

TOWN OF FORT FRANCES

Planning & Development Executive Committee

AGENDA - January 4, 2016 at 8:00 AM

MEETING - Civic Centre - Committee Room

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1. <u>Call to Order</u> Session #1	
2. <u>Disclosure of pecuniary interest and the general nature thereof</u>	
3. <u>Approval of Previous Committee Minutes</u>	
3.1 Approval of the minutes of the December 7, 2015 meeting	3 - 4
4. <u>Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting.</u>	
5. <u>In-Camera</u>	
5.1 Consideration to sell Laneway on Third St. W. (input from adjacent property owners) - owner to the West - owner to the South	
5.2 Personal matters about an identifiable individual, including municipal or local board employees - Committee of Adjustment Application	
6. <u>Items Referred from Council</u>	
6.1 Letter From Donna Law Re: Zoning of 1250 Cornwall Avenue North	5 - 7
7. <u>New Business</u>	
7.1 T. Rob - Zoning By-Law 03/14 amendment	8 - 12
8. <u>Outstanding Items</u>	
8.1 T. Rob- Encroachment Agreement for accessibility ramp at 353 Scott Street	
8.2 L. Slomke - Huffman Court Lot Sales	
9. <u>Information</u>	
10. <u>Non-agenda Items</u>	
11. <u>Adjourn / Next Meeting Date</u>	

TOWN OF FORT FRANCES

MINUTES

SESSION NO. #17

December 7, 2015

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held in the Civic Centre - Committee Room on December 7, 2015 from 8:00 p.m. to 8:50 p.m.

PRESENT: J. Albanese, W. Brunetta, Councillors, D. Kitowski, Chair, R. Avis, Mayor

ALSO PRESENT: M. McCaig, CAO, L. Slomke, Clerk (8:00am - 8:24am), T. Law, GIS Expert (8:35am - 8:46 am), T. Rob, Secretary, A. Byrnes, P. Briere, By-Law Enforcement (8:24 - 8:39am)

1. Call to Order - 8:00am
Session #17

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

3. Approval of Previous Committee Minutes

3.1 Approval of the Minutes of the November 16, 2015 meeting
- Approved as Circulated

4. Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting.
- None

5. In-Camera

5.1 L. Slomke - Potential Property Disposition - Industrial Lots Verbal Update
- Lisa to speak to the interested parties and advise that at this time the property is not for sale.

5.2 - T. Rob - Potential Property Disposition
- Travis is to speak to the property owner and work with them to complete a planning application to alleviate the zoning issues. If they are not successful in that manner, Council will be revisited with the exact parcels that the owner could purchase to alleviate the remaining issues.

Albanese-Brunetta THAT the planning and Development Executive Committee meet in Camera in order to address a matter pertaining to a proposed or pending acquisition of land for municipal or local board purposes; more specifically item .1 potential property disposition - industrial lots and item 5.2 potential property disposition

CARRIED

6. Items Referred from Council

6.1 M. McCaig - Strategic Plan Initiative #6 - Town Revitalization
- The recommendation of the Planning and Development Executive Committee is to approve the report of the Economic Development Advisory Committee

7. New Business

7.1 T. Law - PS3260 Liability for Contaminated Sites, Town Owned Lands
- The Planning and Development Executive Committee accepts the report and puts forth the recommendation that the Town does not have any properties contaminated and further that there is no further action.

- 7.2 T. Rob - Rainy River District School Board Request for Release of Securities - Robert Moore School Site Plan Control Agreement
 - The Planning and Development Executive Committee recommends that the remaining securities be released with the exception of 10% to be held back for a period of 1 year as outlined in the Site Plan Control Agreement

8. **Outstanding Items**
- None

9. **Information**

- 9.1 Northwest Catholic District School Board request for comments - Administrative Procedure D-10, Pupil Accommodation Review
 - This item was accepted as information

10. **Non-agenda Items**

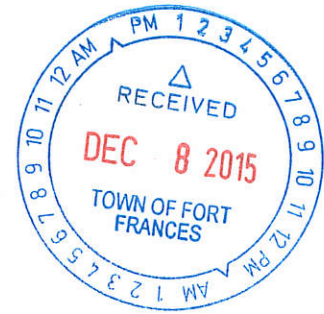
11. **Adjourn / Next Meeting Date** - 8:56am
January 4, 2016

Executive Committee Chair

T. Rob, Chief Building Official

December 7, 2015.

