

# TOWN OF FORT FRANCES

## Planning & Development Executive Committee

### AGENDA - February 4, 2019 at 8:00 AM

#### MEETING - Civic Centre - Committee Room

	Page
1. <b><u>Call to Order</u></b> Session #3	
2. <b><u>Disclosure of pecuniary interest and the general nature thereof</u></b>	
3. <b><u>Approval of Previous Committee Minutes</u></b>	
3.1 Approval of Previous Committee Minutes.	3 - 4
4. <b><u>Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting.</u></b>	
5. <b><u>In-Camera</u></b>	
6. <b><u>Items Referred from Council</u></b>	
6.1 Letter from R. Van Drunen re: Noise By-Law. - No report at this time. Waiting for comments from the OPP.	5 - 7
6.2 Request from Age Friendly Committee - Safe Drop Off/Pick-Up Locations for Adults.	8 - 9
6.3 Request from Fort Frances Homeless Committee for Use of East End Hall. (Mayor J. Caul will provide a verbal update).	
7. <b><u>New Business</u></b>	
7.1 OPP Site Plan Control Agreement - 901 Colonization Road West.	10 - 14
8. <b><u>Outstanding Items</u></b>	
8.1 Proposed Draft Fence By-Law.	15 - 37
8.2 Proposed Draft Smoking By-Law. - No report at this time. Waiting for comments from the OPP.	38 - 43
8.3 255 Scott Street - TBT Engineering.	44 - 50
9. <b><u>Information</u></b>	
10. <b><u>Non-agenda Items</u></b>	

11. **Adjourn / Next Meeting Date**  
Tuesday February 19th, 2019.

## TOWN OF FORT FRANCES

### MINUTES

### SESSION NO. #2

January 7, 2019

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held in the Civic Centre - Committee Room on January 7, 2019 from 8:00 a.m. to 10:02 a.m.

PRESENT: J. McTaggart - Chairperson, W. Brunetta - Councillor, D. Judson - Councillor, Mayor J. Caul (ex-officio)

ALSO PRESENT: D. Brown, CAO, T. Dennis, CBO/Planner, P. Briere, Committee Secretary, R. Gushulak, Guest, R. Broman, Guest, D. Broman, Guest.

**1. Call to Order - 0800am**

Session #2

**2. Disclosure of pecuniary interest and the general nature thereof**

None.

**3. Approval of Previous Committee Minutes**

3.1 Approval of Previous Committee Minutes.

- Approved as presented.

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

None.

**5. In-Camera**

None.

**6. Items Referred from Council**

6.1 Letter from Gushulak's & Broman's. Re: Property off Colonization Road West.

- An overview of the request letter was provided by Mr. R. Gushulak, R & D. Broman to the Committee. A discussion was had in regards to what options were available to the property owners. The Planning & Development Executive Committee is recommending that Administration bring forward more information forward at a future meeting too allow input from other Divisions, the Community Improvement Plan and more information from the property owners.

6.2 Legislation Requirements Surrounding Recreational Cannabis Stores in Ontario.

- Administration provided an overview of the current process being used by the AGCO on the initial opening of retail stores in Ontario and what that meant for our community. Following this overview a discussion was had and the Planning & Development Executive Committee is recommending to:

1) Opt-In to allowing Cannabis Retail Stores within Fort Frances and that notification be provided to the AGCO advising such decision and:

2) Defer a decision on the Draft Policy Statement until a later date.

6.3 2019 Planning & Development Budget. (Hard copy of Budget Materials distributed in Reading Room).

- The members of the Committee reviewed the budget documents provided by Administration and after a discussion was had on the budget documents the Planning & Development Executive Committee is recommending that the budget documents for the Planning & Development Division be forwarded to Treasury for consideration by the Committee of the Whole.

7.     **New Business**  
None.

8.     **Outstanding Items**

8.1    Proposed Draft Fence By-Law.  
- A review was had on the proposed Draft By-Law and during the discussion of the changes it was proposed by the Planning & Development Executive Committee that the original By-Law be brought forward so that the members can review where the changes have been made.

9.     **Information**  
None.

10.    **Non-agenda Items**  
None.

11.    **Adjourn / Next Meeting Date - 1002am**  
Monday January 21, 2018.

\_\_\_\_\_  
Executive Committee Chair

\_\_\_\_\_  
Secretary, Planning & Development Executive  
Committee



**From:** [Rebecca V.D.](#)  
**To:** [Town](#)  
**Subject:** Mayor and Members of Council  
**Date:** Thursday, December 6, 2018 8:38:28 AM

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Dear Mayor and Members of Council of the Town of Fort Frances,  
Dec 6<sup>th</sup>, 2018

I would like to respectfully request that By-Law No. 48/97 enforced under the Provincial Offences Act be re-evaluated. The Anti-Noise By-Law is enforced twenty-four hours a day, seven days a week. It specifically address musical instruments in 3. a) It also says that any device or instrument played or operated at such volume as to annoy or disturb the peace, quiet, comfort or repose of any individual. These are deemed to be unusual noises.

I would like to see this be re-evaluated as I feel the law is draconian and possibly discriminatory against musicians. There is no reasonable time frame given for practicing an instrument where it acoustically carries sound. It also does not specify what noise decibel level would constitute disturbing the peace. Instead it's left to the discretion of neighbors and/or the by-law officer.

I realize that there are musicians who not will respect others around them and not try their best to contain the noise and find a decent time that works for the neighbors and themselves; just as there are musicians that will do their best to be respectful and follow the laws. I, also, realize that some neighbors will be willing to work with each other and some will not. A happy medium between these two opposites would be wonderful to see.

I believe music to be very important to the community as a whole, as well as very important to individuals. I would like to live in a community that includes and considers musicians. We have very few events where local professional and amateur musicians can play for each other and the community. The Rainy Lake Square has added huge opportunities for such activities and it is very much appreciated. However, if musicians can not practice with any level of sound for fear of committing a offensive act, we will quickly have no more local musicians. Sound is a necessary part of musical instruments.

I would like to see a time frame where a person can practice their instrument, during reasonable hours, with a reasonable decibel level be included in this by-law. I, personally, believe something between the hours of 2 pm and 8pm Sunday to Thursday and 2pm to 10pm Friday and Saturdays to be a happy medium. Children tend to have bedtimes around 8 for school. Shift workers sleep during the day and need to be able to get their rest undisturbed. Most people sleep between the hours of 10pm and 8am. Also, if there is a concern about daily never ending practice, could the law not specify the noise can not go longer than two consecutive hours or every second day? Or something along those lines to address such issues. That is my reasoning anyways.

My concern about leaving the tolerable noise levels to each individual has many sides. One: this can

be heavily abused by someone holding a grudge or someone who simply has zero tolerance for music. Two: a musician has no way of knowing each neighbors individual tolerance levels without finding out the hard way with police or by-law officers being called in. If one neighbor complains no matter the noise levels or times, the musician is left with zero options. If this is a professional musician, the lack of ability to play with sound could greatly impact their ability to continue to produce an income from their skill.

I am bringing this to your attention today, because I just learned of the extreme extent that our Anti-Noise By-Law covers yesterday. I am buying a drum set this coming weekend. I went to the town to ensure that I am complying with our laws. I was so shocked and disturbed by it, that here I am writing to all of you.

I will be speaking to all my neighbors, giving them my number and will do my utmost best to not disturb them. I will also be buying a mute set for the drums and a rug for underneath. However, I have been told that I can not play silent all the time. I must have some sessions with noise. I am learning to drum due to a stroke I suffered from two years ago. I have discovered that drumming (specifically) helps stroke survivors immensely. Hence, I am going to be a beginner. I would really like to have clear cut decibel levels to adhere to instead of it being based off the whims of another. I would also like to feel that musicians, whether beginners or professionals, are welcomed in our community. Our Anti-Noise By-Law has the exact opposite effect.

Thank you for your time and consideration. I look forward to hearing from all of you concerning this matter.

Respectfully,

Rebecca Van Drunen  
Fort Frances Resident

Administration & Finance Division  
Planning & Development Division  
Phone: 807-274-5323  
Fax: 807-274-8479

Mailing Address for All Divisions:  
Civic Centre  
320 Portage Avenue  
Fort Frances, ON  
P9A 3P9



Operations & Facilities Division  
Phone: 807-274-9893  
Fax: 807-274-7360

Community Services Division  
Phone 807-274-4561  
Fax: 807-274-3799

email: [town@fortfrances.com](mailto:town@fortfrances.com)  
[www.fort-frances.com](http://www.fort-frances.com)

January 15, 2019

Ms. Rebecca Van Drunen  
Via email [becvan2@hotmail.com](mailto:becvan2@hotmail.com)

Dear Ms. Van Drunen:

At their meeting Monday, January 14, 2019, Council referred the email dated December 6, 2018 from R. Van Drunen re: Noise By-Law Concerns to the Planning and Development Executive Committee for recommendation.

By copy of this letter, your request has been referred as directed.

Please direct any questions you may have to P. Briere, By-law Enforcement Officer / Secretary to Planning & Development Executive Committee, at 274-5323, ext 1218.

Yours very truly,

ADMINISTRATION & FINANCE DIVISION

Kathryn M. Lawson, Deputy Clerk

/kl

c.c. Planning and Development Executive Committee  
P. Briere, By-Law Enforcement Officer/Committee Secretary

1023 River Road West  
Fort Frances, ON P9A 2V3

January 22, 2019

Mayor and Council  
Town of Fort Frances  
320 Portage Avenue  
Fort Frances, ON P9A 3P9



Dear Mayor and Council:

The Fort Frances Age Friendly Committee in its 2017 – 2020 Action Plan established the objective *"Create drop off areas in downtown area where Older Adults can be dropped off and picked up safely."*

The Committee has looked into this matter and recommends that two drop-off locations be established.

- Mowat Avenue at the corner of Scott Street and Mowat Avenue beside the Toronto Dominion Bank
- Scott Street in front of the post office.

We would require signage advising motorists that this is a designated drop off spot as well as a commitment from Public Works that the snowbanks would be removed from the curb at these locations making it easier for seniors to embark and disembark from vehicles.

The Committee recommends that vehicles be allowed to stop at these locations for a maximum period of ten minutes as frequently the driver must assist the elderly passenger to his/her destination.

I would be happy to meet with you to provide further information or to address any concerns arising from our request. I can be reached at 274-9560 or by e-mail at [irenemlaing@gmail.com](mailto:irenemlaing@gmail.com).

Thank you for your attention to this matter.

Sincerely

Irene Laing  
Age Friendly Committee

Administration & Finance Division  
Planning & Development Division  
Phone: 807-274-5323  
Fax: 807-274-8479

Mailing Address for All Divisions:  
Civic Centre  
320 Portage Avenue  
Fort Frances, ON  
P9A 3P9



Operations & Facilities Division  
Phone: 807-274-9893  
Fax: 807-274-7360

Community Services Division  
Phone 807-274-4561  
Fax: 807-274-3799

email: [town@fortfrances.com](mailto:town@fortfrances.com)  
[www.fort-frances.com](http://www.fort-frances.com)

January 29, 2019

Age Friendly Committee  
Attn: Irene Laing  
1023 River Road West  
Fort Frances, Ontario  
P9A 2V3  
via email [irenemlaing@gmail.com](mailto:irenemlaing@gmail.com)

Dear Ms. Laing:

At their meeting January 28, 2019, Council referred the request dated January 22, 2019 from I. Laing, Age Friendly Committee re: The establishment of designated drop-off locations for the handi-van to allow older adults to be picked up and dropped off safely on Scott Street to the Community Services Executive Committee for recommendation with input from Operations and Facilities Executive Committee and Planning and Development Executive Committee.

By copy of this letter, your request has been referred as directed.

Please direct any questions you may have to Jason Kabel, Manager Community Services, at 274-4561.

Yours very truly,

ADMINISTRATION & FINANCE DIVISION

Kathryn M. Lawson, Deputy Clerk

/kl

c.c. J. Kabel, Manager Community Services  
T. Rob, Manager Operations and Facilities  
P. Briere, By-Law Enforcement, Planning and Development Secretary

Date: January 31<sup>st</sup>, 2019

Report To: Planning and Development Executive Committee

From: Tyson Dennis, Chief Building Official/Municipal Planner

Re: **OPP Site Plan Control Agreement – 901 Colonization Road West**

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The Planning and Development Department has been working with Kelly Graham of SVN Consulting on a Site Plan Control Agreement (SPCA) for the new OPP detachment located at 901 Colonization Road West. The divisions of the Town have consulted with the project designers/architects and Her Majesty the Queen in Right of the Ontario As Represented by the Minister of Government and Consumer Services on and all utilities, water and sewer, easements, storm water management and other site plan specifications. Attached to this report are the plans associated with the Site Plan Control Agreement.

Her Majesty the Queen in Right of the Ontario As Represented by the Minister of Government and Consumer Services does not hold the right to pay or have letters of credit held on such projects. The request that the section of Letters of Credit will be deleted from this Site Plan Control Agreement.

Please review the design plans attached to this report. With acceptance of the design by the Planning and Development Executive Committee, a complete agreement will be drafted and processed for all of Council to review and accept at its next regular meeting February 11, 2019. Following the draft SPCA being accepted, a by-law will be completed by Mayor and Clerk finalizing the application for SPCA, allowing a building permit to be applied for by the Owner of 901 Colonization for construction to begin on the new OPP Detachment in the 2019 construction season.

Respectfully submitted,

Original Signed By

Tyson Dennis

Chief Building Official/Municipal Planner



GENERAL NOTES:

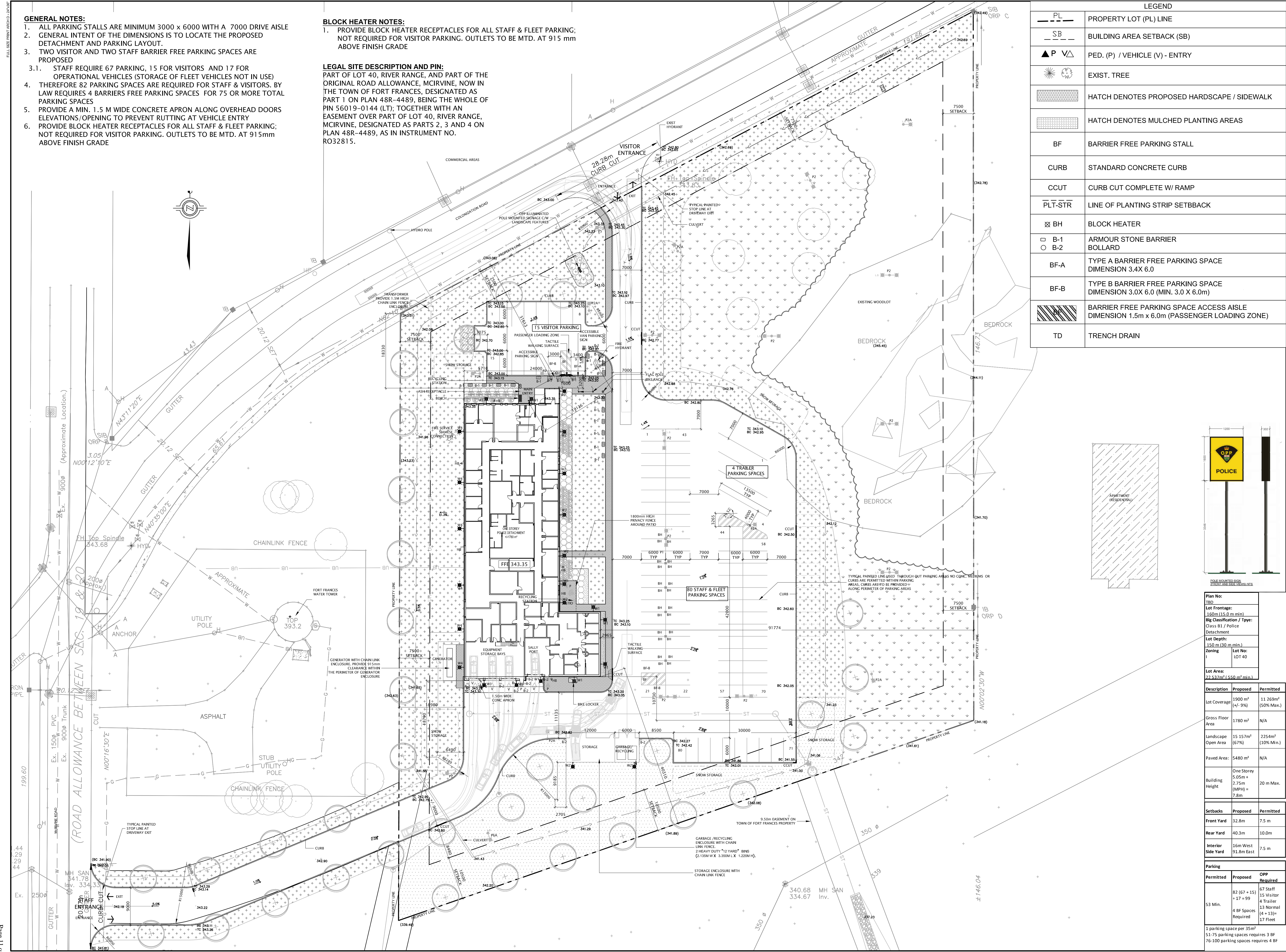
- ALL PARKING STALLS ARE MINIMUM 3000 x 6000 WITH A 7000 DRIVE AISLE
- GENERAL INTENT OF THE DIMENSIONS IS TO LOCATE THE PROPOSED DETACHMENT AND PARKING LAYOUT.
- TWO VISITOR AND TWO STAFF BARRIER FREE PARKING SPACES ARE PROPOSED
- STAFF REQUIRE 67 PARKING, 15 FOR VISITORS AND 17 FOR OPERATIONAL VEHICLES (STORAGE OF FLEET VEHICLES NOT IN USE)
- THEREFORE 82 PARKING SPACES ARE REQUIRED FOR STAFF & VISITORS. BY LAW REQUIRES 4 BARRIERS FREE PARKING SPACES FOR 75 OR MORE TOTAL PARKING SPACES
- PROVIDE A MIN. 1.5 M WIDE CONCRETE APRON ALONG OVERHEAD DOORS ELEVATIONS/OPENING TO PREVENT RUTTING AT VEHICLE ENTRY
- PROVIDE BLOCK HEATER RECEPTACLES FOR ALL STAFF & FLEET PARKING; NOT REQUIRED FOR VISITOR PARKING. OUTLETS TO BE MTD. AT 915mm ABOVE FINISH GRADE

BLOCK HEATER NOTES:

- PROVIDE BLOCK HEATER RECEPTACLES FOR ALL STAFF & FLEET PARKING; NOT REQUIRED FOR VISITOR PARKING. OUTLETS TO BE MTD. AT 915 mm ABOVE FINISH GRADE

LEGAL SITE DESCRIPTION AND PIN:

PART OF LOT 40, RIVER RANGE, AND PART OF THE ORIGINAL ROAD ALLOWANCE, MCIRVINE, NOW IN THE TOWN OF FORT FRANCES, DESIGNATED AS PART 1 ON PLAN 48R-4489, BEING THE WHOLE OF PIN 56019-0144 (LT); TOGETHER WITH AN EASEMENT OVER PART OF LOT 40, RIVER RANGE, MCIRVINE, DESIGNATED AS PARTS 2, 3 AND 4 ON PLAN 48R-4489, AS IN INSTRUMENT NO. R032815.



