

TOWN OF FORT FRANCES

MINUTES

COMMITTEE OF
ADJUSTMENT

February 22, 2017

The meeting of Committee of Adjustment of the Town of Fort Frances was held in the Committee Room on February 22, 2017 from 5:30 p.m. to 6:37 p.m.

PRESENT: Tyson Dennis, Charleen Mallory, Barry Jackson, Jennifer Horton, Cindy Mason, Gary Rogozinski

ALSO PRESENT: Travis Rob, Don Demichele

1. **Call to Order** - 5:30 p.m.
2. **Non-agenda items**
3. **Declarations, Municipal Conflict of Interest Act** - 5:31 p.m.
None
4. **Minutes of Previous Meetings** - 5:31 p.m.
Minutes from previous meeting were approved as submitted.

Moved by - Charleen Mallory

Second by - Barry Jackson

- 4.1 Approval of January 25, 2017 meeting minutes

5. **Committee Applications** - 5:32 p.m.

5.1 B1-2017

Application for Consent to divide property into individual town houses from a single property.

The application was presented by Don Demichele from Syncor Contracting. The application for Consent for the property was read aloud to the committee. Don explained the reason for the consent. The homes were to be sold as individual properties. The homes were to be individually owned. He explained the tax base increase for the town with five homes on the lots instead of just a single detached dwelling. The committee asked why the application wasn't applied for prior to the start of construction? The reason was explained by Travis Rob and backed by Don Demichele. It was known there would be Consent as well as Minor Variances needed for the property. The ability to make all applications at once made more sense to the town and the builder. The wording and setbacks in the Zoning By-Law does not allow for proper townhouse sizes when dealing with lot coverage, Part 9 of the Ontario Building Code, and the allowable setbacks. This is something the town will be amending to allow for easier development for such builds as townhouses. The side yard set back was approved at 1.5 m from 2 m. The committee made comments that when another similar development comes forward, they would like to know details prior to the building commencement that an application will be needed prior to the completion of the build. It was concluded the application was complete and the Consent of the property at 625 Nelson Street was approved.

Moved by Cindy Mason

Second by Barry Jackson

5.2 A1-2017

Minor Variance

Don Demichele explained the application for the Minor Variance application from relief

of section 4.5.3 of the Zoning By-Law to reduce the interior side-yard from 2.5 m to 1.5 m. This was discussed with the committee. One question was why the property was not utilized and the town houses made smaller to allow for the 2.5 m side-yard setback. Don explained the townhouses were designed to have the specific frontage and instead of moving the entire building to the East and having two side-yard set backs not meet the By-Law, applying for a single variance for the side yard on the West side of the property made more sense. The Ontario Building Code requires the minimum side-yard setback between two buildings to be 1.2 m unless additional fire separations are constructed. The 1.5 m meets residential side-yard setbacks in others Zones, is more the the OBC code minimum and allowed the East side-yard to be compliant. The those facts and discussion the Committee approved the A1-2017 application for Minor Variance for relief from 2.5 m to 1.5 m.

Moved by- Jennifer Horton

Second by - Barry Jasckson

5.3 A2-2017
Minor Variance

Don Demichele explained the application for the Minor Variance application for relief of lot frontage from 8.0 m to 7.1 m. The design of the townhouses, lots coverage, Zoning By-Law generic specifications, and the need to have completed survey for the division of the Consent played factors in the need to have less frontage than allowed in section 4.5.3 of the Zoning By-Law. It was explained frontage was the width of each town house and not the front set back from the road. The width of the townhouses did not comply with the Zoning By-Law. The survey was shown to the committee so a visual representation was given. Once the application was explain the Committee approved the application for Minor Variance from relief from 8.0 m to 7.1 m for lot frontage.

Moved by Jennifer Horton

Second by Barry Jackson

5.4 A3-2017
Minor Variance

Don Demichele explained the application for the Minor Variance application for relief of lot frontage from 8.0 m to 7.1 m. The design of the townhouses, lots coverage, Zoning By-Law generic specifications, and the need to have completed survey for the division of the Consent played factors in the need to have less frontage than allowed in section 4.5.3 of the Zoning By-Law. It was explained frontage was the width of each town house and not the front set back from the road. The width of the townhouses did not comply with the Zoning By-Law. The survey was shown to the committee so a visual representation was given. Once the application was explain the Committee approved the application for Minor Variance from relief from 8.0 m to 7.1 m for lot frontage.

Moved by Charleen Mallory

Second by Cindy Mason

5.5 A4-2017
Minor Variance

Don Demichele explained the application for the Minor Variance application for relief of lot frontage from 8.0 m to 7.1 m. The design of the townhouses, lots coverage, Zoning By-Law generic specifications, and the need to have completed survey for the division of the Consent played factors in the need to have less frontage than allowed in section 4.5.3 of the Zoning By-Law. It was explained frontage was the width of each town house and not the front set back from the road. The width of the townhouses did not comply with the Zoning By-Law. The survey was shown to the committee so a visual representation was given. Once the application was explain the Committee approved the

application for Minor Variance from relief from 8.0 m to 7.1 m for lot frontage.

Moved by Jennifer Horton
Second by Charleen Mallory

6. Other Business - 6:11 p.m.

There was discussion with regards to the way the Committee of Adjustment follows the Planning Act for Committee of Adjustment Notification to the public. The previous meeting had an application submitted and when the committee asked the applicant if a neighboring property knew of the application, the applicant stated they did know know if neighbors had knowledge of the application. With that statement, after the application the Committee had a discussion of what are the options for public notification? Tyson Dennis would bring information the the next Committee of Adjustment meeting to discuss further. Tyson brought forward the act and went through the sections of what options are available to notify the public. Cindy Mason also brought research forward in regards to the ability to hand deliver notices. The act is very specific if you choose an option of notification the entire section must be fulfilled. The question of changing the notification process from the free public distributed Newspaper could make for more hours and labour to then cause application fees to be increased. The idea of social media came up as well. It was agreed to keep the pubic Newspaper notification in placed for the main notification process as well as add the advertisements of the meetings to the Fort Frances Website. This would be satisfy the act, as well as go above necessary measures the Act specifies, Tyson Dennis will add the process of notifying the public in the Planning and Development Departments Spring and Fall Newspaper article as well. Tyson is also going to research the possibility of adding a notification for residence in their water or tax bills to continue to be aware in the Thursday paper for any special meetings being help by committees within the Town of Fort Frances. The Committee was satisfied with the actions discussed and any additional information will be given when available for the Committee to know about public notifications.

7. Outstanding Items

8. Meeting Close - 6:37 p.m.

Chair, Committee of Adjustment

T. Dennis, Chief Building Official