

TOWN OF FORT FRANCES

Committee of Adjustment

AGENDA - February 28, 2019 5:30 PM

MEETING - Civic Centre - Committee Room

Page

1. **Call to Order**
2. **Non-agenda items**
3. **Declarations, Municipal Conflict of Interest Act**
4. **Minutes of Previous Meetings**
January 31, 2019 C of A Minutes.
5. **Committee Applications**
B3-2019 Zoning Amendment Application
6. **Other Business**
7. **Outstanding Items**
8. **Meeting Close**

TOWN OF FORT FRANCES

MINUTES

COMMITTEE OF
ADJUSTMENT

January 31, 2019

The meeting of Committee of Adjustment of the Town of Fort Frances was held in the Committee Room on January 31st from 5:30 p.m. to 6:10 p.m.

PRESENT: Tyson Dennis, Cindy Mason, Barry Jackson, Don Taylor, Charleen Mallory, Don Eldridge.

ALSO PRESENT: Dan McCormick, Kim Metke, Tim Mitchel

1. Call to Order - 5:30 PM

1.1 Cindy Mason chaired the meeting.

2. Non-agenda items - 5:30 PM
None

3. Declarations, Municipal Conflict of Interest Act - 5:32 PM

3.1 Don Taylor declared conflict of interest for 5.2 applications of the agenda.

4. Minutes of Previous Meetings - 5:35 PM
Moved by Don Taylor
Second by Barry Jackson

4.1 July 31st, 2018 Meeting Minutes

5. Committee Applications - 5:35 PM

5.1 Zoning By-Law Amendment Application 737 Scott Street
Zoning Designation from R2 Residential to C2 Commercial.

Dan McCormick was present representing Rainy River District Social Services Administration Board on the application to rezone property located at 737 Scott Street from R2 Residential to C2 Commercial. Dan explained the intentions of the RRDSSAB to construct a storage building and parking lot for employees at the adjacent ambulance building as well as for storing supplies for the RRDSSAB. The adjacent ambulance building was granted a reduction of required parking stalls at the time of renovation/construction of the ambulance building, which has caused issues since more parking is needed for equipment and employees.

Dan explained the preliminary drawings at 737 Scott Street, which were attached to the application. Parking stalls, cold storage and area for large equipment was discussed. The Committee of Adjustment agreed unanimously to support the change in Zoning Designation.

Moved by Charleen Mallory
Seconded by Don Eldridge.

5.2 Official Plan Designation Change at 520 Scott Street
Zoning By-Law Amendment Application 520 Scott Street
Zoning Designation from C2 Commercial to R2 Residential.

Kim Metke and Tim Mitchell were present representing Rosengarten Holdings INC. for applications in 5.2. The first application was for a site specific designation change in Official Plan at 520 Scott Street to become "Living". This would allow for the

application for zoning designation to be changed from C2 commercial to R2 residential. Kim explained the existing building has had multiple tenants over the years. Without consistent tenants, profits have been low as the building has sat empty most of the last five years. He explained as the residence of Fort Frances become older, he has had inquiries for residential rental units. His idea to make this building into residential units which will allow for accessible units, near downtown amenities and be geared for elderly.

The topic of parking area was discussed and agreed the parking must stay consistent with zoning by-law regulations. The Ontario Building Code would be enforced for all fire rating and code compliance. As well, water a sewer testing of the system would have to be completed prior to building permits being issued.

The sitting Committee of Adjustment members agreed to support the change in a site specific Official Plan and Zoning Designation change to allow for residential units to be constructed at the existing building at 520 Scott Street.

Moved by Charleen Mallory
Seconded by Barry Jackson

- 6. **Other Business** - 6:02 PM
 None

- 7. **Outstanding Items** - 6:10 PM
 None

- 8. **Meeting Close** - 6:10 PM

8.1 Cindy Mason closed the Committee of Adjustment meeting as the Chair.

Chair, Committee of Adjustment

T. Dennis, Chief Building Official

Notice of Public Record:

In accordance with section 1.0.1 of the Planning Act, RSO, 1990, all information and materials required in support of your application shall be made available to the public.

