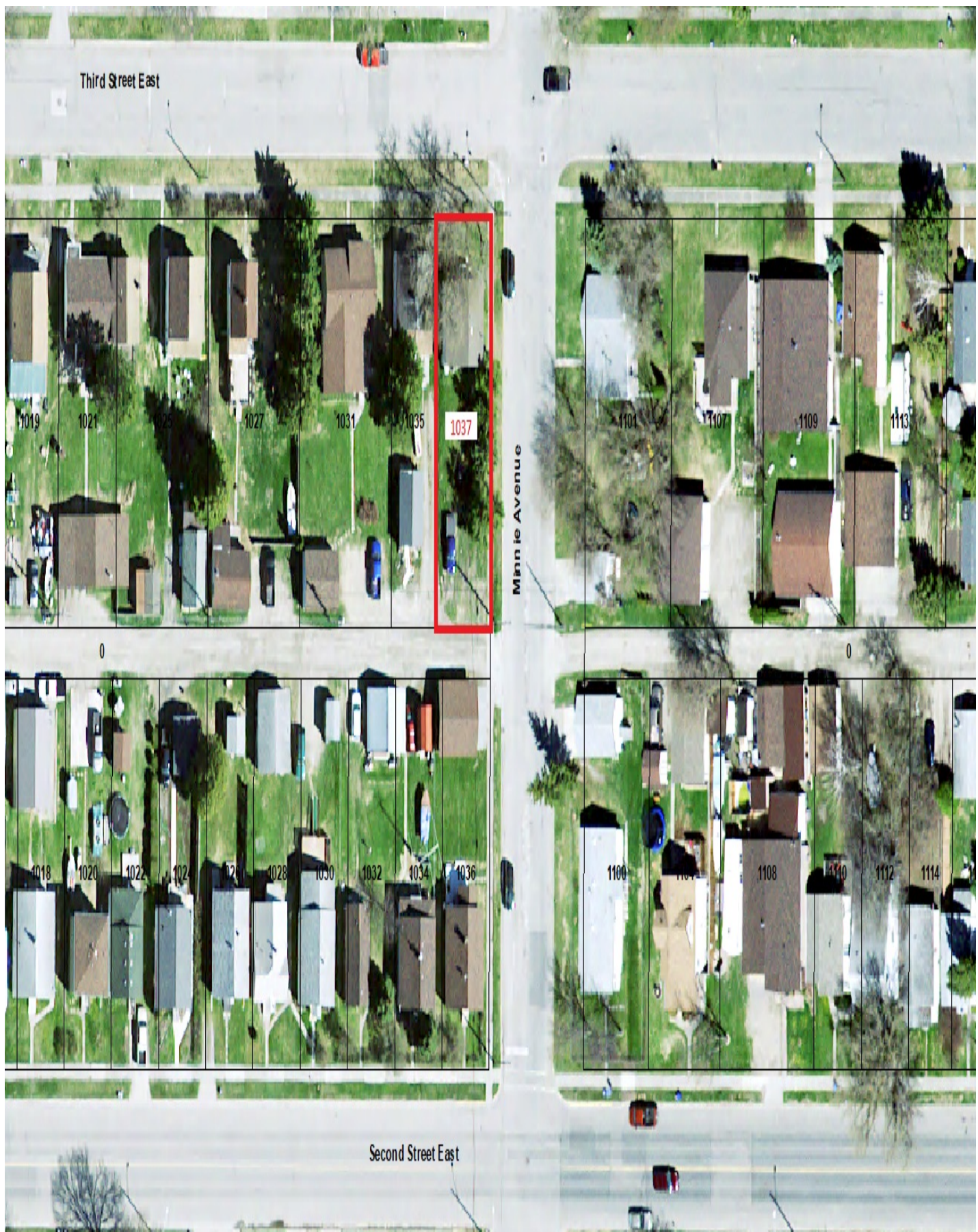
Second units are permitted for:

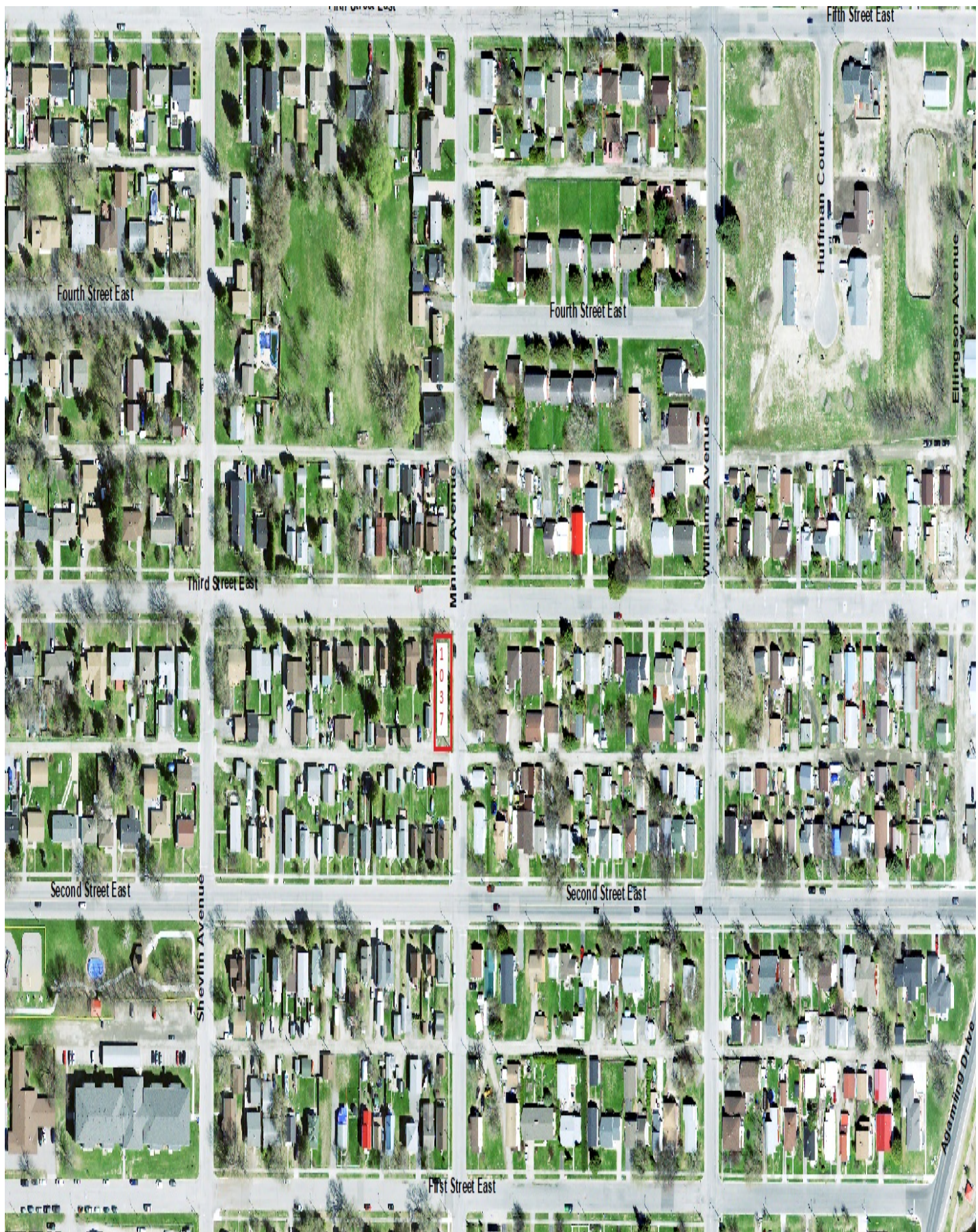
- I. the use of two residential units in a detached house, semi-detached house or row house if no building or structure ancillary to the detached house, semi-detached house or row house contains a residential unit; and
- II. the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or row house if the detached house, semi-detached house or row house contains a single residential unit.

(k) Garden Suites

One (1) Garden Suite may be permitted, but only on a lot Zoned for a single-detached dwelling. The Garden Suite will be a small, temporary building which is physically separate from the principal dwelling unit and will be adequately serviced by the primary residence. The exterior design of the Garden Suite will be in character with the design of the principal dwelling unit and the location of the Garden Suite on the lot will not adversely impact the privacy of adjacent yards. Garden Suites will be subject to a Temporary Use By-law. A lot may not have both an Accessory Dwelling Unit and a Garden Suite. Garden Suites must meet the requirements of the Town's Zoning By-law, Building Code and Fire Code.