Donna Law, Terry Munn & Dianne Hoffman
155 Sixth Street West
Fort Frances, ON
P9A 3E3



Travis Rob, CBO
Town of Fort Frances
320 Portage Avenue
Fort Frances, ON
P9A 3P9

Re: Zoning of 1250 Cornwall Avenue North

Travis:

We are writing to you as the owners of the property located at 1250 Cornwall Avenue North. Before our father, Ken Munn, died back in 2013 we were looking into getting the property severed into two pieces, one for the workshop and the other for the house. When Dad went to have the property severed, he was told by his lawyer that it was not possible as the zoning for our property was M1, heavy industry and we could not separate the house from the business property. This was a shock to us as our land had been zoned residential back in the 1970's (from agricultural land) and we had not been notified that it had been changed. We went back through all of Dad's correspondence and could not find a letter from the Town indicating that our zoning designation was being changed. Terry looked through his own correspondence (his house is 1246 Cornwall Avenue North) and also could not find a letter from the Town indicating his zoning was to be changed as well. We also talked to the neighbours, Jim & Joyce Strachan (180 & 186 Eighth Street West) to see if they had received anything about a zoning change, which they had not. The Strachans along with Terry's property are also zoned heavy industry. We have also searched in the archives at the Fort Frances Times to see if the changes were listed in a notice in the paper, to which we could not find a notice placed (checked from the 1980s to present).

We talked to Faye Flatt in the Planning office and we were told that the Town always sends out notification for zoning changes or puts a notice in the paper. When we told Ms. Flatt that we did not receive notification, she suggested that the Ministry of Municipal Affairs & Housing may have rezoned our property during a previous zoning by-law update. She then informed us that she was unable to do anything to assist us but we apply for our property to be rezoned at a cost.

Upon further discussion with the Strachans we could like the Town to look into when and why our properties were rezoned and why we were not notified of this change.

Any assistance you could be would be greatly appreciated.

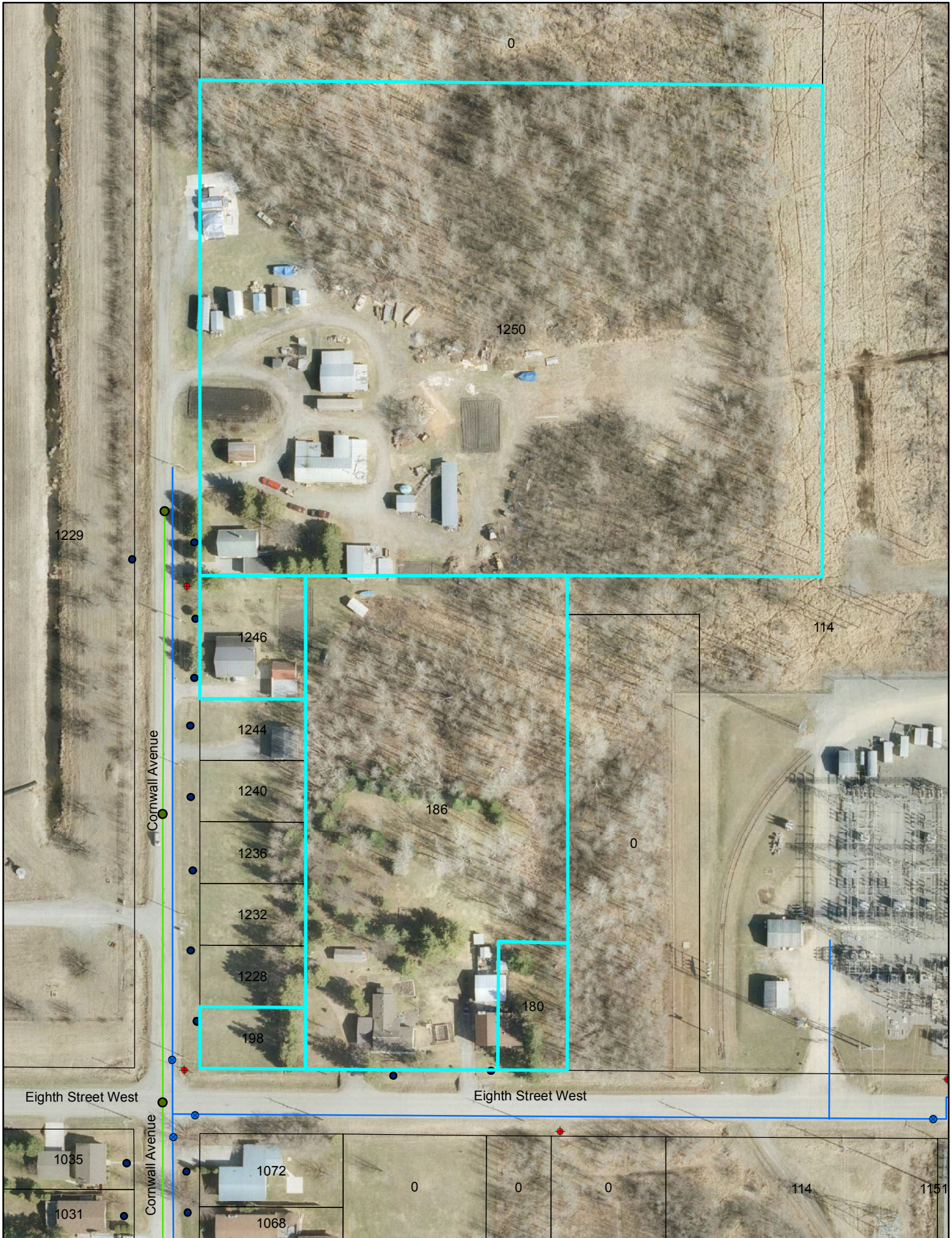
Thank you for your time.

