

TOWN OF FORT FRANCES

AGENDA - December 10, 2012

COMMITTEE OF THE WHOLE MEETING

Committee Room and Council Chambers, Civic Centre

(Session No. 79) 5:30 p.m. to 6:17 p.m.

Page

1. Call to Order

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

3. Disclosure of pecuniary interest and the general nature thereof.

4. In-Camera: 5:31 p.m. to 6:00 p.m.

4.1 Application before Tribunal.

4.2 Couchiching FN Water & Sewer Account

5. Non-agenda in-camera items

6. Public Session Resumes in Council Chambers: 6:05 p.m.

7. Consent Agenda: 6:07 p.m. to 6:12 p.m.

7.1 2013 Janitorial Tender No. 12-CS-12. 2 - 3

7.2 Annual Appreciation Dinner. 4

7.3 Strategic Plan Activities Update. 5

7.4 Financing of Honeywell Project. 6 - 16

7.5 2013 Temporary Borrowing to Meet Current Expenditures. 17 - 18

8. Planning and Development Division: 6:12 p.m. to 6:17 p.m.

8.1 Zoning By-Law Amendment #8/98-WW - Part block C Plan SM-112 ("Huffman School"). 19 - 25

9. Non-agenda items: 6:17 p.m.

November 8, 2012

REPORT TO: Mayor and Council

FROM: Jason Kabel, Manager of Community Services

RE: 2013 Janitorial Tender #12-CS-12

The Community Services Division undertook a tender call for janitorial services at the following Town facilities:

Children's Complex, Civic Centre/OPP office, Museum, Public Works

Below is a summary of the submissions:

Facility	Name/Company	Annually	Current Contract Amt.
Children's Complex	Tom Piotrowski (incumbent)	\$32,880	\$31,680
Civic Centre/ OPP office	Nicolson's Janitorial (incumbent)	\$60,000	\$60,000
Museum	Marianne Hellsoe	\$5975.04	\$6,000
Museum	Nicolson's Janitorial (incumbent)	\$6,000	\$6,000
Public Works	Marianne Hellsoe	\$12,600	\$8,136 (Courtesy Cleaning)

The Community Services Executive recommends that tenders be awarded as follows:

Children's Complex – Tom Piotrowski - \$32,880

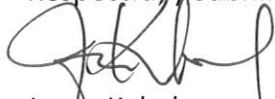
Civic Centre/ OPP office – Nicolson's Janitorial - \$ 60,000

Museum – Nicolson's Janitorial - \$6,000

Public Works – Marianne Hellsoe - \$12,600

The Community Services Division also has written confirmation from S & A Cleaners at the Library that they would like to exercise their option year to continue janitorial services at the current contract amount, \$30,645.60 including HST.

Respectfully Submitted,



Jason Kabel,
Manager of Community Services

Council's approval of this report will authorize the Community Services Division to:

a) award the annual tenders as follows for 2013 with the option to renew for a 2nd year at the same rate (prices do not include HST):

Children's Complex – Tom Piotrowski - \$32,880

Civic Centre/ OPP office – Nicolson's Janitorial -\$ 60,000

Museum – Nicolson's Janitorial - \$6,000

Public Works – Marianne Hellsoe - \$12,600

b) renew the janitorial agreement with S&A Cleaners for 2013 at the Library for a 2nd year at the current contract rate as per the option in the contract, \$30,645.60 including HST.

Report To: Mayor and Council
From: Mark McCaig, CAO
Date: December 5, 2012
Subject: Annual Appreciation Dinner

At the Administration and Finance executive meeting of December 4th, 2012, the recent postponement of the Town's Annual Appreciation Dinner was discussed.

The first consideration was that the recently named local Citizen of the Year, Ken Christiansen, needed to be formally recognized and presented by the Town. To that end, the executive committee is recommending that Kenno be formally awarded the 2012 Citizen of the year honour at the December 17th meeting of Council. Kenno will be presented with a plaque and speeches will be delivered by representatives of the Citizen of the Year Committee and Mr. Terry Ogden who is a longtime coaching associate of Kenno. The executive committee is also recommending that Kenno ride in the 2012 July 1st parade as Citizen of the Year. In the future, the executive committee is recommending that the Citizen of the Year be named in early October to ensure that the honouree can continue the custom of riding in the Santa Claus Parade and be formally presented and recognized at a Council meeting.

In regards to the Annual Appreciation Dinner, the executive committee is proposing something different for 2013. In June of 2013, at a date to be determined, the committee is recommending that the Dinner be held at Sunny Cove Camp. Further details need to be worked out regarding the event and this should be done in conjunction with the A & F Executive, the Human Resources Manager and Lori Pattison. The hosting of future dinners would also be evaluated immediately following the dinner in June.

Respectfully Submitted,



Mark McCaig, CAO

Council approval of this report will endorse the honouring of the Citizen of the Year for 2012 – Ken Christiansen at the December 17th meeting of Council and further that the Annual Appreciation Dinner be rescheduled to June 2013 at Sunny Cove Camp.