LEGEND	
PL	PROPERTY LOT (PL) LINE
SB	BUILDING AREA SETBACK (SB)
▲ P ▼	PED. (P) / VEHICLE (V) - ENTRY
☼	EXIST. TREE
HATCH	HATCH DENOTES PROPOSED HARDSCAPE / SIDEWALK
HATCH	HATCH DENOTES MULCHED PLANTING AREAS
BF	BARRIER FREE PARKING STALL
CURB	STANDARD CONCRETE CURB
CCUT	CURB CUT COMPLETE W/ RAMP
PLT-STR	LINE OF PLANTING STRIP SETBACK
☒ BH	BLOCK HEATER
□ B-1 ○ B-2	ARMOUR STONE BARRIER BOLLARD
BF-A	TYPE A BARRIER FREE PARKING SPACE DIMENSION 3.4X 6.0
BF-B	TYPE B BARRIER FREE PARKING SPACE DIMENSION 3.0X 6.0 (MIN. 3.0 X 6.0m)
HATCH	BARRIER FREE PARKING SPACE ACCESS AISLE DIMENSION 1.5m x 6.0m (PASSENGER LOADING ZONE)
TD	TRENCH DRAIN

No.	Issue / Revisions	Date
A	100% DD PRELIMINARY UPLOAD	2018-08-14
B	100% DESIGN DEVELOPMENT	2018-08-30
C	SITE PLAN APPROVAL	2018-09-20
D	50% CD PRELIMINARY UPLOAD	2018-10-11
E	50% CONSTRUCTION DOCUMENT	2018-11-05
F	SITE PLAN FIRST RESUBMISSION	2018-11-20
G	100% CD PRELIMINARY UPLOAD	2019-01-04
H	100% CD SUBMISSION TO CA	2019-01-22
J	SITE PLAN SECOND RESUBMISSION	2019-01-23

STAMP:

NORTH:

NORTH

# BIRD NORR

NORR Architects & Engineers Limited  
An Ingenium Group Company

175 Bloor St. East  
North Tower, 15th Floor  
Toronto, ON Canada M4W 3R8  
norr.com

CLIENT:

PROJECT:

**ONTARIO PROVINCIAL POLICE MODERNIZATION PROJECT: PHASE 2**

D8- FORT FRANCES DETACHMENT

PROJECT LOCATION:

**200 MCIRVINE RD, FORT FRANCES, ON P9A 3S3, CANADA**

DRAWING TITLE:

**SITE PLAN**

Setbacks	Proposed	Permitted
Front Yard	32.8m	7.5 m
Rear Yard	40.3m	10.0m
Interior Side Yard	16m West 91.8m East	7.5 m

Parking	Permitted	Proposed	OPP Required
53 Min.	82 (67 + 15) + 17 = 99 4 BF Spaces Required	67 Staff 15 Visitor 4 Trailer 13 Normal (4 + 13) = 17 Fleet	

1 parking space per 35m<sup>2</sup>  
53-75 parking spaces requires 3 BF  
76-100 parking spaces requires 4 BF

Scale:	1:400	REF DWG: SP-1
Project No:	ONBL18-0142	DWG NO:
Drawn By:		<b>D8-A10-01</b>
Checked By:		



Plan No:	1802
Lot Frontage:	160m (15.0 m min.)
Big Classification / Type:	Class B1 / Police Detachment
Lot Depth:	150 m (30 m min.)
Zoning:	Lot No: LOT 40
Lot Area:	22,537m <sup>2</sup> (550 m <sup>2</sup> min.)

Description	Proposed	Permitted
Lot Coverage	1900 m <sup>2</sup> (+/- 9%)	11 269m <sup>2</sup> (50% Max.)
Gross Floor Area	1780 m <sup>2</sup>	N/A
Landscape Open Area	15 157m <sup>2</sup> (67%)	2254m <sup>2</sup> (10% Min.)
Paved Areas:	5480 m <sup>2</sup>	N/A
Building Height	One Storey 5.05m + 2.75m (MPH) = 7.8m	20 m Max.

Setbacks	Proposed	Permitted
Front Yard	32.8m	7.5 m
Rear Yard	40.3m	10.0m
Interior Side Yard	16m West 91.8m East	7.5 m

Parking	Permitted	Proposed	OPP Required
53 Min.	82 (67 + 15) + 17 = 99 4 BF Spaces Required	67 Staff 15 Visitor 4 Trailer 13 Normal (4 + 13) = 17 Fleet	



<p>STAMP:</p> 	<p>NORTH:</p> 
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**MCW Consultants Ltd.**  
207 Queen's Quay West, Suite 615, Toronto, ON, M5J 1A7  
E-Mail: [mcw\\_tor@mcw.com](mailto:mcw_tor@mcw.com) [www.mcw.com](http://www.mcw.com)  
Tel: 416-598-2920 Fax: 416-598-5394  
Toronto Vancouver Winnipeg Moncton Ottawa Halifax  
Dauphin Kelowna Trail Saint John

**BIRD**

**NORR**

**NORR Architects & Engineers Limited**  
An Ingenium Group Company

175 Bloor St. East  
North Tower, 15th Floor  
Toronto, ON Canada M4W 3R8  
[norr.com](http://norr.com)

CLIENT:



PROJECT:  
ONTARIO PROVINCIAL  
POLICE MODERNIZATION  
PROJECT: PHASE 2

D8 - FORT FRANCES  
DETACHMENT

PROJECT LOCATION:  
200 MCIRVINE RD, FORT  
FRANCES, ON P9A 3S3  
CANADA

DRAWING TITLE:  
ELECTRICAL SYMBOL  
LEGEND AND  
DRAWING LIST

Scale:	N.T.S.	REF DWG: E0-01
Project No:	7571A	DWG NO:
Drawn By:	CD	D8-E0-01
Checked By:	JS	

NOTE:

NOT ALL SYMBOLS SHOWN. ON THIS LEGEND ARE NECESSARILY USED ON THIS PROJECT.

LIGHTING

LINEAR LUMINAIRE, TYPE AS SPECIFIED. HATCHING DENOTES CONNECTED TO EMERGENCY C/W INTERNAL EMERGENCY BATTERY BACKUP CIRCUIT "N" INDICATES UN-SWITCHED NIGHT LIGHTING CIRCUIT.

CEILING MOUNTED LUMINAIRE, TYPE AS SPECIFIED

WALL MOUNTED LUMINAIRE, TYPE AS SPECIFIED

POLE MOUNTED LUMINAIRE, TYPE AS SPECIFIED

DOUBLE SURFACE MOUNTED EMERGENCY LIGHTING REMOTE HEADS, TYPE "BU-T" INDICATES BATTERY BANK FED FROM

CEILING MOUNTED EMERGENCY LIGHTING REMOTE HEAD

EMERGENCY LIGHTING BATTERY UNIT C/W DUPLEX RECEPTACLE AND DOUBLE REMOTE HEADS, TYPE "BU-T" AS SPECIFIED.

WALL MOUNTED DOUBLE FACED EXIT LIGHT AND DIRECTIONAL ARROWS AS INDICATED. SHADDED AREAS DENOTE DIRECTION OF FACE OF EXIT SIGN. "BU-T" INDICATES BATTERY UNIT FED FROM

WALL MOUNTED SINGLE FACED EXIT LIGHT AND DIRECTIONAL ARROWS AS INDICATED. SHADDED AREAS DENOTE DIRECTION OF FACE OF EXIT SIGN.

CEILING MOUNTED DOUBLE FACED EXIT LIGHT AND DIRECTIONAL ARROWS AS INDICATED. SHADDED AREAS DENOTE DIRECTION OF FACE OF EXIT SIGN.

CEILING MOUNTED SINGLE FACED EXIT LIGHT AND DIRECTIONAL ARROWS AS INDICATED. SHADDED AREAS DENOTE DIRECTION OF FACE OF EXIT SIGN.

SECURITY AND ACCESS SYSTEMS

SECURITY SYSTEM CONTROL PANEL

KEY PAD

CARD READER

INFRARED READER

REQUEST TO EXIT BUTTON

EGRESS MOTION DETECTOR

DOOR CONTACT

PATIO DOOR CONTACT

WINDOW CONTACT

OVERHEAD DOOR CONTACT

POWER LOCK

ELECTRIC STRIKE

AUDIBLE ALARM

MOTION DETECTOR

GLASS BREAK DETECTOR

CLOSED CIRCUIT CAMERA

YTZ DENOTES PAN TILT ZOOM W/PTZ 20X SVT-23-FITZ CAMERA C/W FLUSH CEILING MOUNTING KIT

X DENOTES VANDAL RESISTANT BOSCH VON-5085-Y23ZS CAMERA

Y DENOTES BOSCH MODEL VON-5095-F121 FLEXIDOME 9000 CORNER MOUNT NO GRIP CAMERA

C DENOTES BOSCH LIDCAM/21 OMNION DIGITAL DAY / NIGHT CAMERA C/W PELCO DRIVE-UP CAMERA ENCLOSURE AND BOSCH LTC369/40 2.8-11mm LENS MOUNTED AT 3048mm AFF

V DENOTES VICON V920D-K311 CAMERA C/W FLUSH CEILING MOUNTING KIT

T907 DENOTES ROUGH-IN ONLY. CAMERA TO BE PROVIDED UNDER CASH ALLOWANCE. PROVIDE COMPLETE INSTALLATION OF MOUNTING HARDWARE, CABLEING AND CONDUIT SYSTEM

SECURITY SYSTEM MONITOR

MAGLOCK DEVICE

KEY SWITCH

LOCAL AUDIBLE AND VISUAL ALARM

PANIC ALARM

DURESS ALARM ANNUNCIATOR

DURESS PUSH BUTTON

PUSH-TO-LOCK BUTTON - WALL MOUNTED

MICROPHONE - WALL OR CEILING MOUNTED

PULL CORD STATION - (SHOWER ROOM, TUB ROOM, AND WASHROOMS)

GENERAL POWER

15A U-GROUND SINGLE RECEPTACLE

15A U-GROUND DUPLEX RECEPTACLE

(5-20A) T-SLOT U-GROUND DUPLEX RECEPTACLE

15A U-GROUND SINGLE OR DUPLEX RECEPTACLE - MOUNTED ABOVE COUNTER OR ABOVE STANDARD MOUNTING HEIGHT AS NOTED

15A U-GROUND SINGLE INSULATED/ISOLATED GROUND RECEPTACLE - STANDARD MOUNTING HEIGHT OR MOUNTED ABOVE COUNTER

15A U-GROUND DUPLEX INSULATED/ISOLATED GROUND RECEPTACLE - STANDARD MOUNTING HEIGHT OR MOUNTED ABOVE COUNTER

(5-20A) T-SLOT U-GROUND DUPLEX INSULATED/ISOLATED GROUND RECEPTACLE

120/208V/1A/30 AMP DRYER OUTLET

120/208V/1A/40 AMP RANGE OUTLET

SINGLE SPECIAL RECEPTACLE - AMPACITY AS INDICATED, TYPE "X" AS SPECIFIED

15A U-GROUND SPLIT WIRED DUPLEX RECEPTACLE - STANDARD MOUNTING HEIGHT OR MOUNTED ABOVE COUNTER OR ABOVE STANDARD MOUNTING HEIGHT AS NOTED

15A U-GROUND HALF SWITCHED DUPLEX RECEPTACLE - STANDARD MOUNTING HEIGHT OR MOUNTED ABOVE COUNTER

15A U-GROUND DUPLEX RECEPTACLE C/W GROUND FAULT CIRCUIT INTERRUPTER - STANDARD MOUNTING HEIGHT OR MOUNTED ABOVE COUNTER

(5-20A) T-SLOT U-GROUND DUPLEX RECEPTACLE C/W GROUND FAULT CIRCUIT INTERRUPTER

15A U-GROUND SINGLE RECEPTACLE - FLUSH FLOOR MOUNTED UNLESS NOTED OTHERWISE

15A U-GROUND DUPLEX RECEPTACLE - FLUSH FLOOR MOUNTED UNLESS NOTED OTHERWISE

(5-20A) T-SLOT U-GROUND DUPLEX RECEPTACLE - FLUSH FLOOR MOUNTED UNLESS NOTED OTHERWISE

15A U-GROUND SINGLE OR DUPLEX INSULATED/ISOLATED GROUND RECEPTACLE - FLUSH FLOOR MOUNTED UNLESS NOTED OTHERWISE

15A U-GROUND SPLIT WIRED DUPLEX RECEPTACLE - FLUSH FLOOR MOUNTED UNLESS NOTED OTHERWISE

15A U-GROUND DUPLEX RECEPTACLE C/W GROUND FAULT CIRCUIT INTERRUPTER - FLUSH FLOOR MOUNTED UNLESS NOTED OTHERWISE

(5-20A) T-SLOT U-GROUND DUPLEX RECEPTACLE C/W GROUND FAULT CIRCUIT INTERRUPTER

15A U-GROUND SINGLE RECEPTACLE - FLUSH CEILING MOUNTED UNLESS NOTED OTHERWISE

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15A U-GROUND SINGLE OR DUPLEX INSULATED/ISOLATED GROUND RECEPTACLE - FLUSH CEILING MOUNTED UNLESS NOTED OTHERWISE

(5-20A) T-SLOT U-GROUND DUPLEX INSULATED/ISOLATED GROUND RECEPTACLE - FLUSH CEILING MOUNTED UNLESS NOTED OTHERWISE

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15A U-GROUND DUPLEX RECEPTACLE C/W GROUND FAULT CIRCUIT INTERRUPTER - FLUSH CEILING MOUNTED UNLESS NOTED OTHERWISE

(5-20A) T-SLOT U-GROUND DUPLEX RECEPTACLE C/W GROUND FAULT CIRCUIT INTERRUPTER

EQUIPMENT CONNECTIONS AND CONTROLS

DIRECT CONNECTION - 120 OR 208V AS SPECIFIED

DIRECT CONNECTION - 347 OR 600V AS SPECIFIED

DIRECT CONNECTION - 120 OR 208V C/W UNFUSED DISCONNECT SWITCH AS SPECIFIED

DIRECT CONNECTION - 347 OR 600V C/W UNFUSED DISCONNECT SWITCH AS SPECIFIED

DIRECT CONNECTION - 120 OR 208V C/W FUSED DISCONNECT SWITCH AS SPECIFIED

DIRECT CONNECTION - 347 OR 600V C/W FUSED DISCONNECT SWITCH AS SPECIFIED

MODULAR FURNITURE WWP CONNECTION

MOTOR CONNECTION AS SPECIFIED

MOTOR CONNECTION C/W UNFUSED DISCONNECT SWITCH

MOTOR CONNECTION C/W FUSED DISCONNECT SWITCH

MOTOR CONNECTION C/W LOOSE STARTER

MOTOR STARTER AS SPECIFIED

UNFUSED DISCONNECT SWITCH

HAIR DRYER

HAND DRYER

CONTACTOR - SIZE AND NUMBER OF POLES AS SPECIFIED

RELAY

THERMOSTAT PROVIDED AND WIRED BY ELECTRICAL

THERMOSTAT PROVIDED BY MECHANICAL AND WIRED BY ELECTRICAL

CARBON MONOXIDE DETECTOR SUPPLIED AND INSTALLED BY MECHANICAL, ROUGH-IN BY ELECTRICAL

MASTER CLOCK CONTROL PANEL

CLOCK HANGER OUTLET C/W CLOCK

CLOCK HANGER OUTLET ONLY

POWER ACTIVATED DOOR OPERATOR BUTTON SUPPLIED BY DOOR HARDWARE SUPPLIER, WIRED BY ELECTRICAL

RECESSED MOUNTED - CARBON MONOXIDE CONTROL PANEL

SURFACE MOUNTED - CARBON MONOXIDE CONTROL PANEL

RECESSED MOUNTED ELECTRICAL PANEL - "SP" DENOTES PANEL DESIGNATION

SURFACE MOUNTED ELECTRICAL PANEL - "SP" DENOTES PANEL DESIGNATION

FIRE ALARM SYSTEM

PULL STATION - PROVIDE VISUAL PROOF ULC LISTED COVER ACCESSORIES WITH PULL-TYPE COVERS AND LOCAL FIXED AUDIBLE SIGNALS - "X" DENOTES KEY OPERATED

FIRE ALARM HORN - WALL OR CEILING MOUNTED WP DENOTES WEATHER PROOF

COMBINATION HORN/STROBE - CEILING OR WALL MOUNTED WP DENOTES WEATHER PROOF

DOUBLE HORN - CEILING OR WALL MOUNTED

SPEAKER/STROBE COMBO - WALL OR CEILING MOUNTED - V DENOTES INSTITUTIONAL, TYPE, VANDAL AND TAMPER PROOF COVERS.