¹ Section (j) – MMAH modification prior to approval (December 3, 2012)







**Town of Fort Frances
Administrative Report**

TO: Planning and Development Executive Committee
FROM: Cody Vangel, Chief Building Official & Municipal Planner
SUBJECT: **B2-2022: Zoning By-law Amendment – 1229 Cornwall Avenue (Lagoon Property)**
DATE: March 21, 2022

Issue:

Consideration of zoning by-law amendment B2-2022 submitted by 2670568 Ontario Limited seeking to add the following multiple site-specific permitted uses at 1229 Cornwall Avenue (locally known “Lagoon Property”):

- 1) To add a site-specific permitted use for Industrial Scale Computing;
- 2) To utilize sea-cans or containers converted to Buildings and/or a constructed structure to house the Industrial Scale Computing equipment;
- 3) To add a site-specific permitted use for the establishment of a 150 MW Solar Farm to produce solar energy and/or feed into the electrical grid;
- 4) To add a site-specific permitted use for Transmission of electricity, including infrastructure (towers and lines);
- 5) To add a site-specific permitted use for Electric substations; and
- 6) To add a site-specific permitted use for Battery Energy Storage System (BESS)

The site-specific permitted uses would all be subject to the specific provisions of the Waste Disposal industrial (M3) zone.

Strategic Impact:

1. Attracting new industry and attracting investment for local business development.
16. Mitigate risks of climate change
25. Preserve Power Agreement and support Fort Frances Power Corporation

Options/Alternatives:

1. Recommend approval of application;
2. Recommend amendment to application; or
3. Recommend rejection of application.

Administrative Recommendation:

THAT, conditional to the results of the public meeting, the application be approved; and
 THAT the property be designated as a Site Plan Control Area which will require a site plan agreement prior to any further development taking place on the property; and
 THAT a noise mitigation study among other potential studies for any development be required as part of the site plan agreement; and
 THAT the structures associated with the industrial-scale computing operation be located not closer than 300m to any existing surrounding residential use or residential zoned properties.

History:

It is understood that the subject property has been historically used as a wastewater lagoon site which received effluent wastewater from the former Kraft and Paper mill as part of the mills treatment facility requirements.

Information contained on file for this property indicates the following respective building permits being issued:

- 92-205: Construct a 16' by 40' motor control centre building (McIrvine Road)
- 92-206: Construct a 20' by 35' pumphouse building (Cornwall Avenue)
- 95-107: Construct a 20' by 20' addition to existing ASB pumphouse
- 2010-058: Construct a 20' by 20' pumphouse addition to existing blower building for effluent control
- 2010-059: Construct a new 42' by 62' nutrient building for pollution/effluent control

Official Plan:

The Official plan designation for the subject property is "Employment". Employment areas promote the development of a wide range of commercial and industrial uses. The proposed application generally complies with multiple provisions of the Official Plan in relation to industrial uses, employment opportunities, as well as green-energy:

2.2.2.ii. Fort Frances will promote social inclusion, improved access to housing, commerce, job opportunities and social services.

2.3.2.vi. Fort Frances will consider the potential impacts of climate change and encourage citizens, businesses and organizations to take measures to adapt to climate change.

3.1.7.(a) Energy Conservation: Fort Frances shall encourage and support energy conservation, district heating and combined heat and power, and alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies and regulations. Fort Frances will also encourage the application of energy conservation measures in the design and construction of new buildings and in the rehabilitation and upgrading of existing buildings and structures.

3.1.7.(b) Flexibility in Development Approvals Process: Increased flexibility in zoning and site planning may be considered in order to accommodate variances in building orientation, landscaping designs, lot coverage and other site or building characteristics to provide for increased energy efficiency.

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

3.4.2.(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.

An excerpt of the Town's Official Plan, particularly Sections 3.4.5. to 3.4.8. referring to utility infrastructure green energy and energy conservation, has been included with this report to further demonstrate general compliance of this request as it relates to the Town's Official Plan.

Additionally, an excerpt of Section 4.2 Employment Areas has further been included for reference to demonstrate how this proposal generally complies with the Official Plan.

The Town's Official Plan outlines a number of studies that may be requested for a wide range of development. Upon review of the application and consideration of the potential noise that may be output by the industrial-scale computing, it would be recommended to require a noise mitigation study as a condition of approval of the industrial-scale computing use, or upon general approval through a required site plan control agreement.

Zoning:

The request submitted is to include the following as a site-specific permitted uses for the property, subject to the specific provisions of the Waste Disposal Industrial (M3) zone:

- 1) To add a site-specific permitted use for Industrial Scale Computing;
- 2) To utilize sea-cans or containers converted to Buildings and/or a constructed structure to house the Industrial Scale Computing equipment;
- 3) To add a site-specific permitted use for the establishment of a 150 MW Solar Farm to produce solar energy and/or feed into the electrical grid;
- 4) To add a site-specific permitted use for Transmission of electricity, including infrastructure (towers and lines);
- 5) To add a site-specific permitted use for Electric substations; and
- 6) To add a site-specific permitted use for Battery Energy Storage System (BESS)

The proponent offers the following definitions for the requested uses:

Industrial Scale Computing: The use of premises for the purpose of housing computer systems that collect, maintain, store, and/or process data for profit. Typical uses include but are not limited to blockchain/cryptocurrency mining and data centres.

Solar Farm: 150MW of Photo Voltaic Solar Generation utilizing either a fixed mounting or a variable tracking system.

Transmission of electricity, including infrastructure (towers and lines): Transmission is an interconnected group of lines and associated equipment for the movement or transfer of electric energy between points of supply and points at which it is transformed for delivery to customers or is delivered to other electric systems.

Electric substations: A facility for switching electrical elements, transforming voltage, regulating power, or metering.

Battery Energy Storage System (BESS): A Battery Energy Storage System (BESS) is a type of energy storage that uses a group of batteries to store electrical energy.

The following specific provisions apply to the Waste Disposal Industrial zone:

4.14 WASTE DISPOSAL INDUSTRIAL (M3) ZONE

No person shall within a Waste Disposal Industrial (M3) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.14.1 Permitted Uses

- a) recycling facility
- b) salvage or wrecking yard
- c) sewage lagoon
- d) solid waste disposal or management facility

4.14.2 Regulations for Permitted Uses

- a) Minimum Lot Area 10,000 m²
- b) Minimum Lot Frontage 60 m
- c) Minimum Yard Requirements
 - Front Yard 30 m
 - Interior Side Yard 20 m
 - Exterior Side Yard 30 m
 - Rear Yard 20 m
- d) Maximum Lot Coverage 80%
- e) Minimum Landscaped Open Space 20%
- f) Maximum Height of Building 10 m

As it currently sits, the subject lands appear to generally comply with the specific provisions of the M3 zone.

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 site-specific permitted uses appear to be consistent with the 2020 PPS as follows:

- 1.1.1. Healthy, liveable and safe communities are sustained by:
 - g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
 - i) preparing for the regional and local impacts of a changing climate.
- 1.3.1 Planning authorities shall promote economic development and competitiveness by:
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
 - d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
 - e) ensuring the necessary infrastructure is provided to support current and projected needs

1.6.1 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.

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and renewable energy systems and alternative energy systems, to accommodate current and projected needs

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- j) promoting energy conservation and providing opportunities for increased energy supply;

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
- d) focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;
- e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
- f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and
- g) maximize vegetation within settlement areas, where feasible.

Northern Ontario Growth Plan:

The proposal appears to generally comply with the Northern Ontario Growth Plan based on the following:

2.3.9 Renewable Energy and Services

Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the *renewable energy* sector should include:

-
- a. facilitating the entry of new participants and entrepreneurs, including Aboriginal communities, co-operatives and commercial developers, in the development of *renewable energy* generation and sustainable energy solutions
 - b. attracting investment by enabling municipalities and local distribution companies to invest in community-based *renewable energy* projects
 - c. identifying and promoting manufacturing and service industries related to *renewable energy* generation
 - d. undertaking an approach to energy planning that supports regional needs by applying staged, flexible options that effectively address the unique needs and priorities of all communities, including those not connected to the grid, as well as the industrial sector in the North
 - e. promoting Northern Ontario as a location for *renewable energy* investment, research and commercialization.
-

5.6 Energy

5.6.1 The Province, working with the Ontario Power Authority and licensed transmission and distribution companies, will identify investment opportunities in Northern Ontario's transmission and distribution systems to maintain reliability, meet new and growing demands, and accommodate *renewable energy* generation.

5.6.2 The Province will work with Hydro One, the Ontario Power Authority, remote off-grid communities and the federal government to identify opportunities and assess the feasibility of long-term alternatives to diesel-generated power.

5.6.3 The Province will work with the Ontario Power Authority and local distribution companies to seek opportunities to increase the efficiency of energy use in Northern Ontario communities.

Consultation:

- Operations and Facilities
 - o Looking to understand if environmental impact assessment is necessary for solar aspect
 - o Looking to understand if solar aspect has any impact on airport flight path
- By-law Enforcement
 - o No issues or concerns
- Fort Frances Fire Rescue
 - o Fire department access and water supply may be necessary
 - o A fire safety plan may be necessary depending on hazard classification and occupancy determination
- Chief Building Official
 - o Site plan control agreement should be required
 - o Noise mitigation study to form part of Site Plan Control Agreement
- Fort Frances Power Corporation
 - o Letter of support issued
- Committee of Adjustment
 - o The Committee of Adjustment considered this matter at their March 16, 2022 session and recommended the following:
 - Approval of:
 - To add a site-specific permitted use for the establishment of a 150 MW Solar Farm to produce solar energy and/or feed into the electrical grid;
 - To add a site-specific permitted use for Transmission of electricity, including infrastructure (towers and lines);
 - To add a site-specific permitted use for Electric substations; and
 - To add a site-specific permitted use for Battery Energy Storage System (BESS)
 - Approval of the following with the inclusion of a noise mitigation study:
 - To add a site-specific permitted use for Industrial Scale Computing;
 - To utilize sea-cans or containers converted to Buildings and/or a constructed structure to house the Industrial Scale Computing equipment;

Public Meeting

An open public meeting is scheduled for April 11, 2022 on this application. Should any concerns or objection be brought forward during this meeting or via letter, they will be considered and brought back to PDEC for further discussion and consideration before bringing the application to Council for decision.