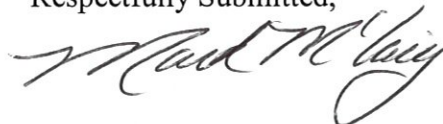


Report To: Mayor and Council
From: Mark McCaig, CAO
Date: December 5, 2012
Subject: Strategic Plan Activities Update

During my recent update of Strategic Plan activities, I identified a need for Mayor and Council to provide some direction on three initiatives within the plan that needed additional attention. The three initiatives were referred to the Administration and Finance Executive Committee for consideration and recommendation.

1. Regional Airport Initiative – the executive committee is recommending that the Town continue to pursue contribution from the stakeholders in the area. Specifically those stakeholders are the district municipalities and the area First Nations. The executive is recommending that we request a \$5.00 per capita levy from each community to begin with. Given the economic climate within Fort Frances, the committee feels that the benefiting communities need to contribute to alleviate the financial burden. The committee also noted that a representative from Rainy River Resources advised that aviation services were a very important component of their ongoing and future activities. The committee also proposes that the Town re-address the matter at the RRDMA annual meeting on January 26, 2013.
2. Police Services Review – I recently spoke with the chair of the Police Services Board regarding a joint meeting of the PSB and Council. The tentative date for the meeting is January 30th, 2013 at 4:00 p.m. The purpose of the meeting would be to discuss budgetary matters and a review of service.
3. Condo Initiative Review – the executive committee is recommending that the agent for Mr. Zanette, be contacted to attend at council for a discussion. The agent should be advised that Mayor and Council also want Mr. Zanette to attend. The committee recommends that the meeting be utilized to develop new strategies to advance this project.

Respectfully Submitted,



Mark McCaig, CAO

Council approval of this report will endorse proceeding with the three initiatives from the Strategic Plan as outlined in this report.





TOWN OF FORT FRANCES

ADMINISTRATION & FINANCE DIVISION

TREASURY REPORT 2012/116

TO: Mayor Avis & Members of Council
FROM: Laurie Witherspoon, Treasurer
DATE: December 5, 2012
SUBJECT: Financing of Honeywell Project

BACKGROUND

On June 7, 2012, Council approved proceeding with the Honeywell Energy Performance Contract. The report prepared by Travis Rob, EIT Facilities/Sustainable Coordinator outlined that the project addresses immediate needs within the Town of Fort Frances facilities with the aim to save the corporation money, energy, curb unexpected equipment failures, and revitalize facilities. The Honeywell Performance Contract is a comprehensive self-funded program guaranteed for a 15-year term. The estimated project cost up to the end of this fiscal year is \$1,612,350, which includes a 10% holdback.

To date, a grant from Union Gas in the amount of \$10,500 has been received. On December 5/12, notification was received, as attached to this report, that we were approved for funding of up to \$200,000 under the Community Infrastructure Improvement Fund for upgrading the Memorial Sports Centre, specifically the replacement of the Dry-O-tron unit. This CIII funding will be apportioned for the work that has been completed up to December 31/12 thereby reducing the amount of funding required from the Corporate Project Reserve Fund at year end.

The attached Financial Proforma - Proposed Scenario estimates the utility savings and finance amounts required on an annual basis. Council direction is required to complete the financing options for the 2012 completed portions of the energy project and for the remaining portion to be completed by mid-year in 2013. It was intended that the financing of the Honeywell Project was to mirror, as much as possible, the expected energy savings for the first 5 years of the performance contract and then consider accelerated long-term debt payments over the remaining 5 – 10 years, when the corporate long-term debt commitments are substantially lower.

RECOMMENDATION

The Administration & Finance Executive Committee recommends new long-term debt financing, in the form of a bank loan, in the amount of \$1,000,000.00, with a 5 year term and 15 year amortization for the Honeywell Energy Project completed up to December 31, 2012 and to proceed with a borrowing by-Law. Further that the Water, Sanitary Sewer and Corporate Project Reserve Funds finance the balance of the 2012 completed portion of the Honeywell Energy Project.

Council Approval of This Report Will Agree to the recommendation of the Administration and Finance Executive Committee to authorize a loan in the amount of \$1,000,000.00 for a 5 year term and 15 year amortization for the Honeywell Energy Project completed to December 31, 2012 and to authorize the necessary Water, Sanitary Sewer and Corporate Project Reserve Funds to fully finance the balance of the 2012 completed portion of the Honeywell Energy Project. Further that a Municipal Borrowing By-Law be brought forth.