FLUSH MOUNTED SPEAKER - WALL OR CEILING MOUNTED

SURFACE MOUNTED SPEAKER - WALL OR CEILING MOUNTED

FIRE ALARM SYSTEM SPEAKER SILENCE SWITCH

AUTOMATIC COMBINATION FIXED TEMPERATURE/RATE OF RISE HEAT DETECTOR - WALL OR CEILING MOUNTED

AUTOMATIC FIXED TEMPERATURE HEAT DETECTOR - WALL OR CEILING MOUNTED

SMOKE DETECTOR - WALL OR CEILING MOUNTED - V DENOTES VANDAL PROTECTION GUARDING, PROVIDE ROUND EDGE WIRE GROMMET

DUCT TYPE SMOKE DETECTOR WITH REMOTE ANNUNCIATION

SINGLE STATION TYPE SMOKE ALARM C/W RED INDICATION LIGHT - WALL OR CEILING MOUNTED

SINGLE STATION TYPE SMOKE ALARM/CARBON MONOXIDE DETECTOR C/W RED INDICATION LIGHT - WALL OR CEILING MOUNTED

CARBON MONOXIDE DETECTOR - WALL OR CEILING MOUNTED

SPRINKLER SYSTEM FLOW OR PRESSURE SWITCH BY MECHANICAL AND WIRED BY ELECTRICAL, COORDINATE/CONFIRM EXACT LOCATIONS AND QUANTITIES WITH MECHANICAL DRAWINGS

SPRINKLER SYSTEM OR STANDPIPE SUPERVISED VALVE BY MECHANICAL AND WIRED BY ELECTRICAL, COORDINATE/CONFIRM EXACT LOCATIONS AND QUANTITIES WITH MECHANICAL DRAWINGS

SOLONOID VALVE BY MECHANICAL AND WIRED BY ELECTRICAL, COORDINATE/CONFIRM EXACT LOCATIONS AND QUANTITIES WITH MECHANICAL DRAWINGS

DOOR HOLDER

MOTORIZED DAMPER BY MECHANICAL AND WIRED BY ELECTRICAL, COORDINATE/CONFIRM EXACT LOCATIONS AND QUANTITIES WITH MECHANICAL DRAWINGS

RECESSED MOUNTED - FIRE ALARM CONTROL PANEL

SURFACE MOUNTED - FIRE ALARM CONTROL PANEL

RECESSED MOUNTED - FIRE ALARM ANNUNCIATOR PANEL

SURFACE MOUNTED - FIRE ALARM ANNUNCIATOR PANEL

END OF LINE RESISTOR

REMOTE TROUBLE SIGNAL

LIGHTING CONTROL

ONE, TWO, THREE AND FOUR GANG SINGLE POLE TOGGLE SWITCHES

3-WAY SWITCH

4-WAY SWITCH

KEY OPERATED LIGHT SWITCH

TOGGLE SWITCH C/W RED PILOT LIGHT

DOOR LIGHT SWITCH

SWITCH MOUNTED OCCUPANCY SENSOR, TYPE "A" AS SPECIFIED

FAN CONTROL SWITCH

VARIABLE SPEED FAN CONTROL SWITCH

MANUAL TIMER SWITCH

DIMMER SWITCH, TYPE "A" AS SPECIFIED

PROGRAMMABLE TIME CLOCK, TYPE "A" AS SPECIFIED

CEILING MOUNTED OCCUPANCY SENSOR, TYPE "A" AS SPECIFIED

PHOTO ELECTRIC CONTROL

LOW VOLTAGE RELAY

LOW VOLTAGE RELAY PANEL, TYPE "A" AS SPECIFIED

LOW VOLTAGE CONTROL STATION, TYPE "A" AS SPECIFIED

LOW VOLTAGE CONTROL SYSTEM MASTER STATION

CEILING MOUNTED DAYLIGHT SENSOR

COMMUNICATIONS

WALL MOUNTED COMBINATION MULTI-FUNCTION COMMUNICATION OUTLET

WALL MOUNTED COMBINATION MULTI-FUNCTION COMMUNICATION OUTLET - MOUNTED ABOVE COUNTER

TELEVISION OUTLET, 1 CABLE DROP, AND ONE DATA CABLE DROP - WALL MOUNTED OR MOUNTED ABOVE COUNTER IN A 2-GANG BOX

TELEVISION OUTLET, 1 CABLE DROP, AND ONE DATA CABLE DROP - FLUSH CEILING MOUNTED IN A 2-GANG BOX UNLESS NOTED OTHERWISE

TELEPHONE OUTLET, 1 CABLE DROP - WALL MOUNTED OR MOUNTED ABOVE COUNTER

TELEPHONE OUTLET, 1 CABLE DROP - FLUSH CEILING MOUNTED UNLESS NOTED OTHERWISE

E-PHONE OUTLET, ONE CABLE DROP

TELEPHONE OUTLET, 1 CABLE DROP - FLUSH FLOOR MOUNTED

TERMINAL POINT OF TELEPHONE ZONE CIRCUIT ON CEILING SLAB C/W 2" (53mm) CONDUIT BACK TO TELEPHONE RACKROOM

COMMUNICATION LINE TERMINAL BOX

DATA OUTLET, 1 CABLE DROP - WALL MOUNTED OR MOUNTED ABOVE COUNTER - W-DENOTES WALLSTONE CABLING

DATA OUTLET, 1 CABLE DROP - FLUSH CEILING MOUNTED UNLESS NOTED OTHERWISE

FLUSH CEILING MOUNTED CABLE DROP, 1 DATA CABLE TO BE PROVIDED AT LOCATION - W-DENOTES WIRELESS ACCESS POINT C/W 25" SERVICE COIL IN CEILING SPACE - S-DENOTES FUTURE SPEAKER

DATA OUTLET, 1 CABLE DROP - FLUSH FLOOR MOUNTED

COMBINATION VOICE/DATA OUTLET, 2 CABLE DROPS - WALL MOUNTED OR MOUNTED ABOVE COUNTER

COMBINATION VOICE/DATA OUTLET, 2 CABLE DROPS - FLUSH CEILING MOUNTED UNLESS NOTED OTHERWISE

COMBINATION VOICE/DATA OUTLET, 2 CABLE DROPS - FLUSH FLOOR MOUNTED

DOOR CHIME ACTIVATOR MOUNTED AT TOP OF DOOR FRAME

DOOR CHIME ANNUNCIATOR

INTERCOM MASTER STATION

INTERCOM STATION

FLUSH MOUNTED AUXILIARY SOUND SYSTEM SPEAKER - WALL MOUNTED OR CEILING MOUNTED

SURFACE MOUNTED AUXILIARY SOUND SYSTEM SPEAKER - WALL MOUNTED OR CEILING MOUNTED

MICROPHONE JACK

PUBLIC ADDRESS SPEAKER, TYPE "Y" AS SPECIFIED

VOLUME CONTROL SWITCH

PROJECTION SOUND JACK

SOUND BRIDGING JACK

AMPLIFIER

CONSOLE OR RACK C/W TERMINAL BOX

POWER DISTRIBUTION

POWER TRANSFORMER

POWER TRANSFORMER C/W ELECTROSTATIC SHIELD

CURRENT CONTROL TRANSFORMER

INCOMING POWER INTERRUPTER SWITCH

DISCONNECT SWITCH

MOLDED CASE CIRCUIT BREAKER

DRAW OUT AIR CIRCUIT BREAKER

FIXED AIR CIRCUIT BREAKER

FUSE

INCOMING POWER INTERRUPTER SWITCH

KW/KV METER

DIGITAL METERING SYSTEM

BUS DUCT

AUTOMATIC TRANSFER SWITCH - "B" DENOTES ISOLATION BYPASS SWITCH

EMERGENCY GENERATOR

EMERGENCY LIGHTING INVERTER

UNINTERRUPTIBLE POWER SUPPLY

ABBREVIATIONS

A - AMPERES

AC - MOUNTED ABOVE CEILING

AFCI - ARC FAULT CIRCUIT INTERRUPTER

AFF - ABOVE FINISHED FLOOR

AFG - ABOVE FINISHED GRADE

BFC - BELOW FINISHED CEILING

BFG - BELOW FINISHED GRADE

BB - BASEBOARD HEATER

BRK - BREAKER

BU - BATTERY UNIT

C - CONDUCTOR

CF - CEILING FAN

CM - COMBINATION MAGNETIC

CM FVNR - COMBINATION MAGNETIC, FULL VOLTAGE NON-REVERSABLE

CM RVNR - COMBINATION MAGNETIC, REDUCED VOLTAGE NON-REVERSABLE

DB - DIRECT BURIED

DHWH - DOMESTIC HOT WATER HEATER

DHWWT - DOMESTIC HOT WATER TANK DIV. 15 PROVIDED BY DIVISION 15

DN - DOWN

DP - DISTRIBUTION PANEL

E - EXISTING

EC - EMPTY CONDUIT

EF - EXHAUST FAN

F - FLUSH FLOOR MOUNTED

FA - FIRE ALARM

FC - FOOT CANDLE

FF - FORCE FLOW

FR - FRIDGE

FU - FUSE

GF - GROUND FAULT CIRCUIT INTERRUPTER

GW - GROUND WIRE

HP - HORSEPOWER

IG - ISOLATED GROUND

KVA - KILO VOLT-AMPERES

KW - KILOWATTS

LOB - LOCK-ON TYPE BREAKER

LP - LIGHTING PANEL

LTG - LIGHTING

LV - LOW VOLTAGE

LVR - LOW VOLTAGE RELAY

MC - METERING CENTRE

MCD - MULTI CONDUCTOR

MD - MAIN DISTRIBUTION

MFC - MULTI-FUNCTION COPIER

MIC - MICROWAVE

MTD - MOUNTED

MTG - MOUNTING

MW - MOUNTED IN MILLWORK

NC - NORMALLY CLOSED

NC - NOT IN CONTRACT

NL - NIGHT LIGHT

NO - NORMALLY OPEN

NTS - NOT TO SCALE

P - PUMP (WHEN USED WITH MOTOR SYMBOL)

PA - PUBLIC ADDRESS

PDU - POWER DISTRIBUTION UNIT

PH - PHASE PANEL

PNL - PP POWER PANEL

PR - PRINTER

Q - QUAD PLEX

R - RELOCATE(D)

RP - RECEPTACLE PANEL

SC - SEPARATE CIRCUIT

SS - SELECTOR SWITCH

TEL - TELEPHONE

TPC - TYPICAL

UC - UNDER COUNTER

V - VOLT

VM - VENDING MACHINE

W - WALL MOUNTED

WC - WATER COOLER

WG - WIRE GUARD

WL - WET LOCATION

WP - WEATHERPROOF

WT - WATER TIGHT

WTP - WATERPROOF

XP - EXPLOSION PROOF

BRANCH CIRCUITING LEGEND

2021-3 - Y - DENOTES CIRCUIT NUMBER

2021-3 - Y - DENOTES LOCATION OF PANEL (P1 LEVEL)

2021-3 - Y - DENOTES EMERGENCY PANEL

2021-3 - Y - DENOTES 120/208V OR

2021-3 - Y - DENOTES 347/600V

ELECTRICAL DRAWING LIST

08-E0-01 ELECTRICAL SYMBOL LEGEND AND DRAWING LIST

08-E1-01 SITE PLAN - ELECTRICAL

08-E2-01 SITE PLAN - PHOTOMETRICS

08-E2-01 FLOOR PLAN - LIGHTING SYSTEM AND CONTROLS LAYOUT

08-E2-02 FLOOR PLAN - LIGHTING PHOTOMETRICS

08-E2-03 LIGHTING PHOTOMETRIC DATA

08-E3-01 FLOOR PLAN - POWER SYSTEMS LAYOUT

08-E4-01 FLOOR PLAN - COMMUNICATIONS SYSTEM LAYOUT

08-E5-01 FLOOR PLAN - SECURITY SYSTEM LAYOUT

08-E6-01 FLOOR PLAN - FIRE ALARM SYSTEM LAYOUT

08-E7-01 LOW ROOF AND MEZZANINE PLAN - LIGHTING, POWER AND FIRE ALARM SYSTEM LAYOUT

08-E8-01 ELECTRICAL ROOM LAYOUTS AND PART PLANS

08-E8-02 ELECTRICAL DETAILS

08-E8-03 ANTENNA DETAILS

08-E8-04 LIGHTING CONTROL RISER DETAILS

08-E8-11 SECURITY SYSTEM DETAILS

08-E9-01 DISTRIBUTION SINGLE LINE DIAGRAM

08-E9-02 COMMUNICATIONS SYSTEM SINGLE LINE DIAGRAM

08-E9-03 ACCESS CONTROL AND CCTV SYSTEMS RISER DIAGRAM

08-E9-04 FIRE ALARM SYSTEM RISER DIAGRAM AND ZONE SCHEDULE

08-E10-01 SCHEDULES - ELECTRICAL

FORMAL ISSUES

2018-08-30 ISSUED FOR 100% CD

2018-09-25 ISSUED FOR SFA

2018-11-05 ISSUED FOR SCE CODE CD

2018-11-20 SCE PLAN FIRST RESUBMISSION

2018-01-22 100% CD

2018-01-23 SITE PLAN SECOND RESUBMISSION

GENERAL NOTES:

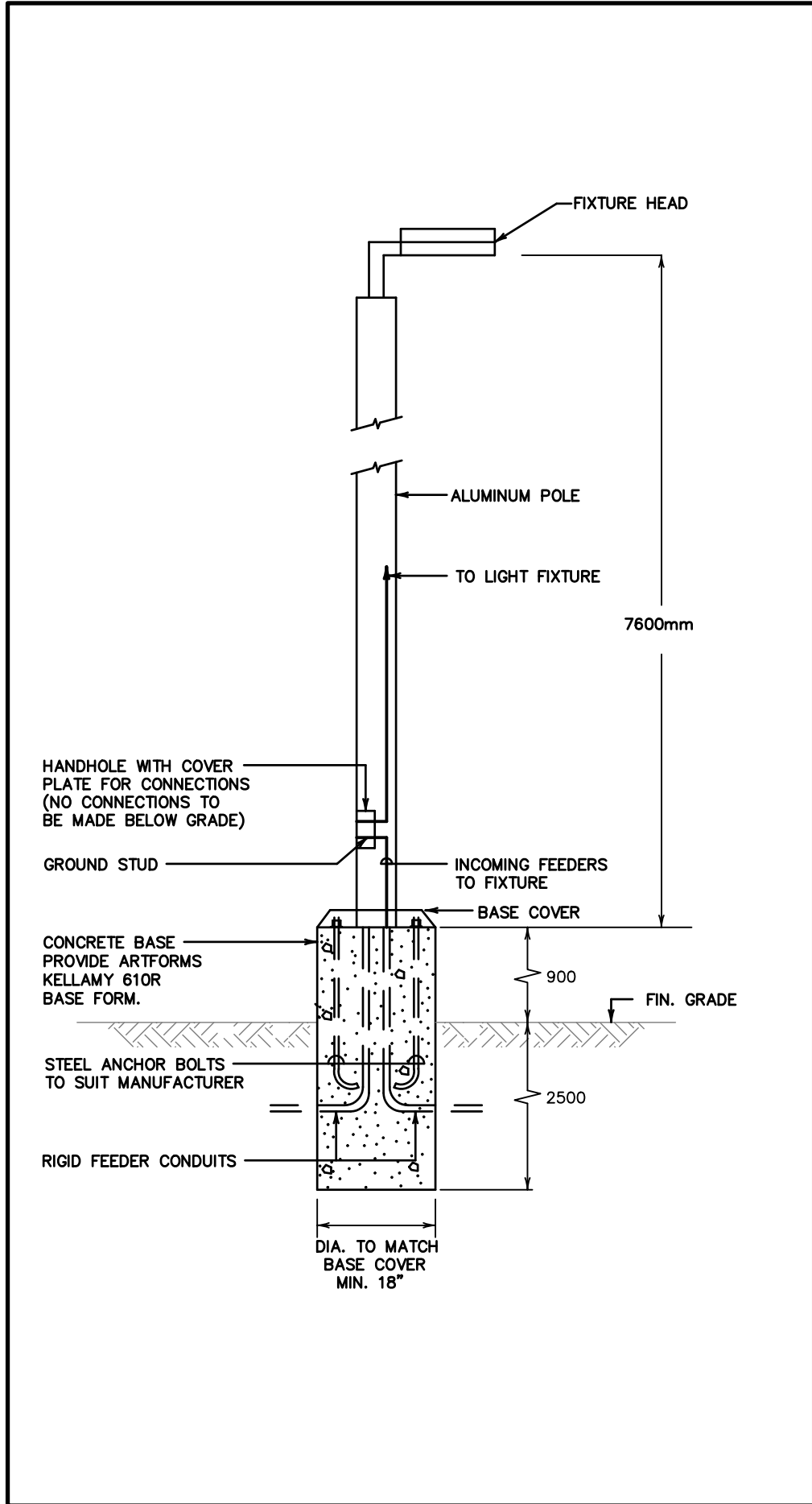
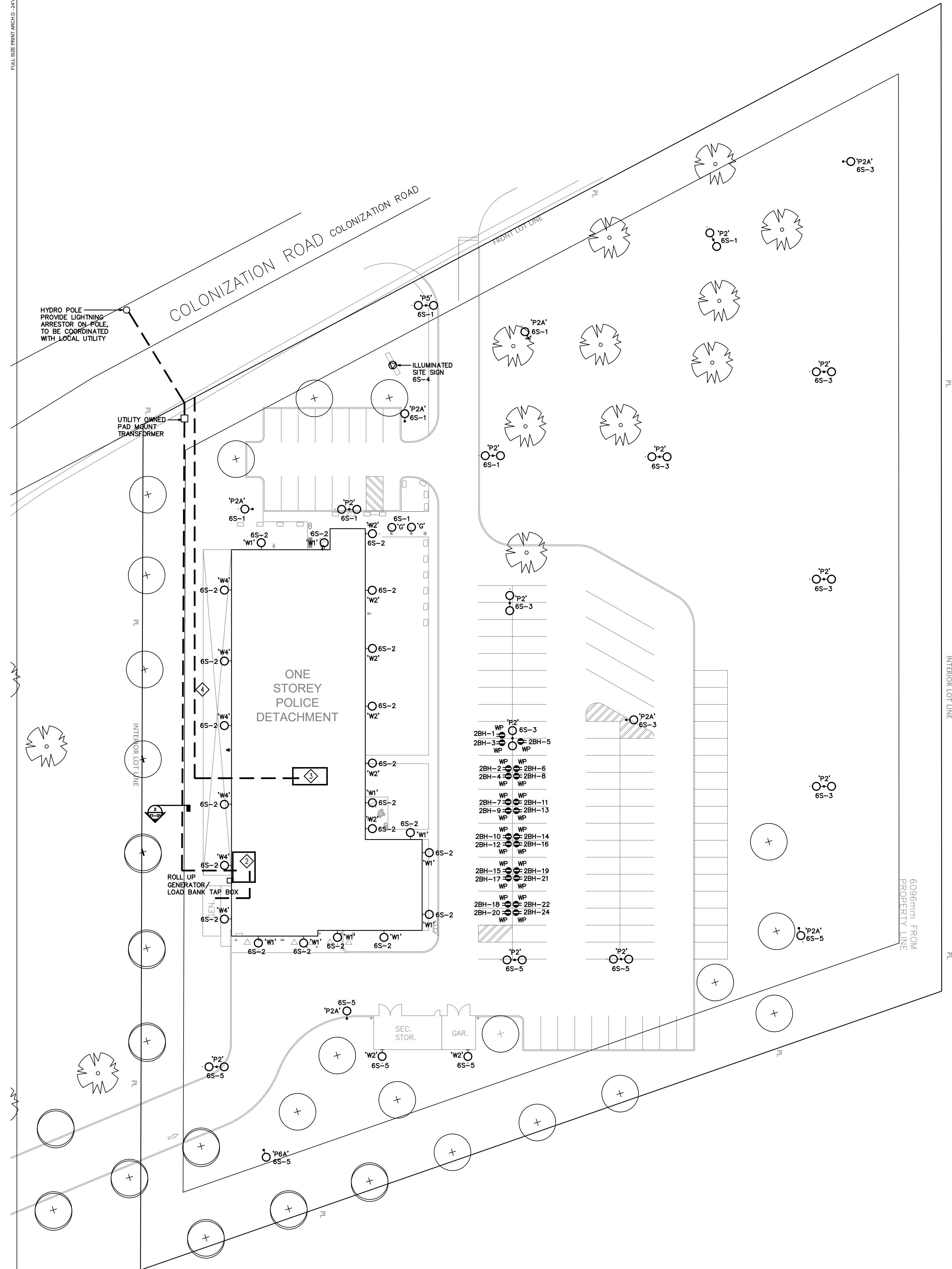
1. MINIMUM CONDUIT SIZE SHALL BE 21mm UNLESS NOTED OTHERWISE.

