

TOWN OF FORT FRANCES

Committee of Adjustment

AGENDA - November 21, 2016 5:00 PM

MEETING - Civic Centre - Committee Room

	Page
1. <u>Call to Order</u>	
2. <u>Non-agenda items</u>	
3. <u>Declarations, Municipal Conflict of Interest Act</u>	
4. <u>Minutes of Previous Meetings</u>	
4.1 Approval of the July 18, 2016 meeting.	2 - 3
5. <u>Committee Applications</u>	
5.1 C2-2016 Re-Zoning of 200 McIrvine Road	4 - 19
6. <u>Other Business</u>	
7. <u>Outstanding Items</u>	
8. <u>Meeting Close</u>	

TOWN OF FORT FRANCES

MINUTES

COMMITTEE OF ADJUSTMENT

July 18, 2016

The meeting of Committee of Adjustment of the Town of Fort Frances was held in the Civic Centre - Committee Room on July 18, 2016 from 5:00 p.m. to 6:44 p.m.

PRESENT: Barry Jackson, Cindy Mason, Irene Laing, Viktor Nowak, Charleen Mallory, Doug Brown, CAO, Travis Rob, Secretary/Treasurer

ALSO PRESENT: Elinor Curtis and Lisa Ruppenstein (5:00 - 5:14pm), Cecil Horne (5:00 - 6:43pm), Neil Kabel (5:00- 6:43pm)

1. Call to Order - 5:03pm

2. Non-agenda items
None

3. Declarations, Municipal Conflict of Interest Act
None

4. Minutes of Previous Meetings

- 4.1 Approval of the minutes of the March 28, 2016 meeting
- Approved as circulated

Laing-Nowak THAT the minutes of the March 28, 2016 meeting be approved as circulated

CARRIED

5. Committee Applications

- 5.1 C1- 2016 - 1411 Colonization Road W - Application for temporary use by-law to permit a garden suite
- The property owner and garden suite tenant were in attendance to discuss the development with the committee. The application was considered and application for temporary use by-law for a garden suite at 1411 Colonization Road was granted

Mallory-Nowak THAT the application being C1-2016 being an application for temporary use by-law to permit the construction of a garden suite at 1411 Colonization Road West be approved

CARRIED

- 5.2 A2 - 2016 - 850 King's Highway - Minor Varince Application to reduce the side yard setback from 6m to 3.5m and buffer width from 3m to 1.5m
- Candice Micucci, the agent called into the meeting at 5:14pm until 5:26pm to speak to the application. The Minor Variance request was granted.

Laing-Mallory THAT the application being A2-2016 being an application for minor variance to reduce the side yard setback from 6m to 3.5m and reduce the buffer width from 3m to 1.5m be approved.

CARRIED

- 5.3 B1-2016 - Re-conveyance of H2O Power property for effluent line to Resolute Forest Products
- The agent for the owner was in attendance to speak to the matter and consent was granted for the severance and re-conveyance with conditions

Nowak-Laing THAT the application for severance and re-conveyance being application B1-2016 be approved with conditions

CARRIED

- 5.4 B2-2016 - Easement over Resolute Forest Products Property for access to H2O Power transmission lines
-The agent for the owner was in attendance to speak to the matter and the consent was granted with conditions

Laing-Nowak THAT the application for consent for the purposes of establishing an access easement being application B2-2016 be approved with conditions

CARRIED

- 5.5 B3-2016 - Easement over Resolute Forest Products Property for access to H2O Power canal walls for maintenance
- The agent for the owner was in attendance to speak to the matter and the consent was granted with conditions

Laing-Jackson THAT the application for consent for the purposes of establishing an access easement being application B3-2016 be approved with conditions

CARRIED

- 5.6 B4-2016 - Easement over Resolute Forest Products property for access to H2O Power Sluice Gates for maintenance
- The agent for the owner was in attendance to speak to the matter and the consent was granted with conditions

Nowak-Mallory THAT the application for consent for the purposes of establishing an access easement being application B4-2016 be approved with conditions

CARRIED

6. Other Business

- 6.1 Request from Wahkaihanun Futures for extension to deadline for paving of parking area - 237 Eighth Street West. Relief granted by Minor Variance A4 - 2011
- The request was considered by the committee and after discussions on the future of the property, an extension was granted to October 31, 2017 for the completion of grading of the parking area at 237 Eighth Street West.