Town of Fort Frances Financial Proforma - Proposed Scenario - Top Up From Water & Sewer																
Base Project Details																
Total Project Size	\$3,491,561															
Grants + Inflation	\$829,383															
Net Project Cost	\$2,662,178															
Utility Savings	\$172,507															
Operational Savings	\$68,518															
Total Savings	\$241,025															
Interest Rate	4.00%															
Discount Rate	4.00%															
Utility Inflation Rate	3.00%															
Operation Inflation Rate	2.00%															
Economic Analysis Period yrs	15															
Debt Term (mos)	144															
Annual M+V costs	12,608															
Annual M+V escalation	3.00%															
Business Case																
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
Construction	1		2	3	4	5	6	7	8	9	10	11	12	13	14	15
Savings																
Utility Savings	\$86,254	\$183,013	\$188,503	\$194,158	\$199,983	\$205,982	\$212,162	\$218,527	\$225,083	\$231,835	\$238,790	\$245,954	\$253,332	\$260,932	\$268,760	\$276,823
Operational Savings	\$34,259	\$68,518	\$69,888	\$71,286	\$72,712	\$74,166	\$75,649	\$77,162	\$78,706	\$80,280	\$81,885	\$83,523	\$85,194	\$86,897	\$88,635	\$90,408
MV Costs		12,608.0	\$12,986	\$13,376	\$13,777	\$14,190	\$14,616	\$15,055	\$15,506	\$15,971	\$16,451	\$16,944	\$17,452	\$17,976	\$18,515	\$19,071
Finance	120,512.5	204,664	210,461	216,425	222,562	228,875	486,192	486,192	486,192	486,192	486,192	-	-	-	-	-
Cashflow	\$0	\$34,259	\$34,944	\$35,643	\$36,356	\$37,083	\$37,825	\$38,588	\$39,369	\$40,167	\$40,982	\$41,814	\$42,663	\$43,528	\$44,409	\$45,306
Cumulative Cashflow	\$	\$34,259	\$69,203	\$104,846	\$141,202	\$178,285	\$34,712	\$240,270	\$438,181	\$628,230	\$810,198	\$997,665	\$1,181,073	\$1,361,262	\$1,538,880	\$1,713,303

Assumptions:

Construction Period savings equals 50% of anticipated annual savings
 Construction savings = construction interest expense
 Timely approvals of Energy Performance Contract to allow implementation to begin in first half 2012
 Finance costs are based on Net Project Costs (net of grants and incentives), with even monthly repayment calculated in arrears, amortized over the stated term to zero future value
 Economic Analysis Term - project cash flows evaluated over a 15 year economic life to zero future value. Note, most assets implemented will have economic lifespan between 15-25 years
 Project includes annual 3% blended utility escalation, 2% operational savings and avoided capital costs (zero in this case)
 Business Case - project calculations for Net Present Value (NPV) and Internal Rate of Return (IRR) include specified utility and operational escalation rates and avoided capital costs

HONEYWELL PROJECT**Estimated Loan Amount****\$1,169,003**

CIBC Rates as of Dece 3/12		2.32%	2.67%	2.93%	3.23%	3.36%
		1 Yr Term	2 Yr Term	3 Yr Term	4 Yr Term	5 Yr Term
10 Year Amortization - Principle	\$	116,900	\$ 116,900	\$ 116,900	\$ 116,900	\$ 116,900
Interest	\$	25,878	\$ 29,782	\$ 32,682	\$ 37,028	\$ 37,478
Total Annual Payment	\$	142,778	\$ 146,682	\$ 149,582	\$ 153,928	\$ 154,378
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15 Year Amortization - Principle	\$	77,934	\$ 77,934	\$ 77,934	\$ 77,934	\$ 77,934
Interest	\$	26,179	\$ 30,032	\$ 32,865	\$ 36,265	\$ 37,511
Total Annual Payment	\$	104,113	\$ 107,966	\$ 110,799	\$ 114,199	\$ 115,445

Loan Amount **\$1,000,000** (Balance from Reserve Funds)

		2.32%	2.67%	2.93%	3.23%	3.36%
		1 Yr Term	2 Yr Term	3 Yr Term	4 Yr Term	5 Yr Term
15 Year Amortization - Principle	\$	66,667	\$ 66,667	\$ 66,667	\$ 66,667	\$ 66,667
Interest	\$	22,394	\$ 25,690	\$ 28,113	\$ 31,022	\$ 32,088
Total Annual Payment	\$	89,061	\$ 92,357	\$ 94,780	\$ 97,689	\$ 98,755

Loan Amount **\$800,000**

		1 Yr Term	2 Yr Term	3 Yr Term	4 Yr Term	5 Yr Term
10 Year Amortization - Principle	\$	80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000
Interest	\$	16,304	\$ 18,764	\$ 20,591	\$ 22,700	\$ 21,631
Total Annual Payment	\$	96,304	\$ 98,764	\$ 100,591	\$ 102,700	\$ 101,631

Estimated @3.5%	5 Yr Term
7 Year Amortization - Principle	\$ 114,286
Interest	\$ 26,167
Total Annual Payment	\$ 140,453

Estimated @3.5%	5 Yr Term
5 Year Amortization - Principle	\$ 160,000
Interest	\$ 23,528
Total Annual Payment	\$ 183,528

