

631

**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 \$ _____	FILE NO. A2/2017
PAYMENT RECEIPT STAMP	

PROPERTY INFORMATION	
Property Address	631 NELSON STREET
Tax Roll No.	59 - 12 - _____ - _____ - _____
Legal Description	PT LT 153, PT LT 154, TOWN PLOT, ALBERTON, NOW FF
OWNER/APPLICANT INFORMATION	
Registered Owner(s)	SYNCOR CONTRACTING LIMITED
Application Contact	DON DEMICHELE
Full Mailing Address	840 Pole Line Road, MURILLO, ON P7K 0T8
Telephone	807-475-9990
Email	don@syncorcontracting.ca
AGENT INFORMATION (if applicable)	
Company Name	LARSON LAWYERS PROFESSIONAL CORPORATION
Application Contact	Rene Larson
Full Mailing Address	620 Victoria Ave E, Thunder Bay, ON P7C 1A9
Telephone	807-285-7777 X111
Email	Rene.larson@larsonlawyers.com
Note – All communication will be sent to Application Contact unless otherwise requested	
MORTGAGEES, HOLDERS OF CHARGES OR OTHER ENCUMBRANCES	
Institution	N/A
Contact/Reference	
Full Mailing Address	
Telephone	
Email	

1. 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 4.5.3 b) of Zoning by-law – to permit

Minimum lot frontage of 7.1m instead of 8.0m for interior unit #631 - Part 2 on draft reference plan

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)
- Lot frontage of interior unit #631 Nelson Street has been surveyed at 7.16m along northerly lot boundary  
Variance reduction requested to reduce by-law requirement of 8.0m to 7.1m (or actual surveyed distance of 7.16m)
- Developer has constructed in accordance with plans for 5 townhouse project; building permit granted for overall project rather than on basis of each interior unit dimensions.
- By-law requirement of 8.0m is simply a value chosen for the by-law and has no precedent value for a townhouse; developer submitted plans for the as-built townhouse units but no check was made against by-law requirement for each unit; after survey completed, an analysis of compliance of each townhouse lot to be created reveals this slight deficiency. Developer has built for market design. It is respectfully submitted that the lot width of each interior unit should match what is actually constructed rather than by-law requirement. It is respectfully submitted that the intent of official plan and zoning by-law is met at 7.1m width requested.
3. When did the current owner acquire the Property? June 30, 2016
4. Provide the date of construction for all buildings and structures on the Property.  
July 2016 to the present; buildings in final finishing stages of construction
5. What is the existing use of the Property? 5 new townhouses
6. How long has the existing use of the Property continued? Nearing completion of construction
7. What is the existing use of the abutting properties?
- | North                     | South              | East                      | West                                                     |
|---------------------------|--------------------|---------------------------|----------------------------------------------------------|
| Nelson Street residential | Front Street river | Mosher Avenue residential | Vacant lands of developer for next stage of 5 townhouses |
8. Dimensions of the Property:
- | Property Dimensions | Metric              | Imperial |
|---------------------|---------------------|----------|
| Frontage:           | 7.16                |          |
| Depth:              | 39.68               |          |
| Area:               | 284.1m <sup>2</sup> |          |

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:		
Width:		
Length:		
# of Storeys:		
<b>Location of Building/Structure – Check geographic direction of Side Yard Setbacks</b>		
Front Yard:	7.91	
Rear Yard:	14.07	
North <input type="checkbox"/> or East <input checked="" type="checkbox"/> - Side Yard:	0.0	
South <input type="checkbox"/> or West <input checked="" type="checkbox"/> - Side Yard:	0.0	
<b>Accessory Building: none</b>	<b>Existing</b>	<b>Proposed</b>
Ground Floor Area:		
Width:		
Length:		
# of Storeys:		
Height:		
Distance to Main Building:		
<b>Location of Building/Structure - Check geographic direction of Side Yard Setbacks</b>		
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 |     | X  |
| Water Access Only |     | X  |
12. What is the Official Plan designation of the Property? LIVING AREA
13. What is the Zoning of the Property? R2
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.
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.
- CONCURRENT APPLICATIONS
16. DECLARATION

I/We, RENE LARSON 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 CITY of THUNDER

BAY, in the District of Rainy River this

30TH day of JANUARY, 2017.

A Commissioner, etc.

