

Town of Fort Frances
Agenda - Public Meeting

Council Chambers - December 12, 2011

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TOWN OF FORT FRANCES
AGENDA - PUBLIC MEETING

RE: ZONING BY-LAW AMENDMENTS 8/98-TT and 8/98-UU

COUNCIL CHAMBERS – December 12, 2011

HELD FOLLOWING COMMITTEE OF THE WHOLE MEETING - 6:45
PM

Time Commenced: _____ p.m. Time Concluded: _____ p.m.

MAYOR:

This Public Meeting, held by Council pursuant to Section 34 of The Planning Act, is declared open.

This Public Meeting is for the purpose of receiving comments on a proposed amendment to the Zoning By-Law and is a requirement of The Planning Act.

Anyone in attendance will be afforded the opportunity to make representation in respect of this matter.

During this Public Meeting, an explanation will be made as to why the amendment is required and what the effect of it will be.

After the explanations have been made, I will ask firstly for general questions and comments then secondly for statements either in opposition to or in favour of the proposed amendment.

Before asking a question or making a statement, please approach the podium and clearly state your name for the record. Please note that in the interest of brevity information presented is to be limited to new information only.

CLERK:

1. In accordance with the requirements of The Planning Act, proper Notice of this meeting was given by publication in the November 18, 2011 edition of the Fort Frances Bulletin.

2. The explanation and effect of the Zoning By-Law amendment is as set out in the Notice, which reads as follows.
3. Reads Notice (attached)

MAYOR:

4. Any person wishing to receive written notice of the adoption of either of the Zoning By-Law amendments is to leave their name and address on the sheet of paper at the podium.
5. Does anyone present have any questions regarding the process or what has just been read?
6. We will first deal with File 8/98-TT for the property known as the Nelson Street Park.
7. I will now call on the Municipal Planner for her preliminary report for the record.
8. Does anyone wish to speak in opposition to this amendment?
9. Does anyone wish to speak in favour of this amendment?
10. Does anyone have any questions?
11. The by-law relative to Amendment 8/98-TT will be considered under the business at the next regular Council Meeting. We will now move to File 8/98-UU.
12. Again I will call on the Municipal Planner for her preliminary report for the record.
13. Does anyone wish to speak in opposition to this amendment?
14. Does anyone wish to speak in favour of this amendment?
15. Does anyone have any questions?
16. The by-law relative to Amendment 8/98-UU will be considered under the business at the next regular Council Meeting.
17. I will ask a final time for questions or comments. There being none, I hereby declare this Public Meeting closed.

Preliminary Planning Report *Agenda Item # 3.1 ...*
(Public Meeting)

Planning and Development Division

To: Mayor Avis and Council
From: N. Faye Flatt, AMCT, ACST, CPT
Municipal Planner
Date: 8 December 2011
Re: Zoning Amendment (File 8/98-TT)

- A. THE APPLICATION – The application is to change the zoning on the subject lands from Open Space (OS) to Residential Type Two (R2) to permit the creation of lots for residential use.
- B. THE PROPERTY – The Property subject to the rezoning is known as the ‘Nelson Street Park’ and is located between Minnie Avenue and Williams Avenue.
- C. OFFICIAL PLAN – The property is designated **Living Area**. There are two components to this proposal as it relates to the Official Plan and in order to proceed, both must be supported. The first is whether the proposed use (residential) is permitted. The second is the elimination of open space.

The proposal is to change the zoning to accommodate residential use. Section 2.1.2 states that all forms of residential development are permitted in the Living Area.

With regard to the second issue, section 2.1.6 states that *within the living area, neighbourhood parks should be provided within 1000 metres of all residential uses*. For illustration purposes I have created two maps using our GIS system. The first shows the location of all parks and recreational areas within the municipality using the 1000 metre radius. With over 19 properties highlighted, it appears evident that the Town far exceeds the requirement set out in the Official Plan. The second map shows the number of parks and recreational areas within the municipality that should be provided to meet the minimum requirement set out in the Official Plan. There are 6 properties highlighted on this map.

- D. ZONING – The proposed use is not permitted in this zone and as such, the amendment is required.
- E. PROVINCIAL POLICY STATEMENTS – The development proposed, in my opinion, is consistent with the policies of the 2005 Provincial Policy Statement (PPS) direction of intensification and redevelopment within the settlement areas using existing servicing infrastructure, and avoiding development which may cause environmental or public health and safety concerns.
- F. CIRCULATED DEPARTMENTS/AGENCY/OTHERS – There were no concerns identified as a result of circulation to town departments, but circulation did result in identification of a storm sewer at the north limit of the property. An easement will be required at the time the property is sold.

The Committee of Adjustment considered this rezoning at the regular meeting held November 21st. The members present unanimously supported the rezoning and passed a resolution to recommend that the property be rezoned on the basis that (a) there is sufficient greenspace in the area; (b) the lots would be readily available without extensions to services or roadways; and (c) there are little to no lots available in town for development in desirable areas and this area is desirable for new residential dwellings.

- G. PLANNER' S PRELIMINARY COMMENTS – This is the second time this property has gone through the rezoning process. A similar initiative by Council in 2008 for the same purpose resulted in the process being aborted in the final stages based on opposition from residents claiming to use the property on a regular basis. Since that time members of staff, administration, members of council and others interested parties have unofficially monitored the property. Indications are that it is used as infrequently now as it was then.

Based on the foregoing, it is my opinion that the rezoning of the Nelson Street Park from Open Space to Residential Type Two is supported in all respects by the Official Plan, the Provincial Policy Statements, the Committee of Adjustment and staff and that notwithstanding any information to the contrary that may result from this public meeting, should proceed as initiated by council.

Respectfully submitted



Preliminary Planning Report *Agenda Item # 4.1 ...*
(Public Meeting)

Planning and Development Division

To: Mayor Avis and Council
From: N. Faye Flatt, AMCT, ACST, CPT
Municipal Planner
Date: 8 December 2011
Re: Zoning Amendment (File 8/98-UU)

- A. THE APPLICATION – The application is to change the zoning on the subject lands from Tourist Commercial (C4) to Open Space.
- B. THE PROPERTY – The Property subject to the rezoning is located on the corner of Minnie Avenue and Front Street.
- C. OFFICIAL PLAN – The property is designated **Recreation Area**. This designation does not support the current C4 zoning. The proposal is to change the zoning to Open Space. The proposed use is permitted in properties within the Recreation Area. The proposed zoning places the property into conformity with the Official Plan.
- D. ZONING – The proposed use is not permitted in this zone and as such, the amendment is required.
- E. PROVINCIAL POLICY STATEMENTS – The 2005 Provincial Policy Statement (PPS) promotes healthy active communities and supports the zoning amendment by accommodating an appropriate range and mix of residential, commercial and recreational uses.
- F. CIRCULATED DEPARTMENTS/AGENCY/OTHERS – There were no concerns identified as a result of circulation to town departments. The Committee of Adjustment considered this rezoning at the regular meeting held November 21st. The members present unanimously supported the rezoning and passed a resolution recommending that the property be rezoned as proposed.
- G. PLANNER' S PRELIMINARY COMMENTS – There has been nothing identified to date to indicate that the rezoning initiative is not appropriate to proceed. The proposed rezoning will bring the property into conformity with the designation under the Official Plan. Based on the foregoing and notwithstanding any information to the contrary that may result from this public meeting, it is my opinion that the rezoning of the subject land to Open Space should proceed as initiated by Council.

Respectfully submitted

