



Corporation of the Township of Alberton

PLANNING REPORT, OPA #2025-01

To:	Council
Prepared by:	Lisa Sheppard, CAO/Clerk-Treasurer
Date:	June 13, 2025
File Number:	Official Plan Amendment Application #OPA-2025-01
Applicant:	Jamie Davis, Agent/Owner for 2491570 Ontario Ltd
Township	Alberton: Crozier & Roddick
Public Meeting Date:	Thursday, June 19, 2025, at 6:00 p.m.
Decision Target Date:	Regular Meeting of Council, June 19, 2025, commencing at 7:00 p.m.

PURPOSE OF APPLICATION:

The purpose of the Application is to add a site-specific policy to the Township of Alberton Official Plan Policy 2.2 to permit a site-specific exemption to allow the property, known as Fire Number 147 Oakwood Road, to receive municipally piped water and when available, to receive sanitary sewer services from the adjacent municipality, namely the Town of Fort Frances.

NOTICE:

Notice of the Public Meeting and Open House in respect of this Application was published in the Wednesday, May 28th, 2025 edition of the *Fort Frances Times*, On May 22nd, 2025, Notice was posted on the entrance door to the Alberton Municipal Office, posted on the digital office information board, and posted on the Township of Alberton website under "Public Notices", which posting included a link to the full Application received. Neighbouring and adjacent property owners were mailed a copy of the Application and notice of open house on May 23rd, 2025. Signage was visibly posted on the subject lands on May 28th, 2025. The Notice of Public Meeting and Open House included a statement that the regular scheduled Council Meeting would immediately follow the Public Meeting and Open House, where Council may render a Decision on the Application, and all the above listed requirements have been provided in accordance with the regulations.

The required Notice to entities and agencies, was delivered by email on May 22nd, 2025, including the proposed wording of the Official Plan Amendment, and how to access additional information.

OBJECTIONS/APPEAL REQUESTS:

As of the date of this report, (June 13th, 2025) no written objections to the Application have been received.



PROVINCIAL PLANNING STATEMENT:

The *Provincial Planning Statement, 2024*, was approved and came into effect on October 20th, 2024. On page 2, paragraph 2: Role of the *Provincial Planning Statement* (page 2) includes the following wording:

"Official Plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial outcomes."

Collaborative coordination is imperative for the unique challenges in Northern Ontario. The cross-boundary matter of allowing direct water and wastewater infrastructure and services in a manner acceptable to both municipalities, with no negative impacts, promotes mutually beneficial solutions for which approval is sought.

In Part 6: *How to Read the Provincial Policy Statement of the 2024 Provincial Policy Statement*, the section subtitled *Relationship with Provincial Plans*, page 4, paragraph 7 contains the following wording:

"Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise."

According to Section 2.5 of the *PPS, 2024: Rural Areas in Municipalities* provides the framework guidance of: (a) "building upon rural character and leveraging rural amenities and assets;" (d) "using rural infrastructure and public service facilities efficiently" and (e) "promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources". It is staff's opinion that rural and remote municipalities working together for collaborative solutions, utilizing existing infrastructure, supporting each other in economic uncertainty, and combining efforts for opportunity and stability in Northern Ontario captures the intent of the *PPS, 2024*.

Preamble of the *Growth Plan for Northern Ontario (GPNO), 2011*, Section 5.1: identifies water and wastewater infrastructure as critical to Northern Ontario's future. In Section 5.25, the *GPNO* states that:

"All municipalities are encouraged to co-ordinate with neighbouring communities and industry to improve the long-term viability and sustainability of infrastructure investments".

INDICATIONS OF SUPPORT:

An excerpt from a Town of Fort Frances Council resolution dated April 28th, 2025, is included with this report (please see Considerations, Item 11), identifying the Town of Fort Frances's interest and ability to provide services.

Communication and pre-consultation took place with the Ministry of Municipal Affairs and Housing (MMAH). MMAH coordinates and circulates copies of the Application with other ministries as necessary, relevant and applicable.