2. MOUNTING HEIGHT OF ALL EQUIPMENT/DEVICES SHOWN IN SYMBOL LEGEND ABOVE SHALL BE MEASURED WITH RESPECT TO THE CENTER OF THE RELATED EQUIPMENT/DEVICE.

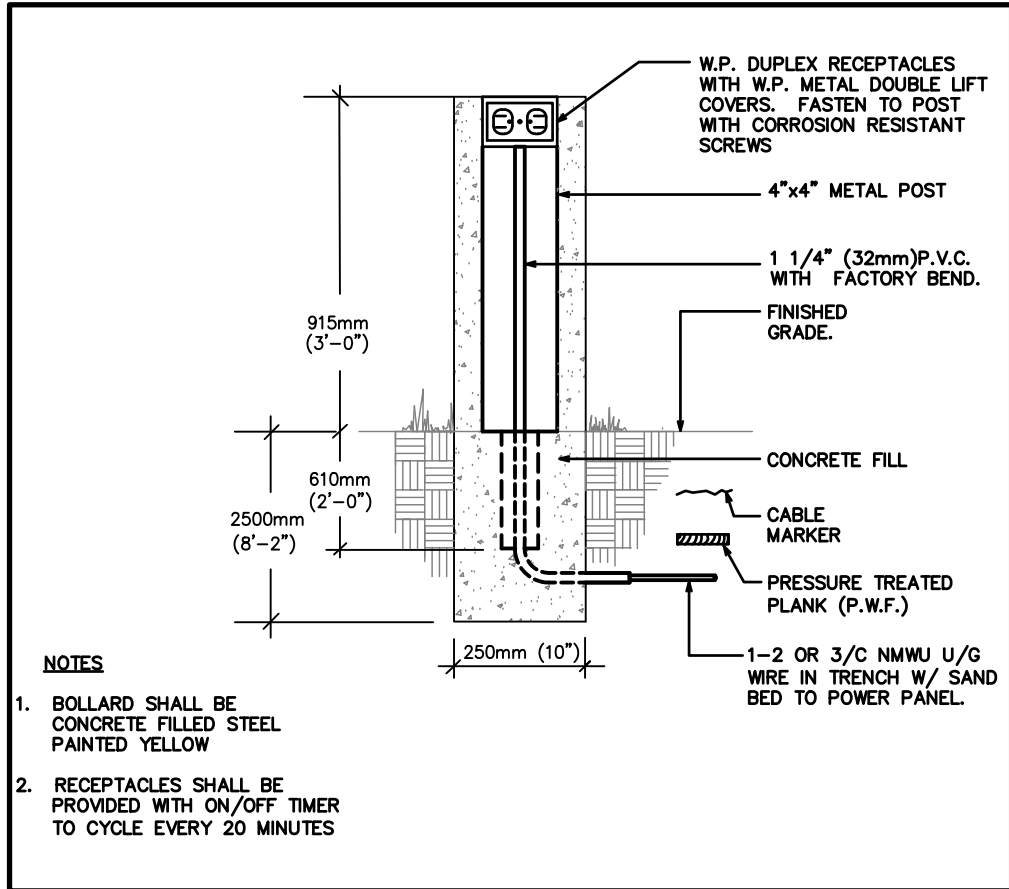
3. PROVIDE LOCKABLE ENCLOSURES WITH COMMON KEY ON ALL STARTERS AND DISCONNECT SWITCHES LOCATED IN PUBLIC AREAS. KEYS SHALL BE HANDED OVER TO OWNER AT END OF PROJECT.

4. PROVIDE A SEPARATE GROUND WIRE IN ALL PVC AND EMT CONDUITS FOR EQUIPMENT BONDING.

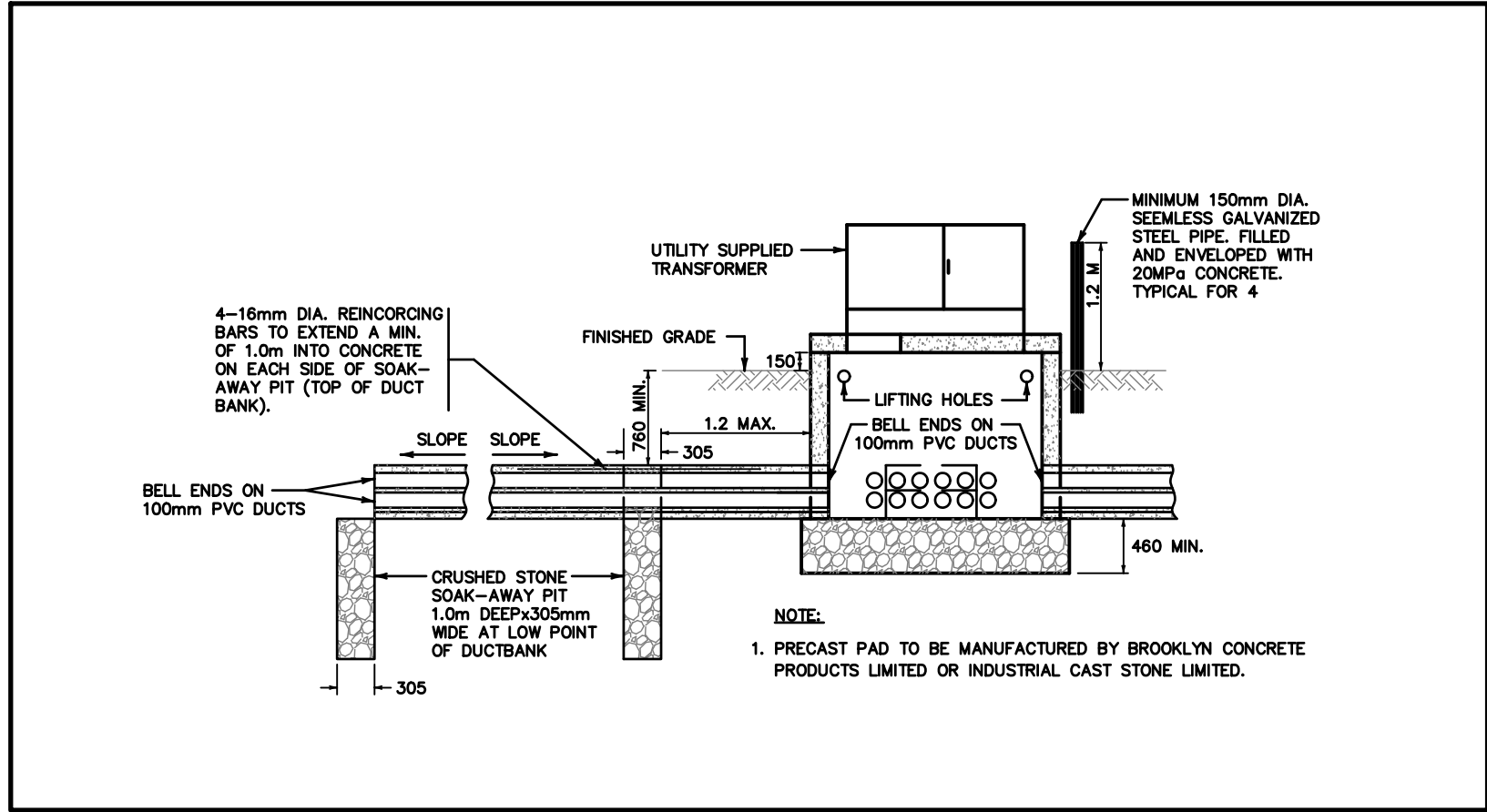




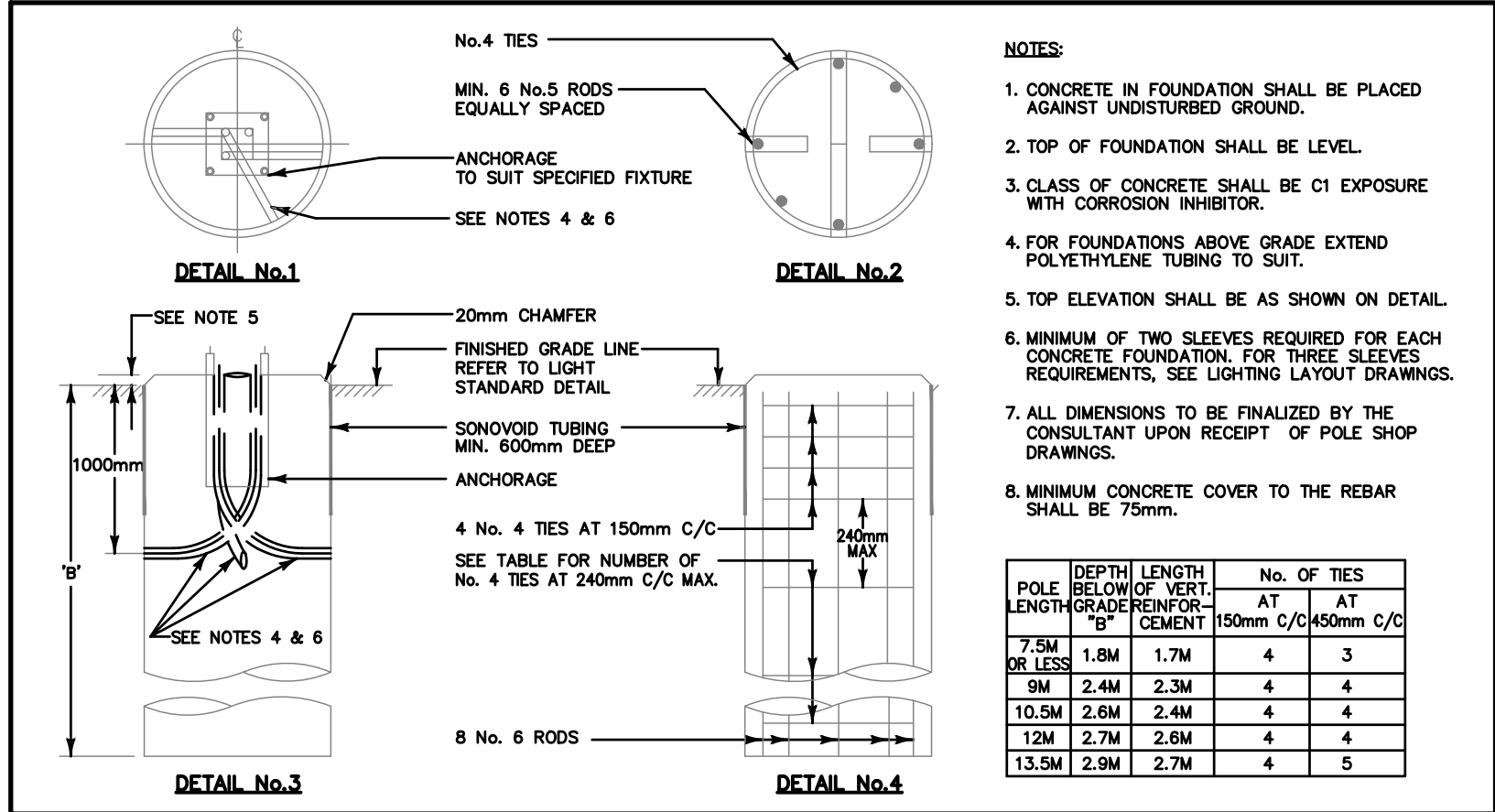
6 LIGHT STANDARD DETAIL - 25' POLE  
B-4 NTS



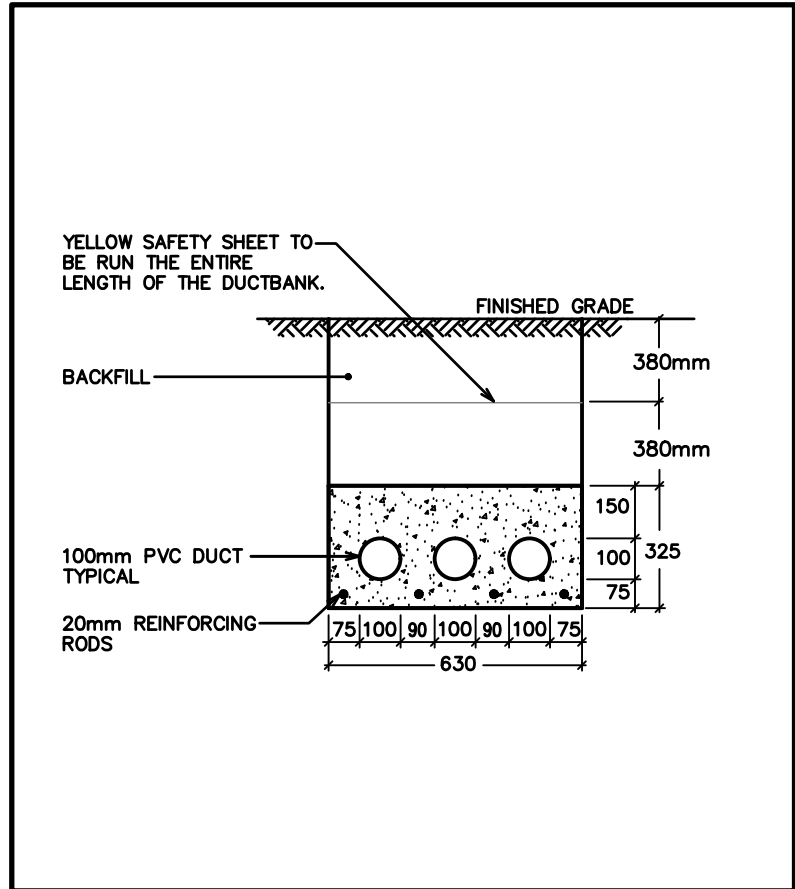
5 PARKING RECEPTACLE PEDESTAL MOUNTING DETAIL  
B-4 NTS



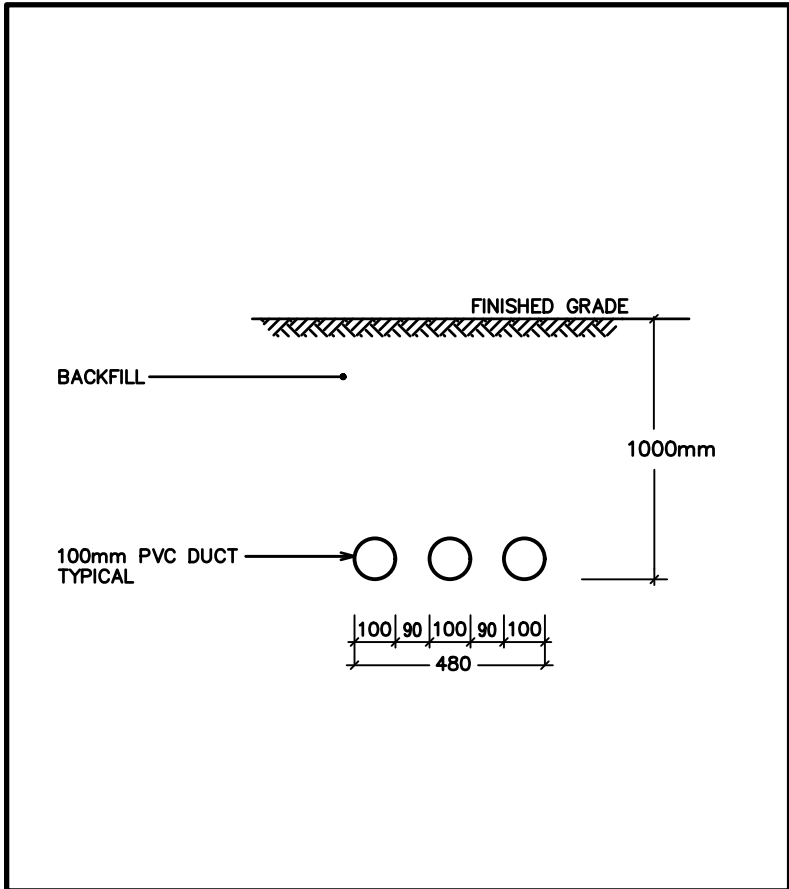
4 SECTION THROUGH TRANSFORMER PRECAST PAD AND DUCTBANK  
B-4 NTS



3 POLE AND BASE DETAIL  
B-4 N.T.S.



2 SECONDARY DUCTBANK SECTION A-A  
B-4 NTS



1 UNDERGROUND CONDUITS FOR INCOMING GENERATOR FEED  
B-4 NTS

- NOTES:**
- 200kW 347/600V DIESEL GENERATOR IN WEATHER PROOF SOUND ATTENUATED ENCLOSURE. GENERATOR SHALL COME COMPLETE WITH INTEGRAL DAY TANK SUITABLY SIZED TO ALLOW FOR 72 HOURS OF CONTINUOUS RUN TIME
  - OUTLINE OF MAIN ELECTRICAL ROOM
  - OUTLINE OF VOICE DATA ROOM
  - 3 - 100MM BURIED PVC CONDUITS, TERMINATE TO SUIT LOCAL AUTHORITY. CONTRACTOR SHALL PROVIDE ONE (1) 12-STRAND FIBRE AND ONE (1) 50-PAIR COPPER FOR BELL TO PULL INTO THE SITE.
  - RESERVED
  - SITE LIGHTING SHALL BE CONNECTED TO LOW VOLTAGE LIGHTING CONTROL SYSTEM. CONTROL SHALL BE A COMBINATION OF PROGRAMMED TIME OF DAY SCHEDULES AND THROUGH A PHOTOCELL INSTALLED ON THE NORTH SIDE OF THE ROOF. A MANUAL OVERRIDE SWITCH SHALL BE PROVIDED WITHIN THE INTERIOR OF THE BUILDING AT A LOCATION TO BE COORDINATED. THE MANUAL OVERRIDE SWITCH SHALL BE CAPABLE OF CONTROLLING BOTH EXTERIOR SITE LIGHTING AND ILLUMINATED SIGNAGE.

No.	Issue / Revisions	Date
A	100% DD PRELIMINARY UPLOAD	2018-08-14
B	100% DESIGN DEVELOPMENT	2018-08-30
C	SITE PLAN APPROVAL	2018-09-25
D	PRELIM 50% CD	2018-10-11
E	50% CONSTRUCTION DOCUMENTS	2018-11-05
F	SITE PLAN FIRST RESUBMISSION	2018-11-20
G	100% CD PRELIMINARY UPLOAD	2019-01-04
H	ISSUED FOR 100% CD	2019-01-22
I	SITE PLAN SECOND RESUBMISSION	2019-01-23

STAMP: NORTH:

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An Ingenium Group Company  
175 Bloor St. East  
North Tower, 15th Floor  
Toronto, ON Canada M4W 3R8  
norr.com

CLIENT:

PROJECT: **ONTARIO PROVINCIAL POLICE MODERNIZATION PROJECT: PHASE 2**

**D8 - FORT FRANCES DETACHMENT**

PROJECT LOCATION: **200 MCIRVINE RD, FORT FRANCES, ON P9A 3S3 CANADA**

DRAWING TITLE: **SITE PLAN - ELECTRICAL**

Scale:	1:400	REF DWG: E0-02
Project No:	7571A	DWG NO:
Drawn By:	CD	<b>D8-E1-01</b>
Checked By:	JS	







Date: December 18<sup>th</sup>, 2018

Report To: Planning & Development Executive Committee

From: Patrick Briere, By-Law Enforcement Officer

Re: Proposed Draft Fence By-Law.