Sincerely,



Donna Law
274-5172

As discussed with Terry Munn, Dianne Hoffman, Jim & Joyce Strachan



ART GALLERY

A **building**, place or area where paintings, sculptures or other works of art are exhibited or sold.

B

BASEMENT

That portion of a **building** below the first floor which is more than 50% below the ground level at the exterior walls.

BED AND BREAKFAST

A **home occupation** within a **single detached dwelling** wherein not more than five rooms are rented with breakfast included, for the temporary accommodation of the traveling public and includes the living accommodation of the residents of the dwelling.

BOARDING HOUSE

A **building** containing rooming units, and which may also contain **dwelling units** and an **accessory office** and provides accommodation for at least three people and no more than ten.

BOATHOUSE

A **building** used for the storage of boats and boating equipment.

BOAT SLIP

A single **parking space** of at least 185 sq. m. for a boat or other marine **vessel** forming part of a **dock**, boathouse or other mooring facilities.

BUILDING

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.

BUILDING SUPPLY AND LUMBER OUTLET

A **building** or **structure** in which **building** or construction and home improvement materials are offered or kept for sale at retail and may include outdoor storage and the fabrication of certain materials related to home improvements and in compliance with the general provisions for outdoor storage.

BULK FUEL DEPOT

Lands, **buildings** and **structures** for the storage, distribution of fuels and oils but not including retail sales except cardlock operations.

BY-LAW

This term refers to this document enacted under Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13, as may be amended from time to time, and includes its recitals and schedules but expressly excludes any reference notes to legislation or explanatory diagrams.

building or structure which increases its **gross floor area**, then **parking spaces** for the addition shall be provided as required by the **Parking Space Requirement Table**. Where a change in **use** occurs, **parking spaces** shall be provided for such new **use** in accordance with the requirements of the **Parking Space Requirement Table**.

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only and for vehicles used in an operation incidental to the permitted uses in respect of which such **parking spaces** and areas are required or permitted.

Notwithstanding the foregoing, the owner or occupant of any **lot, building or structure** in the Residential (R) **Zone** may **use** the **lot building or structure** for the parking, storing or housing of one commercial **motor vehicle** or **trailer** provided that such vehicle does not have wheelbase in excess of 5.0 metres or exceed a one ton load capacity.

Where a commercial **use** abuts or is adjacent to a navigable waterway, one third of the parking requirements may be in the form of boat slips maintained for the sole purpose of customer boat parking specifically for the commercial **use**. Such a space shall be at least 6 metres in length and have a width of 3 metres.

3.21 PARKING IN THE CENTRAL BUSINESS DISTRICT

Within a the Central Business District as shown on Schedule A, uses within the General Commercial (C2) **Zone** with the exception of **hotels, motels**, grocery stores exceeding 300 sq metres of gross floor space and residential units are exempted from providing parking.

3.22 PARKING SPACE REQUIREMENTS

Parking spaces are required under this By-law, in accordance with the **Parking Space Requirement Table**. Where the calculation of required spaces exceeds a whole space of more than .25, the required spaces shall be the next whole number.

Arena, Assembly Hall	1 per 5 seats or 3.0 m of bench seating or 1 per 4 people that may be legally accommodated at one time, whichever is greater
Agricultural/Farmers Market	1 per each 28 m ² of gross floor area
Bowling Alley	3 per each bowling lane
Office	1 per each 28 m ² of gross floor area
Community centre, Recreation or Fitness Establishment	1 per 100 m ² gross floor area
Curling Rink, Outdoor Recreation Facility, Sports Field	4 per game playing surface plus 10 per 100 m ² of gross floor area used for dining or assembly area.
Dry Cleaners Establishment	1 per each 9 m ² or fraction thereof of gross floor area with a minimum requirement of four spaces.
Farmers Market	1 per 4 people that may be legally accommodated at one time
Financial Establishment	1 per each 28 m ² of gross floor area
Golf Course	24 per each 9 holes of golfing facilities
Home Occupation/ Home Industry	1 in addition to the parking required for the dwelling
Hospital, Nursing Home & Assisted Living Facility	1 per every two beds