Ministry of Transportation written correspondence received on June 6th, 2025, indicated no concerns with the proposed amendment. Town of Fort Frances Planning Department correspondence of June 5th, 2025, indicated no concerns with the proposed amendment.

No other queries or comments either in support of, or in opposition to the Application have been received by the Township as of the date of this report (June 13th, 2025).

OFFICIAL PLAN:

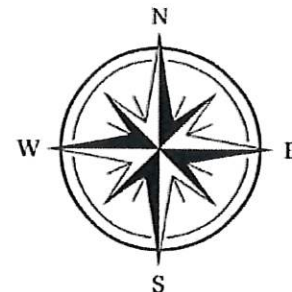
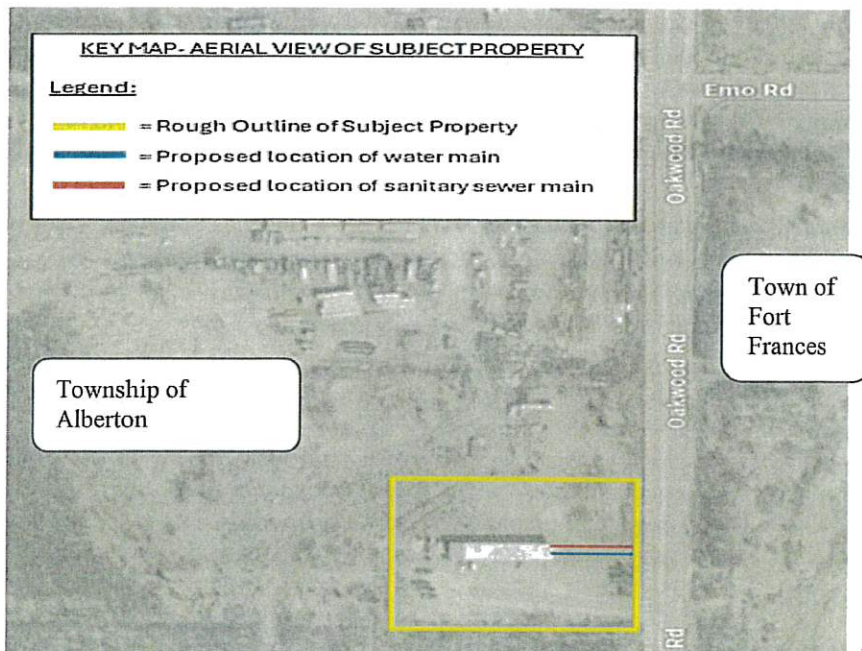
The Official Plan map shows that the subject property is located on the west side of Oakwood Road in the Township of Alberton, Properties that abut the Subject Lands are industrial and residential mix. Specifically, the property to the immediate north of the Subject Lands is designated Industrial and the property abutting to the south of the Subject Lands is residential.



Oakwood Road, which is a municipal highway shared by the Township of Alberton and the Town of Fort Frances, abuts the east boundary of the subject property. The designated use of the property located on the east side of Oakwood Road in the Town of Fort Frances is designated as *Employment Area* and *Economic Gateway Area* in its Official Plan. The property is designated as M1 Industrial in the Town of Fort Frances Zoning By-law. Such uses are compatible with and complement the industrial zoning permitted uses in Alberton.

Section 2.2 of the Township of Alberton Official Plan states:

"Private water and sewage will continue to be the primary source of lot servicing in the Township. As a result, developments that require communal or full municipal services will be considered only with an amendment to this Plan. Any application to extend services from an adjacent municipality will be considered only with an amendment to the Official Plan."



CORRECTION TO INFORMATION CONTAINED IN THE APPLICATION:

On page 2 of the Application; a correction was made to the civic address, and was initialed by the Applicant on April 25, 2025, to reflect the correct civic address of 147 Oakwood Road.

