



Town of Fort Frances

Application for Consent Section 53 of the Planning Act

Notes to Applicant:

In this form the term "subject" land means the land to be severed and the land to be retained.

One application is required for each transaction (as identified in section 3.1).

Measurements are to be in metric units.

Legislation information relative to a Consent:

1. In considering an application, the Committee of Adjustment shall have regard to matters described under Subsection 51(4) being whether the application is physically suitable, compatible with the surrounding land uses, premature, etc.)
2. The Committee of Adjustment may impose conditions of approval if considered appropriate and the conditions must be fulfilled before the Certificate is issued.

Completeness of the Application:

Black arrows (►) located on the left side of the Section numbers indicates information that **must** be provided by the applicant. This information is prescribed in the Schedule to Ontario Regulation 197/96 made under The Planning Act. The mandatory information must be provided with the appropriate fee. If the mandatory information and fee are not provided, the application will be returned or further consideration refused until the information and fee have been provided.

The application form also sets out other information that will assist the Committee of Adjustment and others in their evaluation of the application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. Consequently, the application may be refused.

An application is considered to be received by the Planning Department on the date it is received with sufficient information and the correct fee.

Submission of the Application:

Your submission should include:

- ☐ The original and Twelve (12) copies of completed application including site plan with all information as set out in Section 8.
- ☐ Any registered plans and reference plans for the subject property.
- ☐ Such other material as may be determined for the specific application.
- ☐ The applicable fee as indicated in the current Town of Fort Frances User Fee By-Law.

For Help:

Cody Vangel
Chief Building Official, Municipal Planner
Sec. Treas. Committee of Adjustment
Town of Fort Frances
320 Portage Avenue
Fort Frances, ON P9A 3P9
Phone – 274-5323 ext. 1216
Fax – 274-8479
Email – cvangel@fortfrances.ca



FORTFRANCES
BOUNDLESS
APPLICATION FOR CONSENT

FOR OFFICE USE ONLY			
File Number: A6 - 2021			
Property: Part of island G 734		Roll #: 5912 010 001 180 00	
Date Application Received: Apr. 27, 2021		Date Fee Received: Apr. 27, 2021	
Date Application Complete: Apr. 27, 2021		Receipt #:	Application Fee: \$ 585.15

Please Print and Complete or (✓) Appropriate Box(es)

1. Applicant Information

▶ 1.1	Name of Applicant EDWARD JOSEPH HOLBIK	Home Telephone No. 807 939 1280	Business Telephone No. 705 507 3563
	Address 2155 WHITEGATES DRIVE THUNDER BAY ONTARIO	Postal Code P7K-1G2.	
▶ 1.2	Name of Owner(s) (If different from the applicant). An owner's authorization is required in Section 11.1 if the applicant is not the owner.		
	Name of Owner(s) CANADIAN NATIONAL RAILWAY COMPANY	Home Telephone No.	Business Telephone No.
	Address 1 ADMINISTRATION RD P.O. BOX 1000 CONCORD VAUGHAN ONTARIO	Postal Code L4K 1B9.	
1.3 Please indicate to whom all communications should be sent:		<input checked="" type="checkbox"/> Owner	<input checked="" type="checkbox"/> Agent

Note: If this application is being submitted by an agent on behalf of the Property Owner, the owner's written authorization must accompany the application. If the applicant is a corporation acting without agent, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.

2. Location of Subject Land (Severed and Retained) Complete Applicable Boxes in Section 2.1

▶ 2.1	Municipality Fort Frances		Township	Property Roll No. 5912 010 001 18000
	Property descriptor: G 734	Lot/Section No.	Part No. PART 1 PART 5	Reference Plan No.
	Other Information (parcel #, etc.) MINING LOCATIONS ISLAND G734 RAINY RIVER RAINY LAKE DISTRICT			Registered Plan No. 48R 3592
▶ 2.2	Are there any easements or restrictive covenants affecting the subject land?			
	If Yes , describe each easement or covenant and its effect			
▶ 2.3	Is there a mortgage or other encumbrance on title to the subject land?			
	If Yes , provide name, full mailing address and contact information of encumbrance holder			

3. Purpose of this Application

- 3.1 Type and purpose of proposed transaction (X appropriate box):

Transfer ☒ Creation of a new lot ☐ Addition of a lot (see also 3.3) ☐ An easement /encroachment agreement

Other

☐ A charge

☐ A lease

☐ Correction of title

☐ Other purpose _____

- 3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged

EDWARD JOSEPH HOLBIK.