G/L ACCOUNT	DESCRIPTION	2012 ACTUAL	2012 ANNUAL BUDGET	\$ VARIANCE COLUMNS 1:2	% VARIANCE COLUMNS 1:2
C CAPITAL FUND					
105	CORPORATE HONEYWELL PROJECT				
C-105-0490-0448	UNION GAS GRANT	10,500.00-	0.00	10,500.00	100.00
C-105-9280-0000	HONEYWELL IMPROVEMENT PROJECT	927,665.20	0.00	927,665.20-	100.00
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**	TOTAL REVENUE **	10,500.00-	0.00	10,500.00	100.00
**	TOTAL EXPENSE **	927,665.20	0.00	927,665.20-	100.00
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105	CORPORATE HONEYWELL PROJECT	917,165.20	0.00	917,165.20-	100.00
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**	TOTAL REVENUE **	10,500.00-	0.00	10,500.00	100.00
**	TOTAL EXPENSE **	927,665.20	0.00	927,665.20-	100.00
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C	CAPITAL FUND	917,165.20	0.00	917,165.20-	100.00
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**	TOTAL REVENUE **	10,500.00-	0.00	10,500.00	100.00
**	TOTAL EXPENSE **	927,665.20	0.00	927,665.20-	100.00
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****	GRAND TOTAL ****	917,165.20	0.00	917,165.20-	100.00
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\$ 1,612,349.55
- 917,165.20 Estimated
695,184.35 Decliz Payments
Outstanding

Estimated Project
Cost to Dec 31/12

617,449.00+
371,072.00+
263,362.00+
332,580.00+
1,584,463.00*

1,584,463.00x
8.0%
126,757.04*

126,757.04x
22.0%
27,886.55*

1,584,463.00+
27,886.55+
1,612,349.55*

Financing - 2012

1) Water Reserve Fund 180,632.00
Sewer Reserve Fund 173,961.04
Corp. Project Reserve 247,256.51
CIBC Bank Loan 1,000,000.00
Union Gas Grant 10,500.00
1,612,349.55

Mark McCaig/Frances
12/05/2012 12:00 PM

To Travis Rob/Frances@Frances, Laurie
Witherspoon/Frances@Frances
cc
bcc
Subject Fw: CIIF file C0237 (Fort Francis) - Contribution Agreement

From: Bunker, Bill: FDO (ONT)
Sent: Wednesday, December 5, 2012 8:33 AM
To: 'Doug Brown'
Subject: CIIF file C0237 (Fort Francis) - Contribution Agreement

Dear Mr Brown:

As you are aware, your organization was approved for support under the Community Infrastructure Improvement Fund (CIIF) for project C0237, Upgrading of the Memorial Sports Centre, for a contribution of up to \$200,000.

The approval for CIIF funding is conditional upon a contribution agreement (CA) being signed by your organization and by the Federal Economic Development Agency for Southern Ontario (FedDev Ontario).

The CA outlines the contracting details, claims information, and communication opportunities for your funded project. FedDev Ontario is not responsible for reimbursing any project expenditures if a CA is not duly executed.

In order to prepare the CA for signature, the following information is required:

1) The attached draft Statement of Work was prepared with information provided in your CIIF application.

a) Please confirm that this information remains accurate or provide an update as required.

b) Of particular importance are the CIIF cash flow amounts listed for each fiscal year. These amounts must show, as accurately as possible, the amount of CIIF funding to be used in 2012/13 (from April 1, 2012 to March 31, 2013) and in 2013/14 (from April 1, 2013 to March 31, 2014). Please note that any unused CIIF funding budgeted for 2012/13 may not be carried over to 2013/14. Please provide an updated cash flow breakdown as required.

2) The CA allows for an advance payment for eligible costs up to 90% of the CIIF contribution per fiscal year. Do you require an advance payment in fiscal year 2012/2013? If yes, please confirm an accurate cash flow to be incurred during the

advance period and an explanation of why the advance is required. Please note that the use of your advances must be accounted for by March 31, 2013.

3) Please note that no funds may be paid under this program until all requirements under the *Canadian Environmental Assessment Act, 2012* are met. Please confirm that your project is not located on "Federal Lands". You will be contacted in the near future if additional information is required to complete the contribution agreement appropriately.

4) Incremental costs of recipient employees, material and equipment are not normally eligible for reimbursement, but may be considered under the following conditions:

- a. the Recipient is a Local Government or a First Nation's government; and
- b) the Recipient satisfies the Minister that it is not economically feasible to tender a contract; and
- c) employees, material or equipment are employed directly in respect of the work that would have been the subject of the contract; and
- d) costs are approved in advance and in writing by the Minister, and are included in the CA.

Please let me know whether you are seeking consideration of these costs and I will let you know what information is required so the eligibility of these costs can be considered and captured in the contribution agreement. Please note that employee, material and equipment costs will not be considered as eligible costs at a later date. In order for these costs to be eligible, the costs must be included in the preparation of the CA at this time.

Once the CA is sent to you for signature, you will have 30 days in which to return the signed CA. The signed CA must be accompanied by a resolution of your Council. Please ensure that the resolution references the following information:

- the entering into a contribution agreement for funding under the Community Infrastructure Improvement Fund; and
- the name of the project as indicated at the beginning of this email.

Your reply to this email with the requested information would be appreciated by December 12, 2012 so that the CA can be prepared.

Thank-you for your prompt attention to this matter. I look forward to working with you on this project and please feel free to contact me with any questions.

