



**FORT FRANCES**  
BOUNDLESS  
**APPLICATION FOR CONSENT**

<b>FOR OFFICE USE ONLY</b>			
File Number: <u>C4 - 2019</u>			
Property:		Roll #: <u>5912 010 001 108</u>	
Date Application Received: <u>Feb 28/19</u>		Date Fee Received: <u>      </u>	
Date Application Complete: <u>March 22/19</u>		Receipt #: <u>      </u> Application Fee: \$ <u>3155.88</u>	

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

**1. Applicant Information**

▶ 1.1	Name of Applicant Davies Ward Phillips & Vineberg LLP	Home Telephone No.	Business Telephone No. 416.863.5597
	Address 155 Wellington Street West, Toronto, Ontario		Postal Code M5V 3J7
▶ 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) Resolute FP Canada Inc.	Home Telephone No.	Business Telephone No. 514.875.2160
	Address Suite 5000 - 111 Robert-Bourassa Blvd., Montreal, QC		Postal Code H3C 2M1
1.3	Please indicate to whom all communications should be sent:		
	<input 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 10800 0000
	Property descriptor: Lot/Section No.	Part No.	Reference Plan No.
	Other Information (parcel #, etc.) Part of Blocks 1 & 2, Plan SM-149		
▶ 2.2	Are there any easements or restrictive covenants affecting the subject land? If Yes, describe each easement or covenant and its effect		
	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
	See attached Schedule Existing "Easements"		
▶ 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		
	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		

### 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  
Resolute FP Canada Inc.

- 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)	See Sketch		See Sketch
	Depth (m) (# of ft. x .3048)			
	Area (ha.) (# of acres x .4047)			
► 4.2 Use of Property	Existing Use(s)	No Change		No Change
	Proposed Use(s)			
► 4.3 Buildings or Structures	Existing	N/A		N/A
	Proposed	N/A		N/A
► 4.4 Access ( ✓ appropriate space)	Provincial Highway (secondary or primary)			
	Municipal Road (maintained all year)	✓		✓
	Municipal Road (seasonally maintained)			
	Other Public Road			
► 4.5 Water Supply ( ✓ appropriate space)	Right of Way			
	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			
	*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?	Hazard Area & Employment Area	
5.2	What is the zoning, if any, of the subject land?	M1 - Light Industrial	
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

N/A

- 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.

## 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.  
This application is made in conjunction with an application for certain Lot Additions and such applications should be considered as one. See attached Schedule "New Easements"

## 10. Signature and Statutory Declaration

► 10.1 Signature and Statutory Declaration of Applicant

I, Steven R. Willard of the City of Toronto  
In the Province of Ontario, make oath and say OR solemnly declare that the

al 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.

*City of Toronto*  
**Sworn/Declared** before me at the Town-of-Fort  
Frances, in the District of Rainy-River, this 7<sup>th</sup>  
day of March, 20 19

  
Commissioner for Oaths, etc.  
Applicant



## 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. 1215.

## 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

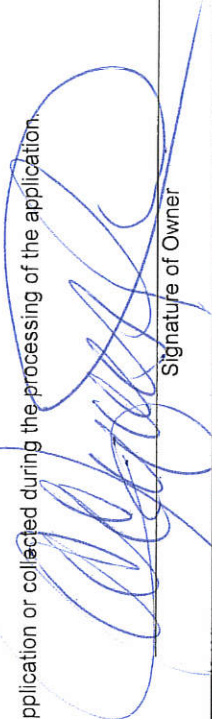
I, Resolute FP Canada Inc. of the CITY of QUÉBEC in the PROVINCE of QUÉBEC am the owner of the land MONTRÉAL

that is the subject of this application and, as evidenced by my signature below, I hereby authorize

Davies Ward Phillips & Vineberg LLP 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.

March 7, 2019  
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

Schedule

EXISTING EASEMENTS

**PIN 56018-0083**

1. The PIN is subject to an easement as in Inst. No. A57784 in favour of Centra Gas Ontario Inc. for a steam and water pipe over Part 2 on Plan 48R-3453.
2. The PIN is subject to an easement as in Inst. No. RD9883 in favour of ACH Fort Frances Inc. for access to maintain canal walls over Parts 1, 2, 3, 4 and 5 on Plan 48R-4138.
3. The PIN is subject to an easement as in Inst. No. RD9885 in favour of ACH Fort Frances Inc. for pedestrian and vehicle access over Parts 4, 5, 6, 7, 8, 9, 13 and 14 on Plan 48R-4140.
4. The PIN is subject to an easement as in Inst. No. RD31749 in favour of H2O Power Fort Frances Inc. for access to maintain canal walls over Part 4 on Plan 48R-4140.

