



Date: September 13, 2018

Report To: Planning and Development Executive Committee

From: Tyson Dennis, Chief Building Official/Municipal Planner

Re: **1525 Colonization Road Consent for new residential lot**

On July 31, 2018 the Committee of Adjustment met to discuss the possible consent of 1525 Pit Road to create new residential lot. Dave and Angela Petsnick are the owners of land. The site plan attached shows severing 1525 Colonization Road from one irregular shaped lot to two irregular shaped lots.

Attached to the report are the Divisional comments from the Town of Fort Frances on the consent as well as the Committee of Adjustments approval of the consent with conditions. Conditions must be met with one year of the approval for the severance to be completed.

As this consent will create a new lot, the Planning Act allows the Town of Fort Frances to collect Park Land fees of 5% of the value of the new lot. Attached to the report is a value determined by Broker of Record, David Kircher, a value of \$30 000 to \$35 000.00. Once the conditions are met and exact size of property is determined, Park Land fees will be collected by the Town as a condition of consent.

The Planning and Development department received decision from the Committee of Adjustment approving consent at 1525 Colonization Road with conditions imposed. The department will work with Dave and Angela Petsnick to ensure conditions are met within the one-year time frame.

Please review the information of the consent and creation of new lot at 1525 Colonization Road. No appeals were submitted, and all documentation has been filed. If conditions are met within the time frame, a Certificate of Official will be given by the Municipal Planner at that time.

Respectfully submitted,

Originally Signed By,



FORTFRANCES
BOUNDLESS
APPLICATION FOR CONSENT

FOR OFFICE USE ONLY		
File Number: <u>C3-2018</u>		
Property: <u>1525 Colonization Rd</u>	Roll #: <u>5912 010 005 083 00</u>	
Date Application Received: <u>April 15/18</u>	Date Fee Received: <u>June 29/18</u>	
Date Application Complete: <u>June 29/18</u>	Receipt #: _____	Application Fee: \$ <u>657.95</u>

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

1. Applicant Information

▶ 1.1	Name of Applicant David Wade Petsnick	Home Telephone No. 807-275-5090	Business Telephone No.
	Address 1345 Emo Road, Fort Frances	Postal Code P9A 2V6	
▶ 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) David Wade Petsnick and Angela Helene Petsnick	Home Telephone No. 807-275-5090	Business Telephone No.
	Address 1345 Emo Road, Fort Frances	Postal Code P9A 2V6	
1.3 Please indicate to whom all communications should be sent:		<input type="checkbox"/> Owner	<input checked="" type="checkbox"/> Agent/Applicant

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 McIrvine	Property Roll No. 59-12-010-005-08300
	Property descriptor: Part of River Range Lot 46	Lot/Section No.	Part No. 1
	Other Information (parcel #, etc.) Except part 1 48R-3964		Reference Plan No. 48R-1036
Registered Plan No.			
▶ 2.2	Are there any easements or restrictive covenants affecting the subject land? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
	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? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
	If Yes, provide name, full mailing address and contact information of encumbrance holder		
CIBC, 203 Scott St., Fort Frances, on P9A 1G8			

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

► 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)

		Severed	Retained
► 4.1 Dimensions	Frontage (m) (# of ft x .3048)	15.24	12.2
	Depth (m) (# of ft. x .3048)	54.89 +/-	112.78 +/-
	Area (ha.) (# of acres x .4047)	0.0256 (approx)	.5193 (approx)
► 4.2 Use of Property	Existing Use(s)	Residential	Residential (vacant)
	Proposed Use(s)	Residential	Residential
► 4.3 Buildings or Structures	Existing	Single Detached Dwelling	None
	Proposed	no change proposed	Single Detached Dwelling
► 4.4 Access (✓ appropriate space)	Provincial Highway (secondary or primary)		
	Municipal Road (maintained all year)	X	X
	Municipal Road (seasonally maintained)		
	Other Public Road		
	Right of Way		
► 4.5 Water Supply (✓ appropriate space)	Publicly owned & operated piped water system	X	X
	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	X	X
	Privately owned & operated individual septic tank*		
	Privately owned & operated communal septic system		
	Privy		
	Other means		
*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	X	X
	School Bussing	X	X
	Garbage Collection	X	X

- 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? Living Area

- 5.2 What is the zoning, if any, of the subject land? Residential Type 1

- 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		
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

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

- 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.

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.

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.