CONSIDERATIONS RECOMMENDED PRIOR TO DECISION:

1. The wording of the proposed amendment in the Schedule of Additional Information, page 6, Part B, The Amendment, seeks to add a site-specific policy to the existing Official Plan 2.2 for the Corporation of the Township of Alberton that would provide an exemption for the Subject Property, enabling it to be serviced with municipally piped water and sanitary services by way of an extension from the Town of Fort Frances as required in Section 2.2 and 5.2 of the Official Plan. The requested amendment to the Official Plan states on page 11 of the Application - the primary reason is "based on health and safety of any occupants (staff, travelling public, tourists, general population, etc.) of the property as it relates primarily to the ability of the property owner to provide adequate quality safe drinking water."



2. It is staff's opinion that the proposal is consistent or does not conflict with the *Provincial Planning Statement, 2024 (PPS, 2024)*, Section 2.5, page 11 of the *PPS, 2024: Healthy, integrated and viable rural areas* by:
 - (a) Building upon rural character, and leveraging rural amenities and assets;
 - (d) Using rural infrastructure and public service facilities efficiently
 - (e) Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management of resources
3. The preamble on the Ontario Government website <https://www.ontario.ca/page/provincial-planning-statement-2024> for the *Provincial Planning Statement, 2024 (PPS)* describes the *PPS* framework, intent and flexibility to municipalities to: (a) plan for and support development and increase the housing supply across the province (b) align development with infrastructure to build a strong and competitive economy that is investment ready (c) foster the long-term viability of rural areas and (d) protect agricultural lands, the environment and public health and safety. It is staff's interpretation of the intent and tools within the *PPS 2024* that this Official Plan Amendment Application OPA #2025-01 would fulfill the criteria framework by (1) existing development crossing municipal boundaries to strengthen economic growth for Alberton, contribute to economic sustainability for Fort Frances, (2) appropriately utilizing existing municipal infrastructure, (3) municipalities in rural Northern Ontario face unique challenges and working together ensures long-term viability and (4) finally and most importantly, supports public health and safety to provide safe drinking water aligns with the intended purpose of the *PPS 2024*.
4. *The Growth Plan for Northern Ontario, 2011*, came into effect on March 3, 2011, and was prepared under the *Places to Grow Act, 2005*. It is a 25-year plan that provides guidance to align provincial decision-making and investment for economic and population growth in Ontario. Page 1 of the *Growth Plan for Northern Ontario* overview includes the statement "Planning for growth means looking ahead together".
5. *The Growth Plan for Northern Ontario, 2011*, section 5.2.5 encourages collaboration, solutions and sustainability between neighbouring municipalities and the efficient use of existing infrastructure. Section 5.2.5 of the *Growth Plan for Northern Ontario, 2011*, states "All municipalities are encouraged to coordinate with neighbouring communities and industry to improve the long-term viability and sustainability of infrastructure investments". Historical municipal collaboration and practical, economical solutions resulted in similar site-specific requests along Oakwood Road for municipally piped water and sanitary services supplied from the Town of Fort Frances, having been implemented successfully, with no negative impacts in 2017 and 2022.
6. There will be no financial impact on the Township of Alberton. Part B, page 6 of the Appendix to the Application: "with all costs of or related to same, whether initial or ongoing, being the sole responsibility of the registered owner(s)".
7. Section 1.2 of the *Growth Plan for Northern Ontario, 2011*, encourages all municipalities, either individually or collaboratively, to connect with neighbouring municipalities and work together to achieve shared goals, opportunities and to include planning across natural and municipal boundaries.
8. The Amendment contemplates full municipal services to be put in place, and until such time as sanitary services are expanded by the Town of Fort Frances, partial services are addressed in Section 3.6 of the *Provincial Planning Statement, 2024*. In the *Provincial Planning Statement 2024 (PPS 2024)* versus the *PPS 2020*; the language regarding permitted partial services has been clarified in the *PPS 2024*, in Section 3.6:

Excerpt from the *PPS 2024 3.6 (5): Partial services* shall only be permitted in the following circumstances:

 - (a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development;
 - (b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*;

