

TOWN OF FORT FRANCES

Planning & Development Executive Committee

AGENDA - January 3, 2017 at 8:00 AM

MEETING - Civic Centre

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1. <u>Call to Order</u> Session #22	
2. <u>Disclosure of pecuniary interest and the general nature thereof</u>	
3. <u>Approval of Previous Committee Minutes</u>	
3.1 Approval of December 5, 2016 meeting minutes.	2 - 3
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 Land Rental Inquiry. - No update, referred to next meeting.	
5.2 Potential Industrial Lot Sale.	4 - 7
6. <u>Items Referred from Council</u>	
7. <u>New Business</u>	
7.1 Request to remove Holding Provision from Part Lot 21 River Range Minnie Avenue.	8 - 10
8. <u>Outstanding Items</u>	
9. <u>Information</u>	
9.1 Micro chipping (One-Time Licensing) of Dogs.	11 - 14
10. <u>Non-agenda Items</u>	
11. <u>Adjourn / Next Meeting Date</u> Monday January 16, 2017.	

TOWN OF FORT FRANCES

MINUTES

SESSION NO. #21

December 5, 2016

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held in the Civic Centre on December 5, 2016 from 8:00 a.m. to 9:00 a.m.

PRESENT: D. Kitowski, Chair, J. Caul, Vice-Chair, J. Albanese, Councillor, R. Avis, Mayor.

ALSO PRESENT: D. Brown, CAO, T. Dennis, CBO/Planner, P. Briere, Secretary.

1. Call to Order - 0800am

Session #21

2. Appointment of Committee Positions

Appointment of a Chair & Vice Chair for the Planning & Development Executive Committee (2 year term).

- Councillor Caul nominated Councillor Kitowski for Chair. Seconded by Councillor Albanese.

Nomination Accepted by Councillor Kitowski. Carried - Councillor Kitowski, Chair.

- Councillor Albanese nominated Councillor Caul for Vice-Chair. Seconded by Councillor Kitowski. Nomination Accepted by Councillor Caul.

Carried - Councillor Caul, Vice-Chair.

3. Disclosure of pecuniary interest and the general nature thereof

None

4. Approval of Previous Committee Minutes

4.1 Approval of November 21, 2016 meeting minutes.

- Approved as circulated.

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

None.

6. In-Camera

6.1 Land Rental Inquiry.

- No update, referred to next meeting.

7. New Business

7.1 Committee of Adjustment - Rezoning Application - Part of 200 McIrvine Road.

- The Planning & Development Executive Committee had a discussion on this item and has accepted the report as presented.

8. Information

8.1 By-Law Enforcement Quarterly Activities Report.

- The report was accepted as presented and a discussion was had about heavy trucks parking on Scott Street. Administration was directed to further investigate options available to limit these trucks parking.

8.2 New Business License - Rainy River Cannabis Collective.

- A lengthy discussion was had on this item and the Planning & Development Executive Committee is directing administration to conduct further investigation into the expansion of the business, pending the outcome of the Federal Governments decision to legalize

marijuana.

- 9. **Non-agenda Items**
None.

- 10. **Adjourn / Next Meeting Date - 0900am**
Tuesday January 3, 2017.

Executive Committee Chair

Secretary, Planning & Development Executive Committee



To: Planning & Development Executive Committee
From: Elizabeth (Lisa) Slomke, Town Clerk
Date: December 28, 2016
Re: **Request to purchase town property
Industrial Park – (Lot 29)**

A Letter of Interest dated November 2, 2016 was received from Tbaytel for the above mentioned property, which was received by Council at the November 28, 2016 Committee of the Whole meeting. At that meeting, Council referred this matter to the Planning & Development Executive Committee.

Details of Land

Tbaytel is interested in acquiring Lot 29 Plan 48M-353 which fronts Sixth Street as indicated on the attached map.

