



**Town of Fort Frances**  
320 Portage Avenue  
Fort Frances, ON P9A 3P9  
T: 807-274-5323  
F: 807-274-8479

www.fort-frances.com

## APPLICATION FOR ZONING BY-LAW AMENDMENT

The Planning Act, RSO 1990, as amended (O'Reg. 545/06)



### Notice of Public Record:

In accordance with section 1.0.1 of the Planning Act, RSO, 1990, all information and materials required in support of your application shall be made available to the public.

### Complete Application:

All applicable sections of the application form must be completed. An incomplete application will be returned. For assistance, contact the Planning Department by phone at 807-274-5323 ex. 1216 or by email at [tdennis@fortfrances.ca](mailto:tdennis@fortfrances.ca)

APPLICATION TYPE (check one)

- ☒ Zoning By-Law Amendment (section 34) ☒ Removal of Holding Provision (section 36)  
☐ Removal of Interim Control By-Law (section 38) ☐ Temporary Use By-Law (section 39)

1. The name, address, telephone number and email address (if any) of the Applicant:

FORT FRANCES CHURCH OF THE HOLY SPIRIT  
824 Victoria Avenue, Fort Frances, ON P9A 2E3

2. If known the names and full addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:

n/a

3. The current Official Plan designation of subject land:

LIVING

4. Describe how the application conforms to the official plan of the municipality?

The intention is to use the land for a single family residence.

5. The current zoning of the subject land:

Institutional 1

6. The nature and extent of the rezoning requested:

To change zoning from Institutional 1 to R1 to allow for a single family residence.

7. The reason why the rezoning is requested.					
There is no need for institutional zoning in this particular area as all contingent lands are residential with the exception of one institutional lot to the north.					
8. Is the subject land within an area where the municipality has pre-determined minimum & maximum density requirements or minimum or maximum height requirements?					
Yes <input type="checkbox"/> No X If yes, provide information relative to these requirements.					
9. The description of the subject land, such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number:					
PCL BLK A-6 SEC SM81; PT BLK A PL SM81 MCIRVINE AS IN SLT29611; EXCEPT SLT56690, SLT59640, S128, PT 1, RR586, PT 2, 48R1109, A8429, A8430; FORT FRANCES					
10. The frontage, depth and area of the subject land (in metric):					
Frontage:	78.180 m	Depth:	114.081 m	Area:	89,188.85255 sqm
11. Is the application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?					
Yes <input type="checkbox"/> No X If yes, provide details of the official plan that deals with the matter					
12. Is the application to remove land from an area of employment?					
Yes <input type="checkbox"/> No X If yes, provide details of the official plan that deals with the matter.					
13. Is the subject land within an area where zoning with conditions may apply?					
Yes <input type="checkbox"/> No X If yes, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions					
14. Is access to the subject land by provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way or by water?					
Municipal Road					

15. If access to the subject land is by water only, provide details of the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public land:	
n/a	
16. Existing uses of the subject land:	
Vacant Lands	
17. Are there any buildings or structures on the subject land: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
18. If answer to question 17 is yes, provide, for each building or structure, the type of building or structure and the setback from the front lot lines, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:	
19. The proposed uses of the subject land:	
Single family detached residence.	
20. Are any buildings or structures proposed for the subject land? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
21. If answer for question 20 is yes, provide, for each building or structure, the type of building or structure proposed, the setback from the front lot line, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:	
22. If known. Unknown but building will conform to all building and zoning requirements.	
a. the date the subject land was acquired by the current owner:	November 30, 2001
b. the date existing buildings or structures on the subject land were constructed:	
n/a	
c. the length of time that the existing uses of the subject land have continued:	
17 years	
23. Water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or by other means:	
Private Well	
24. Whether sewage disposal is provided to the subject land by a publicly owned and operated piped sewage disposal system, a privately owned and operated individual or communal septic system, a privy or other means:	
Municipal Sewer	

