

THE CORPORATION OF THE TOWN OF RAINY RIVER

BY-LAW 1679-18

**BY-LAW TO AMEND THE COMPREHENSIVE
ZONING BY-LAW 1614-15 WITH
AMENDMENTS 18-01, 18-02 AND 18-03**

BEING A BY-LAW to amend By-Law No. 1614-15 as amended, the Zoning By-Law for the Town of Rainy River to establish regulations with respect to a site specific zoning change and the additional usages within the Highway Commercial Zone.

WHEREAS the Council of the Corporation of The Town of Rainy River held a public meeting on the 9th day of May, 2018 respecting a proposal to amend the Town of Rainy River Comprehensive Zoning By-law;

AND WHEREAS the Council of The Corporation of the Town of Rainy River is empowered to pass by-laws to regulate the use of land pursuant to Section 34 of the Planning Act, 1990, as amended;

AND WHEREAS the Council of The Corporation of the Town of Rainy River deems it advisable to amend By-Law No. 1614-15;

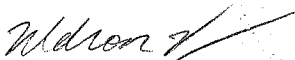
NOW THEREFORE the Council of The Corporation of the Town of Rainy River enacts as follows:

1. To add "Storage Yard" and "Contractors' Yard" as Permitted Uses under Section 8: Highway Commercial HC Zone.
2. To amend site specific zoning for two properties located between Atwood Avenue and Broadway Avenue from Residential Holding to Highway Commercial, as per the attached planning report.

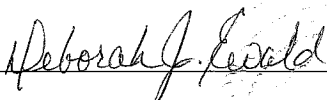
ENACTED and passed this 14th day of May 2018.

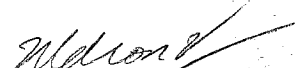
READ the first time in open Council this 14th day of May, 2018.


Mayor


Chief Administrative Officer

READ the second time in open Council this 14th day of May, 2018.


Mayor


Chief Administrative Officer



Town of Rainy River

201 ATWOOD AVENUE,
P.O. BOX 488
RAINY RIVER, ONTARIO P0W 1L0

Planning Report

Official Plan Amendments OPA 18-01 (property 1) and
OPA 18-02 (property 2)

Zoning By-law Amendments ZBA 18-01 (property 1) and
ZBA 18-02 (property 2)

April 26, 2018

1. LOCATION

The subject lands (see below) are located between Broadway Avenue and Atwood Avenue (as known as Highway 11) west of the Evangelical Covenant Church and east of the Mom Border Gasthaus within the Town of Rainy River. Both properties have been the site of fill disposal in recent years and currently have little to no vegetation other than brush. Both properties are serviced by municipal water services to the south along Broadway Avenue. Property 1 did have a residential usage on the southern boundary approximately 30 years ago. Any other usages of the noted properties, other than vacant property, are unknown.

Surrounding Land Uses:

The property to the west is the site of the Mom Border Gasthaus which is currently designated as Commercial within the Municipality's Official Plan and designated as Highway Commercial property in the current Zoning By-law.

The property to the north, and across Atwood Avenue, consists of the CN rail line which is designated as Industrial Lands within the Official Plan and in the Zoning By-law.

The property to the east consists on the Rainy River Evangelical Covenant Church which is designated as Living Areas in the Official Plan and as Institutional in the Zoning By-law.

The property to the south, and across Broadway Avenue, is designated Living Areas in the Official Plan and Residential Holding in the Zoning By-law.

There remains between Property 1 and Property 2 two small pieces of adjacent property which are current privately owned, which will maintain their existing designation of Living Areas within the Official Plan and Residential Holding within the Zoning By-law. This property formed part of a rail spur which serviced the former lumber mills along the banks of the Rainy River.



2. Proposal

Property 1 is owned by Mr. Robert Brent Helgeson and Property 2 is owned by the Corporation of the Town of Rainy River. The proposal is to change the Official Plan Amendment designation from Living Areas to Commercial within the Official Plan and from Residential Holding to Highway Commercial on both properties.

Property 1 – The intended use for this property is to allow for an enclosed storage facility and a contractor's yard (or laydown area). A draft site plan has been submitted for review and will be confirmed if the Official Plan and Zoning By-law Amendments are approved without successful appeal.