Supporting Document / Financial Documents:

- B2-2022 Zoning Amendment Application – Final – Signed
- Official Plan – Section 3.4.5. to 3.4.8.
- Official Plan – Section 4.2
- GIS Imagery
- FFPC Letter of Support



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:	
2670568 Ontario Limited P.O. Box 365 Otterville, ON N0J 1R0 Attention: Paul Veldman paul@thebmigroup.ca	
2. If known the names and full addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:	
Brothers Marketing Inc. P.O. Box 365 Otterville, ON N0J 1R0	
3. The current Official Plan designation of subject land:	Employment Area
4. Describe how the application conforms to the official plan of the municipality?	
see attached Additional Information	
5. The current zoning of the subject land:	M3- Waste Disposal Industrial
6. The nature and extent of the rezoning requested:	
Site specific zoning amendment to: 1) facilitate the lagoon area to be additionally utilized for Industrial Scale Computing and; 2) utilize sea cans or containers converted to Buildings (as per definition) and/or a constructed structure to house the Industrial Scale Computing Equipment and; 3) allow for the establishment of a 150 MW Solar Farm to produce solar energy and/or feed into the electrical grid. See attached Additional Information sheet for definitions of Industrial Scale Computing and Solar Farm. See attached Additional Information for images of proposed sea cans/containers converted to Buildings.	

7. The reason why the rezoning is requested.					
The current zoning would need to remain in place for the lagoons, but given its large size near the Town's industrial area, and proximity to transformers, the parcel would be ideal for additional purposes that promote new investment and employment. The Industrial Scale Computing and Solar Farm would allow for the current function of the lagoon to remain while introducing additional and diverse economic uses.					
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.					
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:					
PIN 56016-0443 Roll number: 010-007-16900-0000 See legal description in attached Additional Information.					
10. The frontage, depth and area of the subject land (in metric):					
Frontage:	see Additional Information	Depth:	see Additional Information	Area:	196.44 hectares
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					
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.					
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					
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 via Eighth Street and Cornwall Avenue North which is maintained year round by the Town of Fort Frances.					

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:	
Heavy Industrial - Zoned M3 Waste Disposal Industrial - currently used as a lagoon for former paper and kraft mill	
17. Are there any buildings or structures on the subject land: Yes <input checked="" type="checkbox"/> No <input 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:	
see attached Additional Information	
19. The proposed uses of the subject land:	
The subject land would be for heavy industrial use including the site specific uses for Industrial Scale Computing and a Solar Farm. See attached Additional Information Sheet.	
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:	
<p>Industrial Scale Computing will require sea cans converted to buildings and/or a constructed structure to be established within the RED boundary that is identified within the Additional Information sheet (sketch related to Question 28). The quantity of containers will range from 6 initially (summer of 2022) and up to 80 within a 3-year period, pending regulatory approval.</p> <p>The dimensions of the containers range in size from 5.85m x 2.3m x 3.07m up to 4.15m x 2.5m x 2.75m. If a building was to be constructed, a separate building permit would be applied for.</p> <p>All buildings will meet the minimum setback of 30 metres, and seacans may be stacked up to two high.</p> <p>The Solar Farm will be located throughout the entire property within the BLUE boundary, meeting all minimum setback requirements.</p>	
22. If known,	
a. the date the subject land was acquired by the current owner:	July 9, 2019
b. the date existing buildings or structures on the subject land were constructed:	unknown
c. the length of time that the existing uses of the subject land have continued: lagoon use continues to present	
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:	
Water is provided by the Town of Fort Frances' publicly owned and operated piped water system.	

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:	
Sewage disposal is provided by the Town of Fort Frances' publicly owned and operated piped sewage 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?	
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:	
Drainage ditches around perimeter of property	
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 ☐

Explain:

This proposal supports Employment (1.3) and Employment Areas (1.3.2) as defined in the Provincial Policy statement by providing opportunities for a diversified economic base, maintaining suitable sites for employment uses, and facilitating conditions for economic investments.

The proposal also supports Energy Supply (1.6.11) with the development of a Solar Farm.

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 ☐

31.1. Proposed strategy for consulting with the public with respect to the application.

The proponent will work with the Municipal Planner to determine the most appropriate forum for public consultation which may include newspaper advertisements, information sessions, etc.

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, Mitch Lepage of the Town of LaVallee, 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 25th

day of February 2022



Signature of Applicant or
Authorized Agent



**Karyn L. Haney, a Commissioner for
the Corporation of the Town of Fort
Frances, District of Rainy River.**

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. *1 copy 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, Paul Veldman, 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.

2/22/2022

Date

DocuSigned by:

Paul Veldman

Signature of Owner

COMPLETE IF APPLICANT IS NOT THE OWNER

AUTHORIZATION OF OWNER

I, Paul Veldman, 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 Mitch Lepage 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

2/22/2022

Date

DocuSigned by:

Paul Veldman

Signature of Owner

Question 4

The property broadly meets objectives for the Employment including;

1. Providing an opportunity for a diverse range of activities (i.e. Industrial Scale Computing and A Solar Farm) and;
2. Attractive development that will encourage new investment in Fort Frances (\$30M).

Specifically, within the Official Plan, the application conforms to sections;

3.1.8 Brownfield Redevelopment

The lagoon area is substantial in size and is currently underutilized. The parcel offers high potential for development while maintaining current use as a lagoon.

3.46 Power Generation Facilities and Green Energy

The solar farm is an opportunity for Green Energy to be established in an area where there is minimum impact on adjacent lands.

4.2.1 Employment Area Objectives

Meets objectives stated below.

- a) To provide opportunities to develop a diverse range of employment opportunities for the present and future residents of Fort Frances. *Industrial Scale Computing and a large-scale solar farm would be new industries for Fort Frances that would provide technical jobs in Fort Frances.*
- b) To ensure that there are sufficient lands designated for development opportunities at all times. *The parcel is sufficient in size (485 acres), to support the current lagoon and support the new proposed uses.*
- c) To provide for attractive development that will encourage investment in Fort Frances. *Large Scale Computing is an emerging and competitive market that will bring new investment into Fort Frances. The solar energy farm will also result in new investment in green technologies.*

4.2.2 Permitted Uses

Large Scale Computing meets current standards for a permitted use within Light Industrial Zone.

4.2.3 Industrial Uses

Large Scale Computing could meet the intent industrial uses.

Question 6

Definitions

Building (as per Fort Frances zoning By-law 3/14)

Any roofed structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or container used for any of the foregoing purposes.

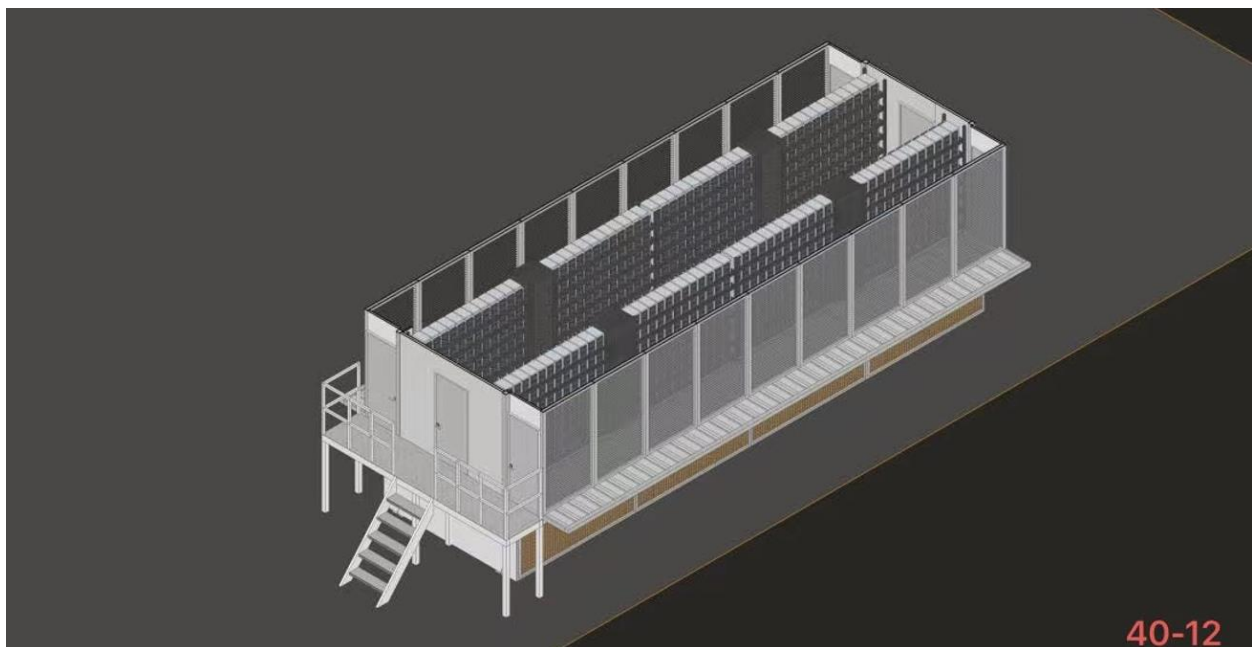
Industrial Scale Computing

The use of premises for the purpose of housing computer systems that collect, maintain, store, and/or process data for profit. Typical uses include but are not limited to blockchain/cryptocurrency mining and data centres.