Sincerely,

Bill Bunker

Business Case Analyst | Analyste, projets d'entreprise

Infrastructure Operations | opérations d'infrastructure

Federal Economic Development Agency for Southern Ontario |

L'Agence fédérale de développement économique pour le Sud de l'Ontario

151 Yonge Street, Toronto ON M5C 2W7 | 151, rue Yonge, Toronto ON M5C 2W7

bill.bunker@feddevontario.gc.ca

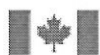
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Facsimile | Télécopieur 416-954-6654

Teletypewriter | Téléimprimeur 1-866-694-8389

Government of Canada | Gouvernement du Canada

<<C0237-Fort Francis-Statement of Work.doc>>



Federal Economic Development
Agency for Southern Ontario

Agence fédérale de développement
économique pour le Sud de l'Ontario

Canada



C0237-Fort Francis-Statement of Work.doc

COMMUNITY INFRASTRUCTURE IMPROVEMENT FUND

STATEMENT OF WORK

Recipient: Town of Fort Francis

Project Title: Upgrading of the Memorial Sports Centre

Project Location: 740 Scott Street, Fort Francis, P9A3P9

PROJECT DESCRIPTION:

Project works at the Memorial Sports Center will include:

- replacement of the Dry-O-tron pool heating, dehumidification, and ventilation unit;
- upgrade of lighting to more energy efficient fixtures;
- upgrade of the control system for the 3 existing HVAC units, ice plants, and lighting, where a setback schedule will be incorporated;
- upgrade of both refrigeration plants; and,
- upgrades to the building envelope.

Estimated date of commencement: 2012-07-21

Estimated date of Substantial Completion: 2013-11-21

FEDERAL CONTRIBUTION BY FISCAL YEAR

2012/2013	2013/2014	Total
\$140,000	\$60,000	\$200,000



By-Law No. _____

Specific Purpose Municipal Borrowing By-Law For Ontario

A by-law authorizing the borrowing of money by way of temporary advances to meet expenditures made in connection with a certain project.

Whereas by By-law No. _____, the Corporation of the Town of Fort Frances
(the "Municipality") authorized the 2012 Honeywell Energy Project
(the "Project") at an estimated cost of \$1,612,350.00;

Therefore, the Council of the Municipality enacts as follows:

1. The Head and the Treasurer are hereby authorized on behalf of the Municipality to borrow by way of temporary advances from time to time from **Canadian Imperial Bank of Commerce** ("CIBC") a sum or sums not exceeding in the aggregate
\$ 1,000,000 to meet expenditures made in connection with the Project and to give on behalf of the Municipality to CIBC a promissory note or notes sealed with the corporate seal and signed by the Head and Treasurer for the moneys so borrowed plus interest at such rate and such terms as may be agreed upon from time to time with CIBC;
2. All sums borrowed under this By-law, as well as all other sums borrowed in this year and in previous years from CIBC for any or all of the purposes mentioned in the Ontario Municipal Act, plus interest, shall be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when such revenues are received;
3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed pursuant to this By-law, plus interest, all of the moneys hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose;

Passed this _____, day of _____, _____



Head of the Municipality

Clerk

I hereby certify that the foregoing is a true and complete copy of the By-law numbered above of the Municipality in the Province of Ontario, duly passed at a meeting of the Council of the Municipality and that this By-law is in full force and effect.

Dated this _____, day of _____, _____

Witness the corporate seal



Clerk

PRINCIPAL

INTEREST

907

Page 16 of 25



**TOWN OF FORT FRANCES
ADMINISTRATION & FINANCE DIVISION
TREASURY REPORT 2012/115**

TO: Mayor Avis & Members of Council
FROM: Laurie Witherspoon, Treasurer
DATE: December 5, 2012
SUBJECT: 2013 Temporary Borrowing to Meet Current Expenditures

BACKGROUND

Section 407 of the Municipal Act authorizes the Town to provide for temporary borrowing, until taxes are collected and other revenue is received, necessary to meet the current expenditures of the municipality for the year. Pursuant to the Act, the total amount borrowed at any one time plus any outstanding principal borrowed and accrued interest shall not exceed 50 per cent of the total estimated revenues of the municipality from January 1 to September 30 and 25 per cent of the total estimated revenues of the municipality from October 1 to December 31 for the year.

Attached is the CIBC required documentation for borrowing for the 2013 fiscal year. An authorizing by-law must be passed.

RECOMMENDATION

The Administration & Finance Executive Committee recommends that Council authorize the preparation of a by-law for temporary borrowing in the amount of \$4,000,000 to meet 2013 expenditures.

Council Approval of This Report Will Agree to the recommendation of the Administration and Finance Executive Committee to authorize the preparation of an authorizing By-Law for temporary borrowing in the amount of \$4,000,000.00 to meet 2013 expenditures.



