

## **APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION**

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

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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:

- APPLICATION:** One copy of the application is to be submitted to the Office of the Municipal Planner/Secretary-Treasurer of the Committee of Adjustment. Information to be provided is as set out in Ontario Regulation #200/96 of the Planning Act, R.S.O. 1990 (as revised). Therefore all questions must be answered in full detail or the application will not be accepted for processing.
- FEE:** The fee as set out in the User Fee By-Law is accepted in cash, cheque or debit and are payable to the Town of Fort Frances.
- OWNERSHIP:** Proof of Ownership is to accompany each application. Acceptable proof includes copy of current tax bill, deed or parcel register, etc. If more than one person own the subject lands, the application must be submitted under all names, and all parties are required to sign either the application form or an Authorization Form.
- AUTHORIZATION:** All agents must file an Authorization Form signed by all registered owners when filing on their behalf. All owners and/or agents must sign the Declaration as well. Failure to comply with this requirement will result in a delay.
- COMMISSIONERS' SIGNATURE** All applications MUST be signed before a Commissioner for taking Oaths. If more than one owner, all owners or the authorized agent must sign before the Commissioner. The Clerk, Deputy-Clerk and Treasurer are Commissioners for Taking Oaths.
- PLANS:** All drawings submitted must be clear and legible and must show the following:
- a. The boundaries and dimensions of the subject land
  - 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 all lot lines, as well from each other.
  - c. The approximate location of all natural and artificial features on the subject land and on the 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, etc.
  - d. The current uses on the land that is adjacent to the subject land.
  - 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 right of way.
  - f. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
  - g. The location and nature of any easement affecting the subject land.

**If full size drawings are submitted, a copy reduced to no less than 8½" x 14" is also required and must be suitable for reproduction. Completed applications will also be accepted in PDF format.**

**Applicant shall be present or have representation during the meeting to allow for any questions by the Committee of Adjustment to be answered. Conference call will be made available if needed.**

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FOR OFFICE USE ONLY	
FEE	FILE NO.
\$ <u>324.50</u>	A <u>7</u> / <u>2021</u>
PAYMENT RECEIPT STAMP	

PROPERTY INFORMATION	
Property Address	Part of Island G734
Tax Roll No.	59 - 12 - 010 - 001 - 18000
Legal Description	PCL 4224 SEC RAINY RIVER; ISLAND G 734 UNSURVEYED TERRITORY IN RAINY LAKE S OF CANADIAN NORTHERN RAILWAY PT 1, 3, 4 & 5 48R3592; DISTRICT OF RAINY RIVER
OWNER/APPLICANT INFORMATION	
Registered Owner(s)	Canadian National Railway Company
Application Contact	Ernie Longo
Full Mailing Address	1 