Upon review of the Letter of Interest from Tbaytel, the following points need to be highlighted in a written acknowledgement:

- Municipal services are available to the property and the costs association with installation of such is the sole responsibility of the purchaser.
- Lot 29 is 32.49 x 60.96 based on information obtained and has a total area of .5 acre.
- The price that has been set for this lot is \$3,500 per acre, which equates to \$1750.00 plus applicable taxes.
- In addition, a development guarantee of \$10,000.00 per acre will be added to the purchase price.
- The Purchaser is responsible for all costs associated with the transfer of ownership for Lot 29, including but not necessarily limited to the legal fees and disbursement of the Town.
- If it is determined at a later date that a reference plan is required, the cost of same shall be the responsibility of the purchaser.

All points above are outlined in the Land Sale Policy which was approved by Council in the fall of 2015.

Upon signature on a written acknowledgement, same will be forwarded to our Solicitor to prepare the Agreement of Purchase and Sale to be approved by Council by-law.

Council approval of this report will agree to the sale of Lot 29 to Tbaytel at the Land Sale Policy approved price of \$3500.00 per acre as outlined in this report. Further a signed acknowledgement will be crafted for review by TbayTel and subsequently an authorizing by-law to accompany the Agreement of Purchase and Sale will be brought forward for Council's consideration.

Date: November 2, 2016

To: Lisa Slomke, Clerk Town of Fort Frances

From: Tbaytel
1046 Lithium Drive
Thunder Bay, ON P7B 6G3
(THE PURCHASER)

Re: Offer to purchase of property:
610 6th Street West Lot 29 Industrial Park

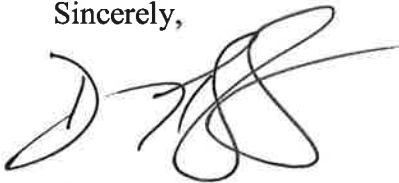
THE PURCHASER is interested in the purchase of Lot 29 in the Fort Frances Industrial Park legally described as Plan 48M353 Lots 26-30; PCL 24482, at the advertised price of \$3,500 an acre, this lot is approximately .5 an acre for a purchase price of \$1,750 plus any applicable realty taxes and transfer fees.

The offer includes the guarantee that the proponent will build an office/storage building, install water and sewer and a culvert if required. THE PURCHASER will provide a development guarantee of \$10,000 an acre to be refunded after the completion of the development of the building and infrastructure.

THE PURCHASER agrees to pay all legal fees associated with the purchase.

THE PURCHASER does not request any incentives.

Sincerely,



Dan Topatigh
Tbaytel
President & Chief Executive Officer



December 28, 2016

Report To: Planning and Development Executive Committee
From: Tyson Dennis Chief Building Official and Planning Department

Subject: Request to have “H” Property Holding, removed from Part Lot 21 River Range Minnie Avenue

Council members will recall on October 24, 2016 there was meeting held to discuss the removal of the Holding Provision on the area known as Lot 21 Minnie Avenue North. Council at that meeting discussed the subject removing the hold in principal prior to the property owners moving forward with the application and paying the necessary fees. Council agreed in principal to the removal of the Holding provision be considered if the Committee of Adjustment made the recommendation. The property owners then applied to the Committee of Adjustment for the Removal of a Holding Provision on the property.

The Planning & Development Executive Committee reviewed this request at their meeting on December 19, 2016. The Committee reviewed the application with perception from the history of the property, the definition of a holding provision, the original zoning of R2-H to R1-H in 2011 comparing what was permitted to be developed what now can be developed if the holding provision was removed as well as hearing statements from other divisions inside the Fort Frances Town Corporation.

Comments of the divisions are as follows:

Operations and Facilities Division:

- No municipal sewer or water available
 - No fire hydrant connections available in the vicinity of the site
 - Very poor drainage in this area as there is no ditch along the east side of Minnie Avenue North.
- Given these comments, this is not the only area of town where this is the situation and those areas do not contain holding provisions.

Travis Rob

Fort Frances Fire Department:

As Fire Chief, my concerns, as well as our Captain of Fire Prevention are ... with removing the "holding" on the property ... there is not an established water supply within a reasonable

distance for fire-fighting purposes; and with no water tanker truck, we have a very limited supply of water in our fire apparatuses. I realize there are pre-existing dwellings in the area, which are also of concern. I do not recommend the removing of the “holding” on the property.