7. Outstanding Items

8. Meeting Close - 6:44pm

Chair, Committee of Adjustment

T. Rob, Chief Building Official

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. 252 or by email at trob@fort-frances.com.

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:

Carl Furney, FOTENN Consultants, 223 McLeod Street, Ottawa, ON, K2P 0Z8

2. If known the names and full addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:

3. The current Official Plan designation of subject land:

Employment Area

4. Describe how the application conforms to the official plan of the municipality?

Public use conforms to Employment Area designation policies, which permits institutional uses.

5. The current zoning of the subject land:

Open Space (OS) and Institutional (I)

6. The nature and extent of the rezoning requested:

To rezone the OS zoning to Institutional zone.

7. The reason why the rezoning is requested.

The OS Zone only permits public uses where an office is not included in the use. The OPP detachment contains office uses, therefore an amendment to the Institutional Zone is required.

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 ☐ No ☒ 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:

Southeast corner of Colonization Road and McIrvine Road.

10. The frontage, depth and area of the subject land (in metric):

Frontage:	159 m	Depth:	162 m	Area:	2.27 ha
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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 ☐ No ☒ 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 ☐ No ☒ 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 ☐ No ☒ 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?	
Provincial highway	
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:	
16. Existing uses of the subject land:	
Portion proposed for development: Vacant Larger property: Municipal reservoir (water tower), sewage treatment plant, boat launch.	
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:	
Municipal reservoir water tower (height unknown), sewage treatment plant Setbacks vary.	
19. The proposed uses of the subject land:	
Police detachment.	
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:	
Approximately 39 m from front lot line Approximately 15 m from western side lot line, 94 m from the eastern side lot line Approximately 50 metres from rear lot line One-storey building measuring 1,660 m² in size, plus mechanical, electrical, and service spaces.	
22. If known,	
a. the date the subject land was acquired by the current owner:	
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:	
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:	
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:	
Publicly-owned and operated piped sewage disposal 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 type="checkbox"/>
b. a hydrogeological report	Yes <input type="checkbox"/> No <input type="checkbox"/>
26. Indicate whether storm drainage is provided by sewers, ditches, swales or other means:	
Sewers	
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 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 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 type="checkbox"/>	
If yes, provide Ontario Regulation number of the Order:	

