

**TOWN OF FORT FRANCES  
OFFICIAL PLAN**

Prepared by:  
The Planning Partnership  
November 1997  
File No. 1313

MAH File #59-OP-0058

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## **1.0 INTRODUCTION**

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### **1.1 TITLE AND COMPONENTS**

This Plan, when approved by the Minister of Municipal affairs and Housing shall be known as “The Official Plan of the Town of Fort Frances”.

The text of this Plan and Schedules A and B shall constitute the Official Plan of the Town of Fort Frances.

This Official Plan has been prepared to replace the Official Plan prepared by the Town of Fort Frances and adopted by Council on September 8, 1975.

When this Official Plan is approved by the Minister, the existing Official Plan and Amendments thereto will be rescinded and replaced with this Plan.

### **1.2 PROVINCIAL POLICIES**

This Plan is intended to reflect the Provincial Policy Statement issued by the Province of Ontario in May 1996. The Policies of this Plan recognize the application of the Provincial policies in this Plan and future Official Plan Amendments.

### **1.3 BASIS**

This Plan has been prepared to guide the development of the Town for the next 20 years. The policies of this Plan are based on the following:

- The population of the Town is expected to remain relatively stable at between 8,500 and 9,000.
- New housing needs will be largely the result of lower household size.
- There are adequate sewer and water services presently available to service the projected growth of the Town.
- The focus of future growth and development in the Town should be the quality of life. Resolution of land use conflicts and impact related to truck traffic is essential to achieving this objective.

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## 2.0 LAND USE DESIGNATIONS

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The Land Use Plan, Schedule “A” establishes four distinct land use designations. The designations are:

- Living Areas
- Working Areas
- Recreation Areas, and
- Resource Development Areas

These designations are intended to describe the long term use of the lands. The following policies describe how each of these areas should develop in the future.

### 2.1 LIVING AREAS

#### 2.1.1 Objectives

- i) 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.
- ii) 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.
- iii) 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:

Low Density	70%
Medium Density	15%
High Density	15%
- iv) To provide sufficient designated land to provide for a 10 year supply of housing and at least a 3 year supply of residential units with servicing capacity in draft approved or registered plans.

## **2.1.2 Permitted Uses**

The uses permitted in Living Areas include all forms of residential development, small scale commercial uses serving the homes in the immediate neighbourhood, small scale institutional uses such as elementary schools, health care services, places of worship and neighbourhood parks.

## **2.1.3 Residential Development**

- i) 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 Ministry of Environment and Energy or its delegate.
- ii) Wherever possible roads and services should follow grid system, which is similar to the original lot configuration in the Town in order to provide a variety of routes for pedestrian and vehicular traffic.
- iii) 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.
- iv) Within and nearby Living Areas, there are uses, which have existed prior to this plan which may not be compatible with future residential uses but which 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 on-going 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 Energy and CNR.

- v) 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.
- vi) 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.

#### **2.1.4 Small Scale Commercial Uses**

- i) 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.
- ii) 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.

#### **2.1.5 Small Scale Institutional Uses**

- i) 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.

- ii) 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.

### **2.1.6 Neighbouring Parks**

- i) Within Living Areas, neighbourhood parks should be provided within 1000 metres of all residential uses. Pedestrian and bicycle access to and between these parks should be developed wherever possible.
- ii) 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.

### **2.1.7 Islands**

- i) The islands within the Town limits may be developed subject to the approval of adequate sewage disposal facilities by the Ministry of Environment and Energy or its delegate.
- ii) 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.

## **2.2 WORKING AREAS**

### **2.2.1 Objectives**

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

### **2.2.2 Permitted Uses**

Working 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.

### **2.2.3 Industrial Uses**

- i) The mill presently owned and operated by Stone Consolidated is primary industry in Fort Frances. Continued cooperation between the Town and the mill owners is encouraged by this Plan.
- ii) 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.
- iii) 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.
- iv) 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 measures are undertaken to minimize traffic and visual impacts.
- v) 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.
- vi) New industrial developments shall meet or exceed provincial standards for noise, emissions and setbacks from adjacent uses.

### **2.2.4 Commercial Uses**

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

- iii) 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.
- iv) Building design, signage and landscaping details used in the Downtown Business Area should reflect the historical character of the downtown area.
- v) The Town will consider incentives to encourage the continued viability of the Downtown Business Area.

## **2.3 RECREATIONAL AREAS**

### **2.3.1 Objectives**

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

### **2.3.2 Permitted Uses**

- i) 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.

### **2.3.3 Development Policies**

- i) 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.
- ii) 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 for wider sidewalks, dedicated bicycle lanes and increased landscaping.

Future park areas shown on Schedule A 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.

- iii) 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.

## **2.4 RESOURCE DEVELOPMENT AREAS**

### **2.4.1 Objectives**

- i) To provide areas for the development of uses which are incompatible with those uses found in Living Areas.
- ii) To preserve lands for future development that requires large land areas and is centred on the natural environment.
- iii) 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.
- iv) To recognize areas which may have limited development potential due to environmental constraints such as flooding.