Property 2 – The Town of Rainy River purchased the subject property to increase its available inventory as incentives for potential commercial or industrial activities.

3. Provincial Policy Statement (2014)

The Province of Ontario provides general planning direction to all communities within the Province. The Planning Act as well as the provincial Policy Statement provides this direction. The purpose of the Provincial Policy Statement is to provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The Provincial Policy Statement focuses growth within the settlement areas and away from significant or sensitive resources, and areas that may pose a risk to public health and safety. The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario and therefore planning documentation such as official plans and zoning by-law all must be consistent with the Provincial Policy Statement. The subject lands are located within a settlement area and therefore focus on growth.

The Provincial Policy Statement (PPS) has three distinct sections:

1. Building Strong Communities
2. Wise Use and Management of Resources
3. Protecting Public Health and Safety

Generally Section 1, as stated above, is defining that development should be directed to established settlement areas and should be developed on full municipal services. Section 2 of the PPS deals with natural heritage issues and cultural heritage and archaeology issues. Section 2 deals with natural hazards and human made hazards. All of these policies have been reviewed and the proposal will conform to them.

Section 1.3 Employment

- 1.3.1** Planning Authorities shall promote economic development and competitiveness by:
- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

The proposal for Official Plan and Zoning By-Law Amendments “is consistent with” the policies of the PPS by providing an opportunity for new businesses and allow for the inclusion of new larger businesses which had previously sought locations outside the municipality.

4. Growth Plan for Northern Ontario 2011

The Growth Plan for Northern Ontario was prepared as a framework to implement the Government of Ontario’s vision for building stronger, prosperous communities by better managing growth in this region. The Growth Plan is intended to guide municipalities on a wide range of issues, including interconnected contribution of people, communities, infrastructure and the environment to a successful and sustainable economy.

Section 2.2.2 The Province will focus economic development strategies on the following *existing and emerging priority economic sectors* and the distinct competitive advantages that Northern Ontario can offer within these sectors:

- a) advanced manufacturing
- b) agriculture, aquaculture and food processing
- c) arts, culture and creative industries
- d) digital economy
- e) forestry and value-added forestry-related industries
- f) health sciences
- g) mineral sector and mining supply and services
- h) *renewable energy* and services
- i) tourism
- j) transportation, aviation and aerospace
- k) water technologies and services

Section 2.2.3 Economic development and strategies for *existing and emerging priority economic sectors* will examine opportunities to:

- a) strengthen networks and collaboration among businesses, industry, the education and research sectors, economic development organizations and northern communities
- b) attract investment
- c) grow and retain existing competitive businesses, including export development activities and diversification into value-added business opportunities

- d) respond to labour market needs and opportunities through education, training and entrepreneurship supports
- e) support research tailored to Northern Ontario context to inform business development and infrastructure planning.
- f) improve the clarity and efficiency of the provincial regulatory and legislative framework
- g) integrate sector considerations in labour market and infrastructure planning.

Both properties are the focus for future highway commercial activity. These underused parcels of land have intended use that will partnership with the many transportation projects which will be taking place in the next few years within the community and will fill current voids within the service community.

5. TOWN OF RAINY RIVER OFFICIAL PLAN

The Town of Rainy River's Official Plan currently has the lands designated as living areas. However, there are few instances of Highway Commercial where commercial activity is taking place. The change in use of this property falls with the following section of the Official Plan regarding employment lands:

Section 3.2 Employment Areas

3.2.1 Objectives

- 1. To provide opportunities for a diverse range of employment for the present and future residents of Rainy River.**
- 2. To ensure that there are sufficient lands designated for new development at all times.**
- 3. To ensure that there is sufficient flexibility to adapt quickly; and**
- 4. To provide for attractive development that will encourage investment in Rainy River.**

6. Conclusion and Recommendation

The proposed Official Plan Amendment and Zoning By-law Amendment is consistent with the policies of the Provincial Policy Statement and conforms to the intent and direction of the Growth Plan for Northern Ontario 2011, the Town of Rainy River Official Plan and Zoning By-law.