**PIN 56018-0168**

No easements

**PIN 56018-2246**

1. The PIN is subject to an easement as in Inst. No. A26494 in favour of Ontario Hydro for power lines over Parts 2 and 3 on Plan 48R-1903.
2. The PIN is subject to an easement as in Inst. No. A57784 in favour of Centra Gas Ontario Inc. for a steam and water pipe over Parts 1, 2 and 3 on Plan 48R-3262 and Parts 4, 5 and 6 on Plan 48R-3263.
3. The PIN is subject to an easement as in Inst. No. A59117 in favour of Ontario Hydro for power lines over Parts 2 and 3 on Plan 48R-1903.
4. The PIN is subject to an easement as in Inst. No. RD9878 in favour of ACH Fort Frances Inc. for a driveway access over Parts 4, 5 and 6 on Plan 48R-4138.
5. The PIN is subject to an easement as in Inst. No. RD9879 in favour of ACH Fort Frances Inc. for an electrical transmission line over Parts 5, 7 and 8 on Plan 48R-4138.
6. The PIN is subject to an easement as in Inst. No. RD9880 in favour of ACH Fort Frances Inc. for a line maintenance easement over Block 2 Plan SM 149 McIrvine except Part 1 Plan 48R-982 and Parts 1, 2 and 3 Plan 48R-4138; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 Block 8 Plan M74 McIrvine; Part Front Street Town Plot Alberton as closed by A57368; Part 1 Plan 48R-2964; and Part Undesignated Lands McIrvine being Parts 4, 5 and 6 48R-3453.
7. The PIN is subject to an easement as in Inst. No. RD9883 in favour of ACH Fort Frances Inc. for access to maintain canal walls over Parts 1, 2, 3, 4 and 5 on Plan 48R-4138.
8. The PIN is subject to an easement as in Inst. No. RD9885 in favour of ACH Fort Frances Inc. for pedestrian and vehicle access over Parts 4, 5, 6, 7, 8, 9, 13 and 14 on Plan 48R-4140.

9. The PIN is subject to an easement as in Inst. No. RD31748 in favour of H2O Power Fort Frances Inc. for access over Part 5, 7 and 8 on Plan 48R-4138.
10. The PIN is subject to an easement as in Inst. No. RD31749 in favour of H2O Power Fort Frances Inc. for access to maintain canal walls over Part 4 on Plan 48R-4140.

**PIN 56018-2027**

1. The PIN is subject to an easement as in Inst. No. RD9883 in favour of ACH Fort Frances Inc. for access to maintain canal walls over Parts 1, 2, 3, 4 and 5 on Plan 48R-4138.
2. The PIN is subject to an easement as in Inst. No. RD9885 in favour of ACH Fort Frances Inc. for pedestrian and vehicle access over Parts 4, 5, 6, 7, 8, 9, 13 and 14 on Plan 48R-4140.
3. The PIN is subject to an easement as in Inst. No. RD33040 in favour of H2O Power Fort Frances Inc. for access to the canal sluice gates over Parts 1, 2, 3 and 4 on Plan 48R-4516.

**PIN 56018-2247 (Fee Simple PIN – The applicant has a leasehold interest)**

1. The PIN is subject to an easement as in Inst. No. RD9881 in favour of Abitibi-Consolidated Inc for access to Block 1, Plan SM149 for access to the dam, powerhouse and structures to maintain any equipment and structures belonging to Abitibi-Consolidated Inc. located therein.
2. The PIN is subject to an easement as in Inst. No. RD9884 in favour of Abitibi-Consolidated Inc for access to Block 1, Plan SM149 for access to the dam, powerhouse and structures to maintain the pipeline belonging to Abitibi-Consolidated Inc. located therein.
3. The PIN is subject to an easement as in Inst. No. RD9886 in favour of Abitibi-Consolidated Inc for access to Parts 19 on Plan 48R-4140 and Parts 2, 5, 6, and 8 on Plan 48R-4168 to maintain the pipeline belonging to Abitibi-Consolidated Inc. located therein.

## Schedule

### NEW EASEMENTS

PIN 56018-2246 – North Mill Site  
PIN 56018-2027 – South Mill Site  
PIN 56018-2247 – International Bridge (Leasehold)  
PIN 56018-0083 – International Bridge access  
PIN 56018-0168 – Canada Customs Facility

#### **Easements over the International Bridge Parcel (PIN 56018-2247 – Leasehold Interest)**

1. Resolute FP Canada Inc. by its affiliate The International Bridge & Terminal Company, shall grant an easement over a portion of its leasehold interest in PIN 56018-2247 described as Parts 2, 5, 6 and 8 on Plan 48R-4168, Part 19 Plan 48R-4140 (copies are attached) and Parts 36 and 37 on the draft Plan in favour of PIN 56018-2027 for the existing overhead pipes and bridge structure crossing over the International Bridge. This easement shall include rights of access, support, repair, removal and replacement necessary and incidental to the use of the easement for the pipes and bridge.