Hotel, Motel	1 per rental unit plus 1 additional space per 9m ² of floor area devoted to public uses
Industrial Uses not specifically identified	1 per 93 m ² of gross floor area or for each 3 employees, whichever is greater
Marina , Seaplane Base	1.5 per 1 boat slip and 1 per every 8 m ² of gross floor area for commercial use , exclusive of storage area

TYPE OF USE	MINIMUM NUMBER REQUIRED
Medical, Dental, or Veterinary Hospital or Drugless Practitioner Office	3 per practitioner or 1 space per 15 m ² gross floor area , whichever is greater
Place of worship Undertaking establishment	1 per 5 seats or 3.0 m of bench seating or 1 per 4 people that may be legally accommodated at one time, whichever is greater
Residential (includes senior apartments)	1 per dwelling unit where 4 or more 1.25 per dwelling unit
Restaurant, Tavern	1 per 9 m ² of floor space or 10 spaces, whichever is greater
Retail, Personal Services Establishment	1 per each 28 m ² of gross floor area
School , Elementary	1.5 per classroom or 1 space per 9 m ² of gymnasium or auditorium floor space, whichever is greater
School , Secondary	4 spaces per classroom or 1 space per 9 m ² of gymnasium or auditorium floor space, whichever is greater
Theater	1 per 4 people that may be legally accommodated at one time
Workshop Manufacturing, Processing, Assembling or Fabricating Plant, Wholesale Establishment, or Warehouse.	1 space per 35 m ² of gross floor area
Uses permitted but not listed in this table	1 parking space per 35 m ²

DRIVE-THRU BUSINESSES: QUEUING SPACES

Queuing spaces shall be provided for drive-thru business as follows:

- a) Five (5) inbound queuing spaces shall be provided for vehicles approaching the drive-up service window;
- b) One (1) outbound queuing space shall be provided on the exit side of each service position and this space shall be located so as not to interfere with service to the next vehicle; and
- c) All queuing spaces shall be a minimum of 6.5 metres long and 3 metres wide and queuing lanes shall provide sufficient space for turning and manoeuvring and shall not occupy any portion of a designated fire lane or a required parking aisle.

Queuing spaces shall be measured as follows:

- a) For a drive-thru with a service window, it shall be measured from a point located 2.0 m beyond the middle of the drive-thru window used for the receipt of goods.
- b) For a drive-thru with a machine, it shall be measured from a point located 2.0 m beyond the middle of the drive-thru bank machine.
- c) For **motor vehicle** wash facility it shall be measured from the entrance to the wash bay.

December 17, 2015

Report To: Planning and Development Executive Committee

From: Travis Rob, Interim Municipal Planner

RE: Amendments to the Town of Fort Frances Zoning By-Law Number 03/14

Through the building season of 2015 there were some new developments started in the Town of Fort Frances Industrial Park. Two of these developments were large enough to require their parking spaces, areas and approaches to be hard surfaced as outlined under Section 3.20 of the zoning by-law. In one of these cases the roadway to access the development was not a hard surface roadway which raised the question, in the industrial park, are the parking provisions in the zoning by-law too restrictive. The issue was brought before the Committee of Adjustment on November 23, 2015 and again on December 7, 2015 where an investigation into the requirements in other municipalities was completed. In other municipalities in North Western Ontario the requirements are for a stable, well-draining surface treated to limit the raising of dust. Given the surfaces of the parking areas already existing in this area of town and the requirements in other jurisdictions, the following wording is proposed to be added to the current Zoning By-Law under section 3.20.

Notwithstanding any other provisions of this by-law, the requirements for parking areas and approaches to be hard surfaced (3.20(c)) shall not apply to developments in the Town of Fort Frances Industrial Park area being land located in the municipality bounded on the south by the CNR Railway line, on the west by McIrvine Road, on the north by Eighth Street West and on the east by Webster Avenue and zoned Industrial in the Town of Fort Frances Zoning By-Law unless required by Site Plan Control. The parking area shall be maintained with a stable surface that is treated so as to prevent the raising of dust.

To provide assistance to the Planning and Development Division staff enforcement should be increased to include By-Law Enforcement to allow for better coverage of the municipality as the officers are travelling through town on a regular basis as well as to provide assistance with paperwork. To accomplish this the following wording is proposed to be added to Section 1.9 of the Zoning By-Law 03/14.

Unless otherwise stated, this by-law shall be administered and enforced by the Town of Fort Frances Municipal Planner or designate, including the By-Law Enforcement Officers as appointed, from time to time, by Council for the Town of Fort Frances.

Attached to this report are the amended sections of the by-law 03/14. In the past small amendments of this type, being amendments fitting with the intent of the By-Law and providing privileges not removing them, have been made without a formal amendment to the by-law being completed through the provisions of section 1.3.13.

Respectfully Submitted



Travis Rob, EIT

CBO, Interim Municipal Planner