28. A sketch showing, in metric units, the following:

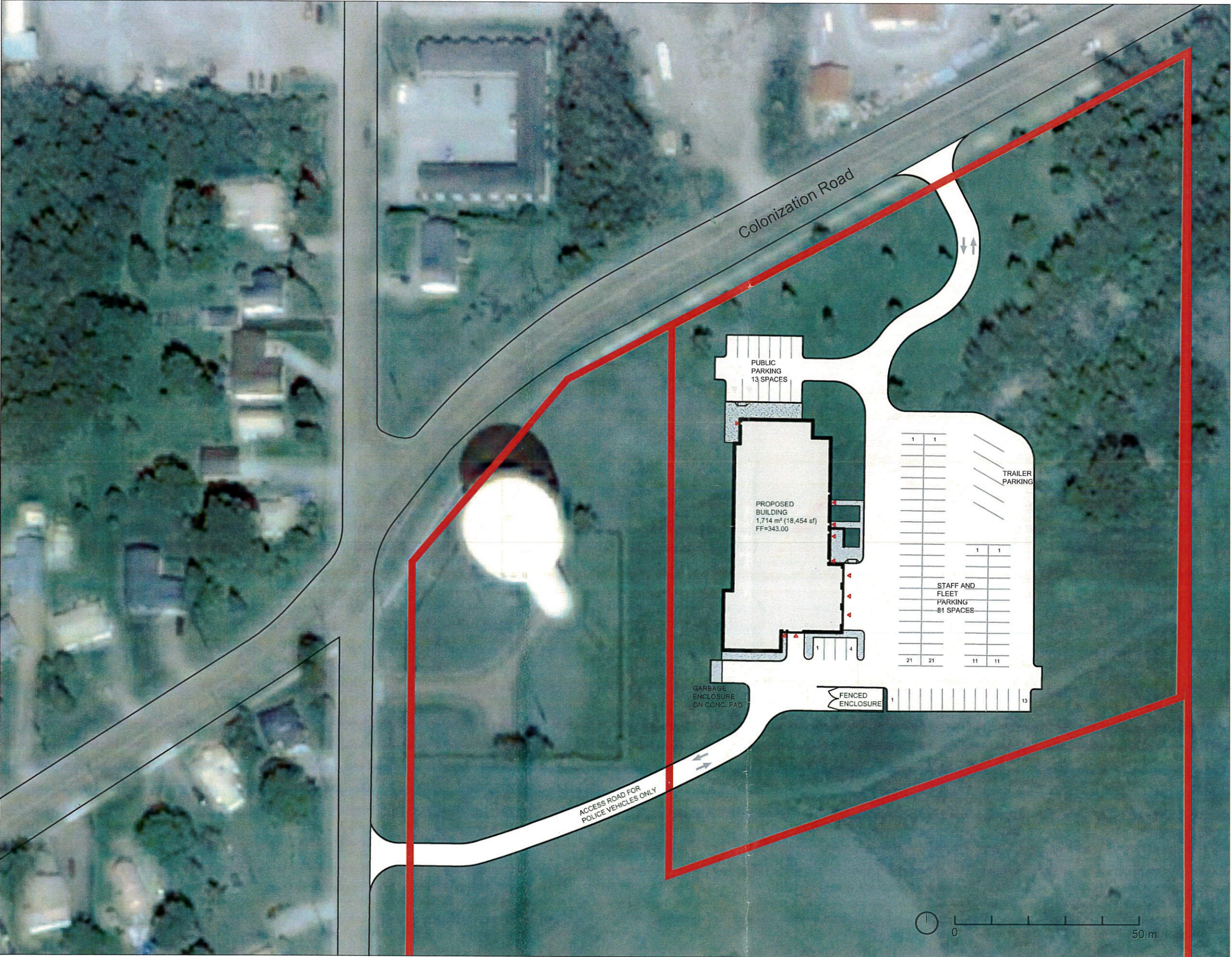
- a. the boundaries and dimensions of the subject land.
- b. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the lot lines.
- c. The approximate location of all natural and artificial features 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 ☐

32. An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.



5	ACCESS RD ALIGNMENT	2016.03.08	PH
4	PARKING REVISION	2016.02.24	PH
3	REVISION	2016.01.07	PH
2	REVISION	2016.01.04	PH
1	FOR REVIEW	2015.11.22	PH
No.	REVISION	DATE	BY

CLIENT
Infrastructure Ontario

PROJECT
**OPP Modernization 2015
Fort Frances, Ontario**

DRAWING
**PRELIMINARY SITE STUDY
OPTION 2**

FOTENN PLANNING + DESIGN
223 McLeod Street Ottawa ON K2P 0Z8
Tel: 613 730 5709 Fax: 613 730 1136
www.fotenn.com

DESIGNED	DB	DRAWING No.
DRAWN	DB	P1
DATE	2015.08.19	
SCALE	As shown	

July 28, 2016



1 Introduction

FOTENN Consultants Inc. has been retained by Infrastructure Ontario (IO) to prepare an application for a Zoning By-law Amendment for the vacant development property located on Colonization Road West, east of the intersection with McIrvine Street. The Zoning By-law Amendment would have the effect of changing the zoning on the subject property from "Open Space (OS) Zone" to "Institutional (I) Zone" to facilitate the development of a police detachment on the site.

Infrastructure Ontario, in partnership with the Ministry of Community Safety and Correctional Services, is leading the modernization of a number of Ontario Provincial Police (OPP) detachments across the province. These new facilities will be designed to support the requirements of modern police operations to meet the current and future needs of the OPP.

