

APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

For applying under Section 45 of the Planning Act, R.S.O., 1990 (as revised)

It is the responsibility of the owner or authorized agent to provide complete and accurate information. This form will not be accepted as an application until such time as all questions have been answered and all requirements have been met in the manner requested herein. Please read the following carefully:

FOR OFFICE USE ONLY	
FEE \$322.55	FILE NO. A2 /2020
PAYMENT RECEIPT STAMP	

PROPERTY INFORMATION	
Property Address	780 KINGS HIGHWAY
Tax Roll No.	59 - 12 - 010 - 004 - 00400
Legal Description	PT RIV R LOT 38, PCL 15176
OWNER/APPLICANT INFORMATION	
Registered Owner(s)	ENERGY MOTIVATION INC.
Application Contact	Jackie Lampi-Hughes, President
Full Mailing Address	780 KINGS HIGHWAY, FORT FRANCES, ON P9A 2X4
Telephone	807-275-8612
Email	jackenergy@shaw.ca
AGENT INFORMATION (if applicable)	
Company Name	
Application Contact	Faye Flatt
Full Mailing Address	Box 42, Devlin, ON P0W 1C0
Telephone	807-486-3540
Email	faye.flatt@gmail.com
Note – All communication will be sent to Application Contact unless otherwise requested	
MORTGAGEES, HOLDERS OF CHARGES OR OTHER ENCUMBRANCES	
Institution	
Contact/Reference	
Full Mailing Address	
Telephone	
Email	

- Describe the nature and extent of relief applied for (indicate what the by-law requirement is, the relevant section of the by-law, and what you are proposing):

Section 4.10 of Zoning by-law – ~~to permit~~ identifies uses permitted in the Enterprise zone and does not include residential use. This property, however, was granted site specific approval by zoning amendment (File 8/98-T) to permit a residential dwelling unit. This approval was recognized as exception E-10 in Section 5 when the current zoning by-law was approved as use legally permitted to continue (legal non-conforming)

I am seeking special permission under section 45(2)(a)(ii) of the Planning Act to permit a use similar to the legal non-conforming use, that use being another residential dwelling unit on the second floor.

2. Why is it not possible to comply with the provisions of the by-law? (Provide an explanation of the circumstances that hinder or restrict your ability to comply)
- The COVID-19 pandemic has forced me to temporarily close my facility and even though some businesses are being allowed to open now, gyms and fitness centres are not and must remain closed. Not having been able to operate for 3 months now and potentially not be able to for another 3 months, has and will drastically affect my business and my livelihood. Unless I am able to make some changes fairly quickly to generate revenue until I can operate again, I will have to close the doors to the gym and sell the property. This will affect not only me and my family but my staff but the community as well. There is no other gym or fitness centre in the area that offers the range of equipment and classes I do.
- I am applying for special permission so I can renovate the interior area of the second floor currently used as part of the gym to residential and rearrange the fitness centre on the main floor so that use can continue on a smaller scale.
3. When did the current owner acquire the Property? 2004
4. Provide the date of construction for all buildings and structures on the Property.
- two storey building constructed in 2005
5. What is the existing use of the Property? mixed - commercial and residential
6. How long has the existing use of the Property continued? since constructed
7. What is the existing use of the abutting properties?
- | North | South | East | West |
|------------|-------------|------------|------------|
| commercial | residential | commercial | commercial |
8. Dimensions of the Property:
- | Property Dimensions | Metric | Imperial |
|---------------------|-------------------------|--------------------------|
| Frontage: | 30.175 m | 99 ft |
| Depth: | (E) 48.16 m (W) 62.69 m | (E) 158 ft (W) 205.66 ft |
| Area: | approx. 1462.05 sq. m | 15,737.38 sq. ft |

9. **Building/Structure Particulars**
Describe the particulars (in metric) of all buildings and/or structures existing and proposed for the Property.