Complete Application:

All applicable sections of the application form must be completed. An incomplete application will be returned. For assistance, contact the Planning Department by phone at 807-274-5323 ex. 1216 or by email at tdennis@fortfrances.ca

APPLICATION TYPE (check one)

- ☒ Zoning By-Law Amendment (section 34) ☐ Removal of Holding Provision (section 36)
☐ Removal of Interim Control By-Law (section 38) ☐ Temporary Use By-Law (section 39)

1. The name, address, telephone number and email address (if any) of the Applicant:	
Sean Ahrens on behalf of SALVATION ARMY OF CANADA. Sean Ahrens 535 Riverview Drive, Fort Frances Ontario, P9A 2V8	
2. If known the names and full addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:	
No mortgages, chares or other encumbrances.	
3. The current Official Plan designation of subject land:	Living
4. Describe how the application conforms to the official plan of the municipality?	
The Official Plan of Fort Frances determines where Living Areas are located, and the property known as 316 Victoria Avenue is located within the Living Designation of the Official Plan.	
5. The current zoning of the subject land:	Institutional (I)
6. The nature and extent of the rezoning requested:	
The request is to apply to rezone 316 Victoria Avenue from Institutional to R2 Residential. If the request is accepted, the potential of three residential 2-3 bedroom units will be renovated and available for rent.	

7. The reason why the rezoning is requested.					
The Salvation Army has relocated. The building located at 316 Victoria is vacant and in disrepair. The structure of the building is sound and adequate size to renovate for multi-residence. Several other multi-residential units are available within the same town block.					
8. Is the subject land within an area where the municipality has pre-determined minimum & maximum density requirements or minimum or maximum height requirements?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide information relative to these requirements.					
9. The description of the subject land, such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number:					
316 Victoria Avenue Fort Frances Ontario. PLAN ALB LOT 242 PCL 1275;1275 9252					
10. The frontage, depth and area of the subject land:					
Frontage:	66 ft	Depth:	149 ft	Area:	9834 ft/sq
11. Is the application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide details of the official plan that deals with the matter					
12. Is the application to remove land from an area of employment?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide details of the official plan that deals with the matter.					
13. Is the subject land within an area where zoning with conditions may apply?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions					
14. Is access to the subject land by provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way or by water?					
There is a municipal road which serves the property as well as a rear alley access. There is enough parking in the rear of the property for the potential rentals. There is also parking for 2 additional vehicles in the front of the building off street on Victoria Avenue.					
15. If access to the subject land is by water only, provide details of the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public land:					

Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide an explanation,	
16. Existing uses of the subject land:	
Vacant. Previously the Salvation Army store front, offices, previously a chapel, and a 3 bedroom living quarters/apartment.	
17. Are there any buildings or structures on the subject land: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
18. If answer to question 17 is yes, provide, for each building or structure, the type of building or structure and the setback from the front lot lines, rear lot line and side lot lines, the height of the building or structure and the dimensions or floor area of the building or structure:	
Wood frame construction with full concrete basement (40'x80' foot print, 30' height) See attached Drawing A.	
19. The proposed uses of the subject land:	
If rezone application is approved, the building would be remodeled to include 3 rental units, 2-3 bedroom each, for rent upon completion of renovation.	
20. Are any buildings or structures proposed for the subject land? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
21. If answer for question 20 is yes, provide, for each building or structure, the type of building or structure proposed, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and the dimensions or floor area of the building or structure:	
22. If known,	
a. the date the subject land was acquired by the current owner:	August 1 st , 1931
b. the date existing buildings or structures on the subject land were constructed:	
Constructed in 1908 with additions at later dates.	
c. the length of time that the existing uses of the subject land have continued:	
The building has been used by the Salvation Army Church since ownership until approximately 2015.	
23. Water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or by other means:	
The Town of Fort Frances supplies the building with water service. Appropriate calculations for water service sizes will be completed if rezoning occurs. Construction will be completed under requirements of the local zoning by-laws and the Ontario Building Code.	
24. Whether sewage disposal is provided to the subject land by a publicly owned and operated piped sewage disposal system, a privately owned and operated individual or communal septic system, a privy or other means:	