The purpose of this Planning Rationale is to evaluate the proposed OPP detachment building in the context of the surrounding community, the prevailing policy and regulatory framework, and the technical studies prepared for the application. In addition to this Planning Rationale, a conceptual site plan is submitted as part of this application. As the site is subject to the Town of Fort Frances Site Plan Control By-law, the proposed development will be further refined through a future Site Plan Control Application.

2 Overview of the Subject Property and Surrounding Context

The subject property is part of a larger 7.48 ha (18.7 acre) parcel located in the west end of the Town of Fort Frances at the intersection of Colonization Road West and McIrvine Road. The parcel has frontage on Colonization Road West and McIrvine Road, as well as the Rainy River (which also serves as the international border between Canada and the United States). The larger parcel currently contains the municipal reservoir (water tower) and the municipality's sewage treatment plant, along with a small boat launch on the Rainy River. The subject property in the context of the Town of Fort Frances is illustrated in Figure 1.

The northern half of the parcel is generally flat, while a steep grade change to the Rainy River begins approximately halfway through the site. Overall the site is manicured lawn with some landscaped trees located along Colonization Road West. A small woodlot is located on the eastern periphery of the site, along with a grade depression.

The subject site is a square portion of land measuring approximately 2 ha (5 acres) in size on the eastern half of a larger parcel. The proposed development parcel would have approximately 89.5 m of frontage on Colonization Road West. The larger parcel and the site boundaries are illustrated in Figure 2.

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Figure 1: Subject Site in Town Context



Figure 2: Subject Site in Local Context

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The surrounding uses to the east and west of the site consist primarily of mature residential neighbourhoods dating from the 1950s and 1960s. The lands to the north contain highway commercial uses including motels, drive-through restaurants, and a hardware store and lumber yard fronting onto Highway 11. North of Highway 11 is the Town's High School and associated sports fields, as well as the Canadian National mainline to Winnipeg.

South of the Rainy River in Minnesota, United States are primarily residential developments along with a small mobile home park. Surrounding land uses are noted in Figure 2.

The location of the proposed detachment near major transportation routes facilitates patrols and responses to emergencies. The proximity to the Rainy River and access to the boat launch provides additional ancillary benefit to the detachment.

3 Proposed Development

The OPP proposes a one-storey building measuring 1,660 m² (17,866 ft²) in size. These dimensions do not include required mechanical, electrical, or service spaces. FOTENN has prepared a concept plan to reflect the desired layout illustrated in Figure 3.

The development includes a staff and fleet parking area consisting of 81 spaces, along with 13 public parking spaces. Separate access points are provided for the two parking areas. Oversized parking stalls are included to recognize the prevalence of Sport Utility Vehicles (SUV) and trucks in the community. A trailer parking area is also included in the staff parking area, along with a 74-square-metre fenced/gated compound.

The site's size and existing park setting will provide ample opportunities for landscaping on the property and integration with the surrounding site's open space. While the site does contain a small woodlot of the eastern periphery of the site, there are no natural heritage features on the site requiring on-site preservation or restoration.

4 Policy and Regulatory Framework

4.1 Provincial Policy Statement

The proposed facility is consistent with the 2014 PPS, as it is proposed within a fully serviced settlement area on full municipal services. The site is serviced with available water, sewer, and road infrastructure, which do not require the inefficient or uneconomical expansion of these services. Additionally the site's location within the build-up area of the municipality fulfills the PPS objectives of encouraging intensification of development.

As an emergency protection facility, the proposed police station will provide protection services to meet the future needs of the surrounding community. As the subject site is

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located nearby Highway 11, it allows for expedient access to a major traffic arterial for emergency response. While portions of the subject site are designated hazard lands, no part of the proposed facility is located within that area.