<p>25. If the application permits development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report, and a hydrogeological report are required. Are these reports attached?</p>	
<p>a. a servicing options report,</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>b. a hydrogeological report</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>26. Indicate whether storm drainage is provided by sewers, ditches, swales or other means:</p>	
<p>Ditches</p>	
<p>27. If known,</p>	
<p>a. is the subject land the subject of an application under the Act for approval of a plan of subdivision or a consent:      Yes <input type="checkbox"/>      No <input checked="" type="checkbox"/></p>	
<p>If yes, provide file number and status of the application:</p>	
<p>b. has the subject land ever been the subject of an application under Section 34 of the Act:  Yes <input type="checkbox"/>      No <input checked="" type="checkbox"/>      UNKNOWN <input type="checkbox"/></p>	
<p>If yes, provide file number and status of the application:</p>	
<p>c. has the subject land ever been the subject of a Minister's Zoning Order?  Yes <input type="checkbox"/>      No <input checked="" type="checkbox"/></p>	
<p>If yes, provide Ontario Regulation number of the Order:</p>	
<p>28. A sketch showing, in metric units, the following:</p>	
<p>a. the boundaries and dimensions of the subject land.</p>	
<p>b. 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 lot lines.</p>	
<p>c. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to it, and that in the applicant's opinion, may affect the application (<i>for examples buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks</i>).</p>	
<p>d. The current uses on land that is adjacent to the subject land.</p>	
<p>e. 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.</p>	
<p>f. If access to the subject land is by water only, the location of the parking and docking facilities to be used.</p>	
<p>g. The location and nature of any easement affecting the subject land.</p>	
<p>29. Is the application for an amendment to the zoning by-law consistent with the policy statements issued under subsection 3(1) of the Act.      Yes <input checked="" type="checkbox"/>      No <input type="checkbox"/></p>	

30. Is the subject land within an area of land designated under any provincial plan or plans?

Yes ☐ No ☒

31. If answer to question 30 is yes, does the application conform to the applicable provincial plan or plans?

Yes ☐ No ☐

32. An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.

DECLARATION  
Of Applicant or Authorized Agent

I, LAWRENCE G. PHILLIPS, of the Town of FORT FRANCES, in the District of Rainy River solemnly declare that:

All the statements contained in this application 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 and by virtue of the Canada Evidence Act.

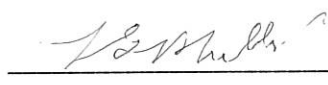
DECLARED before me at the

Town of Fort Frances, in the

District of Rainy River, this 14th

day of JUNE, 2019

)  
)  
)  
)  
)  
)

  
Signature of Applicant or  
Authorized Agent

  
Signature of Commissioner etc.

Amy Rose Marchuk, a  
Commissioner, etc., District of  
Rainy River, for Lawrence G.  
Phillips, Barrister and Solicitor.  
Expires November 29, 2020.

**PLEASE NOTE:**

1. *The Owner must complete the Owner's Consent.*
2. *If the applicant is not the Owner, the application must be accompanied by an Authorization of Owner.*
3. *Application and fee to be filed with the Municipal Planner*
4. *It takes approximately 3 months to complete the process for a Zoning Amendment Application.*
5. *It is strongly recommended that you consult with the Municipal Planner to ensure the timelines of your application coincide with your development proposal.*



**8.0 Declaration of Applicant or Authorized Agent**

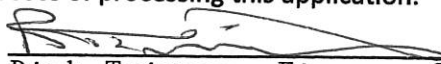
**COMPLETE IF APPLICANT IS THE OWNER**

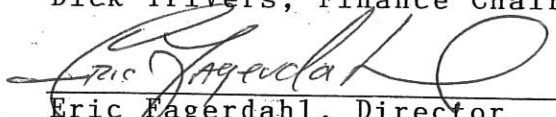
FORT FRANCES CHURCH  
OF THE HOLY SPIRIT

