



Town of Fort Frances Official Plan - 2011



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1 INTRODUCTION

1.1 Purpose of the Official Plan

The Town of Fort Frances Official Plan provides a 20-year land use vision for the community and is supported by a set of broad strategic community directions. The Official Plan helps the community achieve its long-term vision by implementing a range of local, district and provincial policies, plans and strategies.

One main purpose of the Official Plan is to guide local growth and development, doing so by designating land for various land uses and providing policies that will guide the development and use of land town-wide. The Official Plan is also the mechanism by which more detailed neighbourhood-scale plans, such as secondary plans and community improvement plans, are established and implemented. The use and development of individual parcels of land is also influenced by the Official Plan, which establishes more specific regulatory measures related to land division, zoning and development of sites than those generally regulated by the *Planning Act*. In addition to this, the Official Plan is also expected to be used as:

- i. The means by which community-related goals and aspirations are documented and implemented;
- ii. An investment tool to attract private sector investment;
- iii. A tool for the municipality to access funding from the various levels of government; and
- iv. A decision-making guide for long-range capital investments.

When this Official Plan provides a 20 year vision for the Town, it is intended that this document be reviewed and updated on a five year basis to ensure provincial and regional conformity, to monitor progress and make modifications as required.

1.2 Planning Context for the Official Plan

Under the *Planning Act*, municipalities are required to have an Official Plan, which is to be reviewed and updated every five years. An Official Plan is adopted by local Council under the provisions of the *Planning Act* and must be approved by the Ministry of Municipal Affairs and Housing. As such, the Fort Frances Official Plan must be consistent with matters of Provincial interest. The key provincial documents which provide guidance include the Provincial Policy Statement and the Growth Plan for Northern Ontario.

1.2.1 Conformity with Provincial Policy Statement

The Provincial Policy Statement (PPS) is issued under the authority of Section 3 of the *Planning Act*. It provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial policy-led planning system. The PPS is divided into four main sections: Building Strong Communities; Wise Use and Management of Resources; Protecting Public Health and Safety; and, Implementation.

All municipal official plans and planning decisions must be consistent with the PPS. The Fort Frances Official Plan has been prepared to meet the requirements of the PPS and is considered to be consistent with PPS (2005).



1.2.2 Conformity with Places to Grow – The Growth Plan for Northern Ontario

The proposed Growth Plan for Northern Ontario provides a broad twenty-five year land use vision for the communities in Ontario's North. The vision is based on positioning the northern economy to meet the challenges of the twenty first century which will provide diverse opportunities to work, live and participate in the new economy of the north. Delivering the vision will involve the combined efforts of government and diverse partners across Northern Ontario. The guiding principles for the Growth Plan can be identified as follows.

1. Creating a highly productive region, with a diverse, globally competitive economy that offers a range of career opportunities for all residents.
2. Developing a highly educated and skilled workforce to support an evolving knowledge-based economy and excellence in the trades.
3. Partnering with Aboriginal peoples to increase educational and employment opportunities.
4. Delivering a complete network of transportation, energy, communications, social and learning infrastructure, to support strong, vibrant communities.
5. Demonstrating leadership in sustainable growth and environmental management.
6. Establishing innovative partnerships to maximize resources and ensure the Growth Plan achieves its ambitious vision and is fiscally sustainable.

The Official Plan policies for the Fort Frances Official Plan are consistent with the general vision provided in the Growth Plan.

1.3 Plan Organization

The policies of this plan provide guidance and direction for the development and growth of the Town to the year 2031. The policies of this plan (Section 2-7) should be considered in their entirety when making decisions. The Official Plan is structured as follows.

- i. Part 1 'Introduction' describes the purpose and effect, the context under which the Plan was prepared, and the duration and structure of the Plan.
- ii. Part 2 'Vision and Guiding Principles' establishes the vision, guiding principles and basis for which the land use plans and policies of this Plan have been prepared.
- iii. Part 3 'General Policies' sets out the general functional policies to guide and direct growth and development of the municipality, and apply regardless of land use designation unless otherwise indicated.
- iv. Part 4 'Land Use Policies' establishes the general land use designations and applicable policies used in this Plan, and which together constitute the general



land use plan for the Town of Fort Frances as shown on the Schedule 'General Land Use Plan'.

- v. Part 5 'Implementation' describes the approaches, tools and mechanisms which the Town of Fort Frances will use to direct, manage and control development on a day-to-day basis. It provides further details on the powers which the municipality will exercise over growth, development and change to help it achieve its vision.
- vi. Part 6 'Interpretation' explains how to interpret the land use designation boundaries.
- vii. Part 7 'Definitions' explains the planning terminology used in the Official Plan to ensure harmony with planning terminology used in the *Planning Act*, Provincial Policy Statement, Growth Plan for Northern.
- viii. Part 8 'Schedules' form part of the Official Plan. The schedules should be interpreted with the applicable policies in the Official Plan.

This plan contains information maps which are not an operative component of the plan, rather they are intended to provide context to the policies.



2 VISION & GUIDING PRINCIPLES



2.1 Community Strategic Direction

The vision and basis for which the land use plan and policies have been prepared are as follows. The Town's Community Based Strategic Plan (2008) established the following vision statement.

"The Corporation of the Town of Fort Frances provides the leadership to deliver services in a responsible and efficient manner.

By working together we are creating a safe, sustainable and attractive community with a vibrant, growing economy that promotes economic growth, prosperity and improves our quality of life."

The Town of Fort Frances' Strategic Direction involves the following values.

- Vision / Innovation
- Professionalism
- Fiscal Responsibility / Accountability
- Sustainability / Stewardship
- Quality of Life
- Transparency / Openness
- An Engaged Informed Community
- Community Leadership
- Partnerships

2.2 A Complete Community

2.2.1 Statement

Complete communities meet all people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, services, a full range of housing and community infrastructure including affordable housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also an important component of a complete community. Complete communities provide a lifetime of opportunities for living, working, wellness, education, entertainment and recreation. The Town of Fort Frances aspires to be a complete community.

2.2.2 Policy Direction

- i. Fort Frances will lead initiatives which help to make Fort Frances a complete community.
- ii. Fort Frances will promote social inclusion, improved access to housing, commerce, job opportunities and social services.



- iii. Fort Frances will provide a policy framework for creating healthy, safe, vibrant, mixed use neighbourhoods.
- iv. Fort Frances will encourage the adequate supply and range of different housing types which are affordable and meet the special housing needs for its citizens.
- v. Fort Frances recognizes the importance of retaining youth, supporting families and building a community which allows people to age-in-place.
- vi. Fort Frances will seek out and promote partnerships with institutions, First Nation communities and agencies which engage citizens of all ages in activities which allow them to participate in strengthening the social, physical, environmental, and economic systems of Fort Frances as important stakeholders.
- vii. Fort Frances will plan its facilities and encourage non-municipal facilities to be located, designed and programmed to meet the needs of all citizens. It will further encourage arts and culture events and activities for all ages, with emphasis placed on supporting youth-driven arts and culture.
- viii. Fort Frances will encourage residential and non-residential development which is considered attractive to youth and young families, supports family-building, and allows for aging-in-place.
- ix. Fort Frances will encourage the development of places of employment which are matched to the sectoral clusters in which youth are seeking jobs.
- x. Fort Frances will promote neighbourhood design and a transportation system which is accessible to all citizens, including but not limited to, youth, young families, and senior citizens.
- xi. Fort Frances will identify gaps in the system which supports youth, young families and seniors, and address those gaps through the provision of programs, services, amenities and facilities.
- xii. Fort Frances will encourage planning and design which helps all citizens to achieve independence and dignity.

2.3 A Sustainable Town

2.3.1 Statement

Governments, institutions, businesses and residents of sustainable communities understand that they are part of a regional and global ecosystem, and that decisions made locally can have impacts globally. The citizens of Fort Frances also know that the decisions they make today will affect future generations; therefore, there is a preference for making choices about society, environment and economy that have little, or no, negative impact and create a Fort Frances which will benefit the citizens of tomorrow.



2.3.2 Strategic Directions

- i. Fort Frances will be a leader in promoting sustainability. It will set an example for other local municipalities by implementing technologies, policies, guidelines and practices which support a paradigm shift to sustainability among citizens, businesses, agencies and government.
- ii. Fort Frances will protect and enhance natural features by providing a planning policy framework which maintains and improves natural heritage features and corridors.
- iii. Fort Frances will support the promotion and implementation of programs which maintain and improve the local air quality in the municipality.
- iv. Fort Frances will promote and implement programs which maintain and improve the quality of the land and its nutrients, including the remediation of brownfield sites.
- v. Fort Frances will promote and implement programs which maintain and improve the quality of surface water and groundwater, and promote conservation of water resources.
- vi. Fort Frances will consider the potential impacts of climate change and encourage citizens, businesses and organizations to take measures to adapt to climate change.
- vii. Fort Frances will make decisions which result in little or no negative impacts to local air, land and water to help create a community which benefits current and future generations. Where a decision must be made which involves impacts to local air, land and/or water, then Fort Frances will ensure that the negative impacts are mitigated to the fullest extent possible.
- viii. Fort Frances will consider, and where appropriate, support and/or implement new technology which contributes to improvements in the quality of local air, land and water.
- ix. Fort Frances will make decisions which result in a vibrant downtown and welcoming attractive public places.
- x. Fort Frances will make efficient use of infrastructure by encouraging compact, mixed use, walkable and connected neighbourhoods.
- xi. Fort Frances will encourage a sustainable form of transportation which helps protect, enhance and restore the environment. Active Transportation (AT) is a sustainable form of transportation such as cycling, walking, jogging, inline skating, skateboarding or cross-country skiing. Active Transportation will be encouraged throughout the community.



- xii. Fort Frances will encourage the protection of the heritage values within Fort Frances.

2.4 A Safe, Healthy and Accessible Community

2.4.1 Statement

A safe and healthy town is one which can be explored and experienced by both citizens and visitors, at any time of day, without undue personal risk. Safe towns are places where hazards to public health and safety are adequately addressed through infrastructure, services and planning mechanisms. An accessible town is one which provides everyone with the opportunity to fully participate in all aspects of town life.

2.4.2 Policy Direction

- i. Fort Frances will be a leader in promoting a safe, healthy and accessible town.
- ii. Fort Frances will continue to enhance safety and security.
- iii. Fort Frances will consider and implement, as appropriate, measures of Crime Prevention in the planning and design of new sites, public facilities and neighbourhoods.
- iv. Fort Frances will continue to address known safety concerns in its neighbourhoods.
- v. Fort Frances will direct the development of land away from areas of known natural hazards, unless appropriate mitigating measures can be implemented.
- vi. Fort Frances will continue to invest in infrastructure and services which ensure that natural hazards to public safety are appropriately addressed.
- vii. Fort Frances will promote emergency preparedness among citizens, businesses and organizations.
- viii. Fort Frances will comply with the *Accessibility for Ontarians with Disabilities Act*. The municipality will consider and implement accessible design measures in the planning of new sites, public facilities, neighbourhoods and areas.
- ix. Fort Frances will undertake a program to address issues of accessibility and barrier-free design for buildings and neighbourhoods.
- x. Fort Frances will enhance and create a culture of health and wellness in the community by encouraging sport and public recreation opportunities.
- xi. Fort Frances will enhance community health and wellness services in the municipality.



3 GENERAL POLICIES

3.1 The Environment

3.1.1 Environmental Protection Area

The Town's rivers, streams, wetlands, shoreline, natural areas and habitat areas are to be protected and promoted for long term sustainability. The purpose of the Area designation is to provide for the long term preservation of a diverse and connected system of biological and ecological functions. Natural areas, features and functions should be maintained, restored and where possible improved, recognizing links and corridors between them.

a) Lands designated Environmental Protection Area on Schedule 'A' Land Use Plan indicate the general location of all known natural areas, features and hazard lands, and may include one or more of the following:

- Shorelines
- Floodplains
- Wetlands
- Significant habitat for endangered or threatened species
- Significant wildlife habitat
- Key hydrologic features

This mapping should not be construed as representing the precise boundaries of known natural areas, features and hazard lands. Environmental Protection Area designations, may be defined more precisely through Watershed, Environmental Planning Studies, Environmental Impact Studies, Ministry of Natural Resources or other government or regulatory authority mapping.

A significant modification to an Environmental Protection Area designation requires an Amendment to this Plan. Minor boundary adjustments do not.

The Land Use Plan Schedule 'A' may be updated as additional natural areas and features are identified, or where more accurate mapping is available.

b) Permitted Uses

The following uses may be permitted within the Environmental Protection Area designation, subject to applicable Ministry of Natural Resources policies and the policies of this Plan:

- Legally existing uses, buildings and structures, including agricultural uses;
- Fish, wildlife and conservation management including forestry management;
- Essential public works including transportation, utility, watershed management, and flood and erosion control facilities;
- Passive recreation features such as trails, walkways and bicycle paths.

3.1.2 Hazard Lands

a) All lands below the elevation of 339.43 metres CGD (CGVD28-Canadian Geodetic Vertical Datum of 1928) are subject to flooding and considered Hazard Lands. In



addition, all lands within the municipality abutting watercourses and below corresponding recognized high water marks for that watercourse will be considered subject to flooding and recognized as Hazard Lands.

- b) Permitted uses in the areas subject to flooding are outdoor recreation uses, conservation, parks, provided that no buildings shall be permitted, except bridges, and culverts that meet criteria, docks, picnic pavilions, boat ramps, parking facilities, structures associated with passive recreation and structures associated with water management and erosion protection provided that these uses do not affect flood flows.
- c) Where new development is proposed on lands, part of which are subject to flooding, such lands shall not necessarily be acceptable as part of the dedication for park purposes under the *Planning Act*. All lands dedicated to the municipality shall be conveyed in a satisfactory physical condition. Where an open water course is involved, adequate space shall be provided for maintenance operations.
- d) A building setback will be imposed on the margins of Hazard Lands and will be related to the extent of severity of the hazard. Building setbacks from all open watercourses and municipal drains will be provided for in the Zoning By-law.

3.1.3 Significant Wildlife Habitat

- a) No development or site alteration shall occur within or adjacent to Significant Wildlife Habitat unless the no negative impacts test is met. The no negative impacts test shall be determined through an Environmental Impact Study.
- b) The Town of Fort Frances and/or its proponents will identify and delineate Significant Wildlife Habitat consistent with direction provided in the MNR (Ministry of Natural Resources) *Natural Heritage reference Manual* and *Significant Wildlife Technical Guide*.
- c) MNR is the lead agency responsible for approving the delineation of Significant Wildlife Habitat and determining sufficiency of mitigation measures contained within Environmental Impact Studies.
- d) Environmental Impact Studies must be completed by a qualified person to address impacts to significant wildlife habitat.

3.1.4 Significant Habitat for Endangered or Threatened Species

- a) Anyone undertaking an activity is responsible for ensuring that the activity does not contravene the *Endangered Species Act 2007*, and development or site alterations must be planned and considered in accordance with the provisions of the Act.
- b) Each development or site alteration will require an appropriate level of assessment for habitat of threatened or endangered species. The assessment begins with a Natural Heritage Information Centre Species at Risk Screening and discussion with local MNR staff.



- c) The Ministry of Natural Resources (MNR) is the lead agency responsible for approving the delineation of Significant Habitat for Threatened and Endangered Species and administering the provisions of the *Endangered Species Act 2007*.

3.1.5 Confidential Values

Areas of significant waterfowl habitat, bird nesting areas, flora and fauna habitat locations are known to exist in the Town. Where such significant habitats are identified, new development or site alteration will not be permitted unless an Environmental Impact Study, prepared by a qualified professional, demonstrates to the satisfaction of the Approval Authority that development or site alteration would conform to the foregoing policies regarding protection of such significant habitats.

3.1.6 General Environmental Policies

- Where planning applications to establish a new use, or expand a permitted use, are not subject to the *Environment Assessment Act*, an approved Environmental Impact Study (EIS) shall be required, subject to the policies of this Plan, for any development, redevelopment or site alteration within or adjacent to natural areas and features. Protection or mitigating measures may be implemented.
- Lands designated Environmental Protection Area where no development is permitted shall be zoned to prohibit the erection, location or use of any buildings or structures other than those which legally exist.
- Subject to other policies of this Plan, expansion of an existing use located within or adjacent to the Environmental Protection Area or feature may be permitted if it will have no negative impact on the natural feature or its ecological functions, and should be subject to an approved EIS.
- Where development or site alteration is approved or adjacent to the Environmental Protection Area, new lots thus created shall not extend into either the area to be retained in a natural state or the buffer zone identified through an EIS. The lands to be retained in a natural state and the adjacent buffer zone shall be maintained as a single block and zoned to protect their natural features and ecological functions.
- The Town will, where deemed appropriate, pursue the acquisition of lands within the Environmental Protection Area by way of land dedication or other means, and which will be adequately sized to support the protection of natural features, function, access and maintenance. It should not be assumed that these lands will be accepted as parkland dedication, and lands having inherent environmental constraints will generally not be accepted as parkland dedication pursuant to the *Planning Act*.
- The Town recognizes that lands designated Environmental Protection Area, whether in private or public ownership, are accessible to the public at the discretion of the owner.



- The Town shall encourage and provide assistance, where possible, to private landowners and interest groups in developing and maintaining stewardship programs to support retention and enhancement of the Environmental Protection Area.

(a) Healthy Landscape

In making decisions concerning planning, development and conservation, the Town of Fort Frances will employ an ecosystem approach addressing:

- i. The interrelationships among air, land, water, plant and animal life, and human activities;
- ii. The health and integrity of the broader landscape, including impacts on the natural environment in neighbouring jurisdictions; and
- iii. The long term and cumulative impacts on the ecosystem.

(b) Water Resources

Development and site alteration shall only be permitted if they will not have negative impacts on:

- i. The quantity and quality of surface and ground water;
- ii. The functions of ground water recharge and discharge areas, aquifers and headwaters;
- iii. The natural hydrologic characteristics of watercourses such as base flow;
- iv. Surface or ground water resources adversely impacting on natural features or ecological functions of the Natural Area or its components;
- v. Natural drainage systems, stream forms and shorelines; and
- vi. Flooding or erosion.

Development and site alteration shall be restricted in the vicinity of vulnerable surface and ground water features of importance to municipal water supplies so that the safety and quality of municipal drinking water will be protected or improved.

(c) The Fort Frances Water Treatment Plant Intake Protection Zone

The Fort Frances Water Treatment Plant is located on shoreline of Rainy River in between Fifth Street East and Elizabeth Street on Colonization Road East. The Town of Fort Frances has identified an Intake Protection Zone covering the areas to the north and east and west of the Treatment Plant. The Intake Protection Zone is located on Schedule B to this Plan. Development and Site Alteration within the intake protection zone will be subject to a study which identifies that there will be no impact on the water quality and quantity as a result of the proposed development and/or site alteration.

(d) Efficient and Sustainable Use of Water

Efficient and sustainable use of water resources shall be promoted, including practices to conserve water and protect, or enhance, water quality.

(e) Combined Sewer Overflows

Combined Sewer Overflows have significant environmental impacts on water quality. Elimination of overflows shall be a priority of the Town.



(f) Stormwater Management and Sediment and Erosion Control Plan

A Stormwater Management Plan and a Sediment and Erosion Control Plan prepared and signed by a qualified engineer, may be required with a development Application depending on:

- i. The scale and nature of the proposal; and
- ii. Site-specific environmental conditions.

A Stormwater Management Plan may be required with an Application for development or site alteration in the Resource Development Area. Stormwater Management Plans shall be prepared in accordance with the Ontario Ministry of the Environment Stormwater Management Planning and Design Manual 2003, or its successor, and with watershed and/or environmental planning studies for the area.

A Stormwater Management Plan shall demonstrate that the proposal will minimize vegetation removal, grading and soil compaction, erosion and sedimentation, and impervious services. Generally, Stormwater Management Facilities shall not be constructed in a Natural Area, Fish Habitat or key hydrologic features.

(g) Permits to Take Water

Prior to any planning approvals, new development applications requiring a Provincial Permit to Take Water shall satisfy the Town of Fort Frances that the water taking will not have negative impacts on natural ecosystems or the quality and quantity of water to meet existing and planned uses.

(h) No Significant Adverse Impacts

Development and site alteration shall not have significant adverse impacts on ground water quality or quantity. In areas where development and site alteration could significantly affect ground water quality or quantity, the Town shall require that an assessment of potential groundwater impacts be submitted with the development application.

(i) Shoreline Development

It is recognized that the lake and river within the municipality are valuable recreational and environmental resources and as such should be protected from development that might cause deterioration of their water quality or fish or wild life habitat. It is the intent of Council that this Plan controls the nature and extent of development along the shoreline, development on islands and development along watercourses flowing into lakes. The design and development or redevelopment of waterfront properties shall have regard for the following:

i) Set Backs

All development except for docks, boathouses, and minor structures shall be set back from the shoreline in accordance with legislative requirements and/or impact assessment.

ii) Shoreline Character and Shore Road Allowances

Council strongly encourages that the shoreline areas be kept in their natural state as much as possible through the establishment and/or retention of the natural features and shoreline (riparian and littoral) vegetation. Shore road allowances



may be sold to an abutting property owner where Council does not require their retention for public access to a water body and where development will comply with the policies of this Plan.

3.1.7 Air Quality and Climate Change

(a) Energy Conservation

Fort Frances shall encourage and support energy conservation, district heating and combined heat and power, and alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies and regulations. Fort Frances will also encourage the application of energy conservation measures in the design and construction of new buildings and in the rehabilitation and upgrading of existing buildings and structures.

(b) Flexibility in Development Approvals Process

Increased flexibility in zoning and site planning may be considered in order to accommodate variances in building orientation, landscaping designs, lot coverage and other site or building characteristics to provide for increased energy efficiency.

(c) Fill

Recognizing that activities such as the dumping or placing of fill, grading of land and removal of topsoil can result in flooding and erosion, property damage, poor water quality, degradation of farmland and adverse impacts on natural areas, the Town will enact a Site Alteration By-law regulating such activities. As a condition of development approval, the Town may require measures to conserve topsoil and reduce or mitigate soil erosion.

(d) Hazardous Sites

On hazardous sites, development and site alteration will not be permitted unless a geotechnical study, prepared and signed by a qualified engineer, has demonstrated, to the satisfaction of the Ministry of the Environment and the Ministry of Northern Development, Mines and Forestry, that applicable policies can be met. On hazardous sites, the following uses shall not be permitted:

- i. Institutional uses associated with hospitals, nursing homes, pre-school, school nurseries, day care or schools;
- ii. Essential emergency services such as those provided by fire, police and ambulance stations and electrical substations; and
- iii. Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

Where, under this Plan, development and site alteration may be permitted on portions of hazardous lands or sites, then the MNR must be satisfied that the effects and risk to public safety are minor and can be managed or mitigated so that:

- i. Development and site alteration will be in accordance with provincial floodproofing standards, protection works standards and access standards;
- ii. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

- iii. New on-site or off-site hazards will not be created, or existing ones aggravated; and
- iv. No adverse environmental impacts will result.

(e) Priorities for Ecological Restoration

In supporting ecological restoration by the Town of Fort Frances and other groups, priority shall be given to those projects which will maintain or enhance the features of the Natural Heritage System and water resources.

3.1.8 Brownfield Redevelopment

(a) Brownfields Defined

Brownfields are defined by the Province in the Provincial Policy Statement as undeveloped or previously developed properties that may be contaminated (and) are usually former industrial or commercial properties that may be under-utilized, derelict or vacant.

(b) The Importance of Brownfields

Brownfields are important from an economic development planning perspective because they are underutilized serviced land in an urban setting which has potential for redevelopment. Left in a derelict state, they may adversely impact the attractiveness of the surrounding area for investment and degrade the areas in which they are located.

(c) Implementation

The Town supports brownfield redevelopment and has identified several potential sites throughout the Town. Remediation and redevelopment of brownfield sites particularly in proximity to the Rainy River Recreation Walkway, is an important objective of the Plan and future Community Improvement Plan. The Council will explore with the Province a variety of incentive programs designed to overcome the impediments to brownfield redevelopment. The Town will provide municipal leadership and work with developers and entrepreneurs to find new opportunities and partnerships in addressing the redevelopment of brownfields.

(d) Brownfield Inventory and Monitoring

The Town will monitor and maintain an inventory of brownfield sites. Efforts will be focused on revitalizing priority sites listed in the inventory.

3.2 Arts, Culture and Heritage

3.2.1 Objectives

The Town of Fort Frances will encourage the conservation, protection and enhancement of the Town's cultural heritage resources, including lands, archaeological sites, important views and vistas, and buildings and structures of historic, cultural and architectural value. The Town will encourage growth and development which promotes the protection and sympathetic treatment and use of heritage resources. The Town will also encourage the protection and awareness of the rich heritage of the Town's Downtown area, as well as the various ethnic cultures and neighbourhoods. The Town recognizes the social and economic benefits of supporting arts and cultural initiatives.



3.2.2 Policies

- a) All new development permitted by the land-use policies and designations of this Plan shall have regard for cultural heritage resources and shall, wherever possible, incorporate these resources into any new development plans. In addition, all new development will be planned in a manner that preserves and enhances the context in which cultural heritage resources are situated. Cultural heritage resources include, but are not restricted to, archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value, and human-made rural, village, and districts or cultural heritage landscapes of historic interest.
- b) The Ontario Heritage Act and its provisions will be utilized to conserve, protect and enhance the heritage of the Town through designation by by-law of individual properties, conservation districts and/or landscapes, and archaeological sites. A Municipal Heritage Committee may also be established pursuant to the Act to advise and assist Council on conservation matters related to heritage resources.
- c) Council shall enter into a municipal/provincial data sharing agreement in order to obtain data and maps of registered/known archaeological sites located within the Town. In addition, data and maps of any designated or locally significant heritage buildings or structures, mapped areas of archaeological potential and/or cultural heritage landscapes located within the Town shall be maintained for planning review. Council shall regularly update municipal archaeological resource mapping under the provisions of the municipal/provincial data sharing agreement.
- d) Council recognizes that archaeological potential will be determined for individual development applications and building permits through the use of established provincial screening criteria, or qualified mapping developed based on the known archaeological record within the Town. Archaeological potential criteria include features such as proximity to water, current or ancient shorelines, rolling topography, unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement.
- e) Council will regularly update municipal archaeological resource mapping under the provisions of a municipal/provincial data sharing agreement, as new archaeological sites are identified from land development and on the Provincial archaeological sites database.
- f) Council, with the advice of the Ministry of Tourism & Culture, may undertake the preparation of an Archaeological Master Plan. The Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the Town having archaeological potential. The Master Plan may also outline policies, programs and strategies to protect significant archaeological sites.
- g) The Town shall require archaeological assessment by archaeologists licensed under the *Ontario Heritage Act*, in areas where there are known archaeological



heritage resources and/or areas exhibiting archaeological potential within the municipal boundaries of the Town. Alterations to known archaeological sites must only be performed by licensed archaeologists, as per provisions under the *Ontario Heritage Act*. Any significant archaeological resource or site identified may be preserved in situ, to ensure that the integrity of the resource is maintained, and/or may it be systematically removed through excavation by a licensed archaeologist. The integrity of archaeological resources can be maintained by adopting archaeological zoning by-laws under Section 34 of the *Planning Act* or other similar provisions, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

- h) The Town shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism & Culture and the Ministry of Consumer and Business Services, when an identified historic human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Cemeteries Act* shall apply.
- ï) The Town shall have regard for the conservation of all significant cultural heritage resources during the undertaking of municipal public works or environmental assessment projects. When necessary, satisfactory measures and/or heritage impact assessments will be required to mitigate any adverse impact to significant resources as outlined by the heritage conservation policies contained within this Plan.
- j) Council shall encourage local utility companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and which do not have a negative impact on the architectural integrity of those resources. Council shall seek the acquisition of easements on properties with heritage significance in order to assure the preservation of these properties in perpetuity.
- k) Council shall ensure that each municipally-owned heritage resource which is sold, leased or transferred to another owner or lessee is subject to a heritage easement agreement which will guarantee its preservation, maintenance and use in a manner which respects its heritage significance and when appropriate, is subject to a heritage restoration agreement, which shall require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to the Municipal Heritage Committee or other accepted heritage property standard. Council shall ensure that secondary planning studies identify cultural heritage resources, which may exist in the area under study and propose means to protect and enhance any significant heritage resources.
- l) The Town will support initiatives which enhance, expand and support existing and new arts and cultural activities in Fort Frances.
- m) The Town encourages and supports the display of art in public places as a means of enhancing the public realm, enriching the visual experience of residents and visitors, and promoting Fort Frances' culture.



- n) The redevelopment of heritage buildings shall address the need to improve the accessibility and mobility for all individuals.

3.3 Transportation

3.3.1 Objectives

- The Town aims to develop a diverse transportation system which supports a variety of transportation modes, including road, rail, transit, cycling and pedestrian.
- The Town will encourage and plan for an integrated transportation system which allows for cost-effective and efficient movement of people and goods in a manner compatible with existing and future land uses.
- The Town will encourage a transportation system in Fort Frances which supports economic development and social inclusion, with minimum social and environmental disruption.
- The Town will encourage other municipalities, agencies, and stakeholders in the transportation system to coordinate and cooperate towards optimizing the transportation system.
- The Town will anticipate, designate and protect transportation rights-of-way and areas required for future transportation facilities in cooperation with the Province and neighbouring municipalities.
- The Town will plan its transportation network as a safe and accessible system. Additionally, the Town will ensure that its transportation network also provides fast and efficient routes for emergency response purposes.
- The Town will implement an Active Transportation System. An Active Transportation System is a sustainable form of transportation and is defined as any human-powered mode of transportation such as cycling, walking, jogging, inline skating, skateboarding or cross-country skiing.

3.3.2 Policies

3.3.2.1 Roads

All municipal road work projects are subject to the requirements of the Municipal Class Environmental Assessment Process.

(a) Planned Widening

The right-of-way widths indicate the maximum extent of a proposed widening which may be secured as part of the development approval process.

(b) Development Subject to Widening

No new development or redevelopment will be permitted which does not front on a public road of an acceptable standard of construction. As a condition of development



approval, the Town will require that sufficient lands be conveyed to provide for a road right-of-way in accordance with the classification set out above.

(c) Lands to be Dedicated

Unless otherwise specified in this Plan, a dedication of land to widen a roadway will be taken equally from both sides of the road allowance measured from the centerline of the roadway. In certain circumstances, where factors such as topography and existing development dictate, it may be necessary to require more than half of the widening on one side of the road allowance.

(d) Prioritizing Road Improvements

All existing roads shall be brought up to the approved municipal standards for roadways. However, it is recognized that, due to the expense of undertaking such works, this may not be achieved for many years. Priority will be given to those areas where the residents or businesses indicate that they are prepared to assist the Town through the application of the *Local Improvement Act*, or where it is desirable to carry out the improvements in conjunction with other public works in the vicinity.

(e) Road Improvement Criteria

Notwithstanding the above, road improvements can have a significant impact on the character of the neighbourhood. Therefore, the Town shall undertake road improvements when:

- I. The need is demonstrated through an analysis and public consultation regarding the safety, efficiency, affordability, diversity, land use impact, and integration of the transportation system;
- II. The resulting road improvements through the design process shall improve the livability of affected residential areas by:
 - i. Reducing the use of local streets in residential areas by cut-through traffic, R
 - ii. Minimizing conflicts between local and through traffic, and M
 - iii. Minimizing any adverse impacts on the social and natural environment of adjacent lands. M

(f) Roadway Functional Principles

To improve the designated functions of the roadway system, the following general principles shall be used:

- I. Where feasible, direct access from individual properties on arterial roads will be restricted to enhance the flow of traffic and minimize the negative impacts on abutting properties and pedestrian movement;
- II. The spacing of intersections between arterial and collector roads will be appropriate to accommodate traffic control devices;
- III. The spacing and possible reduction of driveways on arterial roads through the use of controlled joint access and common off-street parking facilities;



- IV. Discouraging the intersection of local roads with arterial roads;
- V. Controlling the number and design of driveways for multi-residential and commercial uses on collector and arterial roads;
- VI. Encouraging service roads for low density residential uses abutting arterial roads, and where appropriate, collector roads; and
- VII. Consideration of various traffic calming and management measures to reduce through-traffic on local streets and to promote safer streets.

(g) Provisions for Road Design

Where appropriate, the design of roads shall include provisions for:

- I. Pedestrians, by way of sidewalks to promote safety and reduce pedestrian-vehicle conflicts;
- II. Bicycles and other non-motorized vehicle traffic, by way of bicycle lanes, pre-paved boulevards, etc.;
- III. Aesthetic and noise reducing applications, by way of tree planting, landscaping, street furniture, berms, etc., where necessary;
- IV. Universal access and ease of movement with minimal physical and psychological obstacles, by way of sloped curbs, level entranceways, minimal grade changes, etc.

(h) Truck Traffic Management

Truck traffic shall be managed by:

- I. Directing it away from, or around, residential or sensitive areas where the road capacities are inadequate or where there is a potential for noise and/or safety hazards, and in particular, designate, establish and monitor truck routes;
- II. Encouraging the relocation of existing land uses (which generate volumes of truck traffic which contribute to current noise and safety hazards) to more suitable locations in the Town;
- III. Discouraging the movement of heavy truck traffic on all collector and local streets in residential areas;
- IV. Traffic studies have indicated that a truck by-pass along Eighth Avenue would be beneficial to the quality of life for the residents of Fort Frances; and
- V. The Town of Fort Frances will continue to monitor the truck traffic on Town streets and consider the implementation of a Truck By-pass along Eighth Street and McIrvine and Portage Roads to reduce the truck traffic impact on the residential and downtown commercial areas of the Town.



3.3.2.2 Provincial Highways

Highway 11 through the Town of Fort Frances has been designated since 1997 as a Connecting Link under Section 21 of the *Public Transportation and Highway Improvement Act*. Such a Connecting Link is a road under the jurisdiction of the municipality which retains control of signs, buildings and entrances.

- (a) In addition to all the applicable municipal requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within the permit control area of the Ministry of Transportation (MTO) under the *Public Transportation and Highway Improvement Act*, will also be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to, or in the vicinity of, a provincial highway or interchange/intersection within MTO's permit control areas will be subject to MTO's policies, standards and requirements.
- (b) Provincial Highways in the municipality include Highway 11/71. New access onto provincial highways will require approval from the Ministry of Transportation.
- (c) Direct access onto a provincial highway will be restricted. Development shall be encouraged to utilize local roads and service roads wherever possible. Where access is a possibility, it will only be considered to those properties that meet the requirements of MTO's access management practices and principles.
- (d) A transportation study, otherwise known as a traffic impact study, will be conducted to address both the impact of any new development upon the provincial highway system, as well as any associated highway improvements that are required prior to the approval of any secondary plans, development plans, or subdivisions.
- (e) The Ministry of Transportation's policy is one highway entrance for one lot of record. Back lot development cannot use another entrance for access to a provincial highway.
- (f) Any new proposed access connection (i.e. public road or signalized intersection into a provincial highway shall meet the Ministry of Transportation's access management practices and principles.
- (g) Any proposal for snowmobiles or trail crossing of provincial highway will require the prior approval of the Ministry of Transportation. Trails located along the right-of-way of a provincial highway are not permitted.
- (h) A drainage/stormwater management report/plan shall be prepared by the proponent, and reviewed and approved by the Ministry of Transportation for those developments located adjacent to, or in the vicinity of, a provincial highway whose drainage would impact the highway and/or downstream properties.

- (i) Outdoor storage and loading areas shall be visually screened or appropriately located so as to not be visible to the travelling public.
- (j) Entrances serving home occupations, industry or businesses located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.
- (k) Wayside pits and quarries, portable asphalt plants and portable concrete plants, used on public authority contracts, will be permitted without the need for an official plan amendment, rezoning, or development permit under the *Planning Act*, in all areas except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

Portable asphalt plants may be required to obtain approval from the Ministry of the Environment, and comply with the conditions of approval including any required setback distances.

For highway safety reasons, wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade.

3.3.2.3 Cycling

- (a) Cycling System for Fort Frances
The Town shall implement, in a staged program, the development of a continuous and safe system of on-street and off-street cycling trails.
- (b) Cycling Considerations during Road Projects
The design of new, and reconstruction of existing, arterial and collector roads shall consider bicycle movements by ensuring that such projects incorporate cycling facilities. New on-street cycling routes on arterial or collector roads will be designed to buffer the effect of high traffic volumes through wide cycling lane widths, paving materials, special demarcation, etc.
- (c) Cycling Considerations at Bridge Crossings
The Town will consider and accommodate, as much as possible, the needs of cyclists on bridge crossings.



- (d) Cycling Considered during Development
Development applications shall be reviewed to ensure that cycling linkages are incorporated into the design of the development in a safe and efficient manner, wherever warranted. In all new development and redevelopment, consideration shall be given to safe and secure bicycle movements and bicycle parking facilities.
- (e) Zoning Requirements for Cycling
The Zoning By-law may require development in certain zones to provide a minimum number of bicycle parking facilities and may specify whether these facilities are required to be weather-protected.
- (f) Cycling Advisory Committee
The Town may establish an Advisory Committee to seek advice and input on issues related to cycling, from time-to-time.
- (g) Funding Support for Cycling Trails
The Town may provide funding for implementing a cycling trails system by allocating a portion of the Town's budget on an annual basis for this purpose.

3.3.2.4 Pedestrians

- (a) A Safe, Convenient and Attractive System
Transportation facilities, including the construction of new roads and reconstruction of roads, shall include safe, convenient and attractive pedestrian systems such as sidewalks, corner ramps, pedestrian signals and appropriate lighting. A continuous sidewalk/walkway system providing accessible, safe, convenient and enjoyable walking for all users shall be developed and maintained.
- (b) Pedestrian-Friendly Streets
The development of pedestrian-scale streets and streetscapes which are safe, convenient and attractive will be supported through measures such as providing wide sidewalks, sheltered transit stops, street furniture, canopies on buildings, landscaping, locating retail and personal service uses at street level, and supporting building design which provides shelter and other amenities.
- (c) Required New Sidewalks and Walkways
The Town will require that new subdivisions provide sidewalks and walkways, as per the Town's municipal standards manual, as deemed appropriate. Pedestrian crossing signals will be required at all signalized intersections.
- (d) Transition between Sidewalks and Walkways
There should be a smooth transition between sidewalks and pedestrian walkways, with appropriate signage provided for pedestrian walkways.
- (e) Reducing Walking Distances
Sidewalks, walkways and trails shall be designed in a manner to reduce the walking distances between residential development and recreational/community facilities, schools and commercial facilities. This requirement shall be evaluated at a variety of scales.



- (f) Sidewalk Requirements within the Right of Way
For new or reconstruction, sidewalks shall be provided as follows:
On at least one side of all local roads (except cul-de-sacs, unless the cul-de-sac can connect to a destination such as a school, park, etc., in which case the sidewalk will be required on the side of the street which provides the most direct pedestrian route to the destination.).
- (g) Sidewalks Serving Certain Land Uses
Sidewalks are considered essential near schools, community facilities and institutions, and should be provided on both sides of the street.
- (h) Extension of Sidewalks
As a condition of approval, a sidewalk shall be required beyond the limits of a proposed subdivision to complete connection to the following:
- I. An existing sidewalk;
 - II. Isolated sections of sidewalk created by development; and
 - III. An intersection, walkway or logical ending point where the length of the sidewalk is reasonable.
- (i) Upgrading Pedestrian Facilities
The Town will undertake a program of sidewalk reconstruction to upgrade existing walkways and to provide new walkways in established areas. Upgrades to existing walkways and the construction of new walkways shall be safe, accessible, well-lighted and have a relative degree of visibility. Priority will be given to those areas adjacent to schools, community centres and commercial areas.

3.3.2.5 Railways

- (a) Rail to Support Industry
The Town shall support the location of rail service to meet the needs of industrial uses within the Town. It will further encourage multi-modal connections to rail as a means of supporting economic development.
- (b) Surplus Railway Lands
The Town, together with the railway authority, will identify potential reuse of railway lands which becomes surplus to the railway's needs. Where appropriate, the Town will consider the use of surplus railway lands for new trails and open space uses.
- (c) Mitigating Conflicts with Rail
The Town, together with the railway authority and other agencies, will identify where conflicts exist between rail, vehicles, cyclists, pedestrians and adjacent land uses and will implement appropriate measures to mitigate the conflict, wherever possible.

Development along the railway corridor and near rail yards should be limited to industrial and commercial uses. Where planning approvals are required to allow for development or redevelopment near a railway corridor or rail yard, consideration shall be given to the impacts of noise and vibration.

Except for limited infilling on existing lots of record, new residential and other sensitive land uses development shall not be permitted within 300 m of a rail yard.



Notwithstanding the above, where a planning approval is required (except for a comprehensive zoning by-law update or consolidation, or a minor variance) limited residential development of a restrictive infill nature may be permitted provided it has been demonstrated, by a site specific study to the satisfaction of Council in consultation with CN Rail, that there shall be no negative impacts on the long term function of the rail yard, that the applicable policies and guidelines, including the Ministry of the Environment noise assessment and land use compatibility guidelines, have been addressed, and Council is satisfied that appropriate noise mitigation measures shall be undertaken.

Applications for planning approvals to allow for residential or other sensitive land uses between 300 and 1000 m of a rail yard, or within 300 m of a railway corridor shall be accompanied by a noise study, to the satisfaction of Council in consultation with CN Rail, demonstrating that applicable provincial policies and guidelines with respect to noise and land use compatibility have been addressed. Such applications shall be permitted only where Council is satisfied that appropriate noise mitigation measures will be implemented at the time of development.

Where development is proposed within 75 m of a rail yard or railway corridor, submission of a vibration study, prepared to the satisfaction of Council in consultation with CN Rail, and addressing the potential impacts of vibration and recommended mitigation measures, may be required. Where potential adverse impacts are identified, appropriate mitigation measures shall be implemented at the time of development.

Appropriate safety measures, such as setbacks, berms and security fencing, shall be provided in association with all development proposals adjacent to rail yards or railway corridors, to the satisfaction of the Municipality in consultation with the rail companies.

In lieu of the site specific studies required in the Pre-application Consultation and Prescribed Information for Planning Applications Section of this Plan, the Municipality, in consultation with CN Rail, may undertake a comprehensive study to determine appropriate noise mitigation measures to be incorporated into new development proposed in close proximity to rail yards or rail corridors. Any such study shall be updated on a regular basis to reflect current rail operating conditions.

(d) Level Crossings

The Town will identify those level crossings requiring grade separations and seek appropriate government assistance for such construction. At the same time, the Town will identify those level crossings which are hazardous to public safety and will seek appropriate measures to improve and/or close such crossings.

3.3.2.6 Accessibility

(a) Mobility for All Persons

The Town shall strive to improve the mobility of all persons to make conditions safe for walking, wheelchair movement, and specialized transit.



(b) Accessible Design for New Buildings

All new public, commercial, residential, recreational and institutional buildings and facilities will incorporate accessible design, including, but not limited to, elevators where appropriate, automatic door openers, and ramps at building entrances.

(c) Development Review Considerations

In the review of development applications, the Town will address accessibility needs by:

- I. Requiring driveway and sidewalk slopes at a ratio of 1:12, height to length;
- II. Requiring sidewalk curb cuts at all intersections;
- III. Requiring that paving changes (e.g. interlocking brick, tactile strips, etc.) be incorporated at grade changes and intersections;
- IV. Requiring disability parking spaces, as specified in the Zoning by-law;
- V. Encouraging any other features appropriate to ensure that barrier-free design is provided; and
- VI. Where appropriate, circulating the application to an Accessibility Advisory Committee for comment.

(d) Preparation of Guidelines

The Town may prepare specific design guidelines for accessibility and/or ensure that accessible design is addressed when preparing design guidelines for neighbourhoods.

3.4 Infrastructure and Utilities

3.4.1 Planning Objectives

- The Town will ensure there is a sufficient amount of land designated to accommodate infrastructure and utilities.
- The Town will ensure issues related to land use compatibility are addressed.
- The Town will work with appropriate providers to ensure the safe and efficient provision of power, cable and telecommunications in an environmentally acceptable manner.
- The Town is responsible for providing a supply of municipal sanitary sewer and water services within the Town. The Town will work closely with the Province to ensure there is sufficient supply of sanitary and water services to meet long term growth projections outlined in this Plan.
- The Town will ensure all new development within the Townsite occurs on lands with access to full municipal services and necessary utilities. For lands outside of the Townsite, the Town will ensure that development, where necessary, complies with the standards of, and are subject to, the approval of all applicable authorities/agencies.
- The Town aims to improve water quality and reduce stormwater run-off by promoting innovative techniques for stormwater management.



- In the provision of infrastructure and utilities, the Town will encourage the use of innovative techniques and new technology.

3.4.2 Policies

(a) Planned Function

The planned function of the Infrastructure and Utility designation is to allow for the efficient and effective use of land to accommodate utilities and infrastructure.

(b) Permitted Uses

Uses include public and/or privately owned facilities, including water and sanitary sewage facilities, Stormwater Management Facilities, pumping stations, hydro corridors, communications/telecommunications infrastructure and facilities and transmission towers. These facilities are permitted in all land use designations, subject to the Policies of the Plan.

(c) Design

The built form of new infrastructure and utility facilities will be in harmony with the character of the surrounding area and will be appropriately landscaped.

3.4.3 Water and Sanitary Sewerage

(a) General Water Supply

The Town will ensure there is a sufficient supply of water capacity within the treatment plant to serve Fort Frances and accommodate the long term growth projections for Fort Frances.

(b) Water Supply within the Townsite

All new development within the built area is required to be connected to the water system as a condition of development.

(c) General Sanitary Sewerage

The Town will ensure there is a sufficient reserve capacity within the sanitary treatment plant to serve Fort Frances and accommodate the long term growth of Fort Frances.

(d) Sanitary Sewage Supply within the Townsite

All new development within the built area is required to be connected to the sanitary sewage system as a condition of development.

(e) Sewage Outside of the Townsite – Private Services and Systems

- I. New development outside the urban service area of the Townsite shall utilize private sewage disposal and water services.
- II. No development shall be permitted unless it can be shown to the satisfaction of the Municipality that there is an adequate water supply, sewage disposal system and public road access to service the development. In addition, no development shall be permitted unless Council is satisfied that the development will not have an adverse impact on neighbouring wells and sewage disposal systems. In considering impacts on ground water quality and quantity, the Municipality may



require a hydrogeology study that considers among other matters the cumulative impacts of development on the sustainability of ground water resources.

(f) Communal Services

- I. Where full municipal sewage and water services are not or cannot be provided, and site conditions are suitable, communal services may be considered.
- II. Development dependant on communal services may be permitted only where Council is prepared to either assume ownership of communal services, or to enter into a responsibility agreement provided for municipal ownership in the event of default.
- III. The Municipality will consider approving development on communal services only where there is a legal mechanism to ensure that the municipal responsibility and liability related to the ownership, operation and maintenance of such a system is protected and that sufficient financial securities are in place to protect the municipality.
- IV. Any new development on communal services shall be consistent with Policy 1.6.4.1 of the 2005 Provincial Policy Statement to ensure that:
 - the communal systems can be sustained by the existing water resources;
 - is financially viable;
 - protects human health and the natural environment; and
 - is integrated with land use and phasing of the development.

3.4.4 Stormwater

(a) Stormwater Water Management Plan

A Stormwater Water Management Plan and Sediment Erosion Control Plan, prepared and signed by a qualified engineer, may be required depending on the scale, location and other site specific issues related to a proposed development.

(b) Innovative Techniques

The Town encourages the use of innovative techniques to reduce the need for large stormwater management facilities, thereby reducing run-off and improving water quality. Innovative techniques include, but are not limited to, rainwater harvesting systems (rain barrels and cisterns), green roofs, landscape systems and vegetated swales, downspout disconnection and permeable surfaces.

(c) Location

Stormwater Management Facilities should generally be located at the edge of neighbourhoods; at the interface with natural areas; and/or within large public open spaces, including community parks. Stormwater Management Facilities should not be located within the Natural Area.

(d) Naturalization

Where appropriate, Stormwater Management Facilities shall be naturalized, making use of native plants and species.

- (e) Integration
Stormwater Management Facilities shall be designed to have a high level of public exposure and should be integrated in, and contribute to, the enhancement of the neighbourhood's public realm.
- (f) Safety
The design and layout of Stormwater Management Facilities shall address issues related to safety and shall be designed with gentle slopes in areas with direct access. Areas with steeper slopes shall not have direct access and shall be designed to include overhangs, railings and dense plantings.

3.4.5 Power, Telecommunications and Other Cabled Services

- (a) Location
New development will have local service power lines, communications/ telecommunications infrastructure and other cabled services located underground in road rights-of-way, where feasible.
- (b) Land Use Compatibility
The Town will encourage utility installations for telecommunications towers to be located outside of residential areas, where feasible. In instances where the facilities are of a scale and function which is perceived to present significant issues related to land use compatibility, infrastructure which must be located within residential areas or within close proximity to residential areas shall be designed to be compatible with the adjacent and surrounding land uses.
- (c) Design
Where feasible, the Town will seek to have local service power lines, communications/telecommunications infrastructure and other cabled services located underground. Above ground shall be sited to reduce their visual impact on the streetscape and/or screened using street furniture and landscaping. The Town encourages utility providers to consider innovative methods of containing utility services within streetscape features such as gateways, lamp posts, transit shelters, etc., when determining appropriate locations for large utility equipment and utility cluster sites.
- (d) Location and Siting of Large Utility Equipment
The Town will ensure that appropriate locations for large utility equipment and cluster site have been determined and that consideration be given to locational requirements for larger infrastructure within public rights-of-way, as well as easements on private property.
- (e) Permissions
Utility infrastructure shall be permitted in all land use designations, subject of the policies of this Plan.
- (f) Servicing
The Town will ensure that adequate utility networks, are or will be, established to serve the anticipated development through discussions with public and/or private utility providers.

(g) Coordination

The Town encourages all utilities to be planned for and installed in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruptions.

(h) Communication Towers

The Municipality of Fort Frances recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of service. Communication towers of 16.5 m in height or greater are designated as a structure under the Ontario Building Code and will be subject to building permits, as well as regulations under the Zoning By-law.

Local zoning by-laws cannot prevent a telecommunication tower from being constructed, since the Federal Government has the approval authority under the *Radio Communications Act*. Industry Canada recognizes the importance of considering the potential impact of communication towers on the adjacent surroundings and the community. A proponent seeking to establish a communications tower shall work with the Municipality, seek input from the community, and meet the requirements as set out in the *Radio Communications Act*.

3.4.6 Power Generation Facilities and Green Energy

Fort Frances will encourage and support alternative and renewable-source energy generation facilities which are developed in accordance with this Plan and Provincial and Federal legislation, policies, and regulations. Proposed developments will be encouraged to locate in areas where their adverse impacts on adjacent lands and natural features are minimized and mitigated to the greatest extent possible. Where feasible and practical, power generation facilities which are primarily buildings (e.g. cogeneration plant) may be encouraged to develop on brownfield sites. When evaluating proposals for alternative energy generation facilities the Town will consider the following:

- a) Location of facility;
- b) Size and scale of proposed facility;
- c) Potential for land use compatibility issues with adjacent land uses and potential for adverse impacts related to air, noise, odour, vibration, etc.;
- d) Potential for perceived risks to human health and safety; and
- e) Any additional considerations.

For highway safety reasons, wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade.

Developments which fall under the jurisdiction of the Green Energy Act do not require an Amendment to this Plan.

3.4.7 Energy Conservation

Fort Frances shall encourage and support energy conservation, district heating and combined heat and power, and the on-site use of alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies, and



regulations, and where all potential negative impacts to adjacent lands are mitigated. The Town will also encourage the application of energy conservation measures in the infrastructure and utility servicing of new buildings and in the rehabilitation and upgrading of existing neighbourhoods, buildings and structures. The Town will encourage and support water conservation methods (such as efficient landscape irrigation, low water consumption fixtures, etc.) in the development of new sites and buildings and in the rehabilitation and upgrading of existing sites and buildings. The Town may establish energy conservation design guidelines to encourage, or require, future development to implement energy conservation measures.

3.4.8 Site Plan Control

The development of all new infrastructure and utilities are subject to Site Plan Control.

3.5 Gateway Policies

There are three main approaches into Fort Frances. The east-west approaches are along King's Highway No. 11 while the approach from the south is via the International Bridge between International Falls and Fort Frances. The International Bridge traffic connects with Church Street, Central Avenue and eventually with the King's Highway.

These important corridors are gateway entrances into Fort Frances and provide potential economic benefits to the Town. The Town wishes to capture this traffic by providing a welcoming entrance into Fort Frances, with the intent of increasing the time spent in the Town by the travelling public. The Town recognizes that there are unsightly existing uses along these important corridors and it will work with the land owners to relocate these uses to a more appropriate land use designation away from the corridors.

The Plan includes a Gateway Economic Overlay at the three main entrances into the Town of Fort Frances. The Gateway Economic Overlay designation is planned to be a specialized employment area for businesses related to transportation and logistics, including facilities related to shipping and receiving, warehouses, major offices, manufacturers' showrooms, prestige manufacturing, light other similar uses. Minor retail, personal and professional services, commercial uses which are scaled to meet the needs of the employees within the immediate area are also permitted. Educational institutions that are complimentary to the aforementioned uses are also permitted. There shall be no outside storage of raw goods, materials or waste materials.

3.5.1 Design

Gateway Economic Area uses should be planned and designed to reflect the important role they play in serving the Town, the Rainy River District and Ontario. Gateway Economic Area uses should have high quality exteriors and landscaping. Gateway Economic Area uses at the convergence of transportation corridors will be encouraged to incorporate high quality, but unobtrusive, signage, architectural detailing on the principal building, and/or landscaping. The Gateway Economic Area, given its important locational characteristic, will be required to accommodate a high degree of streetscaping. The design of Gateway Economic Area uses should be pedestrian-friendly, barrier-free and accessible. Where outdoor storage is allowed as a previously existing use, it shall be screened using fencing and/or plantings so that the storage area or materials are not



visible from abutting lands. Where large amounts of vehicular parking is required for a proposed use, it will be provided as multiple landscaped parking areas distributed throughout the site with a logical circulation pattern. Loading areas will only be allowed in the rear yards of the facilities. Parking areas should be screened from adjacent land uses and large parking areas should incorporate internal landscaping. Illumination which enhances the aesthetics of the Gateway Economic Area's buildings and site will be encouraged, but illumination must not cause undue light pollution.

In addition, recent changes to the *Planning Act* provide municipalities with the ability to include the following in the site plan approval process.

- Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design; and
- Sustainable design elements on any adjoining highway under a municipality's jurisdiction.

In order to take advantage of the enabling legislation, both the Official Plan and the Site Plan Control By-law must contain provisions relating to these matters.

3.5.2 Urban Design Principles

The following urban design principles should be considered in the preparation and review of development proposals in the Living Areas and Employment Area Designations. As such, new development should:

- a) recognize and reflect on the history and cultural values of the community;
- b) reflect a thorough and sensitive understanding of place, context and setting;
- c) establish a built form that evolves through architectural style and innovation;
- d) contribute to attractive public spaces and important views, and protect sightlines to significant cultural heritage resources;
- e) be visible and safe;
- f) meet the needs of pedestrians as a priority;
- g) contribute to attractive public spaces and important views;
- h) accommodate the needs to a range of people, including children, seniors, and people with disabilities;
- i) complement, integrate and enhance existing environmental features and landscapes;
- j) achieve a more compact form over time;
- k) generally be based on a modified grid network in order to provide a well connected and integrated road system;
- l) achieve compatibility with existing uses;
- m) integrate energy efficient and green design features; and
- n) conserve, retain, and enhance significant heritage buildings, ruins, districts, landscapes, and archaeological features through effective community design.



3.6 Special Study Areas

The Schedules to this Plan show Special Study Areas. A Special Study Area is not a land use designation. It is intended to identify a specific concern such as servicing deficiencies, shifting land use trends on an economic downturn which renders lands inappropriate for existing uses.

Special Study Areas usually require more detailed study of the problem. The uses permitted are those of the applicable land use designations as shown on the Land Use Schedules subject to any restrictions contained in the Special Study Area. Legal non-conforming uses shall continue to operate. Development proposals not permitted within the applicable land use designation will require an Amendment to this Plan to be permitted. A description of each special policy area is provided as follows.

3.6.1 Special Study Area 1: Downtown Area

The Downtown Area is comprised of an area bounded by Central Avenue on the west, Second Street on the north, Armit Avenue on the east, and the Rainy River on the south. The Downtown Area requires a new direction and further study is required to address:

- New Land Uses
- Business Improvement Area
- Traffic Circulation
- Parking
- Design Guidelines
- Streetscape Improvements
- Public Open Space

3.6.2 Special Study Area 2: Shevlin Woodyard

The Shevlin Woodyard is the main wood storage facility for the Abitibi Bowater mill in Fort Frances. The woodyard and the mill are both located within the urban area of Fort Frances, fronting on Rainy River. As such, truck traffic between the two facilities impacts urban uses such as residential neighbourhoods and the downtown area of Fort Frances. The woodyard is bounded on three sides by residential uses and overlooks the Rainy River to the south. The woodyard is a legal non-conforming use and is designated Open Space in the existing Official Plan.

Further studies are required to determine the appropriate use of the site. Previous studies have identified a variety of uses ranging from hotels, waterpark, sport fishing centre, and residential condo development.

The relocation of the woodyard to a more appropriate site would redirect the truck traffic now servicing the site.

The site will also require assessment and potential remediation in accordance with the requirements of the Brownfields Legislation, O. Reg. 153/04 as amended if redevelopment to a more sensitive land use is contemplated.

3.6.3 Special Study Area 3: Minnie Avenue and Eighth Street E., Residential Area



This designation applies to lands in the eastern portion of the Town east of Minnie Avenue and north of Eighth Street East. The lands are within the Living Area of the Town and are ultimately intended for urban community uses. However, special studies are required to assess housing type, market demand, road and lot fabric design and serviceability.

Development of these lands by the private sector will require detailed studies regarding storm drainage and hydrogeological assessments prior to an Amendment to the existing land use designation.

3.6.4 Special Study Area 4: Pither's Point Park

The Pither's Point Park is located in the east end of the Town fronting on Rainy Lake. The Park has been developed as a recreation park with swimming, camping facilities and boat docking, along with the location of a hotel facility. The park has tremendous potential as a major tourist destination facility with a mixed land use component. The lands at Pither's Point are expected to remain in limbo until existing land tenure issues are resolved between the Town and Agency 1 First Nations. Once these issues are resolved, special studies and development applications will be required to advance and accommodate the redevelopment of the park.

3.6.5 Special Study Area 5: Armstrong Quarry (Part of River Range Lots 45 to 48 being parcels 9970, 6913, 13635, 12591, 16957, 17826, 11227 and Part of 7915)

The Armstrong Quarry is located on the west end of Town, north of Colonization Road and east of Oakwood Road with frontages on Emo Road, Pit Road 2 and Kings Highway #11. The 12 acre gravel pit has been abandoned for the most part and is slowly filling with water. The pit is surrounded by residential development and could provide a hazard to the adjacent residential uses in regards to the health, safety and welfare of the residents (bank stability, water safety issues).

The Town will work with the owners to ensure that the proper rehabilitation of the site takes place. Any reuse proposals for the development of these lands by the private sector will require detailed studies including geotechnical and hydrogeological assessments prior to an amendment to this Plan.



4 LAND USE DESIGNATIONS



4.1 Living Areas

4.1.1 Objectives

- a) Living areas are intended to provide for residential uses and local commercial, institutional and recreational uses which are normally associated with everyday activities within residential areas.
- b) The policies of this Plan are intended to provide for stable residential areas, which will encourage continuous improvement in property standards and housing conditions and encourage pedestrian access.
- c) Residential areas should provide for a variety of housing types to meet the demands of the present and future inhabitants of the Town. The desired mix of housing in the Town will be:

Dwelling Type	Percent	Density Units/Net ha
Low Density	65 %	12 – 16 units/ha
Medium Density	20 %	17 – 39 units/ha
High Density	15 %	40 or higher units/ha

- d) The Town will promote opportunities for residential intensification and redevelopment on lands located within the serviced area of the Town.
- e) The Town will promote pedestrian-friendly neighbourhoods and encourage the application of sustainable design criteria for new buildings and neighbourhoods.

4.1.2 Permitted Uses

The uses permitted in Living Areas include all forms of residential development such as group homes, home businesses and garden suites, and small scale institutional uses such as elementary schools, health care services, places of worship and neighbourhood parks.

4.1.3 Residential Development

- a) Residential development may occur by plan of subdivision, consent to sever lands or as intensification within the existing developed areas. Where more than three lots are being created and significant extensions or new municipal roadways or major sewer, water or other municipal services are being provided or improved to service the development, a plan of subdivision will generally be required. The islands within the Town limits may be developed subject to the approval of private individual sewage disposal facilities by the Northwestern Health Unit, pursuant to the requirements of Part 8 of the Ontario Building Code.
- b) Wherever possible, roads and services should follow grid systems, which are similar to the original lot configuration in the Town in order to provide a variety of routes for pedestrian and vehicular traffic.
- c) New housing developments should reflect a range of lot and housing sizes, including smaller, affordable housing units, which would be suitable for seniors



and smaller families. Where the development of smaller forms of housing occurs adjacent to older housing on larger lots, the new development should be designed and landscaped to be compatible with the character of the surrounding neighbourhoods.

- d) Within and nearby Living Areas there are uses which have existed prior to this plan. These uses may not be compatible with future residential uses, but are of economic importance to the community. In addition, uses may be permitted within adjacent areas that are not compatible with existing or future residential and sensitive uses.

New residential and sensitive uses shall be designed to consider pre-existing uses such that those existing uses can continue to function without ongoing conflicts between the new and prior existing uses.

The zoning by-law shall identify appropriate setbacks between proposed sensitive uses and existing non-compatible uses. Mitigation measures such as setbacks, fences and landscaping, may be required to minimize impacts.

Where development is proposed within 100 metres of the CNR rail line, the proponent shall provide noise mitigation and safety features to the satisfaction of the Ministry of Environment and the CNR.

- e) Prior to approving new residential uses, Council shall be satisfied that the development can be adequately serviced with sanitary sewers, municipal water, fire protection and utilities. Provisions for storm water management shall be provided on-site to ensure that the predevelopment run-off rates are maintained or improved. Council shall also be satisfied that there is safe access to the development for existing and future traffic.
- f) The implementing Zoning By-law will establish separate zones for low density, medium density and high density residential. Development of medium density and high density uses will require an Amendment to the Zoning By-law. In considering such an application, Council shall ensure that the development satisfies the land use compatibility policies in this Plan.
- g) Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision is to be designed such that the lots back onto the provincial highway and front onto a local internal street.

4.1.4 Small Scale Commercial Uses

- a) Commercial uses that serve the needs of the immediate neighbourhood shall be permitted throughout Living Areas. These uses may include convenience stores, entertainment sales/rental outlets and personal services.
- b) The size of local commercial uses shall be limited in the Zoning By-law to ensure that these uses are compatible with the built form of the surrounding residential uses. Council may use Site Plan Control to ensure that there is sufficient

landscaping, and that fencing, parking and signs do not detract from the attractive nature of the adjacent residential lands.

4.1.5 Small Scale Institutional Uses

- a) Places of worship, medical clinics and offices and elementary schools are examples of small scale institutional uses, which serve the day-to-day needs of the community. These uses are encouraged to locate where residents can walk from their homes to use these services.
- b) New institutional uses in Living Areas will require an Amendment to the Zoning By-law. When considering such an application, Council will ensure that the scale and design of the proposed use in character with the adjacent residential uses. Site Plan control may be used to insure that the design of the building, parking, landscaping, lighting and signs is in keeping with the residential character of the neighbourhood.

4.1.6 Neighbouring Parks

- a) Within Living Areas, neighbourhood parks should be provided within 1000 meters of all residential uses. Pedestrian and bicycle access to and between these parks should be developed wherever possible.
- b) Neighbourhood parks should be between 1.5 and 2.0 ha in size and should have suitable dimensions to provide for junior soccer pitches and junior baseball diamonds.

4.1.7 Islands

- a) The islands in Rainy Lake within the Town limits may be developed subject to the approval of adequate sewage disposal facilities by Northwestern Health Unit, pursuant to the requirements of Part 8 of the *Ontario Building Code*.
- b) Development on islands will be linked to recreational and seasonal uses. No municipal services will be provided to islands. Prior to approving development on islands, the Town shall be satisfied that adequate mainland parking has been secured.

4.1.8 Additional Residential Policies

- (a) Design Policies for Existing Neighbourhoods
New Development in existing neighbourhoods (redevelopment or intensification) shall reinforce and improve upon the character defined by the existing built form and landscaping. The Town will maintain and improve existing neighbourhoods through tools such as By-laws (e.g., property standards, tree cutting), civic beautification, heritage conservation initiatives, and urban design guidelines.
- (b) Location and Design of Elementary School Sites
Elementary schools should be located adjacent to public parks and open spaces, where possible. Generally, the school should be centrally located in regard to the area being served. The location should be selected and designed in consultation with the School



Boards. The location should also be selected and designed to minimize traffic conflicts with pedestrians. Sidewalks are considered to be an integral design aspect and will be required to link all school sites to adjacent neighbourhoods; bicycle lanes will be incorporated wherever feasible.

(c) Location and Design of Places of Worship

Where possible, places of worship should be located on the appropriate road classification. Places of worship should provide on-site parking located at the rear or side of the building. Proposals for developing new places of worship may require the applicant to submit a traffic impact study, lighting study, parking study and other studies deemed appropriate by the Town.

(d) Infill and Intensification Development

Infilling and intensification is encouraged throughout the Town's existing built up residential areas. Intensification in residential areas should address (notwithstanding the requirements for a severance, site plan or plan of subdivision):

- I. Land use and neighbourhood character compatibility;
- II. Lot pattern and configuration;
- III. Accessibility;
- IV. Parking requirements;
- V. The potential for additional traffic and traffic maneuverability;
- VI. Natural (including natural hazards) and built heritage conservation/protection;
- VII. The available capacity of municipal infrastructure; and
- VIII. Residential intensification targets identified in this Plan.

(e) Live/Work Opportunities

Medium density and high density residential units designed for live/work may be permitted subject to Site Plan Approval and provision of sufficient parking. Live/work development is encouraged to locate on collector and arterial roads and/or in an area planned for intensification.

(f) Affordable Housing

The Town will work with the appropriate housing agencies to ensure that a sufficient supply of housing is provided which is affordable to low and moderate income households. The Town will also consider alternative requirements for residential lot standards and required floor space in the Zoning By-law which would support the provision of affordable housing.

(g) Accessible Housing

The Town will work with the Province and the private sector to ensure that an adequate supply of accessible housing is provided to meet long term demand for persons with physical disabilities.

(h) Group Homes

Group homes administered by the Ministry of Health or Ministry of Community and Social Services under Provincial legislation shall be permitted in any residential area. The types of group homes which are permitted include:

- I. Approved homes;



- II. Homes for special care;
- III. Supportive housing programs;
- IV. Accommodation for adult mental health programs;
- V. Accommodation services for individuals with a developmental disability;
- VI. Satellite residences for seniors; and
- VII. Homes for individuals who have physical disabilities, where the Province licenses, funds or approves such a group home program.

(i) Accessory Dwelling Units

Once (1) Accessory Dwelling Unit may be permitted, in addition to the principal dwelling unit, of single-detached and semi-detached dwellings through a Zoning By-law or minor variance application. The following criteria shall be considered when evaluating proposals for the creation of accessory dwelling units:

- I. The floor area of the accessory unit is equal to, or less than, the gross floor area of the principal unit without any modification to the building's bulk or massing;
- II. The Accessory Dwelling Unit is not located in an attached garage;
- III. One additional one (1) unit on-site parking space is provided exclusively for the accessory dwelling unit;
- IV. The outdoor private amenity area is adequate for the amenity and leisure needs of all occupants;
- V. The Accessory Dwelling Unit meets the requirements of the Town's Zoning By-law, the Building Code and Fire Code;
- VI. A lot may not have both an Accessory Dwelling Unit and a Garden Suite.

(j) Second units¹

Second units are permitted for:

- I. the use of two residential units in a detached house, semi-detached house or row house if no building or structure ancillary to the detached house, semi-detached house or row house contains a residential unit; and
- II. the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or row house if the detached house, semi-detached house or row house contains a single residential unit.

(k) Garden Suites

One (1) Garden Suite may be permitted, but only on a lot Zoned for a single-detached dwelling. The Garden Suite will be a small, temporary building which is physically separate from the principal dwelling unit and will be adequately serviced by the primary residence. The exterior design of the Garden Suite will be in character with the design of the principal dwelling unit and the location of the Garden Suite on the lot will not adversely impact the privacy of adjacent yards. Garden Suites will be subject to a Temporary Use By-law. A lot may not have both an Accessory Dwelling Unit and a Garden Suite. Garden Suites must meet the requirements of the Town's Zoning By-law, Building Code and Fire Code.

¹ Section (j) - MMAH modification prior to approval (December 3, 2012)



(l) Home Based Businesses

Home Occupations and Home Professions may be permitted in single-detached residential, semi-detached and townhouses, as long as it is accessory to the principal residential use and occurs entirely within the confines of the dwelling unit.

4.2 Employment Areas

4.2.1 Objectives

- a) To provide opportunities to develop a diverse range of employment opportunities for the present and future residents of Fort Frances.
- b) To ensure that there are sufficient lands designated for development opportunities at all times.
- c) To ensure that there is sufficient flexibility to adapt to change and opportunities quickly; and
- d) To provide for attractive development that will encourage investment in Fort Frances.

The Town will protect its Employment Areas and will require extensive justification for any proposed conversion to non-employment uses.

The Town will consider the geographic location and transportation connections when planning new Employment Areas, and will emphasize the benefits of Fort Frances' location, transportation connections, and quality of life when promoting the build-out of existing Employment Areas.

The Town will attempt to minimize adverse impacts associated with industrial uses by ensuring that industrial uses occur on designated lands and that issues related to impacts of air, noise, vibration and odour are addressed in a manner which is consistent with Town and Provincial standards.

High quality urban design will be a key tool for increasing the attractiveness of Employment Areas. Specific urban design requirements will be considered to enhance the attractiveness and unique identity of Employment Areas.

The Town will plan and promote a Gateway Employment Area at the entrances into the Town which generates unique and ongoing economic development benefits. The Gateway Employment Area will be an overlay designation with specific site design policies as outlined in this Plan.

4.2.2 Permitted Uses

Employment areas include Industrial, Commercial and Business uses. The designation is intended to reflect lands where people presently work and lands where employment opportunities will be provided in the future.

The Zoning By-law will further divide these areas into different Industrial, Commercial and Institutional Zones.



4.2.3 Industrial Uses

- a) The mill presently owned and operated by Abitibi-Bowater is the primary industry in Fort Frances. Continued cooperation between the Town and the mill owners is encouraged by this Plan.
- b) Heavy Industry, apart from the mill, is encouraged to locate in the north westerly portion of the Town. These uses shall be located and landscaped to minimize the visual impact of open storage areas from adjacent Living Areas and major traffic routes.
- c) Prior to approving new heavy industries in Town, Council shall receive a detailed report on the use, potential emissions of noise, dust or odour, traffic implications and a site plan showing the proposed development.
- d) Heavy industrial uses include processing, manufacturing, assembly, fabrication, research and development, laboratories, workshops, training facilities, warehousing, shipping/receiving, major offices and other similar uses. Minor retail and personal and professional service commercial uses, which are scaled to serve the needs of the employees of the immediate employment area, are also permitted. Outdoor storage is permitted.
- e) Heavy Industrial uses should provide for the use of good quality exterior building materials and landscaping will be encouraged. General Industrial Areas near sensitive land uses will incorporate buffering, massing and screening, as well as controls for noise, vibration, odour, dust/debris and light emissions, which minimize impacts on the nearby sensitive uses. Outdoor storage shall be screened, using fencing and/or plantings, so that the storage area or goods are not visible from abutting lands or the street. The design of new Heavy Industrial uses shall be pedestrian friendly, barrier-free and accessible, where possible. Small parking areas may be provided in the front yard, however large parking areas shall be located to the side or rear of the building incorporating appropriate landscaping and/or screening.
- f) Light Industries are those industrial uses which are entirely contained within a building, except for accessory vehicle parking and limited outdoor storage and do not emit noticeable or noxious noise, dust or air emissions. These uses may be situated in close proximity to commercial uses and residential uses provided that the appropriate buffering measure are undertaken to minimize traffic and visual impacts.
- g) Light Industries permitted include light-manufacturing, light-assembly, research and development, warehouses and wholesaling, indoor storage, offices related to industrial uses, as well as some commercial uses such as heavy equipment sales and services, repair shops and services and lumber yards. Minor retail, personal and professional service commercial uses which are scaled to serve the immediate needs of the employees of the immediate employment area are also permitted. Only a limited amount of outdoor storage is permitted.



- h) Development in the Light Industrial Area is encouraged to have high quality exterior building materials and high quality landscaping. Development at the perimeter of Light Industrial Areas shall have edge landscaping and urban design treatments, where appropriate, to strengthen the area's visual appeal. Outdoor storage is not permitted, except where finished goods or materials are the primary product of a business (such as lumber in the case of a lumber yard). The design of light industrial subdivisions or individual sites should incorporate pedestrian-friendly, barrier-free and accessible design. Parking areas shall be screened from any adjacent sensitive land uses and large parking areas shall incorporate internal landscaping and be located at the rear or side of the building.
- i) All industrial uses shall be developed on the basis of full municipal services. Private services may be permitted where there is no industrial waste water and sewage facilities are less than 4,500 litres per day on an interim basis in areas where the Town has completed environmental studies regarding extending services to the site and servicing is likely to occur in the near future. Where these situations occur, the developer shall enter into an agreement with the Town to ensure that the site is pre-serviced and to provide a financial guarantee relating to the extension of the connection to full municipal services.
- j) New industrial developments shall meet or exceed provincial standards for noise, emissions and setbacks from adjacent uses.
- k) Industrial traffic should be directed away from, and not through, residential areas. Generally, the number of access points from employment areas to arterial and collector roads should be limited to minimize potential disruptions to traffic flow.
- l) An accessory residential use, such as a caretaker's residence, which is incidental to, and supportive of, the employment use, may be permitted subject to any appropriate mitigative measures required to conform with Provincial standards.
- m) The Town may permit the conversion of lands within employment areas to non-employment uses, but only through a municipal comprehensive review where it has been demonstrated that:
 - i. There is a need for the conversion;
 - ii. The conversion will not adversely affect the overall viability of the Town's Employment Areas and the achievement of other Policies of this Plan;
 - iii. There is existing or planned infrastructure in place to accommodate the proposed use; and
 - iv. The lands are not required over the long term for employment purposes for which they are designated.

4.2.4 Commercial Uses

- a) Commercial developments shall be encouraged to meet the needs of the residents of the District of Rainy River and its tourists, as well as support the industrial uses within the District.



- b) Commercial developments at the easterly and westerly ends of the Town should be focused on serving the needs of tourists and the travelling public. These uses shall provide access and parking areas suited to larger recreational vehicles and trailers and shall be designed as attractive entrance features to the Town. An Economic Gateway overlay designation has been prepared to provide additional development and design policies for uses locating at the easterly, westerly and southern approaches to the Town.
- c) Within the Downtown Business Area, the broadest range of commercial and residential uses shall be encouraged. Commercial uses should develop at the street line on the ground level. Residential uses will be encouraged to locate on upper floors provided that adequate access and parking can be provided.
- d) Building design, signage and landscaping details used in the Downtown Business Area should reflect the historical character of the downtown area.
- e) The Town will consider incentives to encourage the continued viability of the Downtown Business Area.
- f) The Downtown Business Area will be considered a Special Study Area and a Secondary Plan will be prepared to address the Downtown's special issues, as well as provide for a specific set of design guidelines.

4.3 Recreational Areas

4.3.1 Objectives

- a) To provide areas for residents of the Town to enjoy leisure activities and the environment.
- b) To develop a continuous parkland and trail system throughout the Town.
- c) To ensure that sufficient lands and facilities are available to provide for flexibility and variety in recreational opportunities for present and future inhabitants.

4.3.2 Permitted Uses

The uses permitted in the Recreational Areas include Municipal and public recreation facilities such as arenas, playing fields, community parks, walking and bicycle paths, snowmobile trails and related facilities and municipal marina facilities.

4.3.3 Development Policies

- a) Council will encourage the development of a continuous parkland and trail throughout the Town. The Town will acquire lands for this system through the land division and site plan approval processes. In addition, the Town will actively seek partnerships with other government agencies and private sector parties to develop the parkland and trail system.
- b) Where the parkland and trail system is situated within a municipal road allowance, Council shall seek to improve the pedestrian and bicycle routes within

the road allowance to provide to wider sidewalks, dedicated bicycle lanes and increased landscaping.

Future park areas shown on Schedule ____ are intended to illustrate general locations for parks. The precise area and location of these parks will be established when the surrounding lands are developed.

- c) Parkland facilities shall be designated to be compatible with adjacent land uses. Consideration to the impacts of noise, lighting, parking and landscaping shall be given when new recreational uses are developed.
- d) Any proposal for snowmobiles or trail crossing of provincial highway will require the prior approval of the Ministry of Transportation. Trails located along the right-of-way of a provincial highway are not permitted.

4.4 Resource Development

4.4.1 Objectives

- a) To provide areas for the development of uses which are incompatible with those uses found in Living Areas.
- b) To preserve lands for future development that requires large land areas and is centered on the natural environment.
- c) To ensure that land uses within the undeveloped portions of the Town do not limit the long term use of the lands for the logical extension of urban services and development.
- d) To recognize areas which may have limited development potential due to environmental constraints such as flooding or high water table.

4.4.2 Permitted Uses

The uses permitted in the Resource Development Areas include recreational trails and related buildings, mineral aggregate operations and peat extraction, mineral mining operations, agriculture, log storage and transportation facilities, waste disposal and recycling facilities and limited residential development.

4.4.3 Development Policies

- a) Land use compatibility will be a primary factor in determining whether new uses shall be permitted. Prior to considering an application to amend the Zoning By-law, Council shall be satisfied that the development is designed to minimize off-site impacts including storm water, traffic, noise and emissions.
- b) Residential development shall only be permitted in areas presently serviced with maintained municipal roads within 200 meters of existing residential uses. These uses may develop on the basis of private services subject to the approval of the Northwestern Health Unit, pursuant to the requirements of Part 8 of the Ontario Building Code.



- c) Extractive uses, including peat extraction, and mining operations may require an Amendment to the Zoning By-law. The Town may pass a by-law pursuant to the *Municipal Act* to require extractive operations to enter into a Development Agreement between the developer and the Town. Mineral aggregate operations will be protected from activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety, or environmental impact. Existing mineral aggregate operations will be permitted to continue without the need for Official Plan amendment, rezoning, or development permit under the *Planning Act*.
- d) Prior to any development in the Resource Development Areas, Council shall be satisfied that the lands are physically suitable for the use proposed. In areas exhibiting a high water table or peat deposits, an engineering report supporting the proposal will be required.
- e) No development shall be permitted below an elevation of 339.5 meters (1,113.6 ft) C.G.D. adjacent to any resource development lands adjacent to Rainy River.
- f) No habitable building shall be constructed within 10 meters of the flood elevation of the Rainy River or any steam channel.
- g) All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development as amended from time to time.



5 IMPLEMENTATION



5.1 General

Where the Policies in this Section identify requirements or standards, they are intended to express the minimum expectations for implementation of this Official Plan and should specific land use Policies dictate higher standards elsewhere in this Plan, then those higher standards shall prevail.

5.2 Planning Studies

5.2.1 Studies, Resources and Findings

The Town may undertake planning studies from time-to-time, in order to monitor progress of planning initiatives, understand new trends, ensure an appropriate response is provided for issues which may arise, or for any other purpose deemed suitable by the Municipal Planner, Committee or Council. The Town will dedicate sufficient resources, or seek partnership funding, for planning studies so that the work can be undertaken with appropriate professional diligence. The Town may implement the findings of a planning study with a follow-up Official Plan Amendment, a Secondary Plan, a Zoning By-law Amendment, a By-law or any mechanism deemed appropriate.

5.2.2 Studies by Other Agencies

Should other agencies undertake planning studies which may have implications to Fort Frances, the municipality will encourage that its interests be represented on an advisory committee, steering committee, etc. If deemed appropriate, the municipality may also contribute resources to assist with the study.

5.3 Secondary Plans

5.3.1 Impetus for Secondary Plans

The Town of Fort Frances may undertake a planning study and implement a Secondary Plan in order to guide the development or redevelopment of a specified area of the municipality. The Secondary Plan provides a greater level of detail than provided by the Official Plan. Examples of situations which may warrant a Secondary Plan include, but are not limited to:

- a) Large areas for new development;
- b) Older residential, non-residential or mixed use areas which are in transition or experiencing land use compatibility issues;
- c) Residential, non-residential or mixed uses areas which are experiencing pressure for land use conversions or intensification; and/or
- d) Areas which have been designated for heritage protection under the *Heritage Act*.



5.3.2 Requirements for Studies Supporting Secondary Plans

The planning study and resulting Secondary Plan will address, as appropriate:

- a) Land use;
- b) Natural environment;
- c) Natural and human-made risks;
- d) Transportation;
- e) Water and wastewater servicing;
- f) Stormwater management (and a subwatershed or scoped subwatershed study);
- g) Mitigation of negative impacts;
- h) Climate change adaptation impacts;
- i) Sustainable design;
- j) Urban design;
- k) Archaeology, built and cultural heritage;
- l) Culture;
- m) Utilities;
- n) Economics; and
- o) Municipal finance.

5.3.3 Stakeholder Consultation

The planning study will be undertaken with appropriate stakeholder consultation. A minimum of one Statutory Public Hearing and one Public Open House will be held in advance of the Secondary Plan's adoption.

5.4 Zoning By-law

5.4.1 Conformity with Official Plan

5.4.1.1 Zoning to Conform

The Zoning By-law is one of the primary tools for implementing the Official Plan. In accordance with the Planning Act, the Zoning By-law shall be updated so that it is in conformity with the Official Plan.

5.4.1.2 Scope of Zoning Regulations

The Zoning By-law shall contain regulations to control the amount and type of development with respect to matters such as:

- a) Permitted uses;
- b) Location of uses;
- c) Lot areas and dimensions;
- d) Floor areas;
- e) Siting of development relative to the lot;
- f) The portion of the site which can be occupied by buildings or structures;
- g) Densities of residential land uses;
- h) Densities of non-residential land uses;
- i) The bulk and massing character of buildings;
- j) Requirements of parking and loading areas;
- k) Requirements for landscaping; and

- l) Any other such regulations or requirements which may be allowed to be controlled through a Zoning By-law as enabled by the *Planning Act*.

5.4.2 Interim Control By-law

5.4.2.1 Purpose of Interim Control By-law

Where Council has, by By-law or Resolution, directed that a study be undertaken regarding its land use planning policies or Zoning regulations for the Town or any defined area or areas thereof, it may pass an Interim Control by-law prohibiting the use of land, buildings or structures within the area defined by the By-law, except for such uses as are set out in the By-law.

5.4.2.2 Time Limit of Interim Control By-law

An Interim Control By-law shall apply for a limited period of time subject to the provisions of the *Planning Act*.

5.4.3 Holding Provisions

5.4.3.1 Purpose of Holding

The Zoning By-law will incorporate provisions for Holding Zoning which may be applied on lands where the lands are pre-zoned for a use, but presently there exist a number of conditions which must be satisfied prior to development. Lands subject to Holding Zoning will be identified with an “H” symbol beside the land use symbol on the Zoning map.

5.4.3.2 Application of the Holding Provision

Holding provisions will be applied where there is a need for additional conditions which cannot be applied on a pre-zoning basis or through the Site Plan Approval process.

5.4.3.3 Interim Uses for Lands Subject to Holding

The Zoning By-law may specify interim uses which may be deemed compatible and/or permissible, even though lands are subject to a Holding Provision.

5.4.3.4 Lifting of the Holding Provision

The Zoning By-law will be amended to remove the Holding symbol when it has been determined that the conditions requiring the Holding have been satisfied. Such conditions may include, but are not limited to:

- a) Completion of special studies related to the area, or site’s opportunities or constraints, or the impact of development and mitigation thereof;
- b) The grading of the site;
- c) The provision of road infrastructure, including, but not limited to, the road base, streetlights, signage and traffic control signals;
- d) The provision of water, wastewater, or stormwater servicing for the lands;
- e) Satisfying certain financial requirements of the municipality;
- f) Any other matter provided for by the provisions of the *Planning Act*.

5.4.3.5 Stakeholder Consultation

Consultation related to lifting of the Holding provision will be done in accordance with the *Planning Act*.



5.4.4 Temporary Use By-law

5.4.4.1 Purpose of Temporary Use By-law

Provided the general intent and purpose of the Official Plan are maintained, Council may pass By-laws to authorize the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by this Plan, for renewable periods not exceeding three years, in accordance with the *Planning Act*.

5.4.4.2 Considerations

In enacting a Temporary Use By-law, Council shall have regard for the following matters:

- a) Compatibility of the proposed use with surrounding land uses;
- b) Any requirement for temporary buildings or structures in associates with the proposed use;
- c) Any requirement for temporary connection to municipal services and utilities;
- d) The potential impact of the proposed use on transportation facilities and traffic in the immediate area;
- e) Access requirements for the proposed use;
- f) Parking requirements for the proposed use, and the ability to provide adequate parking on-site; and
- g) Any potential long-term impacts associated with the proposed temporary use.

5.4.5 Zoning with Conditions

5.4.5.1 Purpose of Zoning with Conditions

The Town may use Zoning with Conditions in order to encourage the specific mixing of land uses which is planned to support development, redevelopment, revitalization, or intensification in certain areas.

5.4.5.2 Applicable Land Uses

It is anticipated that Zoning with Conditions will be principally used in mixed use areas or redevelopment areas in order to achieve the goals of the Official Plan, Secondary Plan, etc.

5.4.5.3 Use of Conditions

In Zoning categories which provide for Conditional uses, the Zoning By-law will stipulate which uses are permitted and which uses are Conditional upon the existence of certain permitted uses. The Zoning By-law may place a limit on the gross floor area, height, or density of any permitted or Conditional use in Zoning categories which provide for Conditional uses.

5.4.3.4 Change in Use

If the owner intends to change the land use in a development which was permitted through Conditional Zoning resulting in non-compliance of the development with the Conditional Zoning, then the new development will only be permitted if justified by a Zoning By-law Amendment and/or Official Plan Amendment.



5.5 Plans of Subdivision

5.5.1 Purpose of Plans of Subdivision

Plans of Subdivision will be required for lot creation in situations where lot creation by consent is not appropriate.

5.5.2 Evaluation of Plans of Subdivision

Applications will be evaluated on the following minimum criteria:

- a) Consistency with the Official Plan, Secondary Plan, etc.;
- b) Availability of servicing without undue financial commitment by the Town;
- c) Suitable provision of municipal services including but not limited to, public streets, water, storm and sanitary sewers, waste collection and disposal, public and/or private utilities, fire and police protection, parks, schools, and other community facilities;
- d) Exposure to noise and mitigation of adverse noise impacts;
- e) Integration with surrounding land uses;
- f) Integration with the transportation network;
- g) Impacts to, and mitigation of, negative impacts on the natural environment;
- h) Optimization of the supply, means of supplying, efficient use and conservation of energy;
- i) The provision of appropriate urban design and landscaping for the proposed development; and
- j) Compliance with applicable Town guidelines.
- k) Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision is to be designed such that the lots back onto the provincial highway and front onto a local internal street.

5.5.3 Conditions of Approval

As a condition of draft plan of subdivision approval, the Town may require proponents to satisfy certain conditions prior to final approval and registration of the plan. The applicant shall be required to meet the conditions within three years, which, if not met, may cause the approval to lapse. To ensure that conditions are bound to the owner and the land, the Town shall require the proponent to enter into a Subdivision Agreement which will be registered on title.

5.5.4 Extensions of Draft Approval

In considering a request for an extension to draft plan of subdivision approval, the Town will work with Provincial agencies to ensure that current conditions, based on new or updated policies, guidelines and community standards, are applied.



5.6 Plans of Condominium

5.6.1 Purpose of Plans of Condominium

Plans of Condominium will be required for the creation of units, common elements and exclusive use common elements through the registration of a Plan of Condominium in accordance with *the Condominium Act* and the *Planning Act*.

5.6.2 Minimum Number of Units

The condominium will be developed with a minimum number of units to ensure adequate, reasonable, and independent operation of the condominium corporation.

5.6.3 Common Elements

Common elements in condominium corporations will be permitted unless the Town requires public ownership of the lands for purposes of:

- I. Pedestrian or vehicular access, including any part of a public road allowance;
- II. The construction, maintenance and repair of public facilities and services;
- III. Safeguarding significant natural features;
- IV. Planned trail systems; or
- V. The proposal is not otherwise in the public interest.

5.6.4 Vacant Land Condominium

The same considerations and requirements for the evaluation of draft plans of subdivisions shall apply to draft plans of vacant land condominiums.

5.6.5 Condominium Agreement

As a condition of draft plan of condominium approval, the Town may require proponents to satisfy certain conditions prior to final approval and registration of the plan. The applicant may be required to meet the conditions within a specified time period, which, if not met, may cause the approval to lapse. To ensure that conditions are bound to the owner and the land, the Town shall require the proponent to enter into an Agreement which will be registered on title.

5.7 Site Plan Control

5.7.1 Site Plan Control Area

Council shall adopt a By-law to designate the entire area of the Town as a Site Plan Control Area. All types of development or redevelopment shall be subject to Site Plan Control provisions with the exception of the operation of licensed pits and quarries, single-detached, semi-detached, or duplex dwellings, and additions or renovations thereto.

5.7.2 Development or Redevelopment

For the purposes of the Plan, development or redevelopment shall be defined as the construction, erection, or placing of one or more buildings or structures on land, or the



making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability, or the laying out and establishment of a commercial parking lot.

5.7.3 Site Plan Requirements

Plans showing the location of all buildings, structures, and facilities to be developed, and drawings showing plan, elevation, and cross-section views for each building to be erected, will be required as part of the Site Plan Approval process. In accordance with the *Planning Act*, the requirement for the submission of drawings shall also include residential buildings containing less than twenty-five dwelling units.

5.7.4 Evaluation of Site Plan Applications

The following will be considered in the evaluation of applications:

- I. Location, massing, and conceptual design of buildings and structures;
- II. Location and design of vehicular and pedestrian access points;
- III. Location and design of off-street parking and loading facilities;
- IV. Facilities for on-site pedestrian and vehicular circulation;
- V. Road widening;
- VI. Location and design of on-site exterior lighting, landscaping, buffering, fencing, outdoor storage, and garbage disposal facilities;
- VII. Measures to minimize any loss of sunlight and privacy to adjacent properties;
- VIII. Location and design of outdoor recreational areas;
- IX. Location of external facilities and works;
- X. Easements over, and grading of, lands;
- XI. Provisions for stormwater management and drainage;
- XII. Facilities designed to have regard for accessibility for persons with disabilities;
- XIII. Matters relating to exterior design including elements pertaining to character, scale, appearance and design features of buildings and their sustainable design;
- XIV. The sustainable design elements on any adjoining roadway under the Town's jurisdiction, including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
- XV. Provision for the Town to enter into one or more Agreements with applicants, to ensure that development proceeds in accordance with the proposal and Town requirements.

5.7.5 Site Plan Agreement

As a condition of Site Plan Approval, the Town may require proponents to satisfy certain conditions. The applicant may be required to meet the conditions within a specified time period, which, if not met, may cause the approval to lapse. To ensure that conditions are bound to the owner and the land, the Town shall require the proponent to enter into a Site Plan Control Agreement which will be registered on title.



5.8 Consent Policy

5.8.1 Purpose of Consents

Consents may be allowed for the creation of up to three new lots in the Urban Area, or in accordance with any land division policies in the Resource Development Area.

5.8.2 Evaluation of Consents

Applications will be evaluated on the following minimum criteria:

- i. Consistency with the Policies of this Official Plan;
- ii. Consistency with a Secondary Plan (where appropriate), or guidelines, as well as compliance with the Zoning By-law;
- iii. A Plan of Subdivision is not required;
- iv. The size and shape of the lots;
- v. The road access of the lots;
- vi. The impact of the consent on the ability of adjacent lots to be developed;
- vii. The impact of the consent on the natural environment; and
- viii. Adequacy of municipal services and utilities.

5.8.3 Conditions of Approval

As a condition of approval, proponents may be required to satisfy certain conditions as authorized by the *Planning Act*, including but not limited to:

- i. The dedication of parkland or cash-in-lieu of such dedication;
- ii. The dedication of any road widening and one foot reserves as may be required by the Town;
- iii. Fulfillment of any financial requirements of the Town;
- iv. A servicing Agreement pertaining to any extension or upgrading of municipal services required by the Town to accommodate the development;
- v. Submission of a registered reference plan;
- vi. Any other Agreements which may be necessary and which may be registered on title.

5.9 Community Improvement Plans

The Planning Act allows municipalities to identify Community Improvement Project Areas, prepare Community Improvement Plans, and provide incentive programs which stimulate redevelopment of lands as a means to maintain the vitality of the municipality.

5.9.1 Downtown Community Improvement Plan

5.9.1.1 Area

The Downtown Community Improvement Project Area includes all lands designated Downtown in this Plan.

5.9.1.2 Goals

The goal of community improvement in the Downtown is to reinforce the importance of the Downtown, aid in stimulating private sector redevelopment, and guide private sector development and redevelopment.



5.9.1.3 Programs, Eligibility and Funding

The Downtown CIP may offer a range of programs, including, but not limited to:

- i. Façade Restoration and Improvement Loan Program;
- ii. Development Charge Waiver/Exemption Program;
- iii. Refund of Local Planning and Building Fees Program;
- iv. Residential Conversion and Intensification Loan Program;
- v. Property Rehabilitation and Redevelopment Tax-Increment Grant Program;
- vi. Parking Requirements Reduction Program.

The Downtown CIP will describe the eligibility criteria for obtaining funding through any of the CIP's programs. The program funding will be established by Council, but shall not place a burden on municipal finances.

5.9.2 Brownfield Community Improvement Plan

5.9.2.1 Area

The Brownfield Community Project Area includes the lands designated Employment Area within the Town of Fort Frances.

5.9.2.2 Goals

The goal of community improvement on brownfield lands is to promote the remediation, rehabilitation, adaptive re-use, redevelopment and overall improvement of brownfield sites.

5.9.2.3 Programs, Eligibility and Funding

The Brownfield CIP may offer a range of programs such as the Brownfields Tax Assistance Program, which provides a mechanism to encourage the remediation and rehabilitation of brownfield sites by providing a cancellation of property taxes or property tax increase on a property that is undergoing or has undergone remediation and development to assist with the payment of the costs of environmental remediation the legislative authority for the Brownfields Tax Assistance program is established under Sections 365.1(2) of the Municipal Act 2001.

The Brownfield CIP will describe the eligibility criteria to obtain funding through any of the CIP's programs. The program funding will be established by Council, but shall not place a burden on municipal finances.

5.9.3 New Community Improvement Plan Areas

5.9.3.1 Criteria for New Areas

In considering the establishment of a new Community Improvement Plan Area, the Town will consider any of the following criteria:

- i. Conditions of existing buildings;
- ii. Land use issues;
- iii. Aesthetic issues;
- iv. Transportation or infrastructure issues;
- v. Natural or human-made environmental issues;
- vi. Social or community issues;
- vii. Economic issues; and



- viii. Any other relevant issues which create barriers to the repair, rehabilitation or redevelopment of underutilized or dilapidated land/buildings.

5.9.3.2 Criteria for New Community Improvement Plans

New Community Improvement Plans shall contain a statement of purpose, goals, objectives, a description of all programs and/or projects, an implementation plan, and a technical appendix justifying the delineation of the area and the need for the programs. The preparation and adoption of new Community Improvement Plans shall meet the minimum requirements of the *Planning Act* for public consultation.

5.10 Support Studies

Support studies may be required as part of planning studies or development proposals. The support studies, and when they are needed, are generally described below; however, the municipality may refine the scope or requires that a support study be undertaken based on its discretion, the context of the proposed development, or input from the appropriate agencies.

5.10.1 Requirements for All Studies

All studies submitted to the Town shall be prepared by a qualified professional. Any study or report may be subject to a peer review, the cost of which will be recovered by the Town from the proponent. Supporting studies shall be submitted in an electronic and hard copy format.

5.10.2 Stormwater Management Plan

5.10.2.1 Need for Stormwater Management Plan

A Stormwater Management Plan provides for the maintenance of the stormwater functions of watercourses based on the impacts of the site-specific or area specific development. Where a Plan of Subdivision, Site Plan or applicable plan under the *Planning Act* is being undertaken, a Stormwater Management Plan may also be required, based on terms of reference developed in consultation with the Town.

5.10.2.2 Implementing the Recommendations of a Stormwater Management Plan

The findings and recommendations of a Stormwater Management Plan shall be implemented through amendments to the Official Plan and where appropriate, Secondary Plans, Zoning By-law and other plans produced under the *Planning Act* (such as a Plan of Subdivision or Site Plan).

5.10.3 Environmental Impact Study

5.10.3.1 Need for an Environmental Impact Study

An Environmental Impact Study (EIS) is a technical assessment of a development proposal's environmental impacts on natural heritage features and functions.

5.10.3.2 Preparation and Submission

An Environmental Impact Study shall be prepared and signed by a qualified biologist or environmental planner. Environmental Impact Studies for lands within, or adjacent to,



Environmental Protection Areas shall be prepared to the satisfaction of the Town, in consultation with the appropriate Provincial agency. The Environmental (EIS) shall include but not be limited to:

- i. A description of the existing natural environment, including natural features and ecological functions, that may be affected by the proposed development;
- ii. A description of the potential impacts of the proposed development on the natural features and the ecological functions for which the area is identified;
- iii. Suggested development alternatives that would avoid these impacts or, if impacts cannot be avoided, recommended mitigation measures, including proposed implementation methods; and
- iv. Recommended monitoring activities.

Where required, no planning approval will be granted until an EIS has been completed to the satisfaction of Council. Where necessary, other agencies or individuals with environmental expertise may be consulted to assist in the review of Environmental Impact Assessments.

Where significant wildlife habitat, or other natural heritage features are not designated, development and site alterations shall not be permitted for:

- i. Any development permitted under the policies of this Plan within the feature;
- ii. Any development permitted under the policies of this Plan within 120 m of the feature; unless an EIS demonstrates that there will be no negative impacts on the natural heritage features or on its ecological functions.

5.10.3.3 Scoped EIS

In cases where the development constitutes a relatively minor undertaking (such as construction on a single residential lot), or one that barely encroaches within the adjacent lands zone, municipal planning staff can exercise some discretion and request that the proponent prepare a scoped EIS. This typically involves a simple checklist approach of planning issues that only addresses the key issues identified at the initial assessment stage.

5.10.3.4 Implementing the Recommendations of an Environmental Impact Study

The findings and recommendations of an Environmental Impact Study shall be implemented primarily through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act*. Amendments to the Official Plan or other plans may also be required.

5.10.4 Traffic Transportation Impact Study

5.10.4.1 Need for a Traffic Transportation Impact Study

A Transportation Impact Study provides for the maintenance of the Town transportation system given the demands in different transportation modes generated by a proposed development. Where an Official Plan Amendment, Secondary Plan, Plan of Subdivision, Site Plan or other plans produced under the *Planning Act* are being undertaken, a Transportation Impact Study may also be required, based on terms of reference developed by the Town.



5.10.4.2 Implementing the Recommendations of a Traffic Transportation Impact Study

The findings and recommendations of a Traffic Transportation Impact Study shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act*, and where required, amendments to the Official Plan, Zoning By-law and/or other plans.

5.10.5 Geotechnical Subsurface Investigation

5.10.5.1 Need for a Geotechnical Subsurface Investigation

A Geotechnical Subsurface Investigation provides for confirmation of the load-bearing capacity of soils to support development. Where a Plan of subdivision, Site Plan or other plans produced under the *Planning Act* is required, based on terms of reference developed by the Town.

5.10.5.2 Implementing the Recommendations of a Geotechnical Subsurface Investigation

The findings and recommendations of a Geotechnical Subsurface Investigation shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act*, and where required, Amendments to the Official Plan, Zoning By-law and/or other plans.

5.10.6 Archaeological Resource Assessment

5.10.6.1 Need for an Archaeological Resource Assessment

An Archaeological Resource Assessment provides for the documentation, protection, and conservation of the Town's archaeological resources.

5.10.6.2 Implementing the Recommendations of an Archaeological Resource Assessment

The findings and recommendations of an Archaeological Resource Assessment shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act*, and where required, Amendments to the Official Plan, Zoning By-law and/or other plans.

5.10.6a Heritage Impact Assessment

Any development or site alteration proposed on or adjacent to lands, structures or buildings designated under the Ontario Heritage Act or listed on a heritage resource inventory approved by Council.

5.10.7 Wetland Evaluation Study

5.10.7.1 Need for a Wetland Evaluation Study

A Wetland Evaluation Study provides for the delineation of a wetland or wetlands based on field survey of the wetland feature(s). A Wetland Evaluation Study may be required where an Environmental Impact Study is required. A Wetland Evaluation Study will be undertaken by qualified persons.

5.10.7.2 Implementing the Recommendations of a Wetland Evaluation Study

The findings and recommendations of a Wetland Evaluation Study shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act*, and where required, Amendments to the Official Plan, Zoning By-law and/or other plans.

5.10.8 Record of Site Condition

5.10.8.1 Need for a Record of Site Condition

A Record of Site Condition, prepared and filed in accordance with the *Environmental Protection Act*, confirms the status of a site or lands with respect to contamination. Where any development is proposed, a Record of Site Condition may be required.

5.10.9 Noise and/or Vibration Study

5.10.9.1 Need for a Noise and/or Vibration Study

A Noise and/or Vibration Study provides assurance that the proposed development meets Ministry of Environment guidelines for the protection of sensitive land uses from noise and/or vibration. Where a Plan of Subdivision or Site plan is being undertaken, a Noise and/or Vibration Study may also be required, based on terms of reference developed by the Town in consultation with the Ministry of Environment.

5.10.9.2 Implementing the Recommendation of a Noise and/or Vibration Study

The findings and recommendations of Noise and/or Vibration Study shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the Planning Act, and where required, Amendments to the Official Plan, Zoning By-law and/or other plans.

5.10.10 Planning Justification Report

5.10.10.1 Need for a Planning Justification Report

A Planning Justification Report shall be required to support any proposal for development or site alteration and should demonstrate how the proposal meets the Policies and Objectives of this Plan. Where appropriate, the Report should also provide a synthesis of planning and development issues for a site or area, where the proposed development requires a number of the above-noted studies. The Report should synthesize and integrate the various findings and propose recommendations, particularly where the findings and recommendations of one study or report overlap or have implications for another study.

5.10.10.2 Implementing the Recommendation of a Planning Report

The findings and recommendations of a Planning Report shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the Planning Act, and where required, Amendments to the Official Plan, Zoning By-law and/or other plans.

5.10.11 Other Studies

The Town may require that any other special studies be undertaken in support of a development proposal. Where possible, the Town will advise of the need for special studies during pre-consultation with the proponent regarding the proposed development. Any special study may be subject to a peer review, the cost of which will be recovered by the Town from the proponent.



5.11 Development Charges

5.11.1.1 Development Charge By-law

Council will consider development charges in the Town as a means to ensure that the costs of growth are borne by growth.

5.11.1.2 Development or Redevelopment

Development Charges shall apply to development, or the additional development created through redevelopment.

5.11.1.3 Waiver or Exemption of Development Charge

The municipality may waive some or all of the Development Charge or exempt certain development from the Development Charge as a means to promote specific redevelopment or revitalization.

5.12 Capital Budgets

5.12.1.1 Alignment of Budgets to the Official Plan

During the process of allocating capital budgets to short, medium, and long-term initiatives, Council will have regard for the Policies of this Plan. Where this Plan has identified priorities for change or implementation, Council will be encouraged to dedicate appropriate capital resources to these initiatives. Additionally, Council is encouraged to seek partnership capital funding to support priorities for change or implementation of this Plan's policies.

5.12.1.2 Capital Budget for Official Plan Updates

Council will ensure that sufficient capital budget is made available to support the required five-year reviews of this Plan and any supporting special studies.

5.13 Updating the Plan

5.13.1.1 Comprehensive Review

In accordance with the Provincial Policy Statement, the Town will conduct a comprehensive review for every five-year review of the Plan in order to keep the Plan up to date. The scope of the comprehensive review will be discussed with Council and may be discussed with stakeholders through public consultation.

5.13.1.2 Conformity with Provincial Policies and Plans

The comprehensive review will include a discussion of provincial policies and plans and identify where updates to the Town Plan are needed to ensure conformity to provincial policies and plans.

5.14 Amending the Plan

5.14.1.1 Applications to Amend the Official Plan

From time-to-time, an Amendment to the Official Plan may be deemed appropriate to provide for a proposed development. In considering the suitability of the Amendment, Council will consider the following criteria:

- I. Provincial policies and plans;
- II. The vision, strategic directions and goals of this Plan;
- III. Whether the Amendment creates an inappropriate precedent; and
- IV. The Town, neighbourhood and immediate area impacts of the proposed land use change.

5.14.1.2 Amendments to Implement Comprehensive Review

Where a comprehensive review has identified that changes to the Plan's policies are necessary to maintain the currency of the Plan, then Council may adopt an Amendment to this Plan.

5.14.1.3 Amendments to Implement Provincial Policies

Where changes to or new Provincial policies and plans come into effect that require updates to this Plan, then Council may adopt an Amendment to this Plan.

5.14.1.4 Amendments to Implement Planning Studies

Where a planning study has been undertaken to address the needs of a specific area or recent trend, then Council may adopt an Amendment to this Plan to implement the recommendations of the study.

5.15 Requirements to Consult

5.15.1.1 Statutory Required Consultation

The Town will meet all statutory requirements for public consultation in accordance with the *Planning Act*.

5.15.1.2 Pre-Consultation before Application Submission

The Town requires all applicants of development and site alteration proposals to pre-consult with the Town. Pre-consultation will determine what is required to be submitted for a complete application and will provide an opportunity to discuss the nature of the application, the need for supporting studies, and the planning approvals process. Where appropriate, pre-consultation may also require the involvement of the Province.

5.15.1.3 Pre-consultation By-law

The Town will pass a By-law requiring applicants to consult with the municipality in advance of submission of an application for:

- I. An Official Plan Amendment;
- II. A Zoning By-law Amendment;
- III. A Plan of Subdivision;



- IV. A Site Plan;
- V. Minor Variance; and
- VI. Any other plan.

5.15.1.4 Complete Application

The Municipal Planner or designate shall be responsible for determining whether a Planning Application is complete. If an Application is submitted without pre-consultation, adequate supporting information and/or reports, and any Application review fees required by the Town, the Application may be deemed incomplete.

In addition to the information and materials required under the *Planning Act* and any other legislation or regulation, additional information in the form of studies or assessments may be required to consider a planning application complete.

The additional information will be required as part of a complete application under the *Planning Act* in order to ensure that all the relevant and required information pertaining to a development application is available at the time of submission to enable the Town to make informed decisions within the prescribed time periods. It also ensures that the public and other stakeholders have access to all relevant information early in the planning process.

The additional information or material that may be required includes, but is not limited to the following:

- I. Planning
 - Justification report
 - Land use needs assessment
 - Financial impact study
 - Green space assessment
- II. Environmental Assessment
 - Environmental assessment
 - Environmental impact statement/study
 - Soil, environmental audit, record of site condition
 - Slope stability study
 - Tree inventory and preservation study
 - Energy assessment report
 - Air quality report
 - Natural features restoration plan
- III. Servicing/Infrastructure
 - Servicing study
 - Grading and drainage plan
 - Stormwater management study
 - Hydrology, soils and/or geotechnical study
 - Sub-watershed study



- IV. Transportation
 - Traffic impact study
 - Parking demand analysis
 - Pedestrian circulation plan

- V. Urban Design/Culture
 - Streetscape design study
 - Building elevations
 - Cultural heritage study

The information and material submitted shall be prepared by a qualified professional to the satisfaction of the Town, retained by and at the expense of the applicant. The Town shall review all reports and studies and may also require a peer review by an appropriate public agency or by a professional consultant retained by the Town at the applicant's expense.



6 INTERPRETATION



6.1 Land Use Boundaries

- I. The boundaries between land use areas designated in Schedule “A”, Land Use Plan, shall be considered as general only and are not intended to define the exact limits of such areas. Except in the case of roads, railways and other definite physical barriers, minor boundary adjustments may be made for the purpose of any Zoning By-law without necessitating an amendment to this Plan. Other than such minor adjustments, no areas or zones shall be created that do not conform with this Plan in respect to Land Use.
- II. When determining the boundary of any designation as shown on any schedule forming part of this Official Plan, the following provisions shall apply:
 - a) A boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane. In the event that a street or lane which forms the boundary between such designations is closed, the boundary between such designations shall be construed as the former centre line of the said closed street or lane.
 - b) A boundary indicated as following a right-of-way of a railway or any electoral, gas or oil transmission line shall be the centre line of such right-of-way.
 - c) A boundary associated with a Natural Heritage feature can be more accurately confirmed in the field through an Environmental Impact Study and/or through confirmation by the appropriate agency. Provided the general intent of the Plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan.
 - d) A boundary indicated as approximately following lot lines shown on a registered plan of subdivision or lot and concession lines shall follow such lines.
 - e) A boundary indicated as following a closed road, land or railway shall imply that the property formerly in the said road, land or railway shall be included within the designation of the adjoining property on either side of the said closed road, land or railway. In the event that the said road, land or railway was a designation between two or more different designations, the new boundary shall be the former centre line of the said closed road, land or railway.
 - f) Where a boundary is indicated as approximately parallel to a street line or other feature indicated in policies (a) or (b) of this Subsection, and the distance from such street line or other feature is not indicated, and policies (d) or (e) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature and the distance there from shall be determined according to the scale shown on Schedule “A”.



- g) A boundary indicated as following the limits of the Municipality shall follow such limits.

6.2 Road Location

- I. The location of roads as indicated on Schedule “B”, Transportation Plan, shall be considered as approximate only. Amendments to this Plan, therefore, will not be required in order to make minor adjustments or deviations to the location of roads, provided that the general intent of this Plan is maintained.

6.3 Plan Intent

- I. The Plan is designed to express the general intent of the municipality and it shall be interpreted not in a narrow technical manner, but rather, from a long-term conceptual point of view. Interpretation of the intent of this Plan, or any part thereof, will be made by Council after receiving the advice of staff.



7 DEFINITIONS

**Access standards**

Methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding hazards, erosion hazards and/or other water-related hazards.

Adjacent lands

Those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area.

Adverse effects

As defined in the *Environmental Protection Act*, means one or more of:

- i. Impairment of the quality of the natural environment for any use that can be made of it;
- ii. injury or damage to property or plant or animal life;
- iii. Harm or material discomfort to any person; An adverse effect on the health of any person;
- iv. Impairment of the safety of any person;
- v. Rendering any property or plant or animal life unfit for human use;
- vi. Loss of enjoyment of normal use of property; and
- vii. Interference with normal conduct of business.

Affordable

In the case of ownership housing, the least expensive of:

- i. Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
- ii. Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.

In the case of rental housing, the least expensive of:

- i. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
- ii. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agricultural Uses

The growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture-related Uses

Farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

**Archaeological Resources**

Includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of Archaeological Potential

Areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of Mineral Potential

Areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence.

Areas of Natural and Scientific Interest (ANSI)

Areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield Sites

Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resources

One or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by the City, province or federal government.

Comprehensive review

An official plan review which is initiated by a planning authority, or an Official Plan Amendment which is initiated or adopted by a planning authority, which:

- i. Is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, considers alternative directions for growth, and determines how best to accommodate this growth while protecting provincial interests;
- ii. Utilizes opportunities to accommodate projected growth through intensification and redevelopment;
- iii. Confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2;
- iv. Is integrated with planning for infrastructure and public service facilities; and
- v. Considers cross-jurisdictional issues.

**Conserved**

The identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

Cultural heritage landscape

A defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, railways and industrial complexes of cultural heritage value.

Development

The creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

- i. Activities that create or maintain infrastructure authorized under an environmental assessment process; or,
- ii. Works subject to the *Drainage Act*.

Disability

Means any one of the following:

- i. Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- ii. A condition of mental impairment or a developmental disability,
- iii. A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- iv. A mental disorder, or
- v. An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; (“handicap”).

Ecological function

The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Employment area

Those areas designated in the Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

**Endangered species**

A species that is listed or categorized as an “Endangered Species” on the Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time.

Erosion hazard

The loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Fish

As defined in S.2 of the *Fisheries Act*, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their lifecycles.

Fish habitat

As defined in the Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood plain

For river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Flooding hazard

The inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- i. Along the shorelines of the Great Lakes-St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave up rush and other water-related hazards;
- ii. Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
 - a) the flood resulting from the rainfall actually experienced during a major storm such as the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - b) the one hundred year flood; and
 - c) a flood which is greater than 1.or 2.whichwasactually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources.

Except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

**Floodproofing standard**

The combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of the Great Lakes -St. Lawrence River System and large inland lakes, and flooding hazards along river, stream and small inland lake systems.

Ground water feature

Refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Hazardous lands

Property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes-St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Hazardous sites

Property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances

Substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes

The principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.

Hydrologic function

The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Individual on-site sewage services

Individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

**Individual on-site water services**

Individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure

Physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and communications/ telecommunications, transit and transportation corridors and transmission, facilities, oil and gas pipelines and associated facilities.

Intensification

The development of a property, site or area at a higher density than currently exists through:

- i. Redevelopment, including the reuse of brownfield sites;
- ii. The development of vacant and/or underutilized lots within previously developed areas;
- iii. Infill development; and
- iv. The expansion or conversion of existing buildings.

Mineral aggregate operation

There are no areas within the town of Fort Frances designated under the Aggregate Resources Act. No permits or licenses are needed for pits and quarries of any kind for sites on private land. A permit would be required for any aggregate extraction on Crown land.

Mineral aggregate resources

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Municipal sewage services

A sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services

A municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act*, 2002.

Natural heritage features and areas

Features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Negative impacts**

Degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities. In regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity. In regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

Personal Services

Personal service uses are those commercial services which provide a service to individuals, and may include uses such as dry cleaners, hair dressers and barber shops, car rental agencies, car dealerships, gas stations and auto and truck repair shops.

Portable asphalt plant

A facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant

A building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Protected heritage property

Real property designated under Parts IV, V or VI of the *Ontario Heritage Act*; heritage conservation easement property under Parts II or IV of the *Ontario Heritage Act*; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Protection works standards

The combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

Redevelopment

The creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

Residential intensification

Intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- i. Redevelopment, including the redevelopment of brownfield sites;



- ii. The development of vacant or underutilized lots within previously developed areas;
- iii. Infill development;
- iv. The conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- v. The conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

Sensitive

In regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses

Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, daycare centres, and educational and health facilities.

Significant

In regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time.

In regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.

In regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history.

In regard to other features, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.

In regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index.



In regard to potential for petroleum resources, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time.

In regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Site alteration

Activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Special needs

Any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.

Surface water feature

Water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species

A species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Utility (ies)

All public and/or private utilities (including, but not exclusive of cable television, hydro, communications/telecommunications, Canada Post etc.) or any similar works or systems necessary to the public interest.

Valleylands

A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable

Surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

Watershed

An area that is drained by a river and its tributaries.

**Wayside pits and quarries**

A temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands

Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife habitat

Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.



8 SCHEDULES



9 APPENDIX, INFORMATION, MAPS