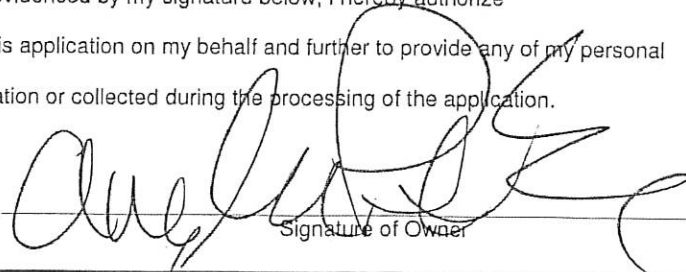
12. Owner's Authorization and Consent

- 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, Angela Helene Petsnick of the Town of Fort Frances in the District of Rainy River am an owner of the land that is the subject of this application and, as evidenced by my signature below, I hereby authorize David Wade Petsnick 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.

FEB 28th 2018
Date

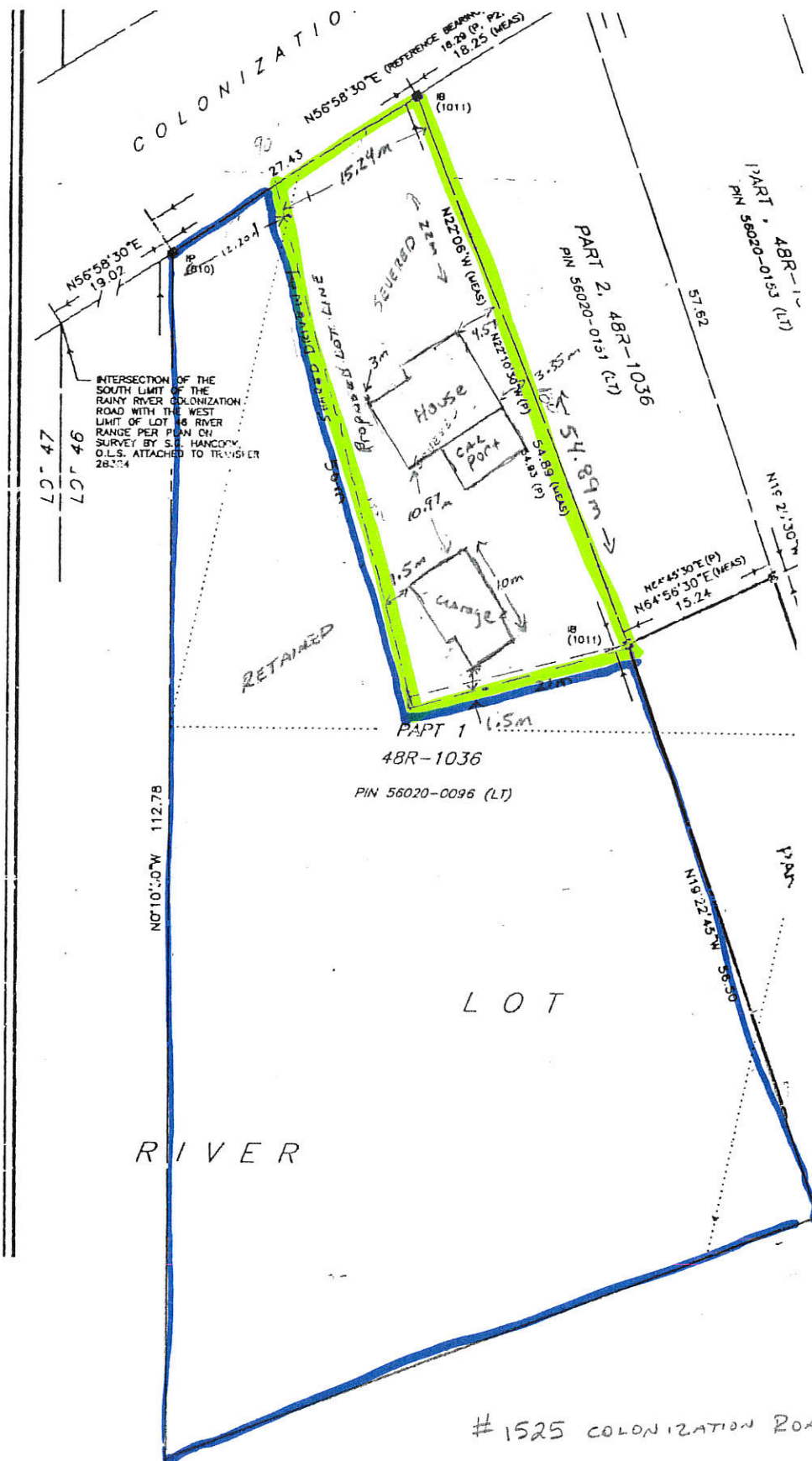

Signature of Owner

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 remembers to attach

- ☐ 12 copies of completed application form
- ☐ 12 copies 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



NOTES: 1) SMALL OUTBUILDING TO BE MOVED
2) Proposed shared driveway.