**OWNER'S CONSENT**

\_\_\_\_\_, is the owner of the land that is the subject of this application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

JUNE 14, 2019  
Date

  
Dick Trivers, Finance Chairman

  
Eric Fagerdahl, Director  
We have the authority to bind the Corporation


**COMPLETE IF APPLICANT IS NOT THE OWNER**

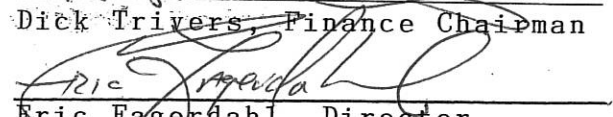
**AUTHORIZATION OF OWNER**

FORT FRANCES CHURCH  
OF THE HOLY SPIRIT

\_\_\_\_\_, is the owner of the land that is the subject of this application for zoning amendment and, for the purpose of processing and the Freedom of Information and Protection of Privacy Act, I authorize LAWRENCE G. PHILLIPS to act as my agent for this application and provide any of my personal information that will be included in this application or collected during the processing of the application and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application

JUNE 14, 2019  
Date

  
Dick Trivers, Finance Chairman

  
Eric Fagerdahl, Director  
We have the authority to bind the Corporation

# **SURVEY REPORT SUMMARY**

1. THERE ARE NO REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS OVER THE ABOVE DESCRIBED PROPERTY.
2. BUILDING TIES SHOWN HEREON ARE TO FINISHED WALLS.
3. ZONING COMPLIANCE IS NOT CERTIFIED BY THIS REPORT.
4. THE MUNICIPAL ADDRESS IS No. 1408 EIGHTH STREET EAST.

PART 1, PLAN  
PIN 56016-06

PART 1  
PLAN 48R-2292  
PIN 56016-0686

PLAN SM-143

REGISTERED  
PART 1, PLAN 48R-2051

PIN 56016-0678 (LT)

PART 1  
PLAN 48R-1403

PART 1, PLAN 48R-1109

PIN 56016-0644 (LT)

LANE  
PART 3  
48R-1403

SM-27  
PART 2  
48R-2051

LOT 80, PLAN SM-27  
PART 2, PLAN 48R-1403

LOT 81, PLAN SM-27  
PART 3, PLAN 48R-2051

BAYVIEW AVENUE, PLAN SM-27  
PART 4, PLAN 48R-1403  
PIN 56016-0648 (LT)

43.586 (48R-1403)  
43.527 (MEAS)

NORTH

SSIB (610)  
(48R-1403)

0.080  
(N.T.S.)

SSIB (610)  
(48R-1403)

SOUTH WEST CORNER  
OF BLOCK A  
REGISTERED PLAN SM-81

PLAN 48R-2674

EAST  
N89°57'W

78.140  
85.760 (MEAS) 85.661 (48R-1109)

7.620  
(REG2 & SET)

22.641 (48R-1403)  
22.700 (MEAS)

SSIB (610)  
(48R-1403)

180°00'  
(48R-1403 & SET)

47.854  
114.081 (48R-1403 & SET)

REG

EDGE OF BUSH

BLOCK A

16.11

7.38  
3.731

2.18  
7.43

DWELLING  
#1408  
8.00

GAS

14.54

78.180

85.800 (MEAS)

