

# TOWN OF FORT FRANCES

## Planning & Development Executive Committee

### AGENDA - June 15, 2015

#### MEETING - Committee Room Civic Centre - 8:00am

Page

##### Call to Order

Session #09

##### Disclosure of pecuniary interest and the general nature thereof

##### Approval of Previous Committee Minutes

3.1 - Approval of the Minutes of June 1, 2015 Meeting

2 - 3

##### Non-agenda Items

##### In-Camera

##### Items Referred from Council

##### New Business

7.1 - Presentation from Mr. Basaraba RE. Fort Frances Dog Park

7.2 - P.Briere - Update to the smoking by-law in accordance with new provincial regulations.

4 - 5

7.3 - Request Dated June 4, 2015 from the Boundry Waters Dragon Boat Club  
RE. Parking of an Equipment Trailer at the Sorting Gap Marina

6 - 7

##### Outstanding Items

##### Information

##### Adjourn / Next Meeting Date

TOWN OF FORT FRANCES

MINUTES

SESSION NO. # 08

June 1, 2015

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held in the Council Chambers on June 1, 2015 from 8:04 p.m. to 8:20 p.m.

PRESENT: Councillor D. Kitowski, Chair, Councillors J. Albanese, W. Brunetta

ALSO PRESENT: M. McCaig, CAO, A. Byrnes, P. Briere, By-Law Enforcement, K. Lawson, Acting Secretary

**1. Call to Order - 8:09 a.m.**

Session No: 08

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

**3. Approval of Previous Committee Minutes**

3.1 - Approval of the Minutes of May 4, 2015 Meeting - approved as presented.

**4. Non-agenda Items - None**

**5. In-Camera - None**

**6. Items Referred from Council**

6.1 Request dated May 1, 2015 from Northwestern Health Unit re: Smoke Free Ontario regulation amendments.  
- direction was given to the By-Law Department to present a report to Council in consideration of the current legislation. An amendment to the smoking by-law may be required.

6.2 Request dated May 15, 2015 from Canadian Bass Championship Inc. re: Fort Frances CBC July 23 - 25, 2015.  
-direction was given to forward the report respecting the Building Permit for the tent for this event to Administration and Finance Executive Committee to include in their recommendation to Council.

**7. New Business - None**

**8. Outstanding Items**

8.1 Councillor Brunetta requested an update on the Dog Park. By-Law Officer Byrnes provided a verbal update on the inaugural meeting of the newly created Dog Park Working Committee which includes member from the Off-Leash Dog Park Committee and the Paws Around Town group.

**9. Adjourn / Next Meeting Date**

9.1 Meeting adjourned 8:20 a.m.  
Next Meeting Date: June 15th, 2015 - Committee Room

\_\_\_\_\_  
Executive Committee Chair

\_\_\_\_\_  
T. Rob, Chief Building Official

## TOWN OF FORT FRANCES

### BY-LAW NO.

#### A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES AND WORKPLACES IN THE TOWN OF FORT FRANCES

**WHEREAS** section 115 of the Municipal Act, 2001, S.O. 2001, Chap. 25 as amended authorizes the Councils of local municipalities to pass by-laws regulating or prohibiting the smoking of tobacco in public places and workplaces within the municipality;

**AND WHEREAS** the Medical Officer of Health for the Northwestern Health Unit has declared that second-hand smoke is a serious health hazard;

**AND WHEREAS** on November 24<sup>th</sup>, 2008, Council enacted By-Law No. 61/08 providing for smoking to be prohibited in buildings, vehicles and within a specified distance of public entrances to municipally owned buildings;

**AND WHEREAS** on June 8, 2015, Council approved a recommendation from the Planning & Development Executive Committee to update and incorporate the new legislative changes to the Smoke-Free Ontario Act into our Smoking By-Law;

**AND WHEREAS** it is expedient to replace By-Law No. 61/08 with this new by-law.

**NOW THEREFORE** Council for the Corporation of The Town of Fort Frances  
**HEREBY ENACTS** as follows:

#### 1. DEFINITIONS

In this by-law:

- 1.1 “person” shall include a natural person, a body corporate, an association, organization, group, team, or business.
- 1.2 “public entrance” shall include, in addition to the entrance opening itself including the threshold and doorframe, any area covered by a canopy through which persons must pass when entering the building of any building owned or leased or controlled by the Corporation of The Town of Fort Frances.
- 1.3 “smoke” and “smoking” shall include the carrying or holding of a lighted cigar, cigarette, pipe, or similar substances and any other lighted smoking equipment.
- 1.4 “park” means any land, owned or leased or controlled by the Corporation of The Town of Fort Frances designed or used for public recreation including but not limited to gardens, beach areas, playgrounds, sports fields, playing fields, which include adjacent spectator stands/seating areas.
- 1.5 “vehicle” means any vehicle that is owned or leased or in control of the Corporation of The Town of Fort Frances.