- 3.3 If a lot addition, identify the lands to which the parcel will be added. Also show on accompanying sketch.

4. Existing or Proposed servicing information regarding the subject land.

(complete each section)

		(complete each section)	Severed	Retained
▶ 4.1	Dimensions	Frontage (m) (# of ft x .3048)		
		Depth (m) (# of ft. x .3048)	SEE PART 1	PART 5
		Area (ha.) (# of acres x .4047)		
▶ 4.2	Use of Property	Existing Use(s)	NONE	RAILWAY LINE
		Proposed Use(s)	SEASONAL RESIDENTIAL	NO CHANGED PROI
▶ 4.3	Buildings or Structures	Existing	NONE	NONE
		Proposed	SEASONAL RESIDENTIAL	NONE
▶ 4.4	Access (✓ appropriate space)	Provincial Highway (secondary or primary)		
		Municipal Road (maintained all year)		
		Municipal Road (seasonally maintained)		
		Other Public Road		
		Right of Way		
▶ 4.5	Water Supply (✓ appropriate space)	Publicly owned & operated piped water system		
		Privately owned & operated individual well		
		Privately owned & operated communal well		
		Lake or other water body	✓	
		Other means		
▶ 4.6	Sewage Disposal (✓ appropriate space)	Publicly owned & operated sanitary sewage system		
		Privately owned & operated individual septic tank*		
		Privately owned & operated communal septic system		
		Privy		
		Other means	submit application SEPTIC/SEWAGE PERMIT.	
		*A certificate of approval from the local Health Unit or Ministry of the Environment and Energy submitted with this application will facilitate the review.		
4.7	Other Services (✓ if service is available)	Electricity		
		School Bussing		
		Garbage Collection		

- 4.8 If access to the subject land is by private road, or if "other public road" or "right of way" was indicated in section 4.4 above, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

5. Land Use

- 5.1 What is the existing Official Plan designation(s), if any of the subject land? EMPLOYMENT
- 5.2 What is the zoning, if any, of the subject land? SEASONAL RESIDENTIAL
- 5.3 Are any of the following uses or features on or adjacent to the subject land. (X appropriate boxes if any apply)

Use or Feature	On subject land	Adjacent to subject land
An agricultural operation		
A landfill		
An industrial or commercial use (specify uses)		
An active railway line		X
A Municipal Airport		

6. History of the Subject Land

- 6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?

☒ Yes ☐ No ☐ Unknown

If Yes, and if known, provide the Ministry or Municipal Application file number and the decision made on the application

B8/96 REJECTED

B9/96 APPROVED.

- 6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

PREVIOUS DECISION IN 1996 WAS REJECTED DUE TO POOR SITE CONDITIONS MAKING IT INCAPABLE OF SUSTAINING A CLASS IV SEWAGE SYSTEM AS PER NORTH WESTERN HEALTH UNIT COMMENTS.

- 6.3 Has any land been severed from the parcel originally acquired by the owner of the subject land?

☐ No ☒ Yes

If yes, provide for each parcel severed the date of transfer, the name of the transferee and the land use.

SEIG SCHEDULE "A" PART 2 96-12-16 SURVEY.

7. Current Applications

- 7.1 Is the subject land currently the subject of a proposed Official plan or Official Plan amendment, Zoning By-Law amendment, a minister's zoning order, a minor variance, an approval or a plan of subdivision or a consent?

☒ Yes ☐ No ☐ Unknown

If yes and if known, specify the appropriate file number and status of the application.

File number to be assigned

8. Sketch

- 8.1 The application shall be accompanied by a sketch showing:
- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
 - (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
 - (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
 - (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
 - (e) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i. are located on the subject land and on land that is adjacent to it, and
 - ii. in the applicant's opinion, may affect the application;
 - (f) the current uses of land that is adjacent to the subject land (*for example, residential, agricultural or commercial*);
 - (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
 - (h) if access to the subject land will be by water only, the location of the parking and boat docking facilities to be used; and
 - (i) the location and nature of any easement affecting the subject land.

9. Other Information

- 9.1 Is there any other information that you think may be useful to the Committee of Adjustments for the Township or other agencies in reviewing this application? If so, explain below or attach a separate sheet.

10. Signature and Statutory Declaration

- 10.1 Signature and Statutory Declaration of Applicant

I, EDWARD JOSEPH HOLBILK of the Town of FORT FRANCES ONT
In the DISTRICT of RAINY RIVER, make oath and say OR solemnly declare that the
all of the above statements contained herein and all exhibits and supporting documentation submitted and attached
hereto are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the
same force and effect as if made under oath.