85.661 (48R-1109)  
N89°56'30"W  
WEST

ORIGINAL ROAD ALLOWANCE BETWEEN  
EIGHTH STREET  
( BY BY-LAW 2034, L.R.  
PIN 56016-0714 (L

BLOCK B REGISTERED

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
1486406



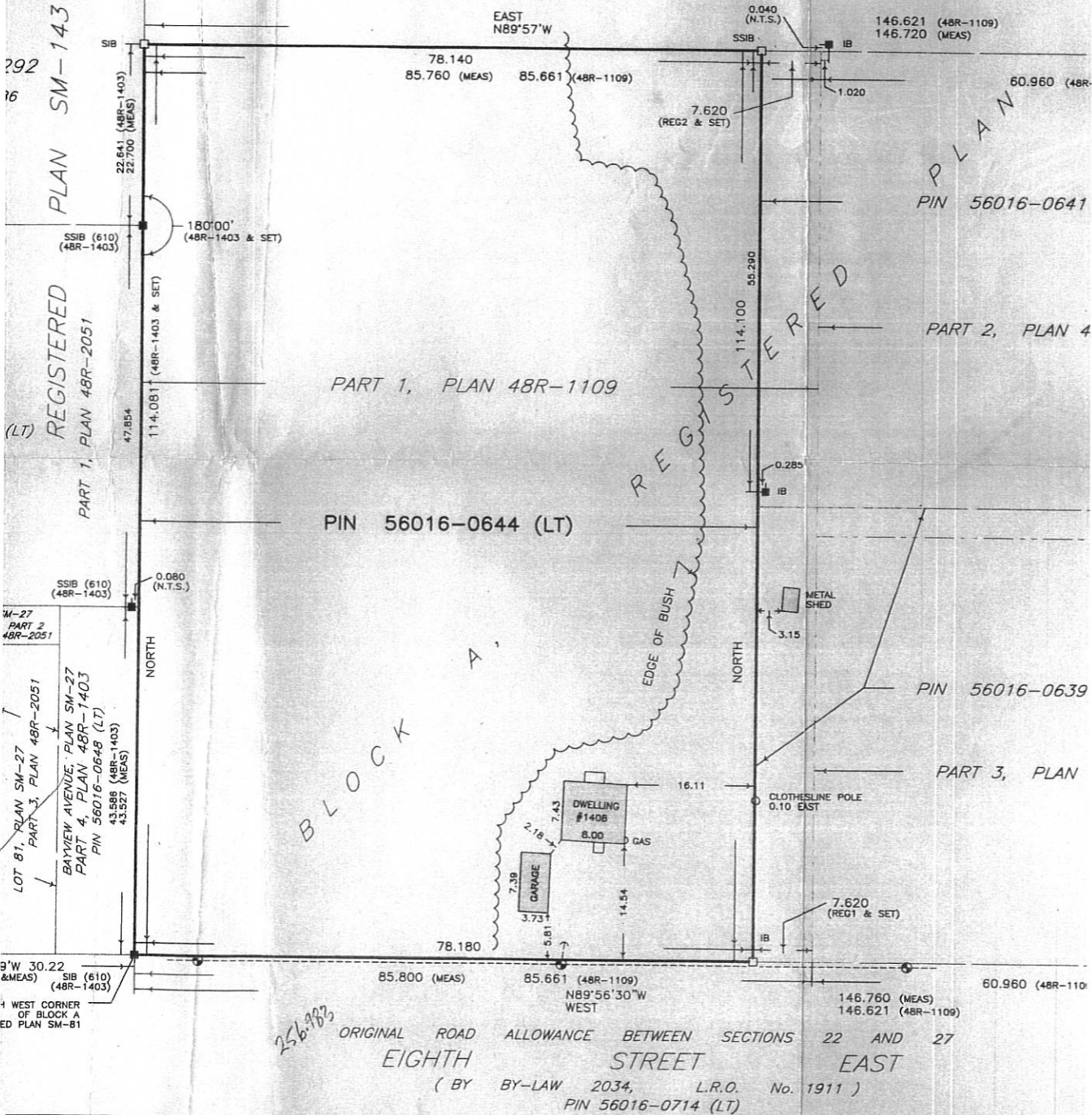
THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 29(3).

# SUMMARY

SEMENTS AND/OR  
OVE DESCRIBED PROPERTY.  
ARE TO FINISHED WALLS.  
ERTIFIED BY THIS REPORT.