It is staff's opinion and interpretation of Section 3.6 (5)(a & b) of the *PPS 2024*, that the application meets the criteria for permitted partial services described in the *PPS, 2024*. Specifically item (a) "where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development". Based on staff's interpretation of a failed system - as a public health and safety issue; the ability to provide adequate quality safe drinking water from the privately owned water supply is of utmost importance, and is the basis of the Application for Amendment. Businesses, especially those with high water usage, rely on a consistent and adequate water supply for operations, sanitation and public health and safety. When the private maintained water system cannot meet this demand, is not practical, or economically feasible, results in a failure that could lead to disruptions, customer service issues and damage to business reputation. A reliable, feasible, quality and quantity-appropriate water source would address the Applicant's concern for public health and safety. It is also important for labour recruitment and retention and providing efficiencies within the business, benefiting economic growth and sustainability within the community. The *Growth Plan for Northern Ontario, 2011*, section 3.3.1, supports northern workforce programs and initiatives and section (d) of section 3.3.1, specifies "facilitate trades and apprenticeship training", which is relevant to the Applicant for not only labour recruitment but apprenticeship programs. The *PPS 2024* item (b) "within settlement area, to allow for infilling and minor rounding out of existing development on partial services, provided that site conditions are suitable for the long-term provision of such services with no negative impacts". That criteria is met as the collaborative municipal solution would reduce environmental impact by utilizing already existing Town of Fort Frances infrastructure, minor rounding out of existing services and reducing strain on the water table.

The statement in the *PPS 2024*, 3.6 (5)(b) "with no negative impacts" requires careful evaluation. There are several precautionary measures that could be undertaken by the Applicant, to mitigate any possibilities. They are: the Applicant installs a back-flow preventer (Town of Fort Frances indicated this as a requirement, please see Item 11, point 3 of Town of Fort Frances Resolution 762), the Applicant provides a copy of a certificate or report from the Northwestern Health Unit confirming the capacity and ability of the septic system (a suggested condition) and the Applicant installs a Septic Alarm System (a suggested condition).

In addition to the primary public health and safety concern of the Applicant; to the ability to provide safe quality drinking water to customers, staff and the general public; there is also the fact that well water is susceptible to climate and drought conditions and may contain high levels of calcium, iron and magnesium, which are detrimental on appliances, fixtures, pumps and etc. Contemplating possible expansion and growth opportunities for the Applicant might include the ability to offer spas and fountains. Utilizing well water for spas, hot tubs and fountains is not recommended or practical - due to the higher levels of iron and calcium typically found in well water. Minerals can cause surface and scale build-up and contain rust, which will stain and damage the components.

9. As part of the Township of Alberton's commitment to the *Growth Plan for Northern Ontario, 2011*, and in the spirit of coordination with neighbouring municipalities; this proposal protects public health and safety, supports economic prosperity, fosters the long-term viability of two rural communities and is an efficient use of existing infrastructure. That water and future wastewater services sought by this Application, would effectively address (1) public health and safety concern - adequate quality drinking water, (2) directly and indirectly support economic growth not only in Alberton and Fort Frances, but the entire Rainy River District, as the Applicant's business services extend across the entire district and (3) utilize existing infrastructure and provide additional revenues to the Town of Fort Frances to support sustainability and affordability of such services.
10. The proposed amendment is reasonable in nature, the site conditions are suitable and will not jeopardize or take away from the rural character of the area. The Applicant proposes no other change to the lands or use.




11. The Township of Alberton's Official Plan does not contemplate primary and secondary levels of servicing; however, it must be recognized that dual servicing may exist on many properties which have well and septic to service residential buildings with a separate well or waste management (i.e., privy) to service farm or other lands. Servicing within the Township is not tracked, except for, when new lots are created through the consent process, as the Township requires written comments from the Northwestern Health Unit to be provided to ensure no liability for same accrues to the Township.
12. A Resolution dated April 28th, 2025, by Council for the Town of Fort Frances, numbered as 762, is included below confirming Town of Fort Frances availability to provide piped water and sanitary services.