**SERGIEL ETTINGER**  
Barrister & Solicitor

(Signature of Owner or Agent)

(Signature of Owner or Agent)

**OWNER'S AUTHORIZATION, ACKNOWLEDGMENT & CONSENT**

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

*SYNCR CONTRACTING LIMITED* *LOT 153 & 154 TOWN PLOT ALBERTON*  
I, \_\_\_\_\_, am an Owner of the property known as \_\_\_\_\_. In the Town of Fort Frances, that  
is the subject of this Application, and hereby *#629, 631, 633, 635 & 637 NELSON ST*

**Authorize Agent to Act (if applicable):**

1. Authorize and instruct *Larson Lawyers PC* 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.

*Jan 30, 2017*  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Owner Signature

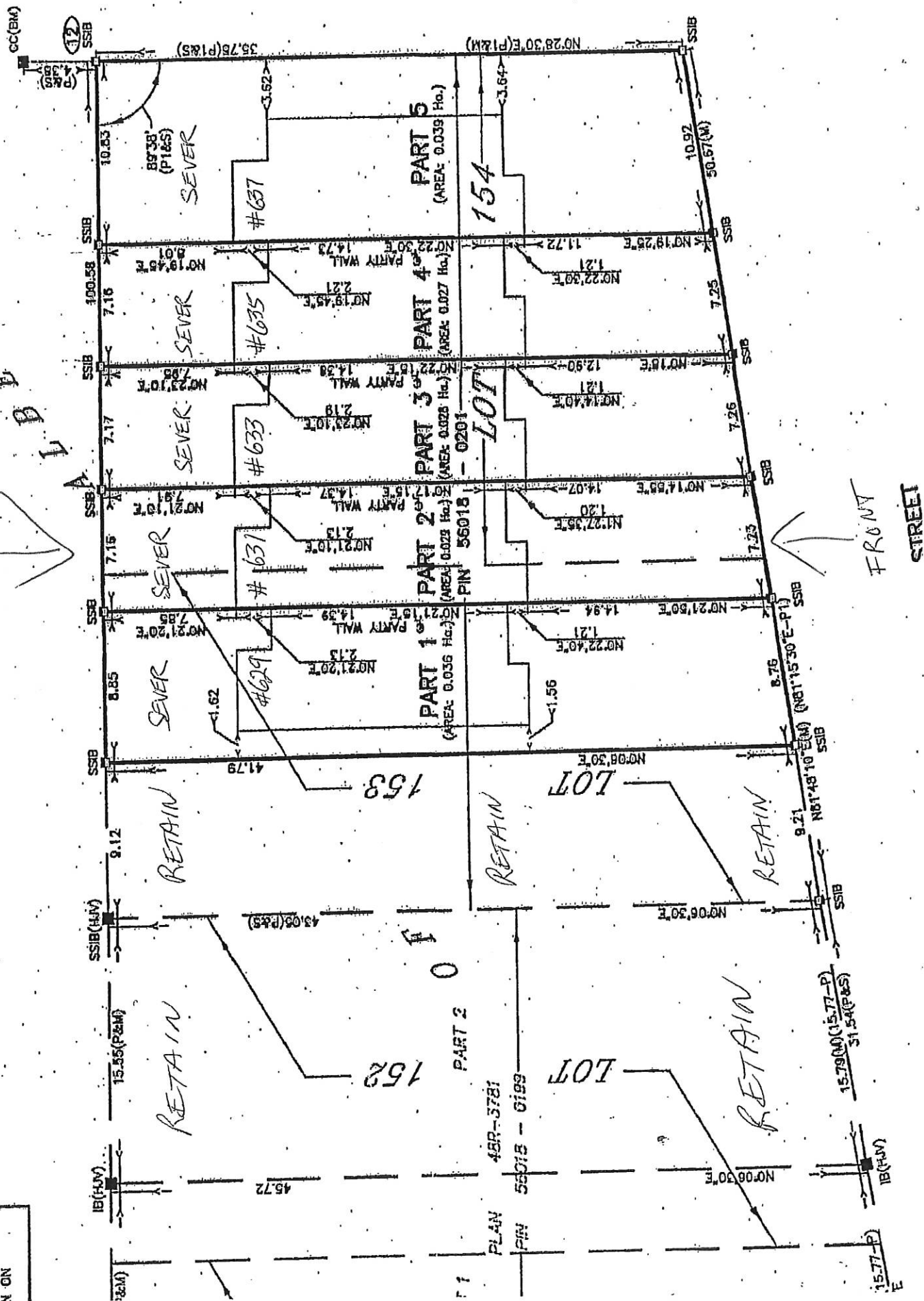


IB	SSIB	TO	ON

NELSON

PIN 55015 - 0459

STREET



MOSHER AVENUE  
(NO PIN ASSIGNED)

FRONT STREET

Monday, January 30, 2017

SYNCOR CONTRACTING LIMITED

ANALYSIS OF DRAFT SURVEY COMPLIANCE WITH R2 ZONING FORT FRANCES Paragraph 4.5.3 of B-1 #3/14 - 629, 631, 633, 635, & 637 NELSON STREET