2. Resolute FP Canada Inc. by its affiliate, The International Bridge & Terminal Company, shall grant an easement over a portion of its leasehold interest in PIN 56018-2247 described as Parts 33 and 36 on the attached draft Plan in favour of PIN 56018-2027 for the railway tracks, right-of-way and related infrastructure crossing over the International Bridge. This easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement for the railway tracks over the bridge.

*Note: The International Bridge & Terminal Company (an affiliate of Resolute FP Canada Inc.) holds a leasehold interest in PIN 56018-2247 pursuant to a lease made between ACH Fort Frances Inc. (predecessor to H2O Power Fort Frances Inc., the current registered owner of the fee simple interest) and The International Bridge & Terminal Company. Notice of the Lease was registered on title to PIN 56018-2247 by Inst. No. RD9875 on December 21, 2007.*

#### **Easements over International Bridge Approach Lands (PIN 56018-0083)**

1. Resolute FP Canada Inc. shall grant an easement over the whole of PIN 56018-0083 in favour of the leasehold interest in PIN 56018-2247 for certain electrical conduits, poles and underground electrical wires for the security camera feeds, junction boxes and related infrastructure. This easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement.

2. Resolute FP Canada Inc. shall grant an easement over the whole of PIN 56018-0083 in favour of PINs 56018-2027 (South Mill Site) and 56018-2246 (North Mill Site) for pedestrian and vehicular access over the International Bridge access lands between the South Mill Site and North Mill Site.

3. Resolute FP Canada Inc. shall grant an easement of the tunnel, being portions of PINs 56018-0083 and 56018-2027 described as Parts 1, 2, 3, 16, 17, 18 and 19 (Parts 16, 17, 18 and 19 are subject to an application for a lot addition and are to be added to PIN 56018-0083) on the attached draft Plan in favour of PINs 56018-2027 and 56018-2246 for:



- (a) underground pipes crossing under the International Bridge access lands. This easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement for the pipes;
- (b) underground effluent lines crossing under the International Bridge access lands. This easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement for the effluent lines;
- (c) underground electrical lines crossing under International Bridge access lands. This easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement for the electrical lines; and
- (d) a pedestrian access easement through the tunnel in the said Part containing the infrastructure enumerated in items (a), (b) & (c).

4. Resolute FP Canada Inc. shall grant an easement over portions of PINs 56018-0083 and 56018-2027 described as Parts 5, 6, 7, 8, 9, 21, 22, 23 and 24 on the attached draft Plan (Parts 21, 22, 23 and 24 are subject to an application for a lot addition and consent to convey and are to be added to PIN 56018-0083) in favour of PINs 56018-2027 and 56018-2246 for the overhead pipes and the pipe bridge crossing over the International Bridge access lands. This easement shall include rights of access, support, repair, removal and replacement necessary and incidental to the use of the easement for the pipes and bridge.

5. Resolute FP Canada Inc. shall grant an easement over portions of PINs 56018-0083 and 56018-2027 and are described as Parts 4, 6, 8, 10, 13, 17, 19, 20, 21, 23, 25, 26, 27 and 32 on the attached draft Plan (Parts 17, 19, 20, 21, 23, 25, 26, 27 and 32 are subject to an application for the lot addition and consent to convey and are to be added to PIN 56018-0083) in favour of PINs 56018-2027 and 56018-2246 for the railway tracks and related infrastructure crossing over the International Bridge access lands. This easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement for the railway tracks.

#### **Easements over the Canada Customs Facility Lands (PIN 56018-0168)**

- 1. Resolute FP Canada Inc. shall grant an easement over a portion of PIN 56018-0168 described as Part 28 on the attached draft Plan in favour of PIN 56018-2027 for an existing underground effluent line. This easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement for the effluent line.
- 2. Resolute FP Canada Inc. shall grant an easement over a portion of PIN 56018-0168 described as Part 29 on the attached draft Plan in favour of PIN 56018-2027 for an existing underground natural gas line. This easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement for the natural gas line.

#### **Easement over the South Mill Site (PIN 56018-2027)**

- 1. Resolute FP Canada Inc. shall grant an easement over a portion of PIN 56018-2027 described as Part 30 on the attached draft Plan in favour of PIN 56018-0168 (the Canada Customs Facility) for certain electrical conduits, poles and underground electrical wires for the security camera feeds, junction boxes and related infrastructure located in Part 30. This

easement shall include rights of access, repair, removal and replacement necessary and incidental to the use of the easement.