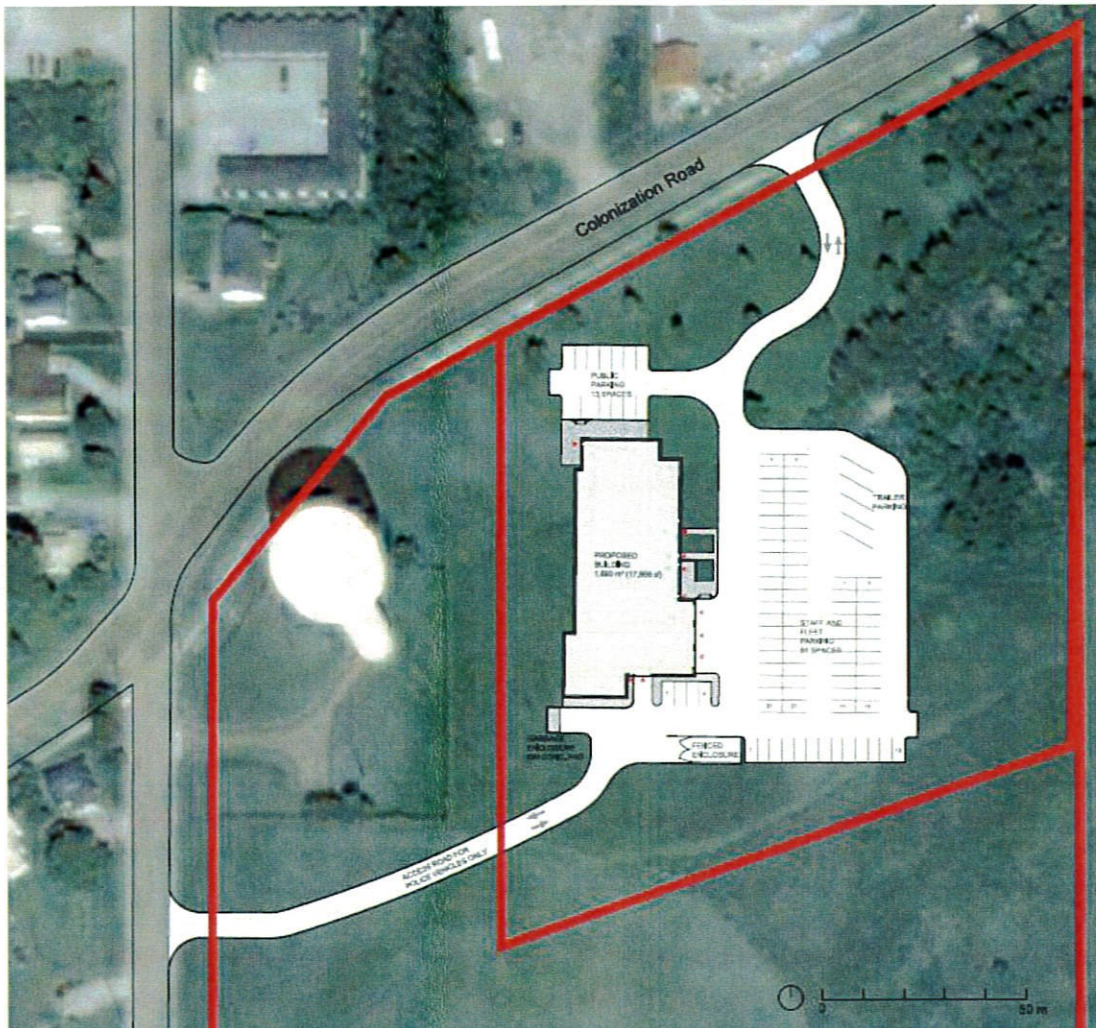


Figure 3: Concept Plan.

4.2 Growth Plan for Northern Ontario

The proposed facility is consistent with the Growth Plan for Northern Ontario as it supports the overall goals and objectives of the Growth Plan by ensuring that Fort Frances has modern community infrastructure to support economic and future growth.

4.3 Fort Frances Official Plan

The subject site is designated 'Employment Area' on 'Schedule A - Land Use Plan' of the Official Plan. Uses in the Employment Area are regulated by the Zoning By-law, though the Official Plan states that they are limited to those of an industrial, commercial or institutional nature. The Official Plan does not provide definitive lists of permitted uses in the 'Employment Area' designation, but it was the opinion of Municipal Staff at the July 9, 2015 site visit that the proposed use does conform to the Official Plan's land use designation.