### **2.4.2 Permitted Uses**

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

### **2.4.3 Development Policies**

- i) 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.
- ii) Residential development shall only be permitted in areas presently serviced by maintained municipal roads and within 200 metres of existing residential uses. These uses may develop on the basis of private services subject to the approval of the Ministry of Environment and Energy or its delegate.
- iii) Extractive uses, including peat extraction, 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.

- iv) 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.
- v) No development shall be permitted below an elevation of 339.5 metres (1,113.6 ft) C.G.D adjacent to the Rainy River.
- vi) No habitable building shall be constructed within 10 metres of the flood elevation of the Rainy River or any steam channel.

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## **3.0 IMPLEMENTATION**

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The following policies are intended to provide direction for the Decisions of the Council, the use of By-laws and Development Agreements which will implement policies outlined in this Plan.

### **3.1 ZONING BY-LAW**

This plan will be implemented through a new comprehensive Zoning By-law adopted under Section 34 of the Planning Act. The implementing By-law shall implement the following policies.

#### **3.1.1 Non-conforming Uses**

Legally existing uses that do not comply with the Land Use designations outlined in this Plan may be zoned to permit the continuation of the use and may provide for limited expansion provided that the Development Policies of this Plan are met.

Where the use of non-conforming use changes, the new use shall be in keeping with the intent of this Plan.

#### **3.1.2 Temporary Uses**

Council may pass a By-law to allow the temporary use of lands that do not comply with the intent of this Plan.

- i) The temporary use does not require major capital investment or alteration to the existing landscape;
- ii) the proposed use is compatible with surrounding land uses;
- iii) the proposed use does not require the extension of municipal services; and,
- iv) the developer had entered into an agreement with the municipality specifying the conditions under which the use may be permitted.
- v) The By-law shall specify a maximum time period for the use to be permitted.

#### **3.1.3 Site Plan Control**

The Town may utilize Site Plan Control to ensure that development in the Town is attractive and compatible with adjacent uses. Development at the entrances to Town shall be designed to create a positive first impression to visitors and residents.

Site Plan Control may be applied to all commercial and industrial development in the Town. The entire Town shall be designated as a Site Plan Control Area.

Council may delegate Site Plan Approval to municipal staff in order to ensure that the progress does not create undue delay or additional costs in the development process.

#### **3.1.4 Holding Provisions**

Council may utilize Holding provisions as provided for under Section 36 of the Planning Act in order to establish zoning provisions prior to completing technical, administrative, or financial aspects of the development. Where Council uses a Holding provision, use of land may be restricted to existing uses until one or more of the following conditions have been fulfilled.

- i) A site plan agreement or subdivision agreement as may be required has been completed between the municipality and the developer;
- ii) all engineering plans and arrangements with respect to municipal services have been completed; and,
- iii) the financial requirements of the municipality have been satisfied.

#### **3.1.5 Public Meetings**

Council shall hold public meetings for planning applications in accordance with the requirements of the Planning Act. However, Council may eliminate the requirement for public Notice of a meeting for a minor Official Plan Amendment or Zoning By-law Amendment which:

- i) Changes section numbers or the order of text but does not add or delete sections;
- ii) Consolidates amendments which have previously been approved;
- iii) Corrects typographic, grammatical or mapping errors which do not effect the intent or application of the policies or provisions; or
- iv) Rewords policies or re-illustrates mapping for the purpose of clarification only without changing the intent or purpose of the policies or mapping.

#### **3.1.6 Maintenance and Occupancy By-law**

The objective of implementing a property maintenance and occupancy By-law is to maintain property values and the enjoyment of private property. Council may pass a By-law under Section 31 of the Planning Act to establish minimum standards for:

- i) The physical condition of buildings and structures use;
- ii) the physical condition of lands; and
- iii) the adequacy of sanitary facilities.

### **3.1.7 Municipal Services and Development Standards**

#### **3.1.7.1 Roads**

All municipal road allowance in the Town shall be at least 20 metres wide.

The road allowance for the proposed truck route shall be 30 metres wide. The Town may acquire additional road allowance width in this area through land division, site plan control or expropriation.

The Town will adopt road design and construction standards by resolution and will make this information available to the public.

Schedule 'B' illustrates the future road pattern in the Town. The location of future roads in undeveloped areas intended to be flexible provided that the roadway is constructed as part of the surrounding development.

The future truck route shown on Schedule 'B' is intended to reflect the most likely location for a truck route through the Town as of the date of passing of the Plan. The final route selection will be determined when funding for such a project becomes available and may be established through an Environmental Assessment Process which shall, among other matters consider the following:

- i) The costs and benefits to the Town, residents and industries;
- ii) the impact on existing residents and land uses; and,
- iii) the environmental impacts of alternate routes.