Sworn/Declared before me at the Town of Fort
Frances, in the District of Rainy River, this 23rd
day of April, 2021

Commissioner for Oaths, etc.

Applicant

JOHN AUGUST DE BAKKER
Barrister, Solicitor & Notary Public
In and for the Province of Ontario.
My commission is of unlimited duration.

11. Notice of Collection – Municipal Freedom of Information and Protection of Privacy Act

- 11.1 Personal information collected on this form is collected under the authority of the *Planning Act*, R.S.O. 1990 as amended, and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments will be made available for public disclosure. Questions regarding the Municipal Freedom of Information and Protection of Privacy Act should be forwarded to: Town Clerk, c/o Town of Fort Frances, 320 Portage Avenue, Fort Frances, Ontario P9A 3P9, Telephone (807) 274-5323, Ext. 236.

12. Owner's Authorization and Consent

- 12.1 This form must be used in all cases where individual(s) are being authorized on behalf of the owner to file an application and to act on behalf of the owner of property that is the subject of the application. Some instances where this authorization will be required are: where a solicitor is acting for an owner; where an agent is acting for an owner; where one owner is acting on behalf of other joint owners; where one owner with a percentage interest in a property is acting for other owners with a whole or percentage interest in a property; where a single spouse only has signed the application. Anyone having an interest in the property must provide a signed authorization. This form, or separate individual copies of this form must be appended to and duly executed by any and all owners of the property that is the subject of this application.

Authorization to Applicant and Consent to Use and Disclosure of Personal Information

I, _____ of the _____ of _____ in the _____ of _____ am the owner of the land that is the subject of this application and, as evidenced by my signature below, I hereby authorize _____ to make this application on my behalf and further to provide any of my personal information that will be included in this application or collected during the processing of the application.

SAB "LETTER" OF AUTHORIZATION - MARCH 8, 2021

Date

Signature of Owner

A File Number will be assigned by the Secretary for the Committee of Adjustment, which will be used in all communication.

Applicant's Checklist: Have you remember to attach


- ☐ 1 copy of completed application form
- ☐ 1 copy of sketch
- ☐ 2 copies of Certificate of Approval from Northwestern Health Unit or Ministry of Environment and Energy (if applicable)
- ☐ Application Fee by cash, certified cheque or money order

Forward to:

Town of Fort Frances
Committee of Adjustment
320 Portage Avenue
Fort Frances, On. P9A 3P9

JOHN AUGUST DE BAKKER
Barrister, Solicitor & Notary Public
in and for the Province of Ontario
My commission is of unlimited duration