1408 EIGHTH STREET EAST.

PART 1, PLAN RR-586  
PIN 56016-0640 (LT)



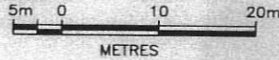
PLAN 48R-2674

BLOCK B REGISTERED PLAN SM-81



PLAN OF SURVEY OF  
PART OF BLOCK A  
REGISTERED PLAN SM-81  
TOWN OF FORT FRANCES  
DISTRICT OF RAINY RIVER

SCALE - 1:500



W. J. BOWMAN LTD.  
ONTARIO LAND SURVEYORS  
2004

**BEARING REFERENCE**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EAST LIMIT OF PART 2, AS SHOWN ON PLAN 48R-1109, HAVING A BEARING OF NORTH.

**METRIC**

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**LEGEND**

□	DENOTES A PLANTED SURVEY MONUMENT
■	DENOTES A FOUND SURVEY MONUMENT
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
CM	DENOTES CONCRETE MONUMENT
610	DENOTES S. G. HANCOCK, O.L.S.
1011	DENOTES H. A. SMITH, O.L.S.
MTO	DENOTES MINISTRY OF TRANSPORTATION ONTARIO
N.T.S.	DENOTES NOT TO SCALE
REG1	DENOTES TRANSFER No. A-8430
REG2	DENOTES TRANSFER No. A-8429
PIN	DENOTES PROPERTY IDENTIFICATION NUMBER
LT	DENOTES LAND TITLES ABSOLUTE
L.R.O.	DENOTES LAND REGISTRY OFFICE
⊙	DENOTES UTILITY POLE
⊙---	DENOTES GUY ANCHOR
P	DENOTES W.J. BOWMAN LTD. O.L.S. DRAWING F5-864
P	DENOTES MEASURED

**CLIENT**

THE REPORT WAS PREPARED FOR THE FORT FRANCES CHURCH OF THE HOLY SPIRIT AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

THIS REPORT REFLECTS CONDITIONS AT TIME OF SURVEY. UPDATING THE SURVEY WILL BE REQUIRED IN ORDER TO ISSUE ADDITIONAL COPIES SUBSEQUENT TO THE DATE OF THE SURVEYOR'S CERTIFICATE.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT :

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 30th DAY OF JANUARY, 2004.

4 March 2004  
DATE

*Henriette J. Verhoef*  
HENRIETTE J. VERHOEF  
ONTARIO LAND SURVEYOR  
CANADA LANDS SURVEYOR

© Copyright W.J. Bowman Ltd., 2004.



**W.J. BOWMAN LTD.**  
**ONTARIO LAND SURVEYORS**

408 SCOTT STREET FORT FRANCES, ONTARIO  
P.O. BOX 447 P9A 3M8  
PHONE: (807) 274-4504 FAX: (807) 274-4253  
EMAIL: wjb@nwonet.net

DRAWN BY: B.F.  
CREW: H.V., M.B., F.P.