1525 Colonization Consent Comments of Town Divisions.

Fire Department

No Concerns

Fort Frances Power Corporation

No Concerns

Public Works

Neither property has a private crossing, both properties will require a new private crossing for access

Shared driveways are not permitted under by-law 32/82. The developer will have to install two driveway approaches at their cost, installed by Public Works.

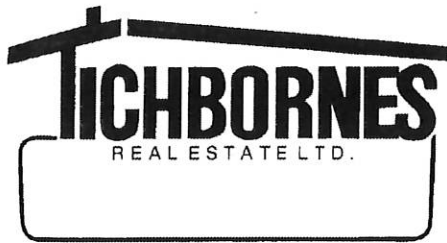
Planning and Development

All conditions by the Committee of Adjustment to be met prior to completion of consent.

The condition of new driveway approaches eliminates an illegal driveway which is existing at the 1525 Colonization Road on neighboring properties.

Development of a new lot will benefit to the Town. The frontage is short of the required 15m, but that area is for access to the main building area. Both lots would be irregular.

Park Land fees of 5% should be collected on the value of the new lot if approved.



807-274-3221

Member
Ontario Real Estate Association
Canadian Real Estate Association

576 Scott Street
Fort Frances, Ontario
Canada P9A 1H4

D.C. KIRCHER Broker
Res: (807) 274-1595

August 9, 2018

Mr. David Petsnick
1345 Emo Road
Fort Frances, ON P9A 2V6

Dear Mr. Petsnick:

RE: Opinion of Current Market Value of proposed severance of Vacant Lot at 1525
Colonization Road West, Fort Frances, ON District of Rainy River.

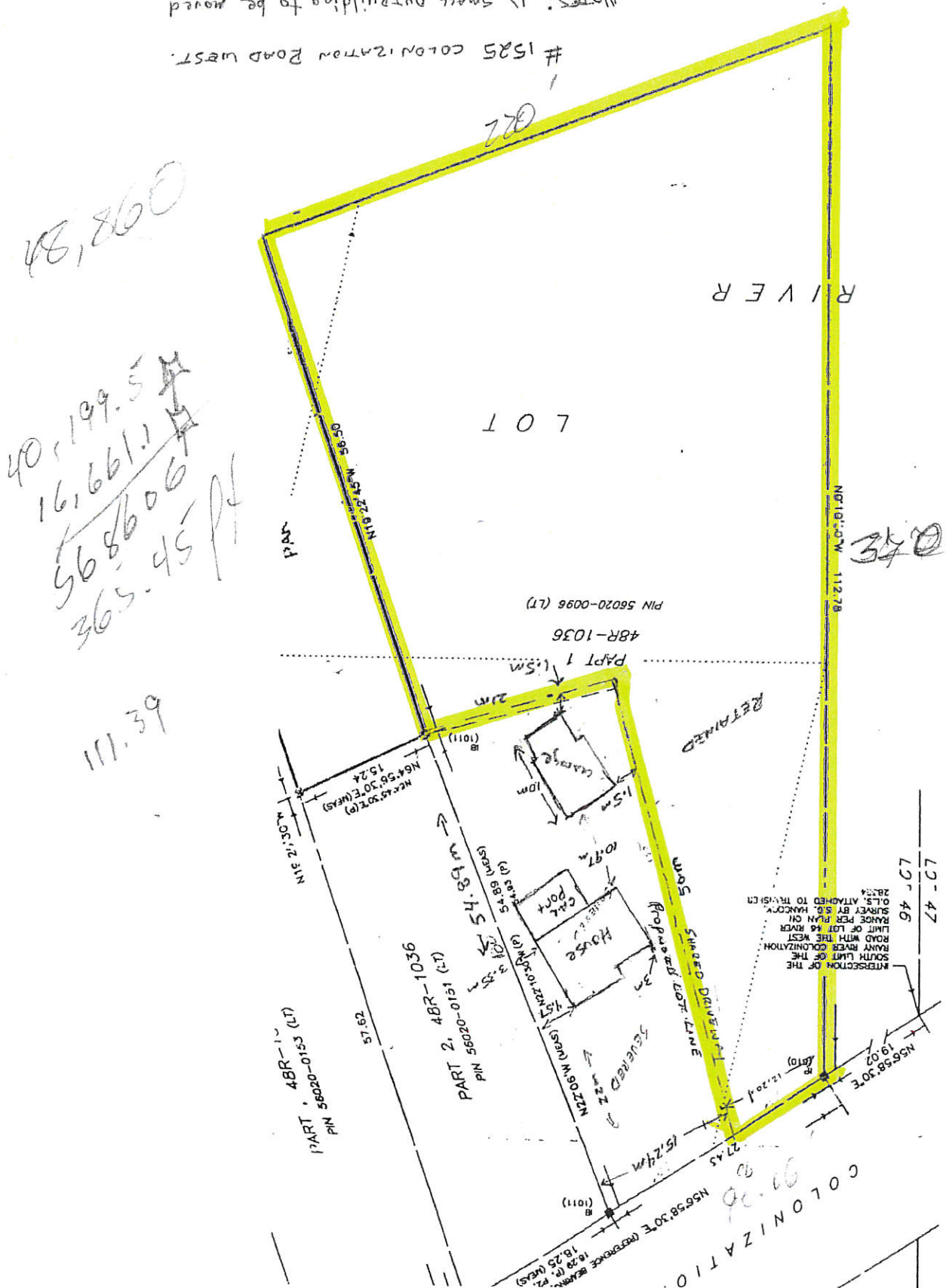
I have attached a copy of the sketch provided of the dimensions of the proposed vacant residential lot fronting Colonization Road West. The property has frontage of 40 feet more or less and irregular depth. Municipal sewer and water are available on Colonization Road West but are not to the property line. Natural gas, electricity, telephone, cable and high speed internet are also in the immediate area but not to the site. As such, this residential site is not serviced. I have also enclosed information related to the sale of two residential cul-de-sac lots 820 & 821 Huffman Court Fort Frances. These two sites are completely serviced and have a similar configuration as the subject site.