SKETCH SHEET

Outline area to be severed in **GREEN** or 

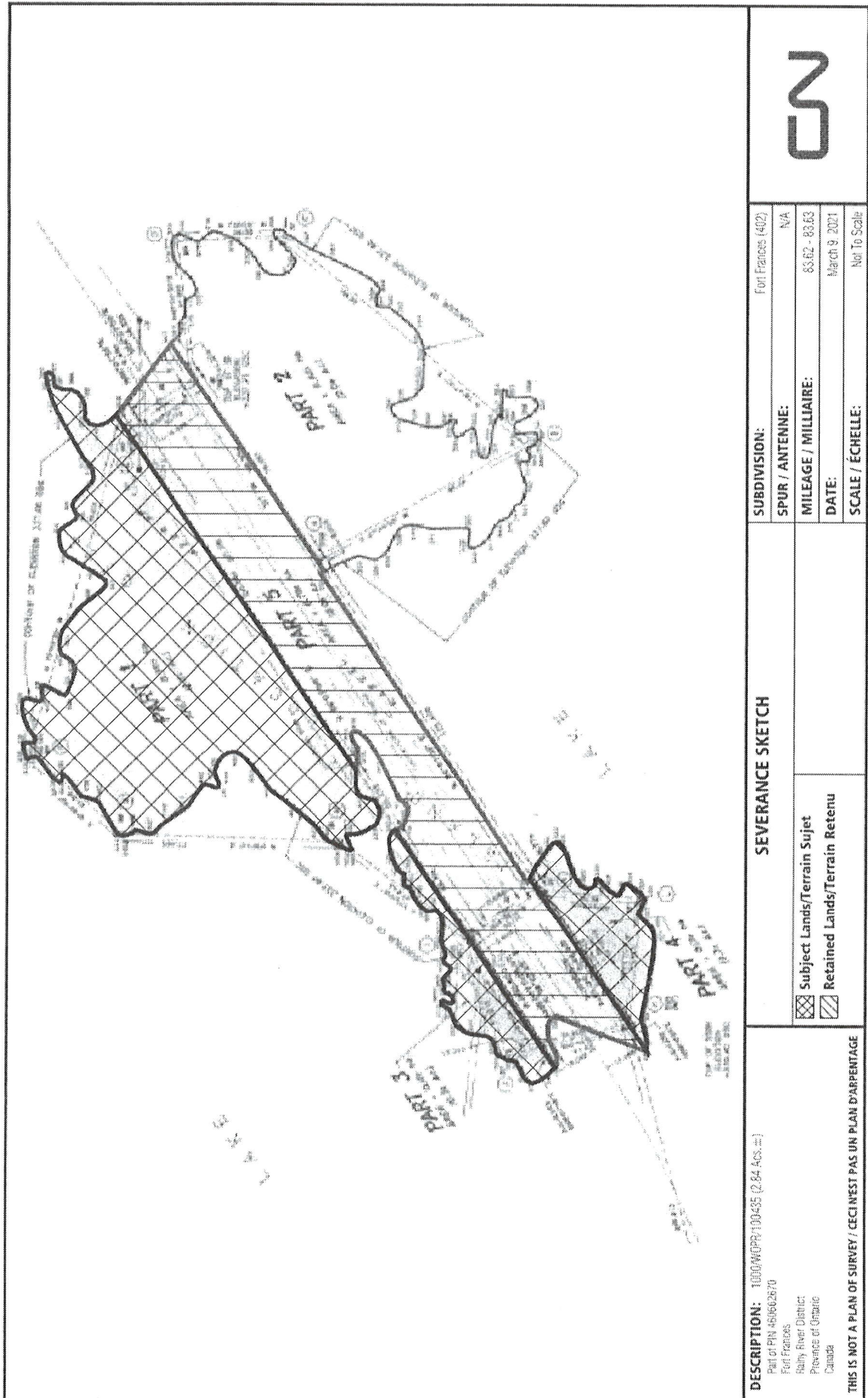
Outline area to be retained in **RED**

Sketch accompanying Application. (Use metric Units) (See Section 8)

SEE SCHEDULE A

▲
N

SCHEDULE A / ANNEXE A



DESCRIPTION: 1000WOPR100-435 (2.84 ACS ±)
 Part of PIN 461602670
 Fort Frances
 Rainy River District
 Province of Ontario
 Canada

THIS IS NOT A PLAN OF SURVEY / CECI N'EST PAS UN PLAN D'ARPENTAGE

SEVERANCE SKETCH

☒ Subject Lands/Terrain Sujet
☒ Retained Lands/Terrain Retenu

SUBDIVISION: Fort Frances (402)
SPUR / ANTENNE: N/A
MILEAGE / MILLIAIRE: 63.62 - 63.63
DATE: March 9, 2021
SCALE / ÉCHELLE: Not To Scale

3

LETTER OF AUTHORIZATION

TO: Town of Fort Frances

DATE: March 8, 2021

We, **Canadian National Railway Company**, of the **City of Vaughan**, hereby authorize and instruct, **Edward Holbik** to submit an application for the severance of the property described as Mining Location Island G734, Rainy Lake, Rainy River District, in the province of Ontario, being Parts 1, 3 and 4 of 48R3592 as shown crosshatched on Schedule "A" attached hereto of which we are the Registered Owner; and to appear on behalf of Canadian National Railway Company at any hearings with respect to such a severance application, and this shall be our good and sufficient authority to act on our behalf.

CANADIAN NATIONAL RAILWAY COMPANY

Signed: _____


Ernie Longo
Real Estate Manager

I have authority to bind the Corporation.

LETTER OF AUTHORIZATION

TO: Northwest Health Unit

DATE: March 8, 2021

We, **Canadian National Railway Company**, of the **City of Vaughan**, hereby authorize and instruct, **Edward Holbik** to submit an application for a Septic/Sewage Permit on the property described as Mining Location Island G734, Rainy Lake, Rainy River District, in the province of Ontario, being Parts 1, 3 and 4 of 48R3592, as shown crosshatched on Schedule "A" attached hereto of which we are the Registered Owner; and to appear on behalf of Canadian National Railway Company at any hearings with respect to such a severance application, and this shall be our good and sufficient authority to act on our behalf.

CANADIAN NATIONAL RAILWAY COMPANY

Signed: _____


Ernie Longo
Real Estate Manager

I have authority to bind the Corporation.