Main Building:	Existing	Proposed
Ground Floor Area:	290.322 sq m	no change proposed
Width:	19.05 m	no change proposed
Length:	15.24 m	no change proposed
# of Storeys:	two	no change proposed
Location of Building/Structure – Check geographic direction of Side Yard Setbacks		
Front Yard:	12.16 m	no change proposed
Rear Yard:	21.5 m	no change proposed
North <input type="checkbox"/> or East <input checked="" type="checkbox"/> - Side Yard:	6.85 m	no change proposed
South <input type="checkbox"/> or West <input checked="" type="checkbox"/> - Side Yard:	1.5 m	no change proposed
Accessory Building:	Existing	Proposed
Ground Floor Area:	not applicable	
Width:		
Length:		
# of Storeys:		
Height:		
Distance to Main Building:		
Location of Building/Structure - Check geographic direction of Side Yard Setbacks		
Front Yard:		
Rear Yard:		
North <input type="checkbox"/> or East <input type="checkbox"/> - Side Yard:		
South <input type="checkbox"/> or West <input type="checkbox"/> - Side Yard:		

Note – Above information to match Site Plan

10. Check the appropriate box to Indicate connected or available services to the Property:

Source of Service:	Municipal	Private
Water	X	
Sanitary Sewer	X	
Storm Sewer	X	

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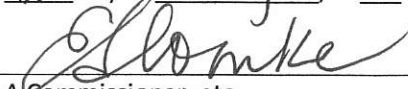
11. Check the appropriate box to indicate access to the Property:
- | Source of Access: | Yes | No |
|-------------------|-----|----|
| Municipal Road | X | |
| Other Public Road | | |
| Water Access Only | | |
12. What is the Official Plan designation of the Property? Employment Area
13. What is the Zoning of the Property? Enterprise Exception [10]
14. Has the Owner ever applied for a minor variance or permission regarding the Property?
 Yes ☒ No ☐ If Yes, provide details, including file number, date, decision, etc.
 File A6/2008 - Minor Variance Application approved to (a) reduce exterior side yard (east side) to 6.85 m to accommodate canopy, (b) reduce width of aisle for parking area, and (c) give temporary relief from requirement to surface treat parking area.
15. Is the Property the subject of a current application for consent under section 53 of the Planning Act, 1990, as revised? Yes ☐ No ☒ If Yes, provide details, including file number, date, etc.
16. DECLARATION

I/We, Jackie Lampi-Hughes solemnly declare that all the statements contained in this application are true and 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 and by virtue of the Canada Evidence Act.

DECLARED before me at the Town of Fort

Frances, in the District of Rainy River this

12th day of May, 2020.


A Commissioner, etc.

Elizabeth Slomke, a Commissioner, etc.,
District of Rainy River, for the Corporation
of the Town of Fort Frances.


(Signature of Owner or Agent)
Energy Motivation Inc. by it's President,
Jackie Lampi-Hughes
(Signature of Owner or Agent)

17. A sketch showing the following:

- i. The boundaries and dimensions of the subject land.
- ii. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- iii. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- iv. The current uses on land that is adjacent to the subject land.
- v. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way.
- vi. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii. the location and nature of any easement affecting the subject land.

OWNER'S AUTHORIZATION, ACKNOWLEDGMENT & CONSENT

(Must be signed by **each Owner** – print more copies as required)

I, Jackie Lampi-Hughes, am an Owner of the property known as 780 King's Hwy. in the Town of Fort Frances, that is the subject of this Application, and hereby

Authorize Agent to Act (if applicable):

1. Authorize and instruct Faye Flatt to act as my Agent and make this application on my behalf.

Freedom of Information:

2. Acknowledge that the information collected in this application is collected under the authority of The Planning Act, R.S.O. 1990, Chapter P13, as amended to assist in the processing of the application and will become part of a public record and, for the purposes of the Freedom of Information and Protection of Privacy Act, authorize and consent to the use by or the disclosure to, any person or public body of any personal information.
3. Acknowledge that full copies of the application are provided to the members of the Committee of Adjustment and as a result, **any information contained in it** is made public.

Right to Enter Premises:

4. Authorize the members of the Committee of Adjustment and/or staff of The Town of Fort Frances as may be required, to enter upon the lands and premises identified in section 5 that are the subject of this application for the purpose of evaluating the merits of this application and for so doing, this shall be good and sufficient authority; and

Consent re Meeting:

5. Consent to the application herein being considered at the next regular meeting of the Committee of Adjustment notwithstanding that section 45 of the Planning Act requires they be heard within thirty days after the secretary-treasurer receives the completed application.

Date

May 12 / 20

Owner Signature

Jackie Lampi-Hughes

Owner Signature