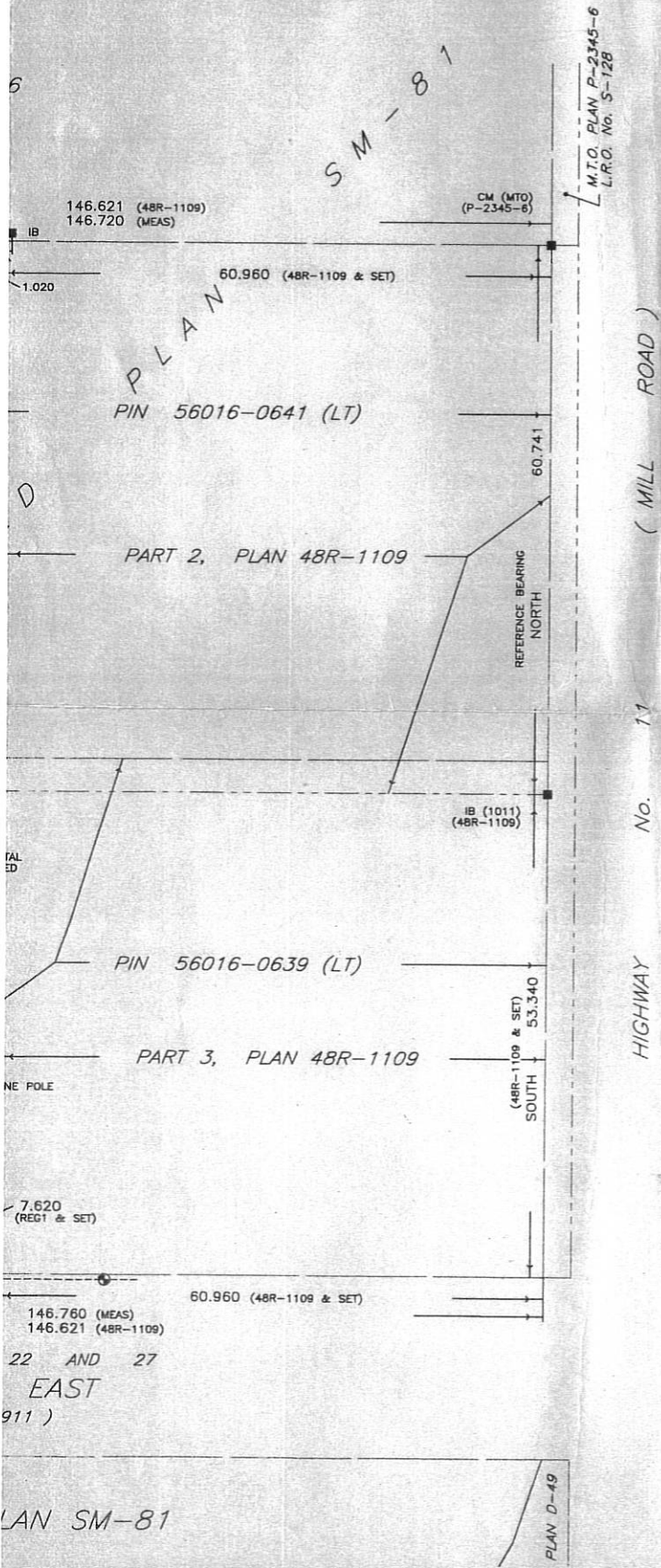
CLIENT: CHURCH OF THE HOLY SPIRIT

Drawing No.

JOB No. FF2785

F.N. No. M78-172-175

**F5-959**



PRINTED ON 15 MAY, 2017 AT 14:15:18  
FOR AMARCHUK



PROPERTY INDEX MAP  
RAINYRIVER(No. 48)

LEGEND

	FREEHOLD PROPERTY
	LEASEHOLD PROPERTY
	LIMITED INTEREST PROPERTY
	CONDOMINIUM PROPERTY
	RETIRED PIN (MAP UPDATE PENDING)
	PROPERTY NUMBER
	BLOCK NUMBER
	GEOGRAPHIC FABRIC
	EASEMENT

0449  
08050

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE  
PROPERTY INFORMATION AS THIS MAP MAY  
NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND  
DOCUMENTS RECORDED IN THE LAND  
REGISTRATION SYSTEM AND HAS BEEN PREPARED  
FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE  
RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT  
REFERENCE PLANS ARE NOT ILLUSTRATED











**LAWRENCE G. PHILLIPS LAW OFFICE**

**BARRISTERS • SOLICITORS • NOTARIES**

in Association with

NICOLE D.S. MILLER LAW PROFESSIONAL CORPORATION  
and

LAWRENCE A. EUSTACE, BA LLB, Counsel

591203000714700

June 14, 2019  
File #6988-19P

Town of Fort Frances  
320 Portage Avenue  
Fort Frances, Ontario  
P9A 3P9

Attention: Tyson Dennis



Dear Mr. Dennis:

RE: FORT FRANCES CHURCH OF THE HOLY SPIRIT  
Application for Zoning By-Law Amendment - 1408 Eighth St. East

Enclosed please find one original Application for Zoning By-Law Amendment. The following were previously sent to you on May 14, 2019:

Parcel Abstract for proof of ownership of the Applicants, Survey, LTO Pin Map and Plan SM81 together with a trust cheque in the amount of \$1,800.00 being the fee required by the Town for the application, in accordance with your planning fee schedule.