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As some of you may be aware, the previous Council at their regular meetings from September to November 2018 had received a couple of letters from a resident requesting approval to build an over height fence in their rear yard. This issue was referred to the Planning & Development Executive Committee for recommendation. The Planning & Development Division ultimately made the recommendation to allow an over height fence of 9 feet to be approved. The previous Council requested changes to the By-Law to be made prior to making a decision on the over height request. Ultimately, the over height fence request was approved at a maximum height of 9 feet in the rear yard only and direction was provided to Administration to review and make changes to the Fence By-Law #40/17.

With this stated, the Planning & Development Division has conducted a review of the Fence By-Law #40/17 and has made the necessary changes as requested by the previous Council.

The proposed Draft Fence By-Law is attached to this report for your review. An overview of the changes made in the proposed by-law are as follows:

- Changes to the sections regarding fence post depth;
- Additions to the materials allowed to be used for Fence Construction;
- Clearer wording within the draft for ease of use/understanding by residents.

We are asking the Planning & Development Executive Committee to recommend that Council approve the draft by-law as presented and authorize Administration to prepare an appropriate by-law for signing by Mayor and Clerk.

Respectfully submitted,

Original Signed By

Patrick Briere  
By-Law Enforcement Officer

**TOWN OF FORT FRANCES**  
**BY-LAW #40/17**

**A BY-LAW OF THE CORPORATION OF THE TOWN OF FORT FRANCES  
TO LICENCE AND REGULATING FENCES WITHIN THE MUNICIPALITY.**

**WHEREAS** The Council of the Corporation of the Town of Fort Frances deems it necessary and expedient to pass a by-law to regulate fences within the Municipality.

**AND WHEREAS** The *Municipal Act, 2001*, as amended provides that a municipal power shall be exercised by by-law.

**AND WHEREAS** The *Municipal Act, 2001*, as amended authorizes a single tier municipality to pass by-laws respecting structures, including fences and signs;

**AND WHEREAS** The *Municipal Act, 2001*, as amended provides that a municipality may provide that the Line Fences Act does not apply to all or any part of the municipality;

**AND WHEREAS** The *Line Fences Act, R.S.O. 1990, Chapter L.17*, provides that, with the exception of section 20 the *Line Fences Act* does not apply to land in an area that is subject to a by-law for apportioning the costs of line fences passed under the *Municipal Act, 2001*;

**AND WHEREAS** on November 28, 2016, Council approved a recommendation from the Planning & Development Executive Committee to review and rewrite the Pool Fence By-Law.

**NOW THEREFORE**, the Council of The Corporation of the Town of Fort Frances enacts as follows:

**SECTION 1- DEFINITIONS**

“adjoining owner” – means the owner of the land that is adjoining to the land of another owner;

“corporation” – means The Corporation of the Town of Fort Frances;

“fence” – means a railing, wall, line of posts, wire, gate, boards, pickets or other similar substances used to endorse or divide in whole or in part a yard or other land to establish a property boundary or to provide privacy and includes any hedge or grouping or thick growth of shrubs or trees acting as continuous barrier which is other than an essential component to a building;

“intersection” – means the area embraced within the prolongation or connection of the lateral street lines of two or more streets that join one another at an angle, whether or not one street crosses the other;

“lane” – means a public thoroughfare which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general circulation;

“line fence” – means a fence marking the boundary between adjoining parcels of land;

“lot” – means a parcel of land which is capable of being legally conveyed pursuant to Section 50 of the Planning Act;

“lot, corner” – means a lot situated at the intersection of two or more streets, or at the intersection of a street and a railway right-of-way, or a lot butting on one or more parts of the

**Commented [PB1]:** By-Law Number will be changed by Clerk's Office if By-Law is approved by Council.

**Commented [PB2]:** This section has been changed and the date will reflect if Council approves the recommendation from PDEC to approve the draft by-law.  
No other changes to page 1

same street, in which an interior angle of less than one hundred and thirty-five (135) degrees is contained, between the front and side lot lines abutting by the said street or streets;

Commented [PB3]: No changes to page 2

“lot interior” – means a lot other than a corner lot;

“lot line” – means any boundary of a lot and/or the vertical projection thereof;

“lot line, front” - means

- a) in the case of an interior lot, the lot line dividing the lot from the street;
- b) in the case of a corner lot, the shorter lot line abutting the street;
- c) in the case of a through lot or a corner lot with two lot lines of equal length abutting roads, the lot line used for the principle entrance; and iv) in the case where a lot abuts only a road cul-de-sac, all of the frontage on the road cul-de-sac.

“lot line, rear” - means the lot line farthest from or opposite to the front lot line;

“lot line, side” - means a lot line other than a front or rear lot line;

“non-residential property” - means a property with uses other than residential or multi-residential and includes schools and other institutional uses but does not include a street or public walkways;

“open construction” - includes chain link or lattice or other similar open construction;

“owner” - means the registered owner, lessee, tenant, mortgagee in possess or the person in charge a parcel of land;

“officer” - means a Municipal By-Law Enforcement Officer or Provincial Offences Officer or a Police Officer or Chief Building Official, whose duties include the enforcement of this by-law;

“parcel of land” - means an area of land held in unity of ownership;

“person” - means an individual, firm, corporation, association, or partnership and includes an Owner;

“public authority” - means any Federal, Provincial, District or Municipal agencies, including local boards thereof, any Public Utility Commission including telephone, gas and hydro and all Boards of Education;

“residential property” - means a property that is used for residential purposes;

“sight triangle” - means a triangular area of visibility that is determined by measuring, from the point of intersection of two street lines of a corner lot a distance of 4.5 metres along each street line and joining such points with a straight line, or where the two street lines do not intersect at a point, the point where such street lines would intersect based on the projection of the street lines or the intersection of the tangents to the street lines. (See Diagram 1 — Schedule "A");

“street” - means a public highway or public road under the jurisdiction of the Corporation and which is presently open and maintained by the corporation on a year-round basis;

“street line” - means: the limit of the street and is the dividing line between a lot and a street;

“swimming pool” – means any outdoor structure, object or thing located on privately owned property that is intended to be used for swimming, wading, diving, bathing, soaking (including a hot tub) in which the depth of water at any point can exceed 0.6 metres (2 feet).

“temporary fence” - means: a fence erected or maintained for a defined and limited period of time and, in no case shall such duration exceed six months unless required to remain by law or by a public authority in the interests of safety;

“through lot” - means: a lot bounded on opposite sides by streets.

uncontrolled intersection means an intersection of two or more streets where no traffic lights or four-way stop signs are used to indicate the right-of-way;

**Commented [PB4]:** Addition of quotation marks was added to this definition to be consistent with the rest of the by-law.

“yard” - means any unoccupied space appurtenant to a building measured from the closest supporting structure of the building to the lot line. (See Diagram 2 —Schedule A);

“yard, front” - means a yard extending across the full width of the lot between the front lot line and the nearest part of any building or structure for which the yard is required;

“yard, rear” - means A yard extending across the full width of the lot between the rear lot line and the nearest wall of any building on the lot for which the yard is required;

**Commented [PB5]:** Capitol A changed and replaced to a lower case a.  
No other changes to page 3

“yard side” - means a yard extending from the front yard to the rear yard;

“zoning by-law” - means any by-law administered by the Town passed pursuant to section 34 of the Planning Act, R.S.O. 1990, c.P.13, or a predecessor or successor thereof, as may be amended from time to time.

**SECTION 2 - GENERAL PROVISIONS**

**2.1 SHORT TITLE**

This By-law shall be cited as the Fence By-Law.

**2.2 SCOPE**

Except where otherwise provided, the provisions of this By-law shall apply to all persons and property within the geographic limits of the Town of Fort Frances.

**2.3 ENFORCEMENT**

This By-law shall be enforced by a Municipal By-Law Enforcement Officer or Provincial Offences Officer or a Police Officer or Chief Building Official, whose duties include the enforcement of this by-law;

**2.4 CONFLICTS WITH OTHER BY-LAWS**

Where a provision of this By-law conflicts with a provision of another by-law in force in the Town, the provision that establishes the higher standard in terms of protecting the health, safety and welfare of the general public and the environmental wellbeing of the municipality, shall prevail to the extent of the conflict.

**2.5 SEVERABILITY**

Should any section of this by-law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

**SECTION 3 – FENCES – CONTRARY TO REGULATIONS**

3.1 No person shall have, permit, construct, erect or maintain or cause to have permit, construct, erect, or maintain a fence within the Town of Fort Frances unless such fence is in compliance with this by-law, and/or any other by-law that may apply.

**SECTION 4 – FENCES ON TOWN PROPERTY**

4.1 No person shall have, permit, construct, erect, or maintain, or cause to have, permit, construct, erect, or maintain, a fence on property of The Corporation of the Town of Fort Frances, including any street, unless:

- a) written consent or authorization of the Corporation has been obtained;
- b) such fence conforms to the provisions of this by-law; and
- c) the person seeking to construct on Town property agrees, if required, to enter into an encroachment agreement with the Corporation to provide for the removal of same from the property as and when directed to do so.

**SECTION 5 – GENERAL PROVISIONS – ALL FENCES**

- 5.1 No fence shall be constructed, maintained or caused to be constructed or maintained such that it encroaches on or over a roadway or sidewalk or which adversely affects the safety of or constitutes an obstruction of view or impedes the passage of vehicular or pedestrian traffic
- 5.2 No fence shall be located or constructed so as to block access to a parking space as required by the Zoning By-Law unless such fence is constructed with a gate at least 2.59 metres (8.5 feet) wide giving access to such parking space.
- 5.3 Barbed wire and/or razor wire shall not be used on any residential property.
- 5.4 Notwithstanding the provisions of Section 7, barbed wire and/or razor wire may be used on residential or non-residential property as part of or in conjunction with any fence required by law for public safety or the protection of property, provided no barbed wire or razor wire is located less than 2.14 metres in height above the ground.
- 5.5 No fence may be electrified unless the land which it encloses is lawfully used for agricultural purposes or the containment of livestock.
- 5.6 Section 7 does not apply to fences used for agricultural purposes or the containment of livestock.
- 5.7 No fence shall be maintained or caused to be maintained in a damaged or un-repaired state or condition by reason of fire, decay or otherwise and all fences shall be constructed or caused to be constructed in a sound manner and shall be protected by paint, preservative or other suitable weather resistant material.
- 5.8 All fences including masonry, brick, stone and concrete, iron and metal bar fences shall be constructed and maintained in a manner to ensure safety, structural stability, and resistance to frost action.
- 5.9 Fences constructed of chain link, shall:
  - a) be constructed of galvanized steel wire not less than 2.65 mm diameter (No. 12 gauge) or of minimum .89 mm diameter (No. 14 gauge) steel wire covered with vinyl or other

**Commented [PB6]:** This section was reviewed and re-written. The wording resistance to frost action was deleted from this section and the addition of fences shall be constructed & maintained in a manner to ensure safety & structural stability places the onus on the owner of the fence and not the Town.  
Also added to this section is metal products added to the list of materials able to be used to construct a fence.  
No other changes to page 4

- approved coating forming a total thickness equivalent to 2.65 mm diameter (No. 12 gauge) galvanized wire; and
- b) be supported by a minimum 38 mm diameter galvanized steel posts each securely embedded in concrete to a minimum depth of .6 metres below **grade** and spaced not more than 3.05 metres on centre. Horizontal top and bottom rails shall be of 31 mm minimum diameter galvanized steel, except that a 6 mm diameter galvanized steel tension rod may be substituted for the bottom horizontal rail.
- 5.10 Fences constructed of wood shall be supported by a minimum 89 mm by 89 mm or 125 mm diameter posts each securely embedded to a minimum depth of .6 metres below **grade**, be spaced not more than 3.05 metres on centre. The portion below grade treated with a wood preservative. Horizontal top and bottom rails shall be of a minimum of 38 mm by 89 mm utility grade or better.
- 5.11 Where in order to make repairs, alterations or improvements to a fence, an owner of the fence is required to enter upon the adjoining land; before entering said land the owner shall advise the Town of Fort Frances of the need to make such entry. Prior to entry the Town of Fort Frances will advise the adjoining owner of the need for entry on his land. The owner of the fence shall ensure that the adjoining land is left in the same condition it was prior to such entry.
- 5.12 Where a fence is being erected between two lots, unless otherwise agreed between the owners of the said lots, the posts and structural members shall be located on the side of the fence facing the lot whose owner is erecting the fence.
- 5.13 A fence may be erected as a means of protection or as a means of landscaping along any lot line. Provided that if the fence is a hedge or grouping or thick growth of shrubs or trees acting as a continuous barrier, it shall be located a minimum of **.6** metres from the lot line.

**Commented [PB7]:** This section was reviewed and the deletion of a minimum depth of .6 metres below grade was done. The new wording is securely embedded in concrete was added.

**Commented [PB8]:** This section was reviewed and the deletion of a minimum depth of .6 metres below grade was done. The new wording is securely embedded in concrete was added.

**Commented [PB9]:** The addition of 0 was added to .6 metres to accurately show 0.6 metres.

**SECTION 6 – RESIDENTIAL PROPERTY SPECIFIC PROVISIONS**

- 6.1 On a lot used for residential purposes no person shall have, permit construct, erect, or maintain, or cause to have, permit construct, erect, or maintain a fence
- a) exceeding 1.22 metres in height within the front yard;
- b) exceeding 1 83 metres in height within the rear or side yard, subject to the Sight Triangle provisions.
- 6.2 Notwithstanding section 6, **if fence** height regulations shall not apply
- a) where such residential property is abutting and such fence is contiguous to a non-residential property, but in no event shall such fence exceed a height of 2.75 metres;
- b) where grade elevations of adjacent lots differ, that portion of any fence exceeding 1.83 metres in height as measured from the lower of the differing grades shall be constructed of chain link, lattice or similar open construction so as to provide a uniform direct passage of light and air through not less than 60 percent of the surface of that portion of fence exceeding 1.83 metres as measured from the lower grade.
- c) where the grade contours within a lot make compliance with the fence height regulations in Section **8** impossible, a fence may exceed 1.22 metres in height in the front yard, or 1.83 metres in height elsewhere on the lot, provided that the average height of the fence over any 2.44 metre portion does not exceed the said fence height regulations.

**Commented [PB10]:** A space was added between these to words to correct the grammatical error.

**Commented [PB11]:** Section 8 was replaced with Section 11. Section 11 is the proper section that this is referencing. No other changes to page 5.

**SECTION 7 – NON-RESIDENTIAL PROPERTY SPECIFIC PROVISIONS**

- 7.1 On a lot used for non-residential purposes, no person shall have, permit, construct, erect, or maintain, or cause to have, permit, construct, erect, or maintain a fence



- a) exceeding 2.75 metres in height unless required by law or by a public authority in the interests of public safety to do so.
  - b) other than an unobstructed chain link fence having links of no less than 13.00 square centimeters and which does not otherwise exceed fence height requirements contained in this by-law that exceeds 1.2 metres in height if such fence is located within the sight triangle.
- 7.2 Notwithstanding section 20, fences around tennis courts may be erected to a maximum height of 3.7 metres provided that
- a) the fence shall be constructed of chain link with adequate posts, support wires and bracing of a corrosion resistant or treated material; and
  - b) shall not be located closer than .6 metres to any lot line.

**Commented [PB12]:** This section was reviewed and reworded to not include a reference to Section 20. There is no section 20 in this by-law.

**Commented [PB13]:** The addition of 0 was added to .6 metres to accurately show 0.6 metres.

**SECTION 8 – LINE FENCES ACT**

8.1 The Line Fences Act shall not apply to any part of the Town of Fort Frances.

**SECTION 9 – SAFETY**

- 9.1 Notwithstanding any height restriction for fences in this by-law, the Corporation or any public authority with jurisdiction over a specific use or matter may, in writing, permit a fence to whatever height is necessary to ensure public safety.
- 9.2 Notwithstanding any of the provisions herein to the contrary, where, in the opinion of the Corporation, an obstruction exists that adversely affects the safety of vehicular or pedestrian traffic, the height restrictions of this by-law shall not apply.

**SECTION 10 – SIGHT TRIANGLE**

10.1 Notwithstanding any of the provisions herein to the contrary, where, in the opinion of the Corporation, an obstruction exists within the sight triangle, the height restrictions of this by-law shall not apply.

**SECTION 11 – CALCULATION OF HEIGHT**

- 11.1 For the purpose of this by-law, the height of any fence is calculated from the mean grade elevation of the ground at the lot lines to the highest point of the fence.
- 11.2 Where the level of ground is altered or the base on which the fence is situate is arranged for the purpose of raising a fence to a height which would otherwise have been unlawful, there shall be included in the calculation of the height of the fence the vertical measurement of the alteration or of the arrangement.

**Commented [PB14]:** The word situated was spelled wrong and corrected.  
No other changes to this page 6.

**SECTION 12 – SWIMMING POOL FENCE PROVISIONS**

- 12.1 Every owner of a swimming pool shall ensure that a fence is erected and maintained surrounding such pool and the fence shall:
- a) have a height of not less than 1.2 metres (4 feet) measured from ground level to the top of the fence where the pool is located;
  - b) Be located at a distance of not less than 1.5 metres (5 feet) from the swimming pool;
  - c) The bottom of all fences shall be at grade level.

d) Be equipped with a gate that can be locked with a locking mechanism located on the pool side of the gate at least 1 metre (3.3 feet) above ground level and have no opening between the bottom of the gate and the ground at any point directly below the gate;

Commented [PB15]: There are no changes to page 7

e) Be built with materials and maintained in such a manner so as to prevent the climbing thereof;

f) Where an owner is exempt from the requirement of a fence as a pool enclosure under section 16, ensure that every ladder or other stair assembly providing access to the pool is locked in a position so as to prevent entry to the pool at all times when the pool is not being used.

g) Where an owner is exempt from the requirement of a fence as a pool enclosure for a hot tub under section 16, ensure that the hot tub is adequately secured by a cover and locked and in place over the tub at all times when the tub is not in use.

### **SECTION 13 – OFFENCE AND PENALTIES**

13.1 Any person who contravenes, suffers or permits any act or thing to be done in contravention of, or neglects to do or refrains from doing anything required to be done pursuant to any provisions of this By-Law or any permit or order issued pursuant thereto, commits an offence and except where specifically set out in Schedule “B” attached to and forming part of this By-Law, shall be liable of a fine of not more than \$5,000 pursuant to the Provincial Offences Act, R.S.O., 1990, c. P.33, As amended. Where an offence is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.