Solar Farm

150MW of Photo Voltaic Solar Generation utilizing either a fixed mounting or a variable tracking system.

Images of Proposed Buildings





Question 9

PCL BLK 1-4 SEC SM49; FIRSTLY, BLK 1 PL SM49 MCIRVINE; BLK 2 PL SM49 MCIRVINE; BLK 3 PL SM49 MCIRVINE; SECONDLY, PT SEC 29 MCIRVINE PT 1, 48R3176, SURFACE RIGHTS ONLY AS PT 2, 48R3176; THIRDLY, PT HUDSON BAY COMPANY RESERVE MCIRVINE PT 3, 48R3176; FOURTHLY LT 1 PL SM145 MCIRVINE SURFACE RIGHTS ONLY; LT 2 PL SM145 MCIRVINE; LT 3 PL SM145 MCIRVINE EXCEPT PT 1, 2 & 3, 48R3385; LT 4 PL SM145 MCIRVINE; LT 5 PL SM145 MCIRVINE; LT 6 PL SM145 MCIRVINE & LT 7 PL SM145 MCIRVINE, EXCEPT PT 4, 48R3385 FIFTHLY SE1/4 SEC 29 MCIRVINE EXCEPT PT 5, 48R3385; FORT FRANCES

Question Number 10

Distance measurements derived from Google Earth and are not exact

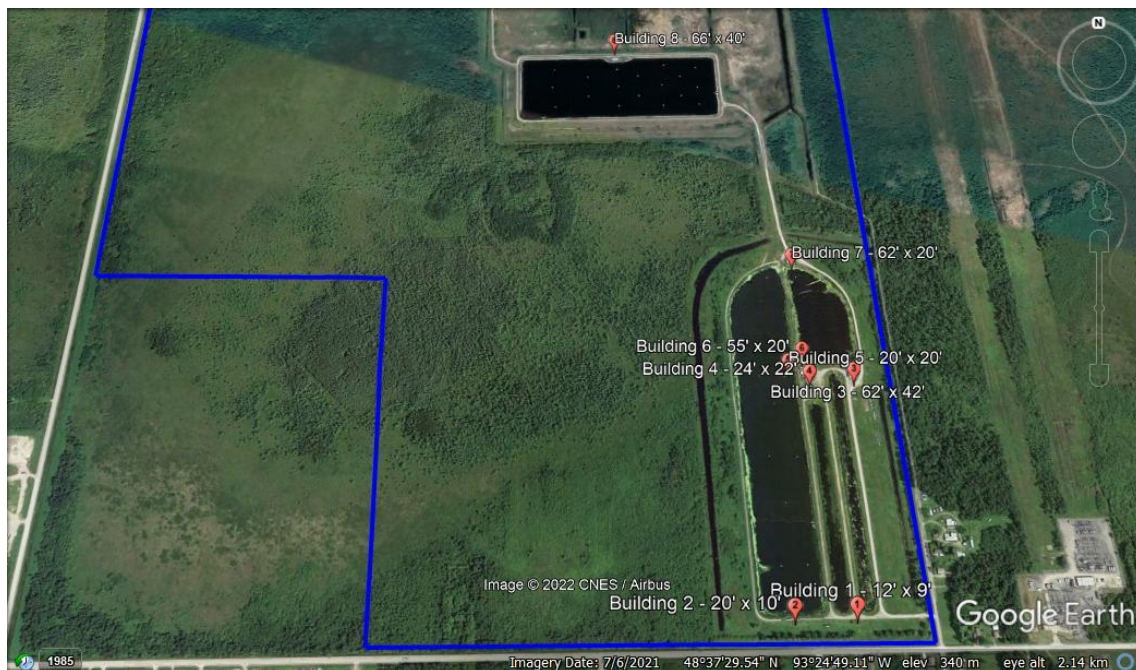


Question Number 13

See attached document, Airport Zoning Regulations.

Question Number 18

Building Number	Type of Structure	Size (metres)	Height (metres)	Distance from lot lines (metres) (south/east)
1	Slab on grade Cinderblock	3.65 x 2.74	2.44	40/130
2	Slab on grade Wood frame	6.09 x 3.04	2.44	40/240
3	Slab on grade Wood frame	18.89 x 12.80	4.88	500/64
4	Slab on grade Wood frame	7.32 x 6.70	2.44	500/150
5	Slab on grade Wood frame	6.09 x 6.09	2.44	510/165
6	Slab on grade Wood frame	16.76 x 6.09	2.44	519/155
7	Slab on grade Wood frame	18.89 x 6.09	2.44	770/150
8	Slab on grade Wood frame	20.11 x 12.19	2.44	1310/500



Location of buildings on properties
(Measurements of buildings are indicated in feet, not metres in diagram)

Question Number 19

INDUSTRIAL SCALE COMPUTING – DATA CAMPUS INFORMATION SHEET

2670568 Ontario Limited has been actively working with a project partner to develop a data campus in Fort Frances. As per the definition provided, a data campus can be a component of Industrial Scale Computing. One proposed location for the data campus is the lagoon located on Eighth Street and Cornwall Avenue North. This is an excellent location as, given its large size, the parcel could continue to serve its currently function as a lagoon while also being a data campus that mines cryptocurrency. See the information below for more detail.

What is cryptocurrency?

Cryptocurrency is a digital or virtual currency that is secured by cryptography, which makes it nearly impossible to counterfeit or double-spend.

Cryptocurrencies are generally not issued by any central authority, such as governments or banks.

Bitcoin is a type of cryptocurrency.

What is cryptocurrency mining?

Crypto mining is the process of creating individual blocks added to the blockchain by solving complex mathematical problems. The purpose of mining is to verify cryptocurrency transactions and show proof of work, [adding this information to a block on the blockchain](#), which acts as a ledger for mining transactions. As return, the more calculation power contributed, the more crypto coin will be earned. Calculation power could not be only used for recording transactions and ownership but also increase searching speed for Google, download speed for YouTube etc.

Cryptocurrency mining is energy intensive and takes place within an enclosed structure (a container/sea can converted to a building).

In Fort Frances, 2670568 Ontario Limited is proposing the development of a Data Campus that will be comprised of a series of sea cans converted to buildings (starting with 6 and expanding up to 80)

and/or a constructed structure within a proposed development area on the former mill lagoon property. The sea cans/buildings use natural wind flows in on one side/or from bottom and out on the other side for cooling. Some of the sea cans/buildings may also use water for cooling. Noise/decibel levels are estimated at 0.7MWh/105db.

What does a cryptocurrency operation look and sound like?

An example of a large operation is in this video;

<https://m.youtube.com/watch?v=x9J0NdV0u9k>

Does cryptocurrency mining create new jobs?

Yes, skilled jobs are created. In Fort Frances we would anticipate that 70 jobs would be created during the operation phase and even more during construction. We have engaged leading organizations for professional services related to the facility and are working with former mill employees and hydro providers, including FFPC, to assist with connections and on-site technical and logistical solutions to ensure a viable facility.

We plan to run 50,000 devices in Fort Frances. The data campus runs 24 hours per day, with three shifts. Every 2000 - 3000 devices need at least 1 technician and an entire management team.

Who would operate the Data Campus?

2670568 Ontario Limited, with an experienced partner would operate the Data Campus. Our partner's team have built over 1040 MWh crypto mining center all over the world and operated more than 800,000 mining devices.

What's the investment plan?

2670568 Ontario Limited's partner plans to invest \$30M in electrical and building infrastructure in the next 2 years.

What's the trend for blockchain?

Blockchain is the general direction of future development. The world's computing power will be further decentralized and the core economy of blockchain is mining. Blockchain is a great contributor for development of the economy.