Please advise this office as to when the application will be going before the Committee of Adjustments so that I may make arrangements to have someone attend.

Thank you.

Yours very truly,

  
LAWRENCE G. PHILLIPS  
Barrister & Solicitor

LGP/arm  
encls.

**Emails:**

lgphillips@lgphillipslawoffice.com  
nicole@millerlawoffice.ca  
larry@eustace-law.com

**Assistant Emails:**

lisa@lgphillipslawoffice.com  
amy@lgphillipslawoffice.com

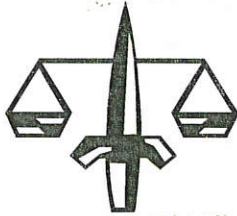
**Mailing Address:**

406 Church Street  
Fort Frances, Ontario, P9A 1E2  
Phone (807) 274-8525  
Fax (807) 274-5758

**U.S. Mailing Address:**

P.O. Box 1108  
International Falls, Minnesota  
56649





**LAWRENCE G. PHILLIPS LAW OFFICE**

**BARRISTERS • SOLICITORS • NOTARIES**

in Association with

NICOLE D.S. MILLER LAW PROFESSIONAL CORPORATION

and

LAWRENCE A. EUSTACE, BA LLB, Counsel

July 5, 2019

File #6988-19P

Town of Fort Frances  
320 Portage Avenue  
Fort Frances, Ontario  
P9A 3P9

Attention: Lisa Slomke



Dear Ms. Slomke:

**RE: FORT FRANCES CHURCH OF THE HOLY SPIRIT**  
**Application for Zoning By-Law Amendment - 1408 Eighth St. East**

I have reviewed the Holding Provisions regarding Building and Development with my client. My client is well aware of the limited services to this property and it is the desired action of my client to have the "Hold" removed.

It is believed, that the only service that is lacking to this property is water which my client intends to install a well to remedy this situation.

Please advise this office as to when the application will be going before the Committee of Adjustments so that I may make arrangements to have someone attend.

Thank you.

Yours very truly,

*Lawrence G. Phillips*  
**LAWRENCE G. PHILLIPS**  
Barrister & Solicitor

LGP/arm  
encls.

**Emails:**

lgphillips@lgphillipslawoffice.com  
nicole@millerlawoffice.ca  
larry@eustace-law.com

**Assistant Emails:**

lisa@lgphillipslawoffice.com  
amy@lgphillipslawoffice.com

**Mailing Address:**

406 Church Street  
Fort Frances, Ontario, P9A 1E2  
Phone (807) 274-8525  
Fax (807) 274-5758

**U.S. Mailing Address:**

P.O. Box 1108  
International Falls, Minnesota  
56649



**Town of Fort Frances**  
320 Portage Avenue  
Fort Frances Ontario P9A 3P9

# RECEIPT OF PAYMENT

Page 1

LAWRENCE G PHILLIPS  
RE: 1408 EIGHTH STREET

Receipt Number: 37941  
Tax Number: HST #106984586 RT0001  
Date: July 15, 2019  
Initials: LB

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
General	67	ZONING BY-LAW ADMENDMENT	1	\$0.00	\$1,800.00	N/A
Subtotal:					\$1,800.00	
Taxes:					\$0.00	
Total Receipt:					\$1,800.00	
Cheque:					\$1,800.00	
Total Amount Received:					\$1,800.00	
Rounding:					\$0.00	
Amount Returned:					\$0.00	