The subject site is noted as 'Environmental Occurrences', 'Sewage Treatment Plant', and 'Hazard Lands' on 'Schedule B - Environmental Information Plan'. The 'Environmental Occurrences' symbol on Schedule B denotes lands that may potentially house significant wildlife habitat and / or endangered or threatened species and their habitat. As such, the Official Plan requires that any development proposed for these lands are subject to the completion of an Environmental Impact Statement to prove that there will be no negative impacts on the site's ecological features or functions.

The 'Sewage Treatment Plant' designation on Schedule B denotes lands that contain the municipality's sewage treatment plant, however there are no associated policies regarding development on or adjacent to the sewage treatment plant designation. The 'Hazard Lands' designation applies to those portion of the property that abut the Rainy River. The OP defines all lands below the elevation of 339.43 m CGD (CGVD28 - Canadian Geodetic Vertical Datum of 1928) to be hazard lands; however this definition does not apply to any lands within the subject site.

The Official Plan Implementation section establishes the entire geographic area of Fort Frances to be a Site Plan Control Area pursuant to the provisions of Section 41(2) of the Planning Act.

The proposal meets the policies and intent of the Town of Fort Frances Official Plan.

4.4 Town of Fort Frances Zoning By-law 03-2014

The site is currently zoned a combination of "Open Space (OS)" and "Institutional (I)" in the Zoning By-law. The purpose of the OS Zone is to restrict development to consist of open space, conservation, and recreation uses for public activities. The purpose of the Institutional Zone is to reserve lands for small- and large-scale public and private institutional uses, such as schools, recreation centres, government services, and assisted living centres.

The majority of the site is located in the OS zone, in which the proposed OPP detachment is not a permitted use. The Public Use provisions of the Zoning By-law only permit by-law exemptions for public authorities where no building is used as an office. As

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the proposed OPP detachment contains an office, a Zoning By-law Amendment is required to permit the use.



Figure 3: Extract from Fort Frances Official Plan Schedule A

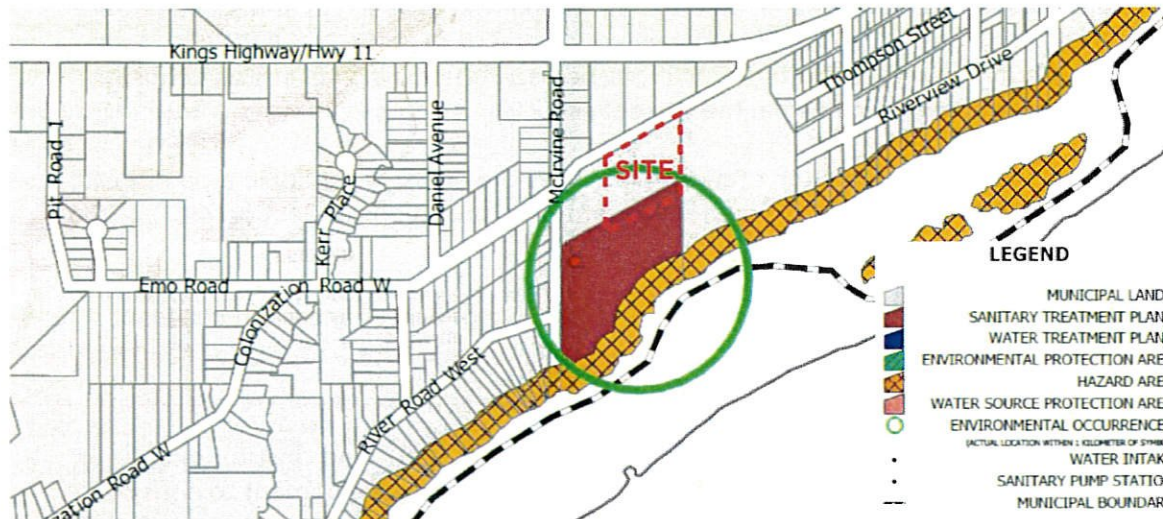


Figure 4: Extract from Fort Frances Official Plan Schedule B (Environmental Information)