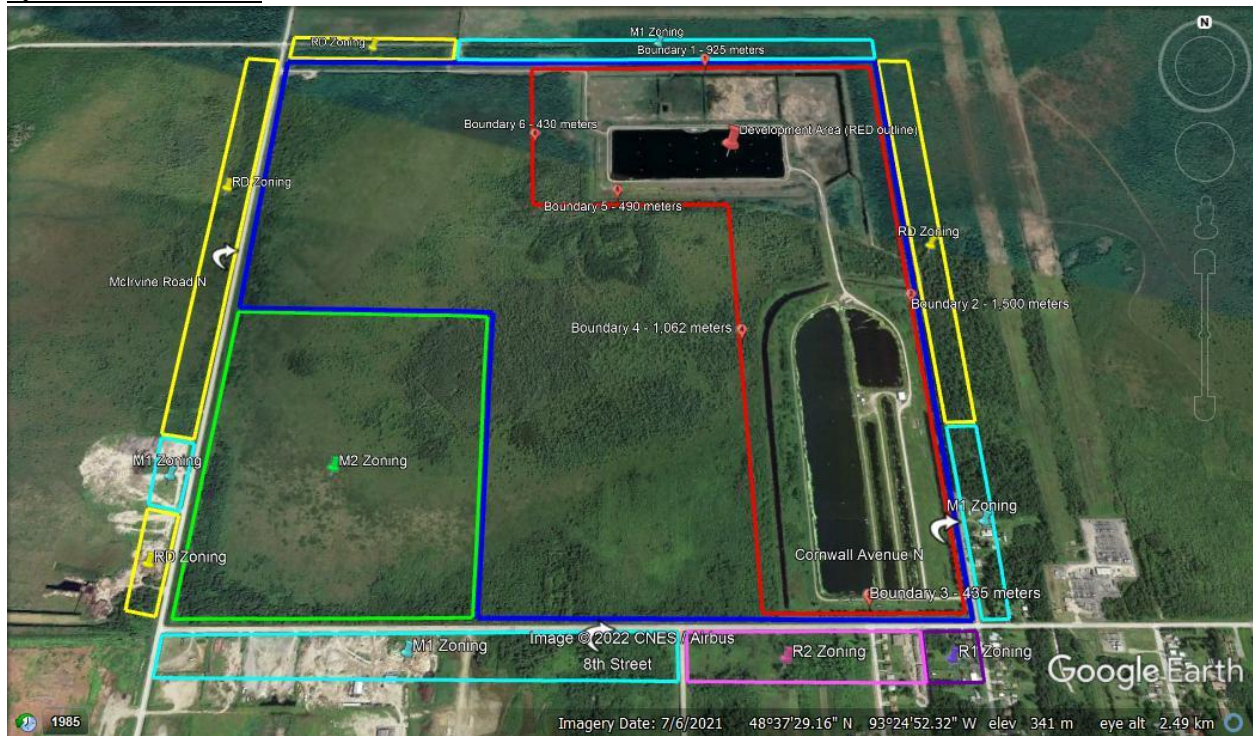
SOLAR FARM INFORMATION SHEET

2670568 Ontario Limited has been working with project partners to expand the use of the former mill lagoon parcel to incorporate a 150MW solar farm utilizing either a single axis or fixed track system.

- The solar farm would be located throughout the lagoon parcel and not dedicated to one area. See diagram below.
- The lagoon parcel is very close to Hydro One and Fort Frances Power Corporation stations; discussions have been on-going with the Fort Frances Power Corporation about the solar farm.
- The solar farm would have the potential to feed into the I IESO Capacity market or support on-site systems or other initiatives.
- After all various permits and approvals are received, installation and construction typically take 1 to 2 years to complete a project of this size, utilizing a labour force of ~110 individuals.
- The above labour force would result in at least \$10 -12 Million in wages.
- Once the project is operational it would employ a skilled work force (5–10 individuals) to operate and maintain the PV, Tracking and Power Station equipment which would provide \$1 to \$2 Million in annual wages and local benefits.
- This project will significantly reduce the environmental impact of burning of fossil fuel and the carbon footprint of the local area.



Question Number 28



Cody Vangel
Chief Building Official
Town of Fort Frances
320 Portage Avenue
Fort Frances, ON P9A 3P9

March 10, 2022

Re: Additional Site-Specific Uses for Lagoon Zoning Amendment

Dear Cody;

As discussed, please accept this letter as a request to add additional site-specific uses onto the zoning amendment application that was submitted by 2670568 Ontario Limited, and that you acknowledged on March 2, 2022. We are requesting that the zoning of the parcel be changed to allow 2670568 Ontario Limited to convert the site to an energy complex that will respond to the future needs of Fort Frances and the Province of Ontario.

The additional uses are to include:

- **Transmission of electricity, including infrastructure (towers and lines)**
 - Transmission is an interconnected group of lines and associated equipment for the movement or transfer of electric energy between points of supply and points at which it is transformed for delivery to customers or is delivered to other electric systems.
(Source: NERC Glossary of Terms)
- **Electric substations**

A facility for switching electrical elements, transforming voltage, regulating power, or metering. (Source: NERC Glossary of Terms)
- **Battery Energy Storage System (BESS)**
 - A Battery Energy Storage System (BESS) is a type of energy storage that uses a group of batteries to store electrical energy. Battery storage is the fastest responding dispatchable source of power on grids, and it is used to stabilise grids, as battery storage can transition from standby to full power within milliseconds to deal with grid failures.
 - Battery Energy Storage Systems (BESS) will be critical for System Operators to bridge the transition from fossil fuels to the green renewable energy future. Battery storage is one of the main emerging technologies used to store electricity during low use periods. Its stored energy can be used during higher load and capacity short periods. BESS systems are also being combined with intermittent resources (wind, solar etc.) to create the flexible power grids of the future.
 - There are some very recent examples in Ontario of Battery Storage Power Stations including.

<https://www.pcl.com/ca/en/our-work/ellwood-bess---ontario->

<https://www.energy-storage.news/ontario-industrial-battery-project-completed-to-capitalise-on-big-power-cost-savings/>

Please advise if you require any additional information.

Sincerely,



Mitch Lepage
General Manager – Northern Ontario

(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

(l) Home Based Businesses

Home Occupations and Home Professions may be permitted in single-detached residential, semi-detached and townhouses, as long as it is accessory to the principal residential use and occurs entirely within the confines of the dwelling unit.

4.2 Employment Areas

4.2.1 Objectives

- a) To provide opportunities to develop a diverse range of employment opportunities for the present and future residents of Fort Frances.
- b) To ensure that there are sufficient lands designated for development opportunities at all times.
- c) To ensure that there is sufficient flexibility to adapt to change and opportunities quickly; and
- d) To provide for attractive development that will encourage investment in Fort Frances.

The Town will protect its Employment Areas and will require extensive justification for any proposed conversion to non-employment uses.

The Town will consider the geographic location and transportation connections when planning new Employment Areas, and will emphasize the benefits of Fort Frances' location, transportation connections, and quality of life when promoting the build-out of existing Employment Areas.

The Town will attempt to minimize adverse impacts associated with industrial uses by ensuring that industrial uses occur on designated lands and that issues related to impacts of air, noise, vibration and odour are addressed in a manner which is consistent with Town and Provincial standards.

High quality urban design will be a key tool for increasing the attractiveness of Employment Areas. Specific urban design requirements will be considered to enhance the attractiveness and unique identity of Employment Areas.

The Town will plan and promote a Gateway Employment Area at the entrances into the Town which generates unique and ongoing economic development benefits. The Gateway Employment Area will be an overlay designation with specific site design policies as outlined in this Plan.

4.2.2 Permitted Uses

Employment areas include Industrial, Commercial and Business uses. The designation is intended to reflect lands where people presently work and lands where employment opportunities will be provided in the future.

The Zoning By-law will further divide these areas into different Industrial, Commercial and Institutional Zones.

4.2.3 Industrial Uses

- a) The mill presently owned and operated by Abitibi-Bowater is the primary industry in Fort Frances. Continued cooperation between the Town and the mill owners is encouraged by this Plan.
- b) Heavy Industry, apart from the mill, is encouraged to locate in the north westerly portion of the Town. These uses shall be located and landscaped to minimize the visual impact of open storage areas from adjacent Living Areas and major traffic routes.
- c) Prior to approving new heavy industries in Town, Council shall receive a detailed report on the use, potential emissions of noise, dust or odour, traffic implications and a site plan showing the proposed development.
- d) Heavy industrial uses include processing, manufacturing, assembly, fabrication, research and development, laboratories, workshops, training facilities, warehousing, shipping/receiving, major offices and other similar uses. Minor retail and personal and professional service commercial uses, which are scaled to serve the needs of the employees of the immediate employment area, are also permitted. Outdoor storage is permitted.
- e) Heavy Industrial uses should provide for the use of good quality exterior building materials and landscaping will be encouraged. General Industrial Areas near sensitive land uses will incorporate buffering, massing and screening, as well as controls for noise, vibration, odour, dust/debris and light emissions, which minimize impacts on the nearby sensitive uses. Outdoor storage shall be screened, using fencing and/or plantings, so that the storage area or goods are not visible from abutting lands or the street. The design of new Heavy Industrial uses shall be pedestrian friendly, barrier-free and accessible, where possible. Small parking areas may be provided in the front yard, however large parking areas shall be located to the side or rear of the building incorporating appropriate landscaping and/or screening.
- f) Light Industries are those industrial uses which are entirely contained within a building, except for accessory vehicle parking and limited outdoor storage and do not emit noticeable or noxious noise, dust or air emissions. These uses may be situated in close proximity to commercial uses and residential uses provided that the appropriate buffering measure are undertaken to minimize traffic and visual impacts.
- g) Light Industries permitted include light-manufacturing, light-assembly, research and development, warehouses and wholesaling, indoor storage, offices related to industrial uses, as well as some commercial uses such as heavy equipment sales and services, repair shops and services and lumber yards. Minor retail, personal and professional service commercial uses which are scaled to serve the immediate needs of the employees of the immediate employment area are also permitted. Only a limited amount of outdoor storage is permitted.