By-Law No. _____

A by-law authorizing the borrowing of money to meet current expenditures of the council of _____
(the "Municipality")

- A. In accordance with subsection 407(1) of the Ontario *Municipal Act*, S.O. 2001, c.25 (the "Act"), the Municipality considers it necessary to borrow the amount of \$ 4,000,000.00 to meet, until taxes are collected and other revenues are received, the current expenditures of the Municipality for the year.
- B. Pursuant to subsection 407(2) of the Act, the total amount borrowed pursuant to this by-law together with the total of any similar borrowings is not to exceed the limits set forth in that subsection or other relevant sections of the Act and if so required under subsection 407(2), the Municipality shall have obtained the approval of the Ontario Municipal Board.

Therefore, the Council of the Municipality enacts as follows:

1. The Head and the Treasurer are authorized on behalf of the Municipality to borrow from time to time from **Canadian Imperial Bank of Commerce** ("CIBC") a sum or sums not exceeding in the aggregate \$ 4,000,000.00 to meet, until taxes are collected, the current expenditures of the Municipality for the year pursuant to subsection 407(1) of the Act, and to execute any documents that are required in connection with the borrowing of the above sum, plus interest, at a rate to be agreed upon from time to time with CIBC, in addition to any reasonable charges of CIBC associated with this borrowing.
2. All sums borrowed pursuant to this by-law, as well as all other sums borrowed pursuant to the Act in this year and in previous years from CIBC for any purpose will, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when this revenue is received.
3. The Treasurer is authorized and directed to apply in payment of all sums borrowed plus interest, all of the moneys collected or received on account in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for this purpose.
4. The Treasurer is authorized to furnish to CIBC a statement showing the nature and amount of the estimated revenues of the Municipality not yet collected and also showing the total of any amounts borrowed that have not been repaid.

Passed this _____ day of _____, _____.

_____
Head of the Municipality_____
Clerk

I hereby certify that the foregoing is a true and complete copy of the By-law numbered above of the Municipality in the Province of Ontario, duly passed at a meeting of the Council of the Municipality and that this By-law is in full force and effect.

Dated this _____ day of _____, _____.

Witness the corporate seal

_____
Clerk

To: Mayor Avis and Members of Council
 From: N. Faye Flatt, AMCT, ACST, CPT
 Municipal Planner
 Date: 30 November 2012
 Re: **Zoning By-Law Amendment #8/98-WW**
Part block C Plan SM-112 ("Huffman School")



THE PROPOSAL:

The proposal is to change the zoning for this property to Residential Type Two (R2) to permit the creation of a sixteen lot residential subdivision for disposition and development for single family dwelling units. The rezoning also proposes, as a site-specific provision, a minimum ground floor area for the main building.

SUBJECT LAND:

The subject land is legally described as part of Block C on Plan SM-112. It is located at Fifth Street East and Williams Avenue and is approximately 136.55 m x 130 m. The Town of Fort Frances is the owner of the property (see illustration on Appendix "A" attached).

HISTORY:

This property was owned by the local school board since 1955 and operated as an elementary school until 2010 when it was purchased by the Town of Fort Frances with the intent of developing it for residential use. It was the second property identified in a phased-in residential development planned by the Town. The removal of the first property (Nelson Street) because of a successful appeal to the OMB, prompted the shifting of focus to this property.

EXISTING LAND USE

The property is occupied by an elementary school that was vacated in 2009. This structure is slated for demolition in 2013.

PROPOSED LAND USE:

The proposal is to rezone the property to "Residential Type Two" to accommodate the creation of a residential subdivision with 6 lots fronting Williams Avenue and an addition 10 on a cul de sac to be created off of Fifth Street East. Lots in an R2 zone are required to have 15 metres frontage. The minimum proposed frontage for these lots is 22.75 metres and are in keeping with existing residential lots within the immediate area.

The proposal to rezone this property for residential development has generated a number of positive enquiries and, as at the time of this writing, 23 expressions of interest for the purchase of the proposed lots, from persons both in and outside the municipality.



OFFICIAL PLAN:

A planning proposal must conform to the official plan (OP) of the municipality. The current OP was enacted in 1998 and, in November of 2011, Council adopted an updated OP that will, once approved, replace the existing one. Although the Town is awaiting final approval of the latest plan, legislation dictates that a municipality must have regard the OP that has been adopted and being considered by the Ministry of Municipal Affairs and Housing (MMAH). For this reason this proposal has been evaluated against both the existing and proposed OP.

The subject lands are located in the **Living Area** of both the existing and proposed Official Plan. The updated OP mirrors many of the residential policies of the existing one, specifically in regards to:

- permitting all forms of residential development on properties under this designation (s. 2.1.2)
- residential development as intensification within the existing developed areas or plan of subdivision (s. 4.1.1.)
- the boundary of land use category will be adjusted as authorized by (s 4.1. and 6.1 respectively)
- Living areas intended to provide for stable residential areas, which will encourage continuous improvement in property standards and housing conditions and encourage pedestrian access and provide for a variety of housing types to meet the demands of the present and future inhabitants of the Town and opportunities for residential intensification and redevelopment on lands located within the serviced area of the Tow; and that the development can be adequately serviced with sanitary sewers, municipal water, fire protection and utilities... and safe access to the development for existing and future traffic (s. (s. 4.1.3.)