Based upon the foregoing it is my opinion that the current market value of the un-serviced subject site is within a range of \$30,000.00 to \$35,000.00.

If you have any questions please let me know.





Thank you,

David Kircher
Broker of Record
Tichbornes Real Estate
576 Scott Street
Fort Frances, ON P9A1H4
Ph: 807-274-3221 Fax: 807-274-4119
Cell Ph: 807-275-7844 Toll Free: 800-263-3221



820 Huffman Court, Fort Frances

[Suggest an address correction](#)

			
Owner Name	Last Sale	Lot Size	Assessed Value
KABEL, BARBARA LYNN; KABEL, JASON NEIL EDWARD	\$65,000 Oct 28, 2016	64.24 ft N/A	\$53,000 Based on Jan 1, 2016
		Frontage Area NOT AVAILABLE Measurements Available (See Site & Structure)	Phased-In Value \$42,125 2017 Tax Year
		Depth Perimeter	

Party To:

Legal Description

Legal Description Not Available.

Legal Description

LOT 12, PLAN 48M382 SUBJECT TO AN EASEMENT IN GROSS OVER PT 12 48R4404 AS IN RD31408 TOWN OF FORT FRANCES

Property Details

No street view available.

GeoWarehouse Address

820 HUFFMAN COURT, FORT FRANCES

Land Registry Office

Rainy River (48)

Owner Names

KABEL, BARBARA LYNN; KABEL, JASON NEIL EDWARD

Ownership Type

Freehold

Land Registry Status

Active

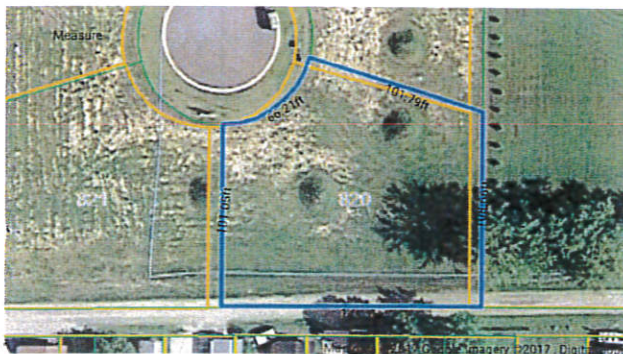
Registration Type

Certified (Land Titles)