There definitely is an increased risk of fire loss in that area based on the lack of a fire hydrant system for fire suppression.

Tyler Moffit

Fort Frances Power Corporation

FFPC has the ability to service the property in question via its "East Feeder" that runs along the west side of Minnie Avenue North. Depending on the proposed location of the premise (and electrical service) and the type of service requested, the customer may be responsible for certain installation costs in accordance to our "Conditions of Service" document which is posted on our website. FFPC is in favour of the hold coming off from its perspective as it is able to accommodate a single home dwelling on the property. From a business perspective, we welcome and encourage increasing our customer base.

Joerg Ruppenstein

The committee took the comments of the divisions and asked about other areas which do not have the holding in place without “.....established water supply.....” as stated by the Fort Frances Fire Department. The area of Frog Creek/McIrvine was shown to the committee. Some committee members made mention of possible ponds, tanker truck purchase or well water systems to possibly be looked at for the ability to fight fires better at a later date.

It was explained to the Committee the point of the application is to remove the holding provision only. This application was not for a specific option for building or development, but to allow the option for development to happen within the legal zoning regulations of R1. With a hold on the property, the area is unable to be developed or be sellable. The Committee stated these reasoning's for the removal of the Holding Provision:

- there are options for private water and septic in the area
- Fort Frances Power Corporation has sufficient power supply for the property
- another home would increase the tax base of the town
- further development within the town brings prosperity and possibilities to the town as a whole

A concern the Committee mentioned was the fire protection services available in not just one area of Fort Frances. As stated by two town divisions in the comments listed previously, it may be a subject for Council to look into such areas as 8th Street/Minnie North and Frog Creek/McIrvine and adapt to better service or options of water ponds in those areas to have sufficient fire protection. To refuse new development, is not the best interest of the town. The New Gold project west of Fort Frances is bringing many new families and commodities to town and we should grow to meet those needs.

After further discussion, the Committee of Adjustments recommendation is to remove the Holding Provision from Lot 21 Minnie Avenue North for development which is allowed in an R1 zoning type.

My recommendation is the intended purpose to develop the land at Lot 21 Minnie Ave North as per zoning regulations for an R1 development, with private services on the proposed property would be a good addition to the Town of Fort Frances from a Planning & Development aspect. This area already has single detached dwellings and those homes have privately owned service(s) existing. If the Holding Provision was to be taken off to allow development of the land, all necessary aspects of the 2011 Official Plan must be abided by, outstanding concerns of any division within the Corporation will be answered and abided by prior to building permit being issued. If these questions could be answered this property development would be beneficial to the tax base of Fort Frances.

Original Signed By

Tyson Dennis
Chief Building Official/Municipal Planner/Secretary Treasurer



TOWN OF FORT FRANCES

COUNCIL

Session No. 12

Resolution No. _____

Moved by Paul Ryan

Dated May 11, 2009

Seconded by Ken Perry

THAT the report dated May 4, 2009 from R. Hallam, Superintendent Planning and Development re: By-Law 12/79 – Animal Control By-Law be approved and further that an amending by-law be prepared.

	Yea	Nay	Disclosure of Interest
R. Avis			
J. Albanese			
A. Hallikas			
K. Perry			
G. Paul Ryan			
S. Tibbs			
R. Wiedenhoef			

<input type="checkbox"/>	CARRIED
<input type="checkbox"/>	DEFEATED
_____ MAYOR or DEPUTY MAYOR	

TO: <u>R. Hallam</u> <u>CC - By-law Enforcement</u>
FROM: G.W. TREFTLIN CLERK TOWN OF FORT FRANCES
DATE: <u>May 12/09</u>

Approved by
(Consent)
By-law 12/79
was presented
Council May
11th/09.

A copy of
the by-law will
be provided to
Page 11 of 14

09-05-14
G

Planning & Development Executive Committee

Report

Date: 2009 May 4th
To: Mayor & Council
From: Rick Hallam, CBCO, CRBO, Supt. Planning & Development Div.
Subject: By-Law 12-79, Animal Control By-Law, Dogs



Council may recall that at their meeting of August 14th 2008 approval of a report by R. Hallam, Supt. Planning & Development Division regarding the above noted by-law was given with additional direction to amend the above noted by-law. A copy of the report and Council's resolution is attached for reference.