R2 ZONE	#629 PART 1	#631 PART 2	#633 PART 3	#635 PART 4	#637 PART 5	Comments
Lot Area - 240m <sup>2</sup>	8.85 x 41.79 = 369.84 ok	7.16 x 40.55 = 290.34 ok	7.17 x 38.63 = 276.98 ok	7.16 x 37.88 = 271.22 ok	10.83 x 35.75 = 387.17 ok	Need 3 Minor Variances
Lot Frontage - 8.0m	8.85 ok	7.16 no good	7.17 no good	7.16 no good	10.83 ok	
Front Yard - 7.5m	7.85 ok	7.85 ok	7.91 ok	7.95 ok	8.01 ok	Need MV on Part 1 #629 OR move lot line westerly
Interior Side Yard attached wall - 0m	ok	ok	ok	ok	ok	
Interior Side Yard No attached wall 2.5m	1.62 & 1.56 no good	n/a	n/a	n/a	n/a	Builder to confirm Builder to confirm Builder to confirm
Exterior Side Yard 3.5m	n/a	n/a	n/a	n/a	3.62 & 3.64 ok	
Max Lot Coverage 50%	Not checked	Not checked	Not checked	Not checked	Not checked	Builder has confirmed <12m height
Min Floor Area 70m <sup>2</sup>	Not checked	Not checked	Not checked	Not checked	Not checked	
Min Landscaped Open Space	Not checked	Not checked	Not checked	Not checked	Not checked	See comments
Max Height Bldg 12m	See comments	See comments	See comments	See comments	See comments	

HEIGHT OF BUILDINGS The vertical distance, measured between the average natural or finished grade at the front of the building, to the highest point of the roof surface.

LOT COVERAGE The percent of the lot area covered by buildings or structures excluding parking areas, driveways, decks and walkways but including structures and buildings constructed appertaining to the lot.

LOT FRONTAGE The distance between the side lot lines, measured 7.5 metres from and parallel to the front lot line.

YARD, EXTERIOR SIDE A side yard immediately adjacent to an exterior lot line.

YARD, SIDE EXTERIOR A side yard immediately adjoining a public street.

YARD, SIDE INTERIOR A side yard other than an exterior side yard



Ontario ServiceOntario

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND  
REGISTRY  
OFFICE #48

PAGE 1 OF 1

PREPARED FOR Rene0001

ON 2017/01/30 AT 11:50:03

56018-0201 (LT)

\* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT \* SUBJECT TO RESERVATIONS IN CROWN GRANT \*

PROPERTY DESCRIPTION: FCL 153-1 SEC ALBERT; LT 153 TOWN PLOT ALBERTON; LT 154 TOWN PLOT ALBERTON; FORT FRANCES

SEVERANCES

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE

ABSOLUTE

RECENTLY:

FIRST CONVERSION FROM BOOK

OWNERS' NAMES

SYNOR CONTRACTING LIMITED

CAPACITY SHARE

ROWN

PIN CREATION DATE:

2003/06/16

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT	INCLUDES ALL DOCUMENT TYPES AND	DELETED INSTRUMENTS SINCE 2003/06/13 **				
A78639	2001/12/06	TRANSFER		*** DELETED AGAINST THIS PROPERTY ***	THE CORPORATION OF THE TOWN OF FORT FRANCES	
RD30477	2016/06/30	TRANSFER	\$180,000	THE CORPORATION OF THE TOWN OF FORT FRANCES	SYNOR CONTRACTING LIMITED	C
	REMARKS: PLANNING ACT STATEMENTS.					
RD31539	2016/11/10	NOTICE		SYNOR CONTRACTING LIMITED		C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.

NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.





ServiceOntario

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND

REGISTRY

OFFICE #48

56018-0199 (LT)

PAGE 1 OF 1

PREPARED FOR Rene0001  
ON 2017/01/30 AT 12:02:19

\* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT \* SUBJECT TO RESERVATIONS IN CROWN GRANT \*

PROPERTY DESCRIPTION:

PCL 151-1 SEC ALBET; LT 152 TOWN PLOT ALBERTON; PT LT 151 TOWN PLOT ALBERTON DESIGNATED AS PT 1 & 2, 4983781; FORT FRANCES

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE

ABSOLUTE

RECENTLY:

FIRST CONVERSION FROM BOOK

OWNERS' NAMES

SYNCR CONTRACTING LIMITED

CAPACITY SHARE

ROWN

PIN CREATION DATE:

2003/06/16

RETAINED

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
** PRINTOUT	INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2003/06/13 **					
483781	2000/05/26	PLAN REFERENCE				C
A76015	2000/10/06	TRANSFER		*** COMPLETELY DELETED ***	THE CORPORATION OF THE TOWN OF FORT FRANCES	
RD30477	2016/06/30	TRANSFER	\$180,000	THE CORPORATION OF THE TOWN OF FORT FRANCES	SYNCR CONTRACTING LIMITED	C
RD31539	2016/11/10	NOTICE		SYNCR CONTRACTING LIMITED		C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES. IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.  
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