The proposal will be evaluated in accordance with the criteria set out in section 5.5.2 of the proposed updated OP as appropriate and applicable.

ZONING:

The subject property is zoned Institutional in the current Zoning By-Law. Residential use is not permitted in this zone and as such is the purpose of the proposed amendment.

The lots proposed are larger than the current standard and although one could speculate that the dwellings constructed will be larger as well, there is no mechanism to ensure this unless a minimum standard is imposed. For this reason, to ensure the dwellings that will be constructed are in keeping with one another, and as a mechanism to avoid the construction of a 'starter home', it has been recommended that a minimum ground floor area regulation be imposed, as an amendment specific to this subdivision. Research conducted shows the requirement for minimum ground floor area differs greatly from one municipality to another (see attached Appendix "A"). Based on that research and discussions with our Planning Consultant, it would not be unreasonable to impose a minimum ground floor area of 157.94 sq. m. (1700 sq. ft) for a 1 Storey dwelling and 116.13 sq. m. (1250 sq. ft) for a 2 Storey dwelling (Note - a 1½ storey structure is not contained in the Town of Fort Frances Zoning By-Law).

The residential character of the area is not expected to be negatively affected by the proposal.

PROVINCIAL POLICY STATEMENTS:

The 2005 Provincial Policy Statement (PPS) enacted in March 2005, provides overall policy direction on matters of provincial interest related to land use and development in Ontario. The PPS sets the policy foundation regulating the development and use of land. The key objectives include: building strong communities, wise use and management of resources, and protecting public health and safety. In respect of the exercise of authority affecting a planning matter, decisions are required to be consistent with the PPS. The 2005 PPS requires that land use be carefully managed to accommodate appropriate development to meet current and future needs while achieving efficient

development patterns that optimize the use of land, resources and public investment in infrastructure.

This proposal is to create 16 new residential lots and is consistent with the policy direction of intensification and redevelopment as those terms are defined in the 2005 PPS. Highlights of the applicable policies are to:

- Sustain healthy, livable communities by managing land use to achieve efficient development and land use patterns that:
 - avoid development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
 - focus growth on the settlement areas;
 - promote cost-effective development standards to minimize land consumption and servicing costs;
 - promote intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety; and
 - encourage new development to adjacent to the existing built-up area and provides mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. (*section 1.1.1.*)
- Focus growth in settlement areas by promoting land use patterns based on:
 - densities and mix of land which efficiently use land and resources;
 - appropriate and efficient use of the infrastructure ... which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - facilitation of intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety;
 - new development taking place in *designated growth areas* adjacent to the existing built-up area (*section 1.1.3.*)
- use a coordinated, integrated and comprehensive approach when dealing with planning matters including:
 - managing and/or promoting growth and development; and
 - population, housing and employment projections, based on *regional market areas*.
- Provide an appropriate range of housing types and densities to meet projected requirements of current and future residents by
 - Maintaining the ability to accommodate residential growth for a minimum of 10years through residential intensification and redevelopment and lands which are designated and available for residential development;
 - Maintaining land with servicing capacity sufficient to provide a 3-year supply of residential units through lands suitable zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans. (*section 1.4*)
- Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs. Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs and should
 - use existing infrastructure wherever feasible;
 - be strategically located to support the effective and efficient delivery of emergency management services;
 - use and promote municipal sewage services and municipal water services as the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible. (*section 1.6.*)

The lots that will be created are adjacent to an existing built-up area and is considered intensification and infilling. The proposal allows for the efficient use of land, infrastructure and public service facilities and as such, in my professional opinion, is consistent with 2005 PPS

direction of intensification and redevelopment within the settlement areas by avoiding development and land use patterns which may cause environmental or public health and safety concerns to meet projected requirements of current and future residents.

CONSIDERATIONS/IMPLICATIONS:

Legal – The *Planning Act* requires that Council hold at least one (1) public meeting to receive comment on a proposed amendment. The Public Meeting for this application was held on November 26, 2012 at 6:45 pm. Notice of the public meeting was published on November 5, 2012 in the local edition of the Fort Frances Bulletin - a newspaper having sufficient general circulation to satisfy the requirements of Ontario Regulation 545/06 regarding notice to the public.

Economical – During my tenure with the Town, I have had discussions with a number of private individuals and developers regarding residential development in the municipality. Notwithstanding an indication of the need and desire by the Town to facilitate such developments, there has been no significant movement by the private sector to develop residential lots.

COMMENTS FOR CONSIDERATION:

Divisions:

As is standard procedure, the application was circulated for comment to manager/supervisor of each division for dissemination to appropriate staff, and to the Treasurer and the Fort Frances Power Corporation. Other than an easement that will be required to accommodate municipal services, there have been no concerns identified.

Committee of Adjustment:

On November 19th the Committee of Adjustment, acting in its mandated advisory capacity, considered and agreed unanimously to a recommendation that the rezoning be approved.