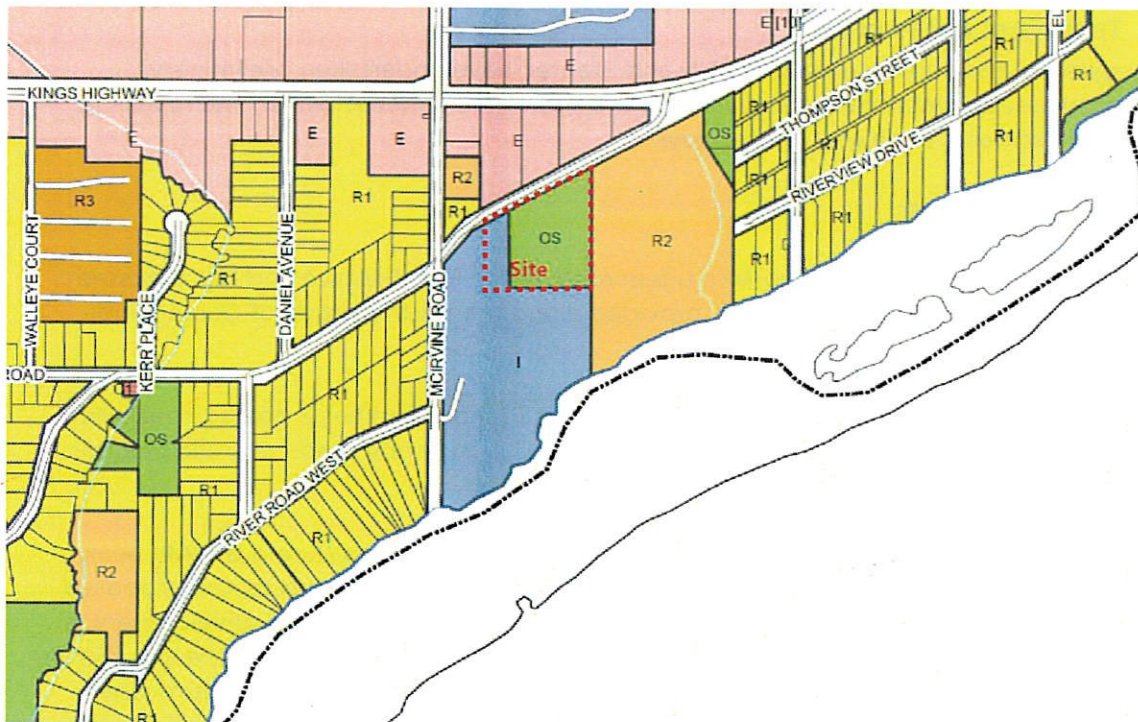


Figure 5: Zoning Map

5 Proposed Amendment

A Zoning By-law Amendment is required to rezone the portion of the site zoned OS to the Institutional Zone. The intent of the amendment is to apply the same Institutional zone to the entirety of the site. The I Zone permits a variety of uses related to community assets and institutions that serve a larger function in the community. The permitted uses in the I zone are:

Ambulance station	Fire station
Arena	Hospital
Assisted living facility	Library
Cemetery	Municipal/Government uses
Community centre	Nursing home
Community health and resource centre	Place of worship
Community garden	School
Day nursery	

As the proposed use of the property is an OPP Detachment, the I Zone permitted use of "Municipal / Government Use" would facilitate the development.

6 Technical Assessment

In support of the applications, FOTENN and Stantec have undertaken preliminary technical assessments of the site based on the submitted concept plans. The results of these assessments are highlighted below.

6.1 Transportation

Colonization Road West is a two-lane urban road within Fort Frances and has a posted speed limit of 50 km/h. A sidewalk is provided along the southern side of Colonization Road West.

McIrvine Road is a two-lane urban road within Fort Frances and has a posted speed limit of 50 km/h. The intersection with Colonization Road is currently stop-controlled along the minor approach (i.e. along McIrvine Road).

It is projected that the proposed site will generate 29 vehicle trips during the AM peak hour and 27 vehicle trips during the PM peak hour. The trips generated by the proposed development are considered to be minimal, and therefore the proposed development is expected to have a negligible impact on traffic conditions in the vicinity of the site. Given the low projected site trips generated by the proposal, auxiliary left or right turn lanes are not required at the site accesses.