13.2 An Officer and/or anyone under the Officer’s direction may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether this by-law is being complied with.

13.3 No person, shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this by-law.

13.4 For the purposes of an inspection, the Officer may:

- a) require the production for inspection of documents relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- c) require information from any person concerning a matter related to the inspection; and,
- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take photographs necessary for the purposes of the inspection.

### **SECTION 14 – REMEDIAL ACTIONS**

14.1 Every person who has, erects, constructs, maintains, or permits to be erected, constructed or maintained, any fence that does not comply with the provisions of this by-law shall forthwith take any necessary action to ensure that the fence complies with the provisions of this by-law.

14.2 In default of the work required by this by-law not being done by the person directed or required to do it, the Town, in addition to any other remedies it may have, may do the work or cause the work to be done, at the person's expense, and may enter upon the land, at any reasonable time for this purpose.

14.3 The Town may recover the costs incurred by it in doing the work or causing it to be done from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

Commented [PB16]: There are no changes to page 8

**SECTION 15 – EXCEPTIONS**

- 15.1 The provisions of this by-law shall not apply to the erection of fences, temporary or otherwise, erected in the interest of public safety as may be determined by the Officer.
- 15.2 Notwithstanding any other provision herein, a fence, which is constructed as a requirement of a registered agreement or agreements entered into with The Corporation of the Town of Fort Frances pursuant to the provisions of the Planning Act, as amended, or any plans approved by the Town, shall be deemed not to contravene the provisions of this by-law.
- 15.3 This By-Law does not apply to a public authority which erects or causes to erect a noise barrier along a street or erects or causes to erect any other type of fence along a street for the purposes of ensuring public safety, noise control, or any other similar purpose.
- 15.4 Notwithstanding the provisions of this by-law to the contrary, save and except for a fence which is located within a sight triangle, any fence that is in existence prior to the date of the enactment of this by-law, and in compliance with other applicable regulations, including the Town of Fort Frances by-laws, shall be deemed to comply with this by-law and may be maintained with the same material, height and dimension as previously existed.

**SECTION 16 – EXEMPTION**

- 16.1 In the case of an above-ground swimming pool, a fence is not required where ALL of the following criteria are met:
- a) The vertical sides of the pool and any deck or other assembly forming part of the pool are the same or greater in height than the minimum height of the fence height requirements for pools; and
  - b) Such vertical sides and assemblies are constructed and maintained in such a manner to prevent the climbing thereof; and
  - c) Any ladder or stair providing access to the swimming pool or to any deck or other assembly forming part of the swimming pool is hinged and constructed in such a manner as to be latched in an upright position and is lockable or is equipped with a roll-down ladder cover or similar device that is lockable, thereby preventing entry to the pool;
  - d) In the case of a hot tub, a fence is not required where the hot tub is adequately secured by a cover equipped with a locking device.
- 16.2 Every application for an exemption shall be in writing and shall contain the following supporting documentation:
- a) Property survey or site plan;
  - b) Specifications pertaining to the description of the fence;
  - c) Specifications pertaining to the construction and installation of the fence; and
  - d) The application fee (if applicable).

**SECTION 17 - REPEAL**

17.1 By-Law 75/09 and By-Law 25/76 and all amendments are hereby repealed.

**Commented [PB17]:** This section has been changed to reflect the repealing of by-law 40/17 and all amendments in the new draft.

This By-Law shall come into force and take effect on the final passing thereof.

READ THREE TIMES and finally passed in open Council this \_\_\_\_ day of \_\_\_\_\_ 2017.

**Commented [PB18]:** The date will be changed by the Clerk if approved by Council.  
No other changes to page 9.

\_\_\_\_\_  
R. Avis, Mayor

\_\_\_\_\_  
E. Slomke, Clerk

SCHEDULE “A”

Commented [PB1]: Addition of – By-Law # added. By-Law Number will be added once approved by Council.

DIAGRAM 1 – SIGHT TRIANGLE

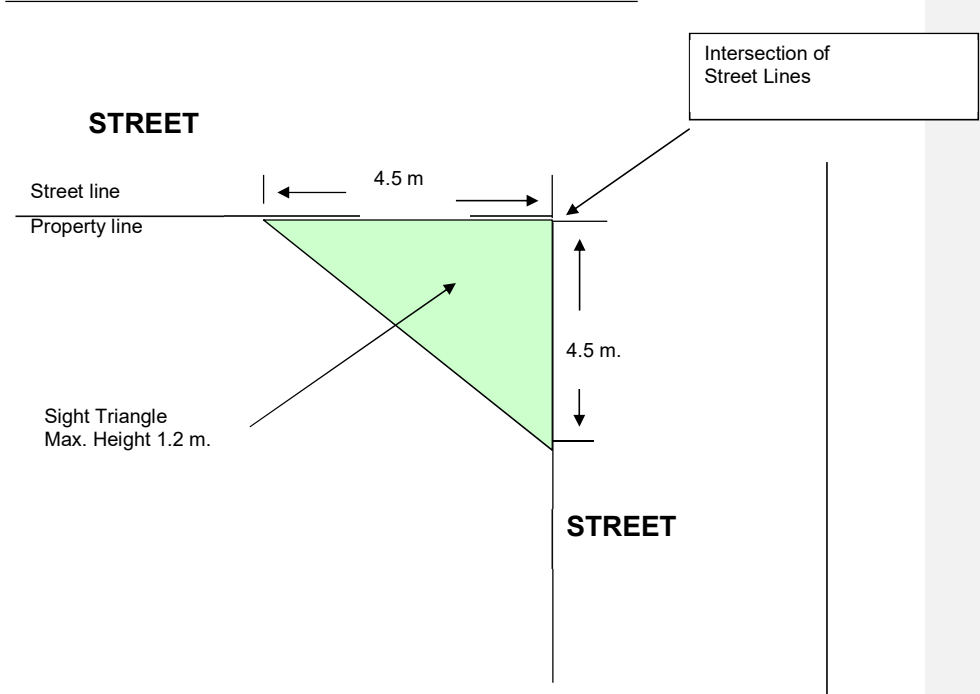
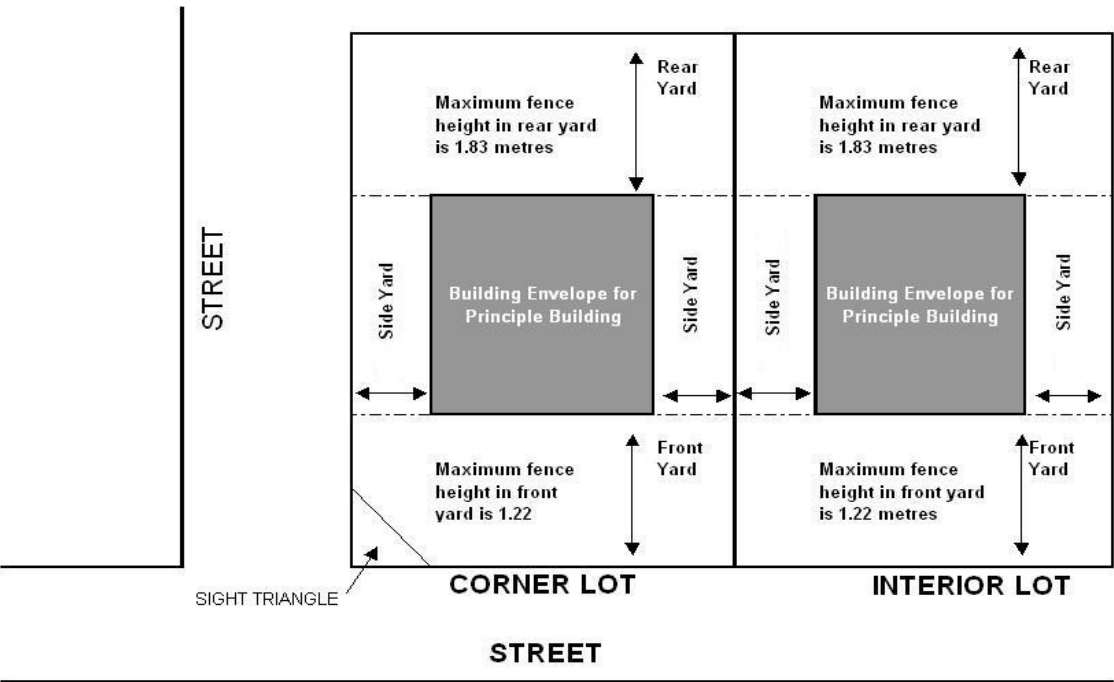


DIAGRAM 2 – RESIDENTIAL PROPERTIES - YAR

Commented [PB2]: Spelling Error corrected. Yar misspelled. Is now YARD.



Schedule “B” By-Law # -

Town of Fort Frances

Application for a Permit to Construct A Swimming Pool Fence

Commented [PB1]: No changes to this page. Only the New By-Law Number will be added once approved by Council.

For use by Principal Authority	
Application number:	Permit number (if different):
Date received:	Roll number:

Application submitted Town of Fort Frances  
(Name of municipality, upper-tier municipality, board of health or conservation authority)

A. Project information				
Building number, street name			Unit number	Lot/con.
Municipality	Postal code	Plan number/other description		
Project value est. \$		Area of work (m²)		
B. Applicant				
Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner				
Last name	First name	Corporation or partnership		
Street address			Unit number	Lot/con.
Municipality	Postal code	Province	E-mail	
Telephone number (    )	Fax (    )	Cell number (    )		
C. Owner (if different from applicant)				
Last name	First name	Corporation or partnership		
Street address			Unit number	Lot/con.
Municipality	Postal code	Province	E-mail	
Telephone number (    )	Fax (    )	Cell number (    )		
D. Builder				
Last name	First name	Corporation or partnership (if applicable)		
Street address			Unit number	Lot/con.
Municipality	Postal code	Province	E-mail	
Telephone number (    )	Fax (    )	Cell number (    )		
E. Purpose of application				
<input type="checkbox"/> New Construction of a Swimming Pool Fence <input type="checkbox"/> Replacement of existing Swimming Pool Fence				
Type of Fence				
Description of Proposed Fence Work				
F. Attachments				
<div><div>i. Attach a site plan illustrating the dimensions of the parcel of land on which it is proposed to erect a swimming pool fence. Indicate the location and dimensions of all existing fences and buildings, and the dimensions of the proposed fence. Indicate the use of property (Zoning) and of adjoining properties, and the location of adjoining highways, roads and pedestrian sidewalks, etc.</div><div>ii. Attach types and quantities of plans and specifications for the proposed construction that are prescribed by the Fence By-Law.</div></div>				
G. Declaration of applicant				
I _____ certify that: (print name)				
<div><div>1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.</div><div>2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.</div></div>				
_____ Date		_____ Signature of applicant		





PERMIT TO CONSTRUCT A SWIMMING POOL FENCE

**Commented [PB1]:** No changes to this Schedule. Only addition of By-Law Number if approved by Council.

Planning & Development Division  
320 Portage Avenue  
Fort Frances, ON P9A 3P9  
(807) 274-5323

Permit No. \_\_\_\_\_

Roll No. \_\_\_\_\_

Date Issued: \_\_\_\_\_  
DD/MM/YYYY

Issued by: **Town of Fort Frances**

Issued to (Owner's Name):		Address:	
Contractor's Name:		Address:	
Description of Swimming Pool Fence to be Erected:			
Main Permitted Use of Building or Lot:			Zone:
Street & No.	On the		Side, Between
Lot No.	Plan No.	Value of Construction:	
		Permit Fee: \$	
<b>NOTE:</b>			
The issuance of Permit to Construct a Swimming Pool Fence under the authority of this by-law does not relieve a person of the responsibility of complying with other agency requirements with respect to swimming pools or the construction of swimming pool fences.			
<b>REMARKS:</b>			
Date		Issued By: T. Dennis, CBO/Planner	

Inspection of Swimming Pool Fence:

☐ **Approved**

Date Completed: \_\_\_\_\_

Inspector Signature: \_\_\_\_\_

☐ **Requires Further Work**

Description of Work to be Done:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# **TOWN OF FORT FRANCES**

## **DRAFT BY-LAW**

### **A BY-LAW OF THE CORPORATION OF THE TOWN OF FORT FRANCES TO LICENCE AND REGULATING FENCES WITHIN THE MUNICIPALITY.**

**WHEREAS** the Council of the Corporation of the Town of Fort Frances deems it necessary and expedient to pass a by-law to regulate fences within the Municipality.

**AND WHEREAS** the *Municipal Act, 2001*, as amended provides that a municipal power shall be exercised by by-law.

**AND WHEREAS** the *Municipal Act, 2001*, as amended authorizes a single tier municipality to pass by-laws respecting structures, including fences and signs;

**AND WHEREAS** the *Municipal Act, 2001*, as amended provides that a municipality may provide that the Line Fences Act does not apply to all or any part of the municipality;

**AND WHEREAS** the *Line Fences Act, R.S.O. 1990, Chapter L.17*, provides that, with the exception of section 20 the *Line Fences Act* does not apply to land in an area that is subject to a by-law for apportioning the costs of line fences passed under the *Municipal Act, 2001*;

**AND WHEREAS** on January 14<sup>th</sup>, 2019, Council approved a recommendation from the Planning & Development Executive Committee to review and update the Fence By-Law.

**NOW THEREFORE**, the Council of The Corporation of the Town of Fort Frances enacts as follows:

#### **SECTION 1- DEFINITIONS**

“adjoining owner” – means the owner of the land that is adjoining to the land of another owner;

“corporation” – means The Corporation of the Town of Fort Frances;

“fence” – means a railing, wall, line of posts, wire, gate, boards, pickets or other similar substances used to endorse or divide in whole or in part a yard or other land to establish a property boundary or to provide privacy and includes any hedge or grouping or thick growth of shrubs or trees acting as continuous barrier which is other than an essential component to a building;

“intersection” – means the area embraced within the prolongation or connection of the lateral street lines of two or more streets that join one another at an angle, whether or not one street crosses the other;

“lane” – means a public thoroughfare which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general circulation;

“line fence” – means a fence marking the boundary between adjoining parcels of land;

“lot” – means a parcel of land which is capable of being legally conveyed pursuant to Section 50 of the Planning Act;

“lot, corner” – means a lot situated at the intersection of two or more streets, or at the intersection of a street and a railway right-of-way, or a lot butting on one or more parts of the

same street, in which an interior angle of less than one hundred and thirty-five (135) degrees is contained, between the front and side lot lines abutting by the said street or streets;

“lot interior” – means a lot other than a corner lot;

“lot line” – means any boundary of a lot and/or the vertical projection thereof;

“lot line, front” - means

- a) in the case of an interior lot, the lot line dividing the lot from the street;
- b) in the case of a corner lot, the shorter lot line abutting the street;
- c) in the case of a through lot or a corner lot with two lot lines of equal length abutting roads, the lot line used for the principle entrance; and iv) in the case where a lot abuts only a road cul-de-sac, all of the frontage on the road cul-de-sac.

“lot line, rear” - means the lot line farthest from or opposite to the front lot line;

“lot line, side” - means a lot line other than a front or rear lot line;

“non-residential property” - means a property with uses other than residential or multi-residential and includes schools and other institutional uses but does not include a street or public walkways;

“open construction” - includes chain link or lattice or other similar open construction;

“owner” - means the registered owner, lessee, tenant, mortgagee in possess or the person in charge a parcel of land;

“officer” - means a Municipal By-Law Enforcement Officer or Provincial Offences Officer or a Police Officer or Chief Building Official, whose duties include the enforcement of this by-law;

“parcel of land” - means an area of land held in unity of ownership;

“person” - means an individual, firm, corporation, association, or partnership and includes an Owner;

“public authority” - means any Federal, Provincial, District or Municipal agencies, including local boards thereof, any Public Utility Commission including telephone, gas and hydro and all Boards of Education;

“residential property” - means a property that is used for residential purposes;

“sight triangle” - means a triangular area of visibility that is determined by measuring, from the point of intersection of two street lines of a corner lot a distance of 4.5 metres along each street line and joining such points with a straight line, or where the two street lines do not intersect at a point, the point where such street lines would intersect based on the projection of the street lines or the intersection of the tangents to the street lines. (See Diagram 1 — Schedule "A");

“street” - means a public highway or public road under the jurisdiction of the Corporation and which is presently open and maintained by the corporation on a year-round basis;

“street line” - means: the limit of the street and is the dividing line between a lot and a street;

“swimming pool” – means any outdoor structure, object or thing located on privately owned property that is intended to be used for swimming, wading, diving, bathing, soaking (including a hot tub) in which the depth of water at any point can exceed 0.6 metres (2 feet).

“temporary fence” - means: a fence erected or maintained for a defined and limited period of time and, in no case shall such duration exceed six months unless required to remain by law or by a public authority in the interests of safety;

“through lot” - means: a lot bounded on opposite sides by streets.

“uncontrolled intersection” means an intersection of two or more streets where no traffic lights or four-way stop signs are used to indicate the right-of-way;

“yard” - means any unoccupied space appurtenant to a building measured from the closest supporting structure of the building to the lot line. (See Diagram 2 —Schedule A);

“yard, front” - means a yard extending across the full width of the lot between the front lot line and the nearest part of any building or structure for which the yard is required;

“yard, rear” - means a yard extending across the full width of the lot between the rear lot line and the nearest wall of any building on the lot for which the yard is required;

“yard side” - means a yard extending from the front yard to the rear yard;

“zoning by-law” - means any by-law administered by the Town passed pursuant to section 34 of the Planning Act, R.S.O. 1990, c.P.13, or a predecessor or successor thereof, as may be amended from time to time.

## **SECTION 2 - GENERAL PROVISIONS**

### **2.1 SHORT TITLE**

This By-law shall be cited as the Fence By-Law.

### **2.2 SCOPE**

Except where otherwise provided, the provisions of this By-law shall apply to all persons and property within the geographic limits of the Town of Fort Frances.

### **2.3 ENFORCEMENT**

This By-law shall be enforced by a Municipal By-Law Enforcement Officer or Provincial Offences Officer or a Police Officer or Chief Building Official, whose duties include the enforcement of this by-law;

### **2.4 CONFLICTS WITH OTHER BY-LAWS**

Where a provision of this By-law conflicts with a provision of another by-law in force in the Town, the provision that establishes the higher standard in terms of protecting the health, safety and welfare of the general public and the environmental wellbeing of the municipality, shall prevail to the extent of the conflict.

### **2.5 SEVERABILITY**

Should any section of this by-law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

### **SECTION 3 – FENCES – CONTRARY TO REGULATIONS**

3.1 No person shall have, permit, construct, erect or maintain or cause to have permit, construct, erect, or maintain a fence within the Town of Fort Frances unless such fence is in compliance with this by-law, and/or any other by-law that may apply.

