

COMMITTEE OF ADJUSTMENT
Minutes of Meeting – November 21, 2011

A meeting of the Committee of Adjustment for the Town of Fort Frances was held in the Civic Centre Committee Room on the 21st day of November 2011 at 7:00 p.m.

Present: Gary Rogozinski (Vice–Chair), Alan Zucchiatti, Cindy Mason, Jason Kabel, Faye Flatt, Municipal Planner/Secretary–Treasurer, Mark Bowes, Gary Nixon, Mark McCaig (CAO), and Rick Hallam (Superintendent of Planning & Development)

Absent: Peter Sas, Bill Martin

1. **Call to Order** – Vice–Chair Rogozinski called the meeting to order at 7:00 who confirmed quorum.

2. **Added Non–Agenda Items** – None

3. **Declarations, Municipal Conflict of Interest Act** – None

4. **Minutes of Previous Meetings**

Zucchiatti/Mason – That the minutes of the meeting of the Committee of Adjustment dated 17 October 2011 be approved as circulated.

CARRIED

5. **Business arising from the minutes/Old Business** – None

6. **New Business**

a) **Applications**

i) **Minor Variance File A10/2011** – 566 Riverview Drive

Kabel/Zucchiatti – That the application for minor variance (File A10/2011) under Section 45(1) of the Planning Act, RSO 1990, c. P13, as amended, from section 3.2.1. of Zoning By–Law #8/98, as amended for the property known as 566 Riverview Drive to permit an accessory building without a principle building, be approved, subject to the following conditions:

1. The variance is granted on a temporary basis for a maximum period of three (3) years; and
2. The property owner execute a Memorandum of Understanding acknowledging the temporary period of the variance, undertaking to reconstruct a residential dwelling within the specified period of time or take such other action as may be necessary to ensure the compliance with the noted provision, and Indemnify the Town and such officers and employees from any costs or damages as a result of said compliance.

CARRIED

ii) **Minor Variance File A11/2011** – 1323 Fifth Street East

Mason/Kabel – That the application for minor variance (File A11/2011) under Section 45(1) of the Planning Act, RSO 1990, c. P13, as amended, from section 3.2.2 of Zoning By–Law #8/98, as amended for the property known as 1323 Fifth Street East to permit an accessory building to be closer to the front lot line of the property than the principle building, be approved, subject to the following conditions:

1. The property owner apply for a building permit within one year of the date of this decision, failing which the variance will be deemed to have been refused; and
2. That the property owner ensures the building to be constructed complies with setback and other applicable zoning regulations, namely front and side yard setbacks.

CARRIED

b) **Other Business**

- i) **Zoning Amendment File 8/98-TT** – Lots 26 to 38 Plan SM-144 (Nelson Street) **Kabel/Zucchiatti** – That in the matter of zoning amendment File 8/98-TT, a recommendation be made to Council that the property known as “ Nelson Street Park” (Lots 26 to 38 Plan SM-144) be rezoned from Open Space (OS) to Residential Type Two (R2) to accommodate the creation of five residential building lots to be deemed surplus by the Town of Fort Frances for disposition based on the following:
- (1) There is sufficient greenspace in that area;
 - (2) Lots are readily available for development without extensions to services or roads;
and
 - (3) there are little to no lots available in town for development in desirable area and this area is desirable for new residential dwellings.

CARRIED

- ii) **Zoning Amendment File 8/98-UU** – Lots 12 to 14 7 Part of Lot 11 Plan SM-129 7 part of lane (Minnie Avenue @ Front Street) **Mason/Zucchiatti** – That in the matter of zoning amendment File 8/98-UU, a recommendation be made to Council that the property on the corner of Minnie Avenue and Front Street (Lots 12 to 14 7 Part of Lot 11 Plan SM-129 7 part of lane) be rezoned from Tourist Commercial (C4) to Open Space (OS) to provide an equivalent area of property for use as public open space to offset the open space being rezoned by File 8/98-TT.

CARRIED

- iii) **Heritage** – 333 Church Street

Mason/Kabel – That the Committee of Adjustment now meet in-camera in order to address a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act.

CARRIED

7. **Correspondence** – None

8. **Non-Agenda Items** – None

9. **Adjournment**

Kabel/Zucchiatti – There being no further business, this regular meeting of the Committee of Adjustment be now closed at 8:09 pm.

CARRIED

Chair/Vice-Chair

Secretary-Treasurer

Minutes approved with amendments ☐without amendments ☐