- h) Development in the Light Industrial Area is encouraged to have high quality exterior building materials and high quality landscaping. Development at the perimeter of Light Industrial Areas shall have edge landscaping and urban design treatments, where appropriate, to strengthen the area's visual appeal. Outdoor storage is not permitted, except where finished goods or materials are the primary product of a business (such as lumber in the case of a lumber yard). The design of light industrial subdivisions or individual sites should incorporate pedestrian-friendly, barrier-free and accessible design. Parking areas shall be screened from any adjacent sensitive land uses and large parking areas shall incorporate internal landscaping and be located at the rear or side of the building.
- i) All industrial uses shall be developed on the basis of full municipal services. Private services may be permitted where there is no industrial waste water and sewage facilities are less than 4,500 litres per day on an interim basis in areas where the Town has completed environmental studies regarding extending services to the site and servicing is likely to occur in the near future. Where these situations occur, the developer shall enter into an agreement with the Town to ensure that the site is pre-serviced and to provide a financial guarantee relating to the extension of the connection to full municipal services.
- j) New industrial developments shall meet or exceed provincial standards for noise, emissions and setbacks from adjacent uses.
- k) Industrial traffic should be directed away from, and not through, residential areas. Generally, the number of access points from employment areas to arterial and collector roads should be limited to minimize potential disruptions to traffic flow.
- l) An accessory residential use, such as a caretaker's residence, which is incidental to, and supportive of, the employment use, may be permitted subject to any appropriate mitigative measures required to conform with Provincial standards.
- m) The Town may permit the conversion of lands within employment areas to non-employment uses, but only through a municipal comprehensive review where it has been demonstrated that:
 - i. There is a need for the conversion;
 - ii. The conversion will not adversely affect the overall viability of the Town's Employment Areas and the achievement of other Policies of this Plan;
 - iii. There is existing or planned infrastructure in place to accommodate the proposed use; and
 - iv. The lands are not required over the long term for employment purposes for which they are designated.

4.2.4 Commercial Uses

- a) Commercial developments shall be encouraged to meet the needs of the residents of the District of Rainy River and its tourists, as well as support the industrial uses within the District.

- b) Commercial developments at the easterly and westerly ends of the Town should be focused on serving the needs of tourists and the travelling public. These uses shall provide access and parking areas suited to larger recreational vehicles and trailers and shall be designed as attractive entrance features to the Town. An Economic Gateway overlay designation has been prepared to provide additional development and design policies for uses locating at the easterly, westerly and southern approaches to the Town.
- c) Within the Downtown Business Area, the broadest range of commercial and residential uses shall be encouraged. Commercial uses should develop at the street line on the ground level. Residential uses will be encouraged to locate on upper floors provided that adequate access and parking can be provided.
- d) Building design, signage and landscaping details used in the Downtown Business Area should reflect the historical character of the downtown area.
- e) The Town will consider incentives to encourage the continued viability of the Downtown Business Area.
- f) The Downtown Business Area will be considered a Special Study Area and a Secondary Plan will be prepared to address the Downtown's special issues, as well as provide for a specific set of design guidelines.

4.3 Recreational Areas

4.3.1 Objectives

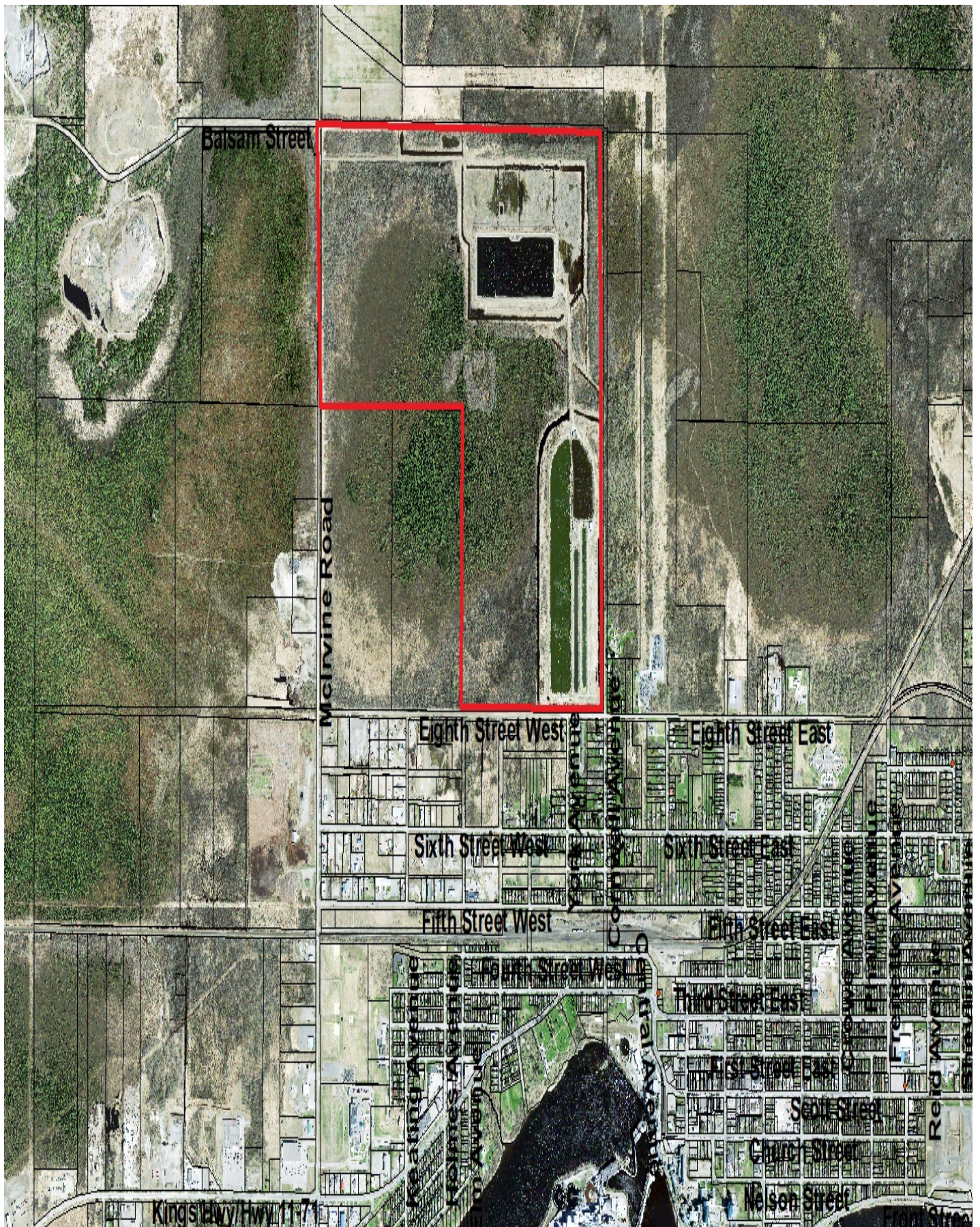
- a) To provide areas for residents of the Town to enjoy leisure activities and the environment.
- b) To develop a continuous parkland and trail system throughout the Town.
- c) To ensure that sufficient lands and facilities are available to provide for flexibility and variety in recreational opportunities for present and future inhabitants.