One primary site access to Colonization Road West is proposed in the concept plan, and one secondary access to McIrvine Road is proposed to be designated for "authorized vehicles only." The primary access to Colonization Road West is used to access both the public and staff parking areas. With two accesses, the site plan offers redundancy of accesses, such that if one access is blocked, motorists have the option of using the other site access to enter or exit the site.

The primary site access to Colonization Road West is located more than 30 metres from any other private access or intersection along the street, which meets the distance separation guidelines. A sightline assessment found that minimum stopping sight distance requirements can be achieved with the proposed location of the site access to Colonization Road West.

6.2 Servicing

The proposed site will be serviced through municipal sanitary sewers and watermain, and will manage the quality and quantity of the stormwater discharging from the site to the south through a storm outfall and ultimately to the Rainy River. Easements will be secured with the Town of Fort Francis for both the sanitary and storm outlets within the municipal-owned property to the south.

Water

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The proposed development is located in an area of the Town's water distribution system that has sufficient capacity to provide both the required domestic and emergency fire flows. Pressure tests can be completed at hydrants along Colonization Road to further refine the fire flows are available for this development at the site plan control stage. It is proposed to service the building through a 50mm dia water main for potable water.

Sanitary

Based upon the proposed site area and the estimated dimensions of the proposed building, it is anticipated that the proposed site would discharge approximately 2.11L/sec to the Town's sanitary system under peak conditions. The discharge rate includes approximately 0.77L/sec of extraneous flow based on an infiltration allowance of 0.28L/sec/ha.

The proposed site will be serviced by a gravity sewer which will direct the wastewater flows (approx. 2.11 L/s, which includes infiltration allowance) to the existing 350mm dia. sewer. A backflow preventer should be considered on all new developments and will be coordinated with building mechanical engineers. It is anticipated that a 150mm dia. sanitary sewer service connection will be required to service the proposed development. An easement will also be required from the southern limit of the proposed development site across the Town of Fort Francis-owned land for the sanitary sewer service connection.

Stormwater

The existing topography of the land generally drains south from Old Colonization Road toward the river. It is anticipated that new stormwater infrastructure and outlet will be required for the balance of the development.

Criteria were established through consultation with the Town of Fort Frances and current design practices outlined by the MOE Design Manual:

- / No site maximum discharge target identified due to proximity of the site to the downstream watercourse and the size of the downstream watercourse (Rainy River).
- / Provide adequate emergency overflow conveyance (overland flow route) off-site.
- / Size storm sewers (if any) to convey 5 year storm event using Fort Frances Rainfall Intensity Data, assuming only roof controls are imposed (i.e. provide capacity for system without inlet control devices installed).
- / Size storm sewers using an inlet time of concentration (Tc) of 10 minutes.
- / Water quality control requirements to be established through consultation with Ministry of Natural Resources staff (MNR).
- / An easement will be required across Town of Fort Francis owned lands to the south to the bank of the Rainy River for the storm outfall. Final alignment and widths of this easement is being reviewed by the Town of Fort Francis.

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Requirements for quality control will be established through consultation with Ministry of Natural Resources staff (MNR). Typical measures involve normal level of protection which involves a quality control of 70% TSS removal; or enhanced protection (80% TSS removal). Currently, no quality control measures exist for the subject site, and no controls exist downstream of the site's approved outlet before outfall to the Rainy River. Quality control measures will take place within a proposed privately maintained Stormceptor Model STC750 oil/grit separator unit. An easement may be required for the outfall across Town owned lands for the site storm outlet. The location and general arrangement of the oil/grit separator is to be identified at the detailed design stage.

7 Conclusion

Based on the above analysis, it is our professional opinion that the proposed Zoning By-law Amendment be approved, as the amendment:

- / Meets the requirements of the Planning Act
- / Is consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario;
- / Conforms to the Town of Fort Frances Official Plan; and
- / Constitutes good planning.



Paul Hicks, MCIP RPP
Manager of Planning + Policy
FOTENN Consultants Inc.