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12. Operations and Facilities Division Reports

12.1 Request for a water service to 147 Oakwood Road

762 THAT Council Approval of Report AR-25-0793 will agree with the recommendation of Administration to:

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1. Allow the request in principle with the understanding that a service agreement is developed at the cost of the property owners of 147 Oakwood Road which meets all the terms and conditions of the Town. The service agreement will be brought back to Council for approval prior to any installation of infrastructure taking place.
 2. That the property owners of 147 Oakwood Road will be responsible for all materials, labour & installation costs for both water and sanitary sewer service lines from the Town's water main to their Oakwood Road frontage property line.
 3. That the property owners of 147 Oakwood Road will be responsible for all materials, labour & installation costs for all required building water meter(s) and backflow preventer(s).
 4. That 147 Oakwood Road is considered a non-residential metered water customer and will be charged the appropriate fees as per the Town's user fee schedule as amended from time to time.
 5. That the property owners of 147 Oakwood Road will be responsible to obtain all necessary approvals for the installation of water lines within the Oakwood Road right-a-way within the Township of Alberton from the Township of Alberton.

CARRIED

Result:	CARRIED
Mover:	Kaleb Firth
Seconder:	Steven Maki

CONCLUSION:

It is staff's opinion that the proposed Official Plan Amendment conforms with provincial plans, or does not conflict with them, has regard to matters of provincial interest listed in section 2 of the *Planning Act*, and is consistent with policy statements issued under subsection 3(1) of the *Planning Act*.

It is staff's recommendation for Council consideration to: Approve with Conditions, the Official Plan Amendment Application – #OPA2025-01, as filed by Jamie Davis, Agent/Owner for 2491570 Ontario Limited, for a site-specific exemption of Section 2.2 of the Official Plan; to allow connection to piped water and sanitary services from the neighbouring municipality of the Town of Fort Frances.

It is important to recognize that any Conditions on an Approval Decision imposed must be (1) reasonable, (2) achievable, and (3) relevant to the Application. It is staff's opinion that the suggested conditions below are reasonable, relevant to the Application, achievable by the Applicant, and would allow for the necessary agreement(s) and easement documentation to be prepared and duly executed. Please see suggested conditions for consideration below.

Suggest that: **Date of Approval with Conditions: Thursday, June 19, 2025, with Reading and adoption of a By-Law for Council for the Township of Alberton in this regard is hereby tabled until such time as all documentation in the conditions listed below are received and duly executed:**

1. As per Section 10.5, page 6 of the Application, reports/information; provide a copy of a Northwestern Health Unit (NWHU) report or septic installation certificate (whichever method/format is prescribed by NWHU), regarding the capacity and performance of the septic system. (The Owner would likely have this already on file as it is typically provided at time of install). If any alterations or modifications are required, proof of implementation of those alterations or modifications are to be supplied to the Township.



2. Documentation is provided to the Township of Alberton, to verify that a Septic Alarm System has been installed. A septic alarm is an essential part of protecting *any* septic system, and provides early detection of issues, allowing a pro-active response rather than an emergency response.
3. A copy is provided to the Township of Alberton of the signed Agreement between the Town of Fort Frances and 2491570 Ontario Ltd, Agent/Owner Jamie Davis, to permit the Town of Fort Frances to provide the municipal water and sanitary sewer services to the Subject Property and of Transfer of Easement in Gross documentation related thereto.
4. All documentation with regard to the required easement over municipal lands for the proposed servicing, maintenance, etc., required to give effect to the said servicing, are received by the Township of Alberton for Council and Township legal consideration, review, and amendment if deemed necessary, and such agreements are deemed to be in a form acceptable to the Township and the agreement and easement documentation have been duly executed.

The proposed Official Plan Amendment is exempt from approval by the Minister of Municipal Affairs and Housing. The decision of the Council for the Township of Alberton is final if a notice of appeal is not received on or before the last day for filing a notice of appeal (of which date would be 20 days after Notice of Decision is given).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lisa Sheppard", written over the typed name.

Lisa Sheppard
CAO/Clerk-Treasurer,
Township of Alberton