PIN

560171406

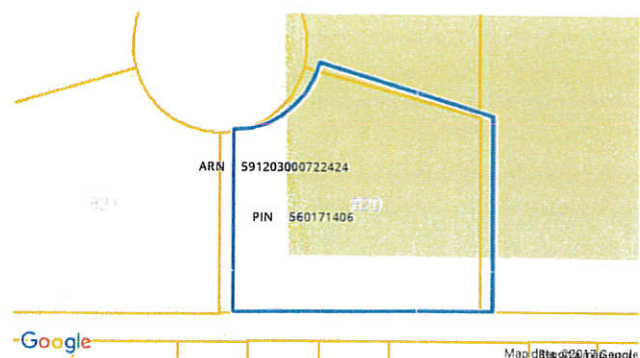
Site & Structure



Lot Size

Area: 17,394 ft² (0.399 ac)

Perimeter: 522 ft







Google

Map data © 2017 Google

821 Huffman Court, Fort Frances

[Suggest an address correction](#)

			
Owner Name	Last Sale	Lot Size	Assessed Value
BLANC-PAULL, JOELLE DENISE GABRIELLE; PAULL, GAVIN...	\$65,000 Dec 15, 2016	64.24 ft N/A	\$53,000 Based on Jan 1, 2016
Multiple Owners (See Property Details)		Frontage Depth Area Perimeter NOT AVAILABLE Measurements Available (See Site & Structure)	Phased-In Value \$42,125 2017 Tax Year

Party To:

Legal Description

Legal Description Not Available.

Legal Description

LOT 11, PLAN 48M382 SUBJECT TO AN EASEMENT IN GROSS OVER PART 11 ON 48R4404 AS IN RD31820 TOWN OF FORT FRANCES

Property Details

No street view available.

GeoWarehouse Address

821 HUFFMAN COURT, FORT FRANCES

Land Registry Office

Rainy River (48)

Owner Names

BLANC-PAULL, JOELLE DENISE GABRIELLE; PAULL, GAVIN JOSEPH

Ownership Type

Freehold

Land Registry Status

Active

Registration Type

Certified (Land Titles)

PIN

560171405

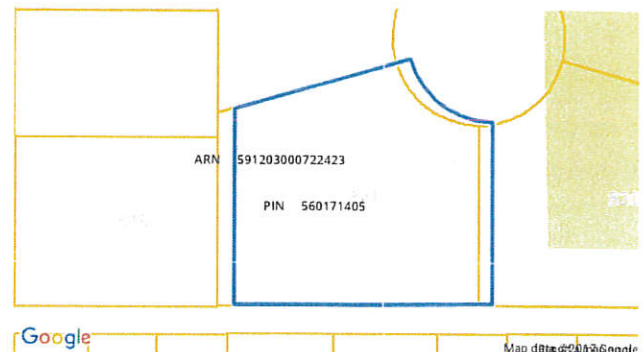
Site & Structure



Lot Size

Area: 17,319 ft² (0.398 ac)

Perimeter: 518 ft



Map data © 2017 Google

TOWN OF FORT FRANCES
320 Portage Avenue, Fort Frances, On P9A 3P9
COMMITTEE OF ADJUSTMENT DECISION

File No.

C3 /2018

Subject Property 1525 Colonization Road West	Zoning Code R1	Property Roll No. 59-12-010-005-083
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IN THE MATTER OF an Application under Section 53 of the Planning Act for Consent.

This is an application for consent:

For the creation of a new lot within the municipality of Fort Frances.

DECISION: The Application is ☐ Denied or ☒ Approved

Subject to the following Conditions:

1. That the Municipal Planner be provided with a deposited reference plan bearing the seal of the Land Registrar depicting the severed property a part thereon or a Letter of Exemption from the Land Registrar or proper legal description endorsed by evidence of approval of the Land Registrar.
2. That the Municipal Planner be provided with the legal description of the severed property for the issuance of the Certificate of Official
3. To obtain approval from the Operations and Facilities division of the Town of Fort Frances on an approved plan for municipal sewer and water connection
4. To obtain approval from the Operations and Facilities division of the Town of Fort Frances to have a separate driveway installed on the property as well as the existing property known as 1525 Colonization Road.
5. For park land fees of 5% of the value of the newly created lot on Colonization Road West to be collected and paid to the Town of Fort Frances as per Ontario Planning Act.

Reasons for Committee's Decision:

1. By severing 1525 Colonization Road an additional residential lot will be developed. The severance makes planning sense and allows to increase the tax base of Fort Frances. As there will be a new lot created, Park Land fees will be collected and paid to the Town of Fort Frances.