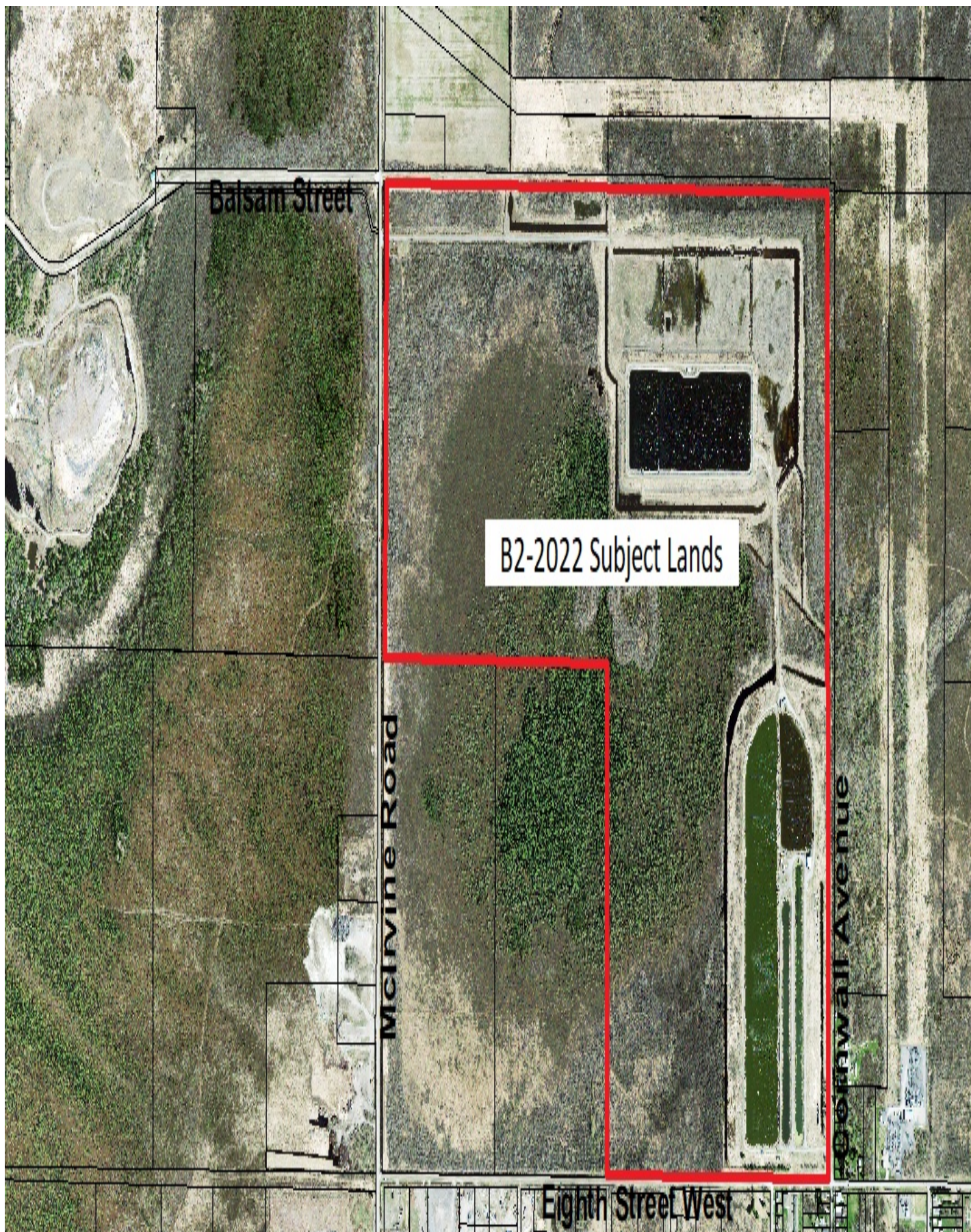
4.3.2 Permitted Uses

The uses permitted in the Recreational Areas include Municipal and public recreation facilities such as arenas, playing fields, community parks, walking and bicycle paths, snowmobile trails and related facilities and municipal marina facilities.

4.3.3 Development Policies

- a) Council will encourage the development of a continuous parkland and trail throughout the Town. The Town will acquire lands for this system through the land division and site plan approval processes. In addition, the Town will actively seek partnerships with other government agencies and private sector parties to develop the parkland and trail system.
- b) Where the parkland and trail system is situated within a municipal road allowance, Council shall seek to improve the pedestrian and bicycle routes within







March 11, 2022

Gabrielle, Lecuyer
Town of Fort Frances
320 Portage Avenue
Fort Frances, Ontario
P9A 3PA

**Fort Frances Power Corporation Letter of Support re 2670568 Ontario Limited
Rezoning Bylaw Amendment Application of Former Lagoon Property**

Dear Members of Council:

The Fort Frances Power Corporation has been working with 2670568 Ontario Limited over the past few years to identify electricity related opportunities that would facilitate economic development in Fort Frances. At the recent Board of Directors Meeting held on Thursday March 10, 2022, the following resolution was approved:

THAT the Fort Frances Power Corporation hereby provide 2670568 Ontario Limited with a letter of support for its request to the Town of Fort Frances for a zoning bylaw amendment of the former mill Lagoon property located on Eight Street, to allow for industrial scale computing and the construction of a solar field.

The Fort Frances Power Corporation is in full support of this exciting opportunity and notes that the proposed installations align with the objective of economic growth and job creation, as well as potentially facilitating a community wide electrical Microgrid. Specifically, the 150 MW solar field coupled with energy storage could serve as a local supply of electricity capable of energizing our community in the event of a grid failure. Other key building blocks include the installation of a Substation and Transmission & Distribution lines to interconnect the various electrical facilities.

Very truly yours,

FORT FRANCES POWER CORPORATION

President & CEO,

Cc: Faisal Anwar, CAO, Town of Fort Frances
Members of Town of Fort Frances Council
Cody Vangel, Chief Building Official & Municipal Planner, Town of Fort Frances
Fort Frances Power Corporation Board of Directors
Paul Veldman, Managing Partner, bmiGroup

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: March 11, 2022

CASE NO(S).:

OLT-21-001133

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Scott Fawcett
Applicant	Northwest Catholic District School Board
Subject:	By-law No. 03/14
Municipality:	Town of Fort Francis
OLT Lead Case No.:	OLT-21-001133
OLT Case No.:	OLT-21-001133
OLT Case Name:	Fawcett v. Fort Frances (Town)

Heard: By written submissions

APPEARANCES:

Parties

Counsel*/Representative

Scott Fawcett ("Appellant")

Self-represented

Town of Fort Frances ("Town")

A. McKitrick*/A.M. McKitrick*

DECISION DELIVERED BY BLAIR S. TAYLOR AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] The Tribunal issued its Interim Decision on January 25, 2022, with regard to a Zoning By-law Amendment ("ZBA") that proposed the adaptive reuse of a former school building and site for: 13 units in the former school building and an Early ON Family Centre with play area, and up to 5 eightplex buildings at the rear of the property known municipally as 820 Fifth Street ("Subject Lands").

[2] The Interim Decision approved in principle the ZBA subject to the Town providing a fully dimensioned conceptual site plan to scale, and a revised draft site specific Zoning By-law deeming Fifth Street as the frontage.

[3] The Tribunal received communication from counsel for the Town dated February 17, 2022, which communication has been entered as Exhibit 12 (added to the exhibits previously filed at the Tribunal hearing of January 13-14, 2022).

[4] Attached to counsel's letter was a revised draft ZBA, and the revised conceptual site plan dated February 9, 2022.

ZBA

[5] Exhibit 12 highlights two minor corrections to Exhibit 5 (the January 6, 2022, draft of the site specific ZBA) being: firstly, to correct a typographical error in paragraph 2 (b) to reference s. 4.5 of the ZBA (and not s. 45); and secondly in paragraph 2 (e)(2) under Location of Uses, to delete "wall" after "building" as being redundant. so that the paragraph would now read:

All eightplex dwellings shall be located on the Easterly half of the Property and no wall of any such building shall be closer than 7.5 metres from a wall of any other main building.

[6] Next Exhibit 12 notes the deeming of Fifth Street as the frontage for the Subject Lands.

[7] And finally Exhibit 12 proposes to clarify that clause 4.5.4 of the ZBA applies to the eightplex dwellings.

CONCEPTUAL SITE PLAN

[8] The conceptual site plan attached to Exhibit 12 is to scale, is dimensioned, and

provides the required setbacks for the Subject Lands, with frontage to Fifth Street.

COMMENTARY

[9] The proposed minor changes in Exhibit 12 assist with the wordsmithing of the ZBA, while Exhibit 12 does deem Fifth Street be the frontage and a clarification is provided for the zoning of the eightplexes. All are acceptable to the Tribunal.

[10] The Tribunal would point out that in s. 1 of the ZBA in Exhibit 12 (as it was in Exhibit 5) after providing the legal description of the Subject Lands, the ZBA then notes that they are removed from the Institutional (I) Zone and “designated” as part of the Residential Type Two (R2) Zone.

[11] In the ordinary course, the *Planning Act* speaks to Official Plan land use “designations” and the Tribunal observes that it might have been preferable for the ZBA to provide that the Subject Lands had been rezoned to use the language of s. 34 of the *Planning Act*.

[12] That notwithstanding, the Tribunal discerns no material impact arises and the Tribunal is content that the plain intention of the ZBA in Exhibit 12 is to change the zoning of the Subject Lands to the requested site specific zoning that will allow for the adaptive reuse of the school building and for the anticipated construction of the eightplexes.

[13] Thus, the Tribunal hereby issues its Final Order, allowing the appeal in part and approving the revised ZBA inter alia deeming Firth Street as the frontage, all as found in Exhibit 12 appended hereto as Attachment 1 and forming part of this decision.

[14] This is the Final Order of the Tribunal.

“Blair S. Taylor”

BLAIR S. TAYLOR
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.



McKITTRICKS

ATTACHMENT 1

Exhibit:	12
File #:	

Barristers and Solicitors

Allan G. McKittrick, Q.C., J.D.