Public Meeting

Four people spoke at the public meeting. Robert Schulz, representing the Seniors and Law Enforcement (SALT) and the Assisted Living Action Group (ALAG) and Robert Armit in his personal capacity, did not state opposition to the rezoning but did ask Council to postpone making a decision on the rezoning until the SALT and ALAG groups identified a suitable property for an assisted living facility.

Councillor Rick Wiedenhoeft and Councillor Ken Perry both spoke in favour of the rezoning, stating that will help resolve the issue of the lack of residential building lots that was identified in 2004. They each also expressed that an assisted living facility would require residential zoning.

There were no issues identified that required research to enable for this proposal to proceed.

SUMMARY, CONCLUSION AND RECOMMENDATION:

The initiative by Council to take this step toward satisfying an identified need for residential lots in the municipality is anticipated to act as an attractant to draw residents to the municipality rather than as a deterrent. It has been expressed that the creation of the subdivision is in response to an identified need and not as a revenue generating exercise.

It is my professional opinion that the proposal being considered conforms to both the existing Official Plan and the Official Plan awaiting Ministerial approval; is consistent with the Provincial Policy Statement direction in regards to residential intensification and

redevelopment within an existing built-up residential area, and is a step toward satisfying an identified need for residential lots for the municipality.

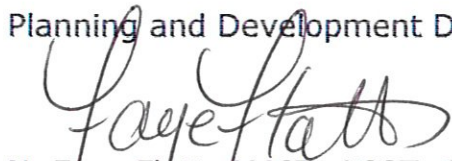
Based on the foregoing, it is my recommendation that the subject land be rezoned to Residential Type Two (R2) with site-specific provision for minimum ground floor area for a:

- (a) 1 storey dwelling – 139.35 sq. m (1500 sq. ft.)
- (b) 2 or more storey dwelling – 116.13 sq. m. (1250 sq. ft.)

The Planning and Development Executive Committee considered this report and supported the above recommendation at it's meeting held December 3, 2012.

Respectfully submitted

Planning and Development Division



N. Faye Flatt, AMCT, ACST, CPT
Municipal Planner
Att'

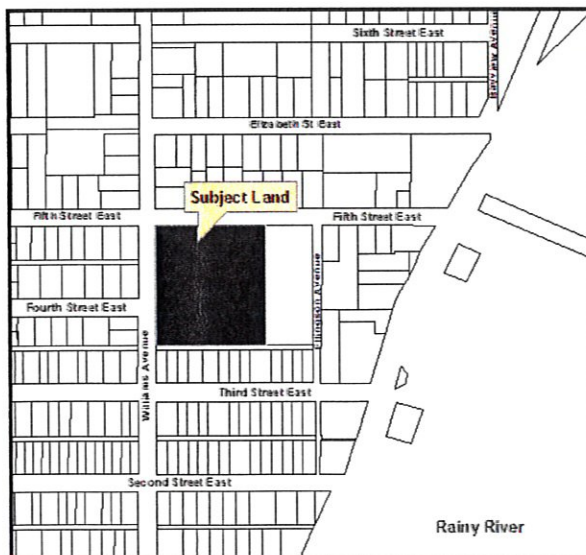
RECOMMENDED
PLANNING & DEVELOPMENT

DATE: 2012 Dec 3

DIV. MNG. R. Deelman

EXECUTIVE COMM. John Albano

COUNCIL APPROVAL OF THIS REPORT WILL: authorize the preparation of a by-law to amend Zoning By-Law 8/98 to rezone that part of Block C Plan SM-112 (the "Subject lands") as identified (approximately 136.55 m. x 130 m.) to Residential Type Two (R2) to permit the creation of sixteen new residential lots for future development and disposition.



Planning Department

LOCATION MAP

Subject Property:

part of Block C Plan SM-112
aka "Huffman School"

File No.

ZBLA - 8-98-WW

Date

30 November 2012

Prepared By:

**Municipal Planner
N. F. Flatt**

Map Not to Scale

APPENDIX "A"

Examples of minimum ground floor provisions:

APPENDIX "B"

Municipality	# of Storeys	Min. G.F.A. +/- (sq. m) (sq. ft)	
Brampton	1 Storey	170	1829
	More than 1 Storey	115	1237
Brant	1 Storey	232.25	2500
	1½ storey or greater.	139.5	1500
	Increased GFA where no basement GFA	18.58	
Etobicoke	1 Storey	116	1248
	1½ Storey	78	840
	2 or More Storey	65	700
Pelham	1 Storey	88	950
	2 Storey	50	540
Springwater	1 Storey	150	1615
	1½ or 2 Storey	80% reduction permitted	
Tay	1 Storey	85	915
	1½ Storey	55	592
	2 Storey	55	592
Oshawa	1 Storey	111	1195
	1½ Storey	89	957
	2 Storey	67	720
Guelph	1 Storey	80	861
	1½ Storey	55	592
	2 or more Storey	40	430
Manitoulin	Not specified	55	592
Strong	1 Storey	60	645
	1 ½ Storey	50	540
	2 Storey	50	540
Richmond Hill	Not specified	116.13	1250
Wellesley	1 Storey	100	1075
	Multi-Storey	70	753