Pursuant to Council's direction to include for a definition of "kennel" in the amended by-law it is the recommendation of the PDEC that the following definition be included in the amendment to the by-law.

- "Kennel"; Kennel shall mean a premise; other than a pet store, veterinary hospital or clinic, animal shelter, or property operating a legitimate fostering program for dogs; in which the predominant activity consists of the raising, breeding, boarding, or training of dogs, and boarding kennel shall have a corresponding meaning.

Further to the above, the business license fee for operating a Kennel should be appropriately referred to and included in the appropriate Fee By-Law 68/08. This is consistent with the other fees such as annual dog licenses and impound fees. It is recommended that the amount of the fee/license be reflective of the current by-law (12/79) which is presently \$50.00. It would then be subject to the annual review process.

As previously reported and approved there are some language corrections being undertaken to reflect current legislation.

Further to Council's direction to give consideration to one time licensing of dogs, including the possibility of "micro chipping", after much research by staff and a local veterinarian it appears that at this time there are far too many variables such as cost, veterinarian involvement, public process, and the ability to enforce and it is the recommendation of the PDEC that this initiative be abandoned at this time.

COMMITTEE OF WHOLE

MAY 11 2009
Referenced to
ACTION *Council Committee*

- ☒ OK
☐ Recommended
☐ Includes my input
☐ Recommended as amended/with comment
☐ Not recommended
☐ Will Speak to this
☐ Other

Date: *May 5/09*

M. McCaig
M. McCaig, Administrator

COUNCIL

MAY 11 2009
Approved by
ACTION *Consent*

By 12/19-K
Passed May 11/09

2009 May 4th
Council Report re By-Law 12/79

Respectfully Submitted,
Planning & Development Executive Committee,



R. Hallam, CBCO, CRBO
Superintendent
Planning & Development Division

RECOMMENDED
PLANNING & DEVELOPMENT
DATE: 2009 May 4
DIV. MNG. R. Hallam
EXECUTIVE COMM. John J. ...

Council approval of this report will: a) direct that By-Law 12/79 be amended to include the above noted definition of "kennel"; b) direct that Fees By-Law 68/08 be amended to include for the fee as stated above to operate a kennel and, c) agree that the one time licensing of dogs including the possibility of "micro chipping" be abandoned at this time



TOWN OF FORT FRANCES

COUNCIL

Session No. 021

Resolution No. _____

Moved by Paul Ryan

Dated August 28, 2008

Seconded by Sharon Tibbs

THAT the report dated August 14, 2008 from R. Hallam, Superintendent Planning and Development re: By-Law 12/79 - Animal Control By-Law - Dogs be approved and further that an amending by-law be prepared.

with direction

PR

Carried *[Signature]* Mayor or Deputy Mayor

	Yea	Nay	Disclosure of Interest
R. Avis			
J. Albanese			
A. Hallikas			
K. Perry			
G. Paul Ryan			
S. Tibbs			
R. Wiedenhoeft			

TO: *R. H. Tibbs*
cc - Mayor, Councillor Tibbs

FROM: G.W. TREFTLIN
CLERK
TOWN OF FORT FRANCES

DATE: *August 29/08*

The direction from Council was to include a definition for the term "kennel" in the by-law and for administration to give consideration (and prepare a report) on changing the license fee for dogs to a one time only license fee for each dog. This report would be channeled through PDEC for recommendation to Council. I would like to discuss with you some of the by-law changes to be made.

public awareness issues.

1

COMMITTEE OF WHOLE

AUG 28 2008

ACTION

*Removed from
Consent + discussed
- direction: to define the term "kennel" in the by-law
: administration to consider a one time only license*

☒ OK
☐ Recommended
☐ Includes my input
☐ Recommended as amended/with comment
☐ Not recommended
☐ Will Speak to this
☐ Other
Date: *Aug 28/08* *Mark McCaig*
M. McCaig, Administrator

COUNCIL

AUG 28 2008

ACTION

*Approved with
direction*