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- a) written consent or authorization of the Corporation has been obtained;
- b) such fence conforms to the provisions of this by-law; and
- c) the person seeking to construct on Town property agrees, if required, to enter into an encroachment agreement with the Corporation to provide for the removal of same from the property as and when directed to do so.

### **SECTION 5 – GENERAL PROVISIONS – ALL FENCES**

- 5.1 No fence shall be constructed, maintained or caused to be constructed or maintained such that it encroaches on or over a roadway or sidewalk or which adversely affects the safety of or constitutes an obstruction of view or impedes the passage of vehicular or pedestrian traffic
- 5.2 No fence shall be located or constructed so as to block access to a parking space as required by the Zoning By-Law unless such fence is constructed with a gate at least 2.59 metres (8.5 feet) wide giving access to such parking space.
- 5.3 Barbed wire and/or razor wire shall not be used on any residential property.
- 5.4 Notwithstanding the provisions of Section 7, barbed wire and/or razor wire may be used on residential or non-residential property as part of or in conjunction with any fence required by law for public safety or the protection of property, provided no barbed wire or razor wire is located less than 2.14 metres in height above the ground.
- 5.5 No fence may be electrified unless the land which it encloses is lawfully used for agricultural purposes or the containment of livestock.
- 5.6 Section 7 does not apply to fences used for agricultural purposes or the containment of livestock.
- 5.7 No fence shall be maintained or caused to be maintained in a damaged or un-repaired state or condition by reason of fire, decay or otherwise and all fences shall be constructed or caused to be constructed in a sound manner and shall be protected by paint, preservative or other suitable weather resistant material.
- 5.8 All fences including masonry, brick, stone and concrete, iron and metal bar and metal sheet fences shall be constructed and maintained in a manner to ensure safety and structural stability.
- 5.9 Fences constructed of chain link, shall:
  - a) be constructed of galvanized steel wire not less than 2.65 mm diameter (No. 12 gauge) or of minimum .89 mm diameter (No. 14 gauge) steel wire covered with vinyl or other approved coating forming a total thickness equivalent to 2.65 mm diameter (No. 12 gauge) galvanized wire; and
  - b) be supported by a minimum 38 mm diameter galvanized steel posts each securely embedded in concrete and spaced not more than 3.05 metres on centre. Horizontal top

and bottom rails shall be of 31 mm minimum diameter galvanized steel, except that a 6 mm diameter galvanized steel tension rod may be substituted for the bottom horizontal rail.

- 5.10 Fences constructed of wood shall be supported by a minimum 89 mm by 89 mm or 125 mm diameter posts each securely embedded and be spaced not more than 3.05 metres on centre. The portion below grade treated with a wood preservative. Horizontal top and bottom rails shall be of a minimum of 38 mm by 89 mm utility grade or better.
- 5.11 Where in order to make repairs, alterations or improvements to a fence, an owner of the fence is required to enter upon the adjoining land; before entering said land the owner shall advise the Town of Fort Frances of the need to make such entry. Prior to entry the Town of Fort Frances will advise the adjoining owner of the need for entry on his land. The owner of the fence shall ensure that the adjoining land is left in the same condition it was prior to such entry.
- 5.12 Where a fence is being erected between two lots, unless otherwise agreed between the owners of the said lots, the posts and structural members shall be located on the side of the fence facing the lot whose owner is erecting the fence.
- 5.13 A fence may be erected as a means of protection or as a means of landscaping along any lot line. Provided that if the fence is a hedge or grouping or thick growth of shrubs or trees acting as a continuous barrier, it shall be located a minimum of .6 metres from the lot line.

## **SECTION 6 – RESIDENTIAL PROPERTY SPECIFIC PROVISIONS**

- 6.1 On a lot used for residential purposes no person shall have, permit construct, erect, or maintain, or cause to have, permit construct, erect, or maintain a fence
  - a) exceeding 1.22 metres in height within the front yard;
  - b) exceeding 1.83 metres in height within the rear or side yard, subject to the Sight Triangle provisions.
- 6.2 Notwithstanding section 6.1 fence height regulations shall not apply
  - a) where such residential property is abutting and such fence is contiguous to a non-residential property, but in no event shall such fence exceed a height of 2.75 metres;
  - b) where grade elevations of adjacent lots differ, that portion of any fence exceeding 1.83 metres in height as measured from the lower of the differing grades shall be constructed of chain link, lattice or similar open construction so as to provide a uniform direct passage of light and air.
  - c) where the grade contours within a lot make compliance with the fence height regulations in Section 11 impossible, a fence may exceed 1.22 metres in height in the front yard, or 1.83 metres in height elsewhere on the lot, provided that the average height of the fence over any 2.44 metre portion does not exceed the said fence height regulations.

## **SECTION 7 – NON-RESIDENTIAL PROPERTY SPECIFIC PROVISIONS**

- 7.1 On a lot used for non-residential purposes, no person shall have, permit, construct, erect, or maintain, or cause to have, permit, construct, erect, or maintain a fence
  - a) exceeding 2.75 metres in height unless required by law or by a public authority in the interests of public safety to do so.

b) other than an unobstructed chain link fence having links of no less than 13.00 square centimeters and which does not otherwise exceed fence height requirements contained in this by-law that exceeds 1.2 metres in height if such fence is located within the sight triangle.

7.2 Fences around tennis courts may be erected to a maximum height of 3.7 metres provided that

a) the fence shall be constructed of chain link with adequate posts, support wires and bracing of a corrosion resistant or treated material; and

b) shall not be located closer than 0.6 metres to any lot line.

## **SECTION 8 – LINE FENCES ACT**

8.1 The Line Fences Act shall not apply to any part of the Town of Fort Frances.

## **SECTION 9 – SAFETY**

9.1 Notwithstanding any height restriction for fences in this by-law, the Corporation or any public authority with jurisdiction over a specific use or matter may, in writing, permit a fence to whatever height is necessary to ensure public safety.

9.2 Notwithstanding any of the provisions herein to the contrary, where, in the opinion of the Corporation, an obstruction exists that adversely affects the safety of vehicular or pedestrian traffic, the height restrictions of this by-law shall not apply.

## **SECTION 10 – SIGHT TRIANGLE**

10.1 Notwithstanding any of the provisions herein to the contrary, where, in the opinion of the Corporation, an obstruction exists within the sight triangle, the height restrictions of this by-law shall not apply.

## **SECTION 11 – CALCULATION OF HEIGHT**

11.1 For the purpose of this by-law, the height of any fence is calculated from the mean grade elevation of the ground at the lot lines to the highest point of the fence.

11.2 Where the level of ground is altered or the base on which the fence is situated is arranged for the purpose of raising a fence to a height which would otherwise have been unlawful, there shall be included in the calculation of the height of the fence the vertical measurement of the alteration or of the arrangement.

## **SECTION 12 – SWIMMING POOL FENCE PROVISIONS**

12.1 Every owner of a swimming pool shall ensure that a fence is erected and maintained surrounding such pool and the fence shall:

a) have a height of not less than 1.2 metres (4 feet) measured from ground level to the top of the fence where the pool is located;

b) Be located at a distance of not less than 1.5 metres (5 feet) from the swimming pool;

c) The bottom of all fences shall be at grade level.

d) Be equipped with a gate that can be locked with a locking mechanism located on the pool side of the gate at least 1 metre (3.3 feet) above ground level and have no opening between the bottom of the gate and the ground at any point directly below the gate;

- e) Be built with materials and maintained in such a manner so as to prevent the climbing thereof;
- f) Where an owner is exempt from the requirement of a fence as a pool enclosure under section 16, ensure that every ladder or other stair assembly providing access to the pool is locked in a position so as to prevent entry to the pool at all times when the pool is not being used.
- g) Where an owner is exempt from the requirement of a fence as a pool enclosure for a hot tub under section 16, ensure that the hot tub is adequately secured by a cover and locked and in place over the tub at all times when the tub is not in use.

### **SECTION 13 – OFFENCE AND PENALTIES**

13.1 Any person who contravenes, suffers or permits any act or thing to be done in contravention of, or neglects to do or refrains from doing anything required to be done pursuant to any provisions of this By-Law or any permit or order issued pursuant thereto, commits an offence and except where specifically set out in Schedule “B” attached to and forming part of this By-Law, shall be liable of a fine of not more than \$5,000 pursuant to the Provincial Offences Act, R.S.O., 1990, c. P.33, As amended. Where an offence is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.

13.2 An Officer and/or anyone under the Officer’s direction may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether this by-law is being complied with.

13.3 No person, shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this by-law.

13.4 For the purposes of an inspection, the Officer may:

- a) require the production for inspection of documents relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- c) require information from any person concerning a matter related to the inspection; and,
- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take photographs necessary for the purposes of the inspection.

### **SECTION 14 – REMEDIAL ACTIONS**

14.1 Every person who has, erects, constructs, maintains, or permits to be erected, constructed or maintained, any fence that does not comply with the provisions of this by-law shall forthwith take any necessary action to ensure that the fence complies with the provisions of this by-law.

14.2 In default of the work required by this by-law not being done by the person directed or required to do it, the Town, in addition to any other remedies it may have, may do the work or cause the work to be done, at the person's expense, and may enter upon the land, at any reasonable time for this purpose.

14.3 The Town may recover the costs incurred by it in doing the work or causing it to be done from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

## **SECTION 15 – EXCEPTIONS**

15.1 The provisions of this by-law shall not apply to the erection of fences, temporary or otherwise, erected in the interest of public safety as may be determined by the Officer.

15.2 Notwithstanding any other provision herein, a fence, which is constructed as a requirement of a registered agreement or agreements entered into with The Corporation of the Town of Fort Frances pursuant to the provisions of the Planning Act, as amended, or any plans approved by the Town, shall be deemed not to contravene the provisions of this by-law.

15.3 This By-Law does not apply to a public authority which erects or causes to erect a noise barrier along a street or erects or causes to erect any other type of fence along a street for the purposes of ensuring public safety, noise control, or any other similar purpose.

15.4 Notwithstanding the provisions of this by-law to the contrary, save and except for a fence which is located within a sight triangle, any fence that is in existence prior to the date of the enactment of this by-law, and in compliance with other applicable regulations, including the Town of Fort Frances by-laws, shall be deemed to comply with this by-law and may be maintained with the same material, height and dimension as previously existed.

## **SECTION 16 – EXEMPTION**

16.1 In the case of an above-ground swimming pool, a fence is not required where ALL of the following criteria are met:

- a) The vertical sides of the pool and any deck or other assembly forming part of the pool are the same or greater in height than the minimum height of the fence height requirements for pools; and
- b) Such vertical sides and assemblies are constructed and maintained in such a manner to prevent the climbing thereof; and
- c) Any ladder or stair providing access to the swimming pool or to any deck or other assembly forming part of the swimming pool is hinged and constructed in such a manner as to be latched in an upright position and is lockable or is equipped with a roll-down ladder cover or similar device that is lockable, thereby preventing entry to the pool;
- d) In the case of a hot tub, a fence is not required where the hot tub is adequately secured by a cover equipped with a locking device.

16.2 Every application for an exemption shall be in writing and shall contain the following supporting documentation:

- a) Property survey or site plan;
- b) Specifications pertaining to the description of the fence;
- c) Specifications pertaining to the construction and installation of the fence; and
- d) The application fee (if applicable).

## **SECTION 17 - REPEAL**

17.1 By-Law 40/17 and all amendments are hereby repealed.



This By-Law shall come into force and take effect on the final passing thereof.

READ THREE TIMES and finally passed in open Council this 28<sup>th</sup> day of January 2019.

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J. Caul, Mayor

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E. Slomke, Clerk

TOWN OF FORT FRANCES

DRAFT BY-LAW NO.

A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES AND  
WORKPLACES IN THE TOWN OF FORT FRANCES

WHEREAS section 115 of the Municipal Act, 2001, S.O. 2001, Chap. 25 as amended authorizes the Councils of local municipalities to pass by-laws regulating or prohibiting the smoking of tobacco in public places and workplaces within the municipality;

AND WHEREAS the Medical Officer of Health for the Northwestern Health Unit has declared that second-hand smoke is a serious health hazard;

AND WHEREAS on April 9<sup>th</sup>, 2018, Council amended enacted By-Law No. 38/15 providing for smoking to be prohibited in buildings, vehicles, the Rainy Lake Square and within a specified distance of public entrances to municipally owned buildings;

AND WHEREAS on February 14<sup>th</sup>, 2019, Council approved a recommendation from the Planning & Development Executive Committee to update and incorporate the new legislative changes to the Smoke-Free Ontario Act into The Town's Smoking By-Law;

AND WHEREAS it is expedient to replace By-Law No. 38/15 with this new by-law;

NOW THEREFORE Council for the Corporation of The Town of Fort Frances HEREBY ENACTS as follows:

1. DEFINITIONS

In this by-law:

“cannabis” – has the same meaning as in subsection 2 (1) of the Cannabis Act (Canada); (“cannabis”).

“community recreational facility” – means an enclosed public place or enclosed workplace that offers athletic and recreational programs to the local community and is owned or operated by:

- (a) a not-for-profit corporation;
- (b) an organization registered as a charity;
- (c) the province; or
- (d) a municipality.

“electronic cigarette” – means a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device through the mouth, whether or not the vapour contains nicotine; (“cigarette électronique”).

“employee” – means a person who performs any work for or supplies any services to an employer, or a person who receives any instruction or training in the activity, business, work, trade, occupation or profession of an employer.

“enclosed public place” – means:

- (a) the inside of any place, building or structure or vehicle or conveyance, or a part of any of them,
  - (i) that is covered by a roof, and

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- (ii) to which the public is ordinarily invited or permitted access, either expressly or by implication, whether or not a fee is charged for entry, or
  - (b) a prescribed place:
- “enclosed workplace” – means:
- (a) The inside of any place, building or structure or vehicle or conveyance, or a part of any of them,
    - (i) that is covered by a roof,
    - (ii) that employees work in frequently during the course of their employment whether or not they are acting in the course of their employment at the time, and
    - (iii) that is not primarily a private dwelling, or
  - (b) a prescribed place.

“

1.1 “person” shall include a natural person, a body corporate, an association, organization, group, team, or business.

1.2 “public entrance” shall include, in addition to the entrance opening itself including the threshold and doorframe, any area covered by a canopy through which persons must pass when entering the building of any building owned or leased or controlled by the Corporation of The Town of Fort Frances.

1.3 “smoke” and “smoking” shall include the carrying or holding of a lighted cigar. Cigarette, pipe, or similar substances and any other lighted smoking equipment.

1.4 “park” means any land, owned or leased or controlled by the Corporation of The Town of Fort Frances designed or used for public recreation including but not limited to gardens, beach areas, playgrounds, sports fields, playing fields, which include adjacent spectator stands/seating areas.

1.5 “vehicle” means any vehicle that is owned or leased or in control of the Corporation of The Town of Fort Frances.

2. SMOKING PROHIBITED

2.1 No person shall smoke, hold or ~~or~~ permit the smoking of tobacco ~~products~~ ~~or products, cannabis products, electronic cigarettes or similar substances~~ while in municipal buildings or vehicles owned, ~~or~~ leased or controlled by the Corporation of The Town of Fort Frances.

2.2 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances ~~smoke or permit the smoking of tobacco products or similar substances~~ within 9 meters (30 Feet) of any entrance and exit to all buildings that are owned or leased or in the control of the Corporation of The Town of Fort Frances, ~~but are not community recreational facilities.~~

~~2.2.2~~ 2.3 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances within 20 meters (66 Feet) of the grounds of a Community Recreational Facility that is owned or leased or in the control of the Corporation of The Town of Fort Frances.

2.4 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances ~~smoke or permit the smoking of tobacco products or similar substances~~ within 20 meters (66 Feet) of any park that is owned or leased or controlled by the Corporation of The Town of Fort Frances.

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2.5 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances within 9 metres (30 feet) of any entrance or exit to the Rainy Lake Square.

2.32.6 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances at any time on the property known as the Rainy Lake Square.

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3. OFFENCE

3.1 Every person who contravenes the provisions of this by-law is guilty of an offence and on conviction may be subject to a fine or not more than one thousand dollars (\$1000.00) exclusive of costs.

4. BY-LAW NOT TO APPLY

4.1 The provisions of this by-law do not apply to a highway as “highway” is defined in section 115 (3) of the Municipal Act, 2001.

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5. ENFORCEMENT

5.1 The provisions of this by-law are enforceable under the Provincial Offences Act, R.S.O. 1990 as amended from time to time. The Town of Fort Frances By-Law Enforcement Officers, the Ontario Provincial Police, Northwestern Health Unit Smoking Enforcement Officers, and any other Provincial Offences Officers shall do enforcement of this by-law with authority under the Provincial Offences Act.

6. REPEAL

6.1 By-Law No. 3864/1508, as amended, is hereby repealed.

This By-Law shall come into force and take effect on the final passing thereof.

READ THREE TIMES and finally passed in open Council this \_\_\_\_ day of \_\_\_\_\_ 2019~~5~~.

J. CaulR. Avis, Mayor

E. Slomke, Clerk

## TOWN OF FORT FRANCES

### DRAFT BY-LAW NO.

#### A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES AND WORKPLACES IN THE TOWN OF FORT FRANCES

**WHEREAS** section 115 of the Municipal Act, 2001, S.O. 2001, Chap. 25 as amended authorizes the Councils of local municipalities to pass by-laws regulating or prohibiting the smoking of tobacco in public places and workplaces within the municipality;

**AND WHEREAS** the Medical Officer of Health for the Northwestern Health Unit has declared that second-hand smoke is a serious health hazard;

**AND WHEREAS** on April 9<sup>th</sup>, 2018, Council amended By-Law No. 38/15 providing for smoking to be prohibited in buildings, vehicles, the Rainy Lake Square and within a specified distance of public entrances to municipally owned buildings;

**AND WHEREAS** on February 14<sup>th</sup>, 2019, Council approved a recommendation from the Planning & Development Executive Committee to update and incorporate the new legislative changes to the Smoke-Free Ontario Act into the Town's Smoking By-Law;

**AND WHEREAS** it is expedient to replace By-Law No. 38/15 with this new by-law.

**NOW THEREFORE** Council for the Corporation of The Town of Fort Frances  
HEREBY ENACTS as follows:

#### 1. DEFINITIONS

In this by-law:

“cannabis” – has the same meaning as in subsection 2 (1) of the Cannabis Act (Canada); (“cannabis”).

“community recreational facility” – means an enclosed public place or enclosed workplace that offers athletic and recreational programs to the local community and is owned or operated by:

- (a) a not-for-profit corporation;
- (b) an organization registered as a charity;
- (c) the province; or
- (d) a municipality.

“electronic cigarette” – means a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device through the mouth, whether or not the vapour contains nicotine; (“cigarette électronique”).

“employee” – means a person who performs any work for or supplies any services to an employer, or a person who receives any instruction or training in the activity, business, work, trade, occupation or profession of an employer.

“enclosed public place” – means;

- (a) the inside of any place, building or structure or vehicle or conveyance, or a part of any of them,
  - (i) that is covered by a roof, and

- (ii) to which the public is ordinarily invited or permitted access, either expressly or by implication, whether or not a fee is charged for entry, or
- (b) a prescribed place;

“enclosed workplace” – means;

- (a) The inside of any place, building or structure or vehicle or conveyance, or a part of any of them,
  - (i) that is covered by a roof,
  - (ii) that employees work in frequently during the course of their employment whether or not they are acting in the course of their employment at the time, and
  - (iii) that is not primarily a private dwelling, or
- (b) a prescribed place.

“person” shall include a natural person, a body corporate, an association, organization, group, team, or business.

“public entrance” shall include, in addition to the entrance opening itself including the threshold and doorframe, any area covered by a canopy through which persons must pass when entering the building of any building owned or leased or controlled by the Corporation of The Town of Fort Frances.

“smoke” and “smoking” shall include the carrying or holding of a lighted cigar. Cigarette, pipe, or similar substances and any other lighted smoking equipment.

“park” means any land, owned or leased or controlled by the Corporation of The Town of Fort Frances designed or used for public recreation including but not limited to gardens, beach areas, playgrounds, sports fields, playing fields, which include adjacent spectator stands/seating areas.

“vehicle” means any vehicle that is owned or leased or in control of the Corporation of The Town of Fort Frances.

## 2. SMOKING PROHIBITED

- 2.1 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances while in municipal buildings or vehicles owned, leased or controlled by the Corporation of The Town of Fort Frances.
- 2.2 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances within 9 meters (30 Feet) of any entrance and exit to all buildings that are owned or leased or in the control of the Corporation of The Town of Fort Frances, but are not community recreational facilities.
- 2.3 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances within 20 meters (66 Feet) of the grounds of a Community Recreational Facility that is owned or leased or in the control of the Corporation of The Town of Fort Frances.
- 2.4 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances within 20 meters (66 Feet) of any park that is owned or leased or controlled by the Corporation of The Town of Fort Frances.
- 2.5 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances within 9 metres (30 feet) of any entrance or exit to the Rainy Lake Square.

- 2.6 No person shall smoke, hold or permit the smoking of tobacco products, cannabis products, electronic cigarettes or similar substances at any time on the property known as the Rainy Lake Square.

3. OFFENCE

- 3.1 Every person who contravenes the provisions of this by-law is guilty of an offence and on conviction may be subject to a fine or not more than one thousand dollars (\$1000.00) exclusive of costs.

4. BY-LAW NOT TO APPLY

- 4.1 The provisions of this by-law do not apply to a highway as “highway” is defined in section 115 (3) of the Municipal Act, 2001.

5. ENFORCEMENT

- 5.1 The provisions of this by-law are enforceable under the Provincial Offences Act, R.S.O. 1990 as amended from time to time. The Town of Fort Frances By-Law Enforcement Officers, the Ontario Provincial Police, Northwestern Health Unit Smoking Enforcement Officers, and any other Provincial Offences Officers shall do enforcement of this by-law with authority under the Provincial Offences Act.

6. REPEAL

- 6.1 By-Law No. 38/15, as amended, is hereby repealed.

This By-Law shall come into force and take effect on the final passing thereof.

READ THREE TIMES and finally passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

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J. Caul, Mayor

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E. Slomke, Clerk

Date: January 31<sup>st</sup>, 2019

Report To: Planning and Development Executive Committee

From: Tyson Dennis, Chief Building Official/Municipal Planner

Re: **TBT Request for Side Entrance**

---

Robert Frenette of TBT Engineering has submitted, to the Planning and Development Department, a design for renovations for their newly purchased building located at 255 Scott Street. Planning and Development Department is seeking the Town Divisions and Council to review and determine if this design and access to 255 Scott Street, off the Rainy Lake Square, will be possible. Please review the drawings and reports from 2018, which are attached. The most recent divisional comments are included in this report. DJ Mackintosh will be representing TBT Engineering to discuss any questions about the design at the Planning and Development Executive Meeting on February 4<sup>th</sup>, 2019.

#### **Tannis Drysdale Economic Development**

YES ... x 1,000

We will need to have an agreement with tenants around secured access on those occasions when the square is rented for a private purpose. (In year one there has not been any events that have not been open to the public, but we did and will have ticketed events)  
That agreement will need to set a protocol for events with a liquor licensed vendor.  
Basically - we should retain the ability to close off (by temporary gate) this entrance/exit if required by law (for a liquor permit) or if required for a ticketed event.

#### **Fort Frances Power Corporation**

No concerns with the planned renovations at 255 Scott Street from FFPC's perspective. The applicant would need to contact us if the renovations require us to temporarily disconnect power to the building.

#### **Operations and Facilities Travis Rob, Milt Strachan, Craig Miller and Trish Law**

Water meter must be accessible.  
Backflow device to be installed if not already present.  
No sidewalk in the area of the proposed door. This is unmaintained through the winter months. This is not a good location for a doorway as the Town will not start to maintain this area but would be responsible should there be a claim. The door should be in the rear as it currently is.



**Fort Frances Fire Department**

No issues or concerns with respect to fire department requirements.

**Chief Building Official and Municipal Planner Tyson Dennis**

Elevations should be confirmed for access to the office as bricks maybe needed to be elevated and graded to allow proper entry to the TBT office building.

An agreement for maintenance and access onto the Rainy Lake Square will have to be developed between the owner of 255 Scott and the Town of Fort Frances. This will be registered on title at 255 Scott Street if such permission is granted by Council.

All registration fees and legal costs are to be paid for by TBT Engineering.

Please discuss the options and determine a recommendation for Council to move forward on TBT Engineering's request.

Respectfully submitted,

Original Signed By

Tyson Dennis

Chief Building Official/Municipal Planner

Date: **September 28, 2018**

Report To: Planning and Development Executive Committee

From: Tyson Dennis, Chief Building Official/Municipal Planner

Re: **TBT Request For Side Entrance**

---

On September 19, 2018, Council received a request from TBT Engineering (Rob Frenette) for the installation of an entrance door and windows at 255 Scott Street facing the newly developed Rainy Lake Square. In Rob Frenette's letter, he describes the reasoning behind the changes to the building.

This matter was referred to the Planning and Development department. The request was given to all Fort Franks Town division for comments on the request. Please see below:

#### **Tannis Drysdale Economic Development**

- YES ... x 1,000

We will need to have an agreement with tenants around secured access on those occasions when the square is rented for a private purpose. (In year one there has not been any events that have not been open to the public, but we did and will have ticketed events)

That agreement will need to set a protocol for events with a liquor licensed vendor. Basically - we should retain the ability to close off (by temporary gate) this entrance/exit if required by law (for a liquor permit) or if required for a ticketed event.

#### **Patrick Briere/Arlene Byrens By-Law Enforcement**

- Snow Shovelling of the Square Walkway that runs along the building. Who will be doing this? Is this something that we can add into an agreement with TBT to have them shovel, salt/sand this one walkway during the winter months, similar to what they would be required to do on Scott Street (their frontage).
- Construction of the Door – Is this going to be built similar to the front entrance with an alcove or door that swings in? Concerns we have are if the door swings outward into the Square than it is a potential hazard to people using the square.

#### **Operations and Facilities Travis Rob, Milt Strachan, Craig Miller and Trish Law**

- Winter snow removal is limited in the square. The Town sidewalk snow removal by-law wouldn't apply in this case. How do we make sure removal is complete at owners' expense?
- How will the new doorway impact the existing walkway?
- Could the entrance be on the back-alley wall?

- Unsure of elevation difference between the 255 Scott and the Rainy Lake Square. This should be checked.

**Chief Building Official and Municipal Planner Tyson Dennis**

- I would suggest having the windows installed with no issue facing the Rainy Lake Square
- The Door entrance should be on the rear of 255 Scott or the South/West Corner allowing the new door entrance to be fenced off without major issue during any events at the square. This would allow for proper parking and access to 255 Scott and the Rainy Lake Square.
- Door swing could be interior if occupant load of the office is below 50 persons.
- Elevations should be confirmed for access to the office as well

Please discuss the options and determine a recommendation for Council to move forward on TBT Engineering's request.

Respectfully submitted,

Original Signed By

Tyson Dennis

Chief Building Official/Municipal Planner

Good afternoon Tyson and Happy New Year

Further to our last meeting we have progressed with some limited interior demolitions to confirm building characteristics and have subsequently developed the attached conceptual reconfiguration plan at 255 Scott Street for your consideration and comments prior to our submission of a formal building permit application

As previously noted, this configuration makes more effective use of main floor footprint by eliminating the long hallway to access the OPSEU office at rear

We are not intending any significant changes within the leased OPSEU space, but will be performing a minor flooring replacement in their washroom to facilitate asbestos abatement activities throughout the entire building

Within the new TBTE office we have provided for a Unisex HC WC on main floor...our assessment of the new Building Code requirements suggests a full Universal WC is not warranted for the size of project and number of staff associated with the new TBTE office

Other planned work on the building will include removal of asbestos siding on east exterior wall as well as removal of asbestos lined decommissioned boiler in basement

Larger windows will be installed on east and west side of the TBTE office

We will also be performing roof repairs and minor cosmetic improvements to interior ceilings throughout the offices

No significant changes in basement are proposed as this space will be used by TBTE for storage purposes only

Asbestos abatement inside is planned for later this month and siding replacement will occur in spring

We would like to proceed with getting contractor quotes soon for spring reconstruction

Please advise if any questions or concerns with the proposed renovations, and in particular the proposed new side entrance for access to the OPSEU office.

Thanks,

Rob Frenette, P. Eng.  
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1918 Yonge Street  
Thunder Bay, ON P7E6T9  
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## RAINY LAKE SQUARE



## RAINY LAKE SQUARE



**Notes:**

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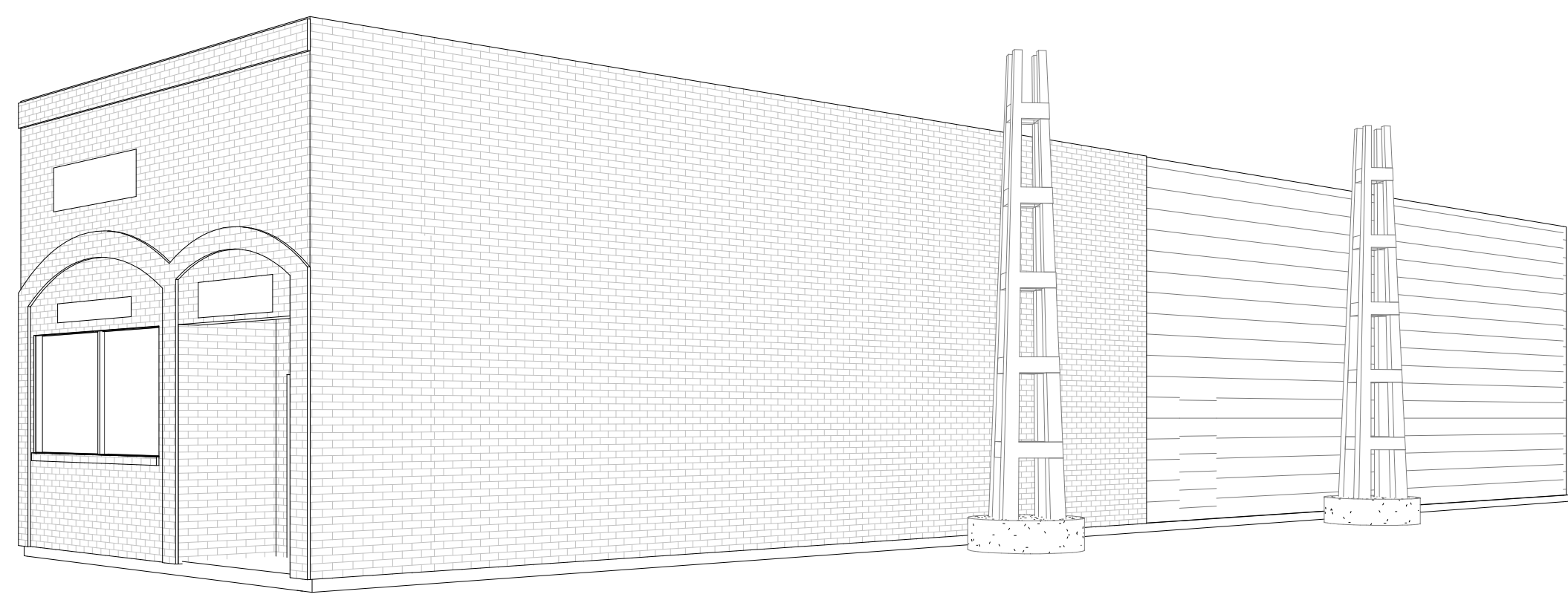
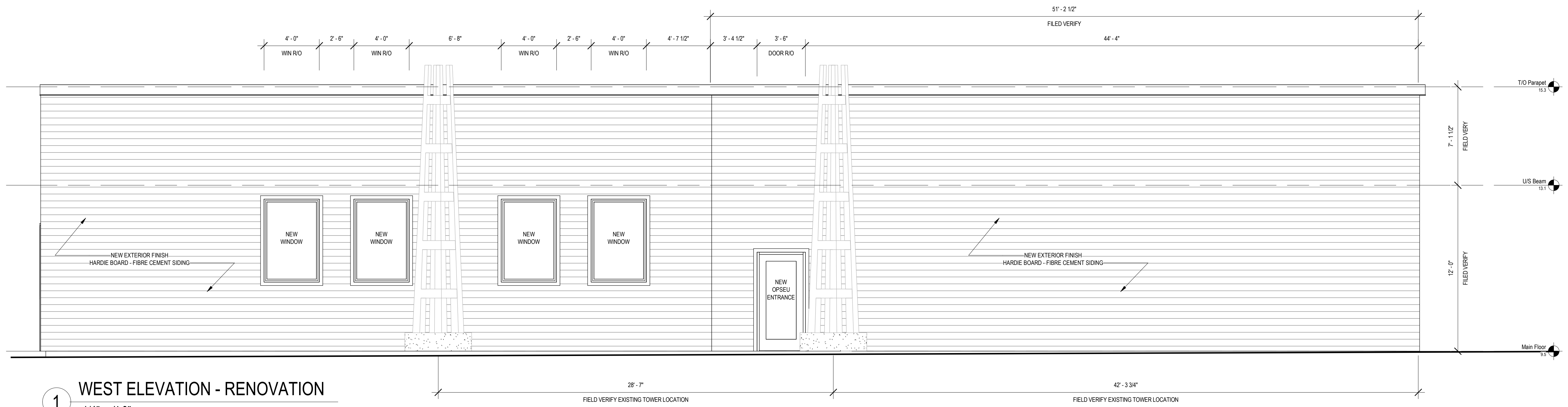
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PROPOSED DEMOLITION &amp; RENOVATION PLANS

Scale: As indicated	Drawn By: SV Ckd By:	Date: JAN 2019
Project No.: 18-480	Dwg No.: D1	Rev.

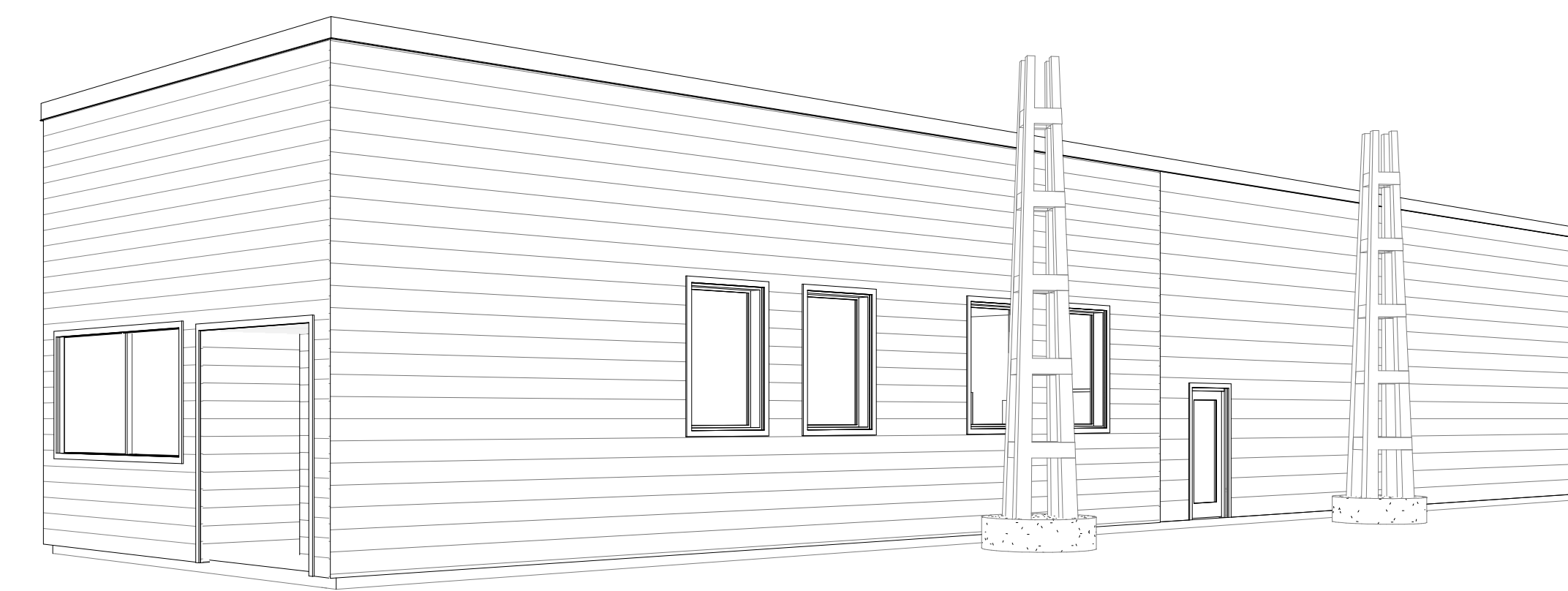




2 3D VIEW - EXISTING EXTERIOR @ RAINY LAKE SQUARE



EXISTING WEST ELEVATION - FROM RAINY LAKE SQUARE



3 3D VIEW - NEW EXTERIOR @ RAINY LAKE SQUARE



LOCATION OF NEW OPSEU ENTRANCE



TOWERS ALONG RAINY LAKE SQUARE

No.	Revision	Date	Initial

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Approved	Approved



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TBTE FORT FRANCES BUILDING  
 OFFICE RENOVATION  
 255 SCOTT STREET FORT FRANCES, ONTARIO

PROPOSED WEST ELEVATION & 3D VIEWS

Scale: 1/4" = 1'-0"	Drawn By: SV Ckd By:	Date: JAN 2019
Project No.: 18-480	Dwg No.: D2	Rev.