<p>The Town of Fort Frances supplies the building with sewer service. Appropriate calculations for sewer service sizes will be completed if rezoning occurs. Construction will be completed under requirements of the local zoning by-laws and the Ontario Building Code.</p>	
<p>25. If the application permits development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report, and a hydrogeological report are required. Are these reports attached?</p>	
<p>a. a servicing options report,</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>b. a hydrogeological report</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>26. Indicate whether storm drainage is provided by sewers, ditches, swales or other means:</p>	
<p>No storm water is present. Natural drainage is present for run off.</p>	
<p>27. If known,</p>	
<p>a. is the subject land the subject of an application under the Act for approval of a plan of subdivision or a consent: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>If yes, provide file number and status of the application:</p>	
<p>b. has the subject land ever been the subject of an application under Section 34 of the Act: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>If yes, provide file number and status of the application:</p>	
<p>c. has the subject land ever been the subject of a Minister's Zoning Order? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>If yes, provide Ontario Regulation number of the Order:</p>	

<p>28. A sketch showing, in metric units, the following:</p> <ul style="list-style-type: none"> a. the boundaries and dimensions of the subject land. b. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the lot lines. c. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to it, and that in the applicant's opinion, may affect the application (<i>for examples buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks</i>). d. The current uses on land that is adjacent to the subject land. e. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way. f. If access to the subject land is by water only, the location of the parking and docking facilities to be used. g. The location and nature of any easement affecting the subject land.
<p>29. Is the application for an amendment to the zoning by-law consistent with the policy statements issued under subsection 3(1) of the Act. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>30. Is the subject land within an area of land designated under any provincial plan or plans? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>31. If answer to question 30 is yes, does the application conform to the applicable provincial plan or plans? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>32. An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.</p> <p>Yes the have been signed and stamped.</p>

30. Is the subject land within an area of land designated under any provincial plan or plans?

Yes ☐ No ☐

31. If answer to question 30 is yes, does the application conform to the applicable provincial plan or plans?

Yes ☐ No ☐

32. An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.

DECLARATION
Of Applicant or Authorized Agent

I, Sean F. Ahrens of the Town of Fort Frances, in the District of Rainy River solemnly declare that:

All the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the

Town of Fort Frances, in the

District of Rainy River, this 10th

day of January 2019



Signature of Applicant or
Authorized Agent



Signature of Commissioner etc.

Kathryn Mae Lawson, a Commissioner, etc.,
District of Rainy River, for the Corporation
of the Town of Fort Frances.

PLEASE NOTE:

1. The Owner must complete the Owner's Consent.
2. If the applicant is not the Owner, the application must be accompanied by an Authorization of Owner.
3. 12 copies of this application are required for processing accompanied by the required fee.
4. Application and fee to be filed with the Municipal Planner
5. It takes approximately 3 months to complete the process for a Zoning Amendment Application.
6. It is strongly recommended that you consult with the Municipal Planner to ensure the timelines of your application coincide with your development proposal.

COMPLETE IF APPLICANT IS THE OWNER

OWNER'S CONSENT


I, _____, am the owner of the land that is the subject of this consent application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.