#### 2. SMOKING PROHIBITED

- 2.1 No person shall smoke or permit the smoking of tobacco products or similar substances while in municipal buildings or vehicles owned or leased or controlled by the Corporation of The Town of Fort Frances.

2.2 No person shall smoke or permit the smoking of tobacco products or similar substances within 9 meters (30 Feet) of any entrance and exit to all buildings that are owned or leased or in the control of the Corporation of The Town of Fort Frances.

2.3 No person shall smoke or permit the smoking of tobacco products or similar substances within 20 meters (66 Feet) of any park that is owned or leased or controlled by the Corporation of The Town of Fort Frances.

### 3. OFFENCE

3.1 Every person who contravenes the provisions of this by-law is guilty of an offence and on conviction may be subject to a fine or not more than one thousand dollars (\$1000.00) exclusive of costs.

### 4. BY-LAW NOT TO APPLY

4.1 The provisions of this by-law do not apply to a highway as “highway” is defined in section 115 (3) of the Municipal Act, 2001.

### 5. ENFORCEMENT

5.1 The provisions of this by-law are enforceable under the Provincial Offences Act, R.S.O. 1990 as amended from time to time. The Town of Fort Frances By-Law Enforcement Officers, the Ontario Provincial Police, Northwestern Health Unit Smoking Enforcement Officers, and any other Provincial Offences Officers shall do enforcement of this by-law with authority under the Provincial Offences Act.

### 6. REPEAL

6.1 By-Law No. 61/08, as amended, is hereby repealed.

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

READ THREE TIMES and finally passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

---

R. Avis, Mayor

---

E. Slomke, Clerk

Date: June 10, 2015

Report To: Planning & Development Executive Committee

From: Patrick Briere, By-Law Enforcement Officer

Re: Boundary Waters Dragon Boat Club - Parking Request

---

Please find attached a letter from the Boundary Waters Dragon Boat Club requesting permission to park their equipment trailer at the Sorting Gap Marina Parking Lot for the summer months to allow for quick access to their equipment when they host the free community paddles on Monday's, Tuesday's & Wednesday's.

The reason that this matter has been brought forward to PDEC, before being referred from Council is because it was supposed to be included in the original request and was missed by the group. As the event has been designated as a significant community event, By-Law Enforcement has been working with the group to resolve this matter without causing delays or taking enforcement actions against the group with parking tickets or towing.

With that stated, By-Law Enforcement is supportive of the trailer parking at the Sorting Gap Marina Parking Lot for the summer months. However, we would advise the Boundary Waters Dragon Boat Club that the trailer will require pylons to be placed around the trailer to ensure vehicular and pedestrian traffic are advised of the detached trailer being parked. In addition the wheels be chalked and trailer secured to provide for stabilization and security of the trailer. The trailer will have to be removed from the parking lot by no later than Monday September 7<sup>th</sup>, 2015 as this is the time that the Sorting Gap Marina closes for the season.

Respectfully submitted,

Original Signed By

Patrick Briere  
By-Law Enforcement Officer



JUN 08 2015

8-9-15  
June 8 2015  
L2

Phone: 807-274-5773  
Toll Free: 1-800-820-FORT  
E-Mail: [dragonboatff@gmail.com](mailto:dragonboatff@gmail.com)  
Like: [facebook.com/dragonboatff](https://www.facebook.com/dragonboatff)  
Visit: [www.boundarywatersdragonboat.com](http://www.boundarywatersdragonboat.com)

June 4, 2015

Mayor & Council  
Town of Fort Frances  
320 Portage Avenue  
Fort Frances, ON  
P9A 3P9

**RE: BOUNDARY WATERS DRAGON BOAT CLUB EQUIPMENT TRAILER**

Dear Mayor and Council:

We respectfully request your permission to park our equipment trailer at the Sorting Gap Marina for the 2015 boating season. Our club is currently providing free paddles to the community two to three nights a week, which includes the use of all equipment and personal flotation devices. Each evening we have been consistently hosting 12 to 20 paddlers, with numbers continuing to increase week to week. This will not be possible to provide to our citizens without the ability to have this large amount of equipment close and easily accessible.

Thank you for your consideration, and we look forward to discussing our request in greater detail at your convenience if requested.

Sincerely,

Annely Armstrong-Thorstad, Secretary  
Boundary Waters Dragon Boat Foundation  
& Dragon Boat Team Coach