*Allan D. McKittrick
B.A., LL.B.*

February 17, 2022

Sent by e-mail: shane.taylor@ontario.ca and by Purolator

Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto ON
M5G 1E5

Attention: Shane Taylor
Tribunal Case Coordinator

PROCEEDING COMMENCED UNDER subsection 34(19) of the
Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant:	Scott Fawcett
Applicant:	Northwest Catholic District School Board
Subject:	By-law No. 03/14
Municipality:	Town of Fort Frances
OLT Lead Case No.:	21-001133
OLT Case No.	21-001133
OLT Case Name:	Fawcett v. Fort Frances (Town)

Dear Mr. Taylor:

In its Decision and Interim Order dated January 25, 2022, the
Tribunal required provision of the following:

- a) A fully dimensional conceptual site plan to scale; and
- b) A revised draft ZBA specifying Fifth Street as the frontage
of the Subject Lands.

a) CONCEPTUAL SITE PLAN

*Callon Block
17A Cumberland Street South
Thunder Bay, Ontario
P7B 2T3*

The site plan dated February 9, 2022 prepared by Saulaux
Engineering and Consulting is attached.

*Phone: (807) 345-1251
Fax: (807) 345-0043
Toll Free (Area Code 807 only) 1-800-465-3938
Email: mckits@tbaytel.net*

The existing buildings are the school and the maintenance shed.

The plan represents the current intent of the DSSAB however the precise number and location of the buildings on the Easterly half of the Parcel will be dependent on the final design and, significantly, availability of government grants.

The location and type of building will, of course be determined by the requirements of the R2 Zone subject to the amendments requested in the Tribunal's Order. In particular, the required setbacks are shown on the plan as are the minimum distances from the lot lines and between buildings.

In short, it is a conceptual plan and the final configuration will need to comply with the provisions of the By-law, as well as the provisions of a site plan agreement the form of which will be crystallized when all details of the development have been finalized.

b) FORM OF BY-LAW

The attached is a draft of the Order sought.

Please consider the following Submissions.

1. Corrections

I point out a couple of minor changes from the draft which was submitted as an Exhibit:

- in Paragraph 2.b) PERMITTED USES, the Section Number in the first line has been corrected to "4.5" from "45"; and
- in subparagraph 2.e) LOCATION OF USES, the word "wall" after "building" is redundant and has been deleted.

2. Fifth St. Frontage

The added Paragraph 2.f) DESIGNATION OF LOT LINES, now deems the lot line abutting Fifth Street as the front lot line with the Frenette Avenue line being deemed the exterior side lot line and the remaining lines as the rear and interior side accordingly.

This is consistent with the way the lands have been developed and will be developed with the entrances coming off Fifth Street and with the 8-plexes facing toward that street and the change was supported by the Planner's evidence.

3. Regulations for Eight Plex Dwellings

The evidence submitted and the amendments requested in the draft Order were based on the 8-Plexes being governed by Section 4.5.4 of the By-law, hence the reference to Clauses 4.5.4 a), b) and c) in Paragraph 2.d) YARD REQUIREMENTS.

To clarify that the remainder of Section 4.5.4 applies, I have added Paragraph 2.g) to the draft Order.

.....

I hope that the above satisfies the Tribunal's requirements. If anything further is required, please let me know.

Yours very truly,



Allan G. McKittrick, Q.C.
AGMcK:mk

Encl.

c.c. Scott Fawcett - Appellant
Cody Vangel - Planner - Town of Fort Frances
Dan McCormick - CAO - RRDSSAB
Jeff Port - Planning Consultant

ORDER

That Section 1 of By-law No. 03/14-Y is deleted and the following substituted therefore:

- "1. That By-law No. 03/14-Y is amended by adding a Schedule thereto in the form of Exhibit "1" to this By-law."

Exhibit "1" to By-law No. 03/14-Y

SCHEDULE _____

1. Notwithstanding the Zone designation thereof as shown on the Zoning Map being Schedule "A" to this By-law, the lands and premises being more particularly described as follows, namely:

820 Fifth Street East, Fort Frances, Ontario

Legally described as

PCL 18499 SEC RAINY RIVER; PT LT 23 RIVER RANGE MCIRVINE; PT LT 24 RIVER RANGE MCIRVINE PT 2 RR164 EXCEPT PT 1, 48R1193; FORT FRANCES

BEING ALL OF THE PIN 56017-0034(LT),

hereinafter referred to as the "Property", are hereby removed from the Institutional (I) Zone and designated as part of the Residential Type Two (R2) Zone.

2. Notwithstanding the provisions of Section 4.5 of this By-law, or any other provisions of this By-law to the contrary, in the case of the Property the following provisions shall apply.

a) DEFINITIONS

In this Schedule:

"Child Care and Early Years Centre" means a premises operated under a licence from the Province of Ontario whereat programmes are provided under the *Child Care and Early Years Act, 2014* or where similar programmes are provided under Provincial Licence.

"eightplex dwelling" means a separate building containing two stories on each of which are located four dwelling units without a common hallway or stairwell and with independent direct access to the outside.

b) PERMITTED USES

In addition to the uses permitted on the Property pursuant to Section 4.5 of this By-law, the following are permitted uses on the Property:

- Child Care and Early Years Centre; and
- eightplex dwelling.

c) MAIN USES AND BUILDINGS

More than one main use and building is permitted on the Property, provided that the regulations of the R2 Zone as amended by this Schedule are met.

d) YARD REQUIREMENTS

Notwithstanding the provisions of Clauses 4.5.4 a), b) and c) of this By-law where the Property is occupied by more than one main building:

- i. the minimum lot area required for all main buildings collectively is the total lot area of the Property;
- ii. the minimum required lot frontage for all main buildings collectively is the full frontage of the Property; and
- iii. the minimum front, interior side, exterior side and rear yards shall be determined by reference only to the main building which is nearest to the applicable lot line.

e) LOCATION OF USES

1. A Child Care and Early Years Centre, together with an apartment dwelling are permitted uses in the former school building located on the Property as at the date of passage of this By-law.
2. All eightplex dwellings shall be located on the Easterly half of the Property and no wall of any such building shall be closer than 7.5 metres from a wall of any other main building.

f) DESIGNATION OF LOT LINES

Notwithstanding the definitions set out in Section 2 of this By-law, in the case of the Property, the lot line abutting Fifth Street shall be deemed to be the front lot line, the lot line abutting Frenette Avenue shall be deemed to be the exterior lot line, the Northerly lot line shall be deemed to be the rear lot line and the Easterly lot line shall be deemed to be a side lot line.

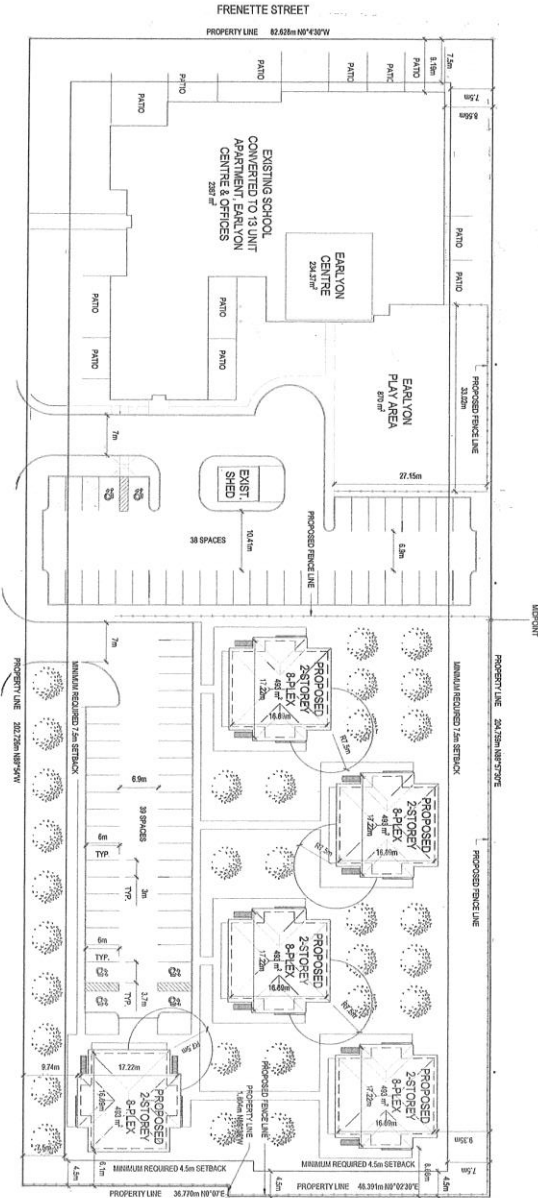
g) REGULATIONS FOR EIGHTPLEX DWELLINGS

Except as otherwise provided in this Schedule, the Regulations for an apartment dwelling as set out in Clause 4.5.4 of this By-law apply to eightplex dwellings on the Property.



CONCEPTUAL SITE PLAN
5TH STREET SCHOOL CONVERSION 3.6 & 1.6 ERES
500 PLYM STREET EAST, COVINT FACIES

FIFTH STREET



DRAWING SCALE = 1:500
GRAPHIC SCALE
0 5m 10m 15m 20m



REVISION 1, 2022