Date


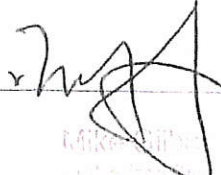
Signature of Owner

COMPLETE IF APPLICANT IS NOT THE OWNER

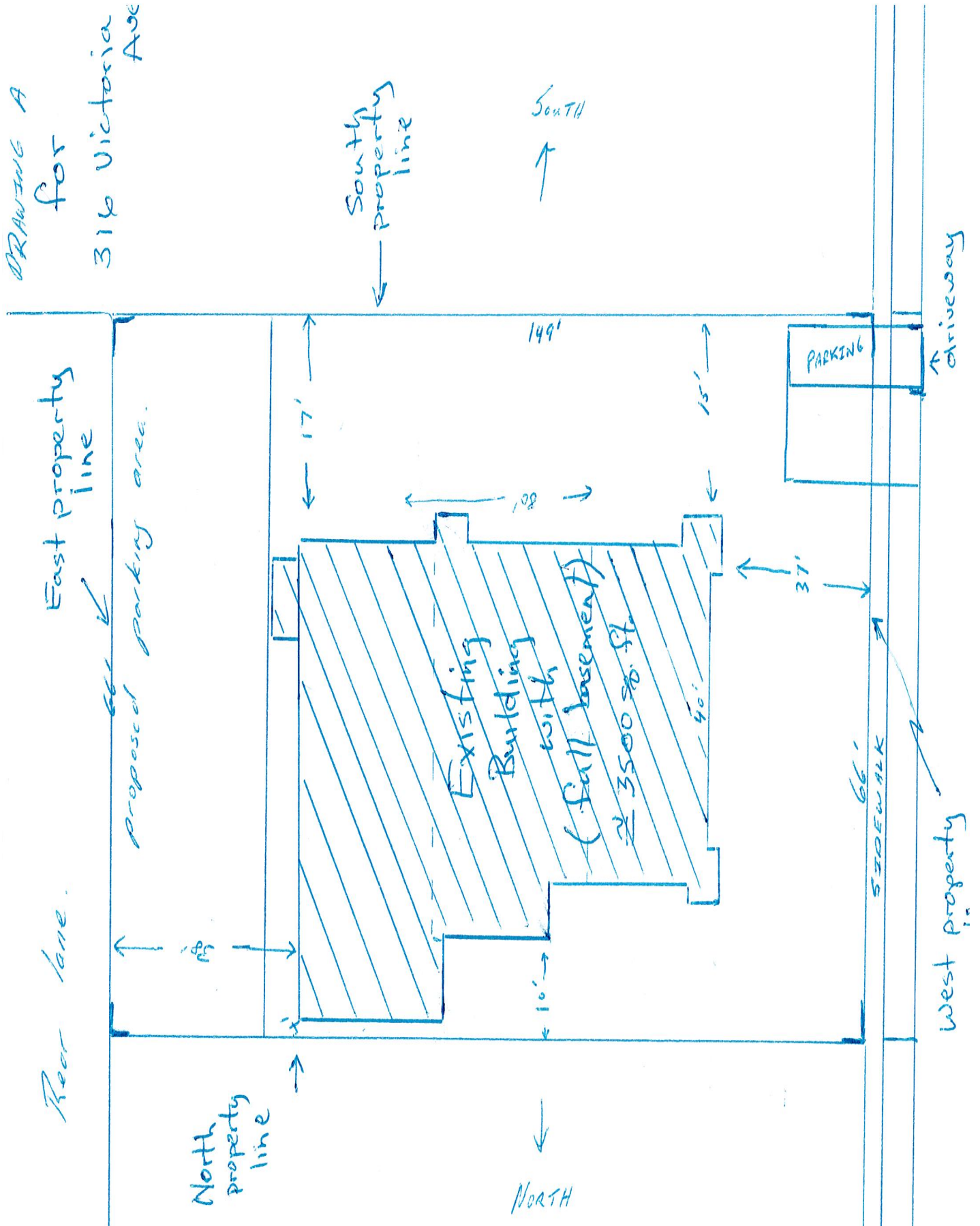
AUTHORIZATION OF OWNER

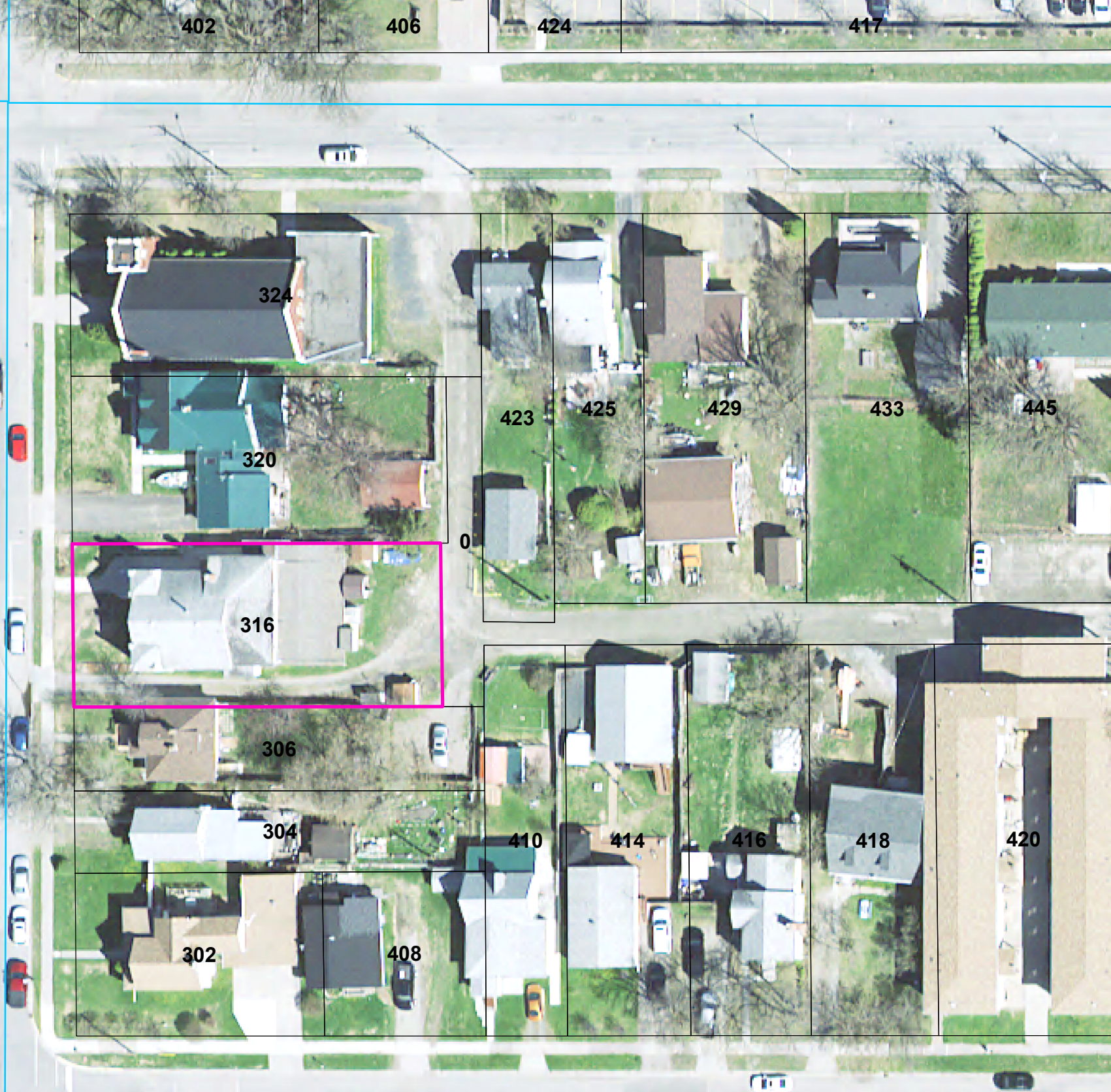
 We, Salvation Army in Canada
The Governing Council of the _____, am the owner of the land that is the subject of this application for zoning amendment and, for the purpose of processing and the Freedom of Information and Protection of Privacy Act, authorize Seam F. Abrams ^{our} to act as my agent for this application and provide any of my personal information that will be included in this application or collected during the processing of the application and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

 January 14, 2019
Date

 
Signature of Owner
Fred Waters
Treasurer

DRAWING A
for
316 Victoria
Ave





Divisional Comments on Application for Zoning By-Law Amendments at 316 Victoria Avenue.

Operations and Facilities

Water and Sewer systems will need to be tested to determine if they are sufficient for the uses and/or possibly be upgraded.

Fort Frances Fire Department

Fire inspection will be completed prior to occupancy.

Fort Frances Power Corporation

Owner will have to apply for multiple services for the individual rental units. FFPC terms of service is available online and at the Town Office for review.

Planning and Development

The building is existing with a residential unit already in it. The change of zoning designation will allow for more residential use which is already spread throughout the 300 block of Victoria Avenue.

This will allow for more needed housing in the Town of Fort Frances.

Proper certified drawings will be required showing proper fire separations, egress and room design.

Parking will be required and will be determined as per Zoning By-Law.

The Planning and Development supports the change of Zoning to R2 as it will increase residential use which is already part of the original use.