#### **3.1.7.2 Sidewalks**

Sidewalks shall be provided on both sides of a municipal roadway except where:

- i) There is no demonstration need for the sidewalk on both sides of the streets; or
- ii) the roadway is designed to provide a trail system that will separate vehicles and pedestrians or bicycles.

#### **3.1.7.3 Sewer and Water**

Except as otherwise stated in this Plan, all development shall be serviced with municipal sewer and water facilities.

The water should ensure that there is sufficient water flow to provide fire protection for any proposed development.

#### **3.1.7.4 Ground and Surface Water Quality**

Prior to approving new development or redevelopment of a site, Council shall require a storm water drainage report or other water quality assessment which demonstrates that the function and quality of existing watercourses and the quantity and quality of groundwater resources will not be adversely affected.

Council shall require mitigative measures during and after construction to control sedimentation, erosion and flooding.

#### **3.1.8 Community Improvement**

Council will undertake Community Improvements in order to implement the policies of the Plan as municipal finances permit. Community Improvement works shall include but not be limited to:

- i) The development of a municipal wide recreational trail and parks system with an emphasis on the waterfront area;
- ii) Improvements to sidewalks and road surfaces to enable safe and comfortable travel by pedestrians, bicycles, and vehicles;
- iii) The development of a by-pass traffic route for large trucks to reduce traffic conflicts in the core;
- iv) Improvements to the water system to provide for sufficient fire flows; and,
- v) Encouraging residents, business owners and service groups to participate in tree planting and street beautification programs.

The entire Town of Fort Frances shall be defined as a Community Improvement Area. Wherever possible, the Town shall seek funding from senior government sources and other partnerships to assist in the above-noted programs.

#### **3.1.9 Potential Contaminated Sites**

Prior to adopting an amendment to this Plan to change the designation of a property or approving a rezoning to allow residential, institutional or recreational and parkland uses on any property which may have been contaminated by previous uses, Council shall require the proponent to submit a Record of Site Condition, prepared by a qualified consultant in accordance with the Ministry of Environment and Energy guidelines and acknowledgement by the Ministry of Environment and Energy.

If site restoration is required, this shall be done prior to the adoption of amendment or approval of the rezoning in accordance with a site remediation plan prepared consistent with Ministry of Environment and Energy guidelines.

### **3.1.10 Cultural Heritage Resources**

Where there is a development proposal which contains a significant archaeological heritage resource or is within an area considered to have archaeological potential, the Town will require an applicant to undertake an archaeological heritage impact assessment as a condition of any development proposal. Archaeological assessment reports conducted by archaeologists are to be in compliance with guidelines set out by the Ministry of Citizenship, Culture and Recreation, in addition to licensing requirements specified under the Ontario Heritage Act.

Council shall consult appropriate government agencies, including the Ministry of Citizenship, Culture and Recreational (MCZCR) and the Ministry of Consumer and Commercial Relations (MCCR), when an identified human cemetery, marked or unmarked human burial is affected by land use development. The provisions under The Heritage Act and The Cemeteries Act shall apply.

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## **4.0 INTERPRETATION**

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### **4.1 LAND USE DESIGNATIONS**

It is intended that the boundaries of the Land Use categories shown on Schedule 'A' of this Plan, shall be considered as a general only, except in the case of roads, railways, and other definite physical barriers. They are not intended to define the exact limits of such areas. Minor adjustments may be made in these boundaries for the purpose of any Zoning By-law without necessitating an amendment to this Plan. Other than such minor adjustments, no areas or zones, except as provided in this Plan shall be created that do not conform with this Plan.

### **4.2 USES**

Examples of permitted uses as included in this Plan are intended to illustrate the range of activities in each respective land use designation. Specific uses and related regulations shall be defined for an area by the Zoning By-law.

### **4.3 ACCESSORY USES**

Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted.

### **4.4 AMENDMENTS TO THE PLAN**

An amendment to Schedule 'A' or the text of this Plan is required to permit the establishment of uses other than those permitted in this Plan. In considering an amendment to Schedule 'A' with a view of designating additional areas for a particular use or changing the designated uses of a particular area, or changing the policies of this Plan, Council shall have regard to the following criteria:

- i) The need for the proposed use;
- ii) The extent to which the existing areas which are designated for the use and developed, and the nature and adequacy of such existing development;
- iii) The physical suitability of the land for such proposed use;
- iv) The location of the areas under consideration with respect to;
  - the adequacy of the existing and proposed roadway system;
  - the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;

- the adequacy of the water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports which the Council shall request from the developer and subject to the approval the Ministry of the Environment and Energy, the Medical Officer of Health and any other appropriate authority deemed advisable;
- the compatibility of such proposed use with uses in the surrounding area; and
- the potential effect of the proposed use on the financial position of the Municipality.

#### **4.5 PLAN REVIEW**

The plan shall be reviewed at least once within five years of its approval by the Minister. Should economic or social changes occur which necessitate an earlier review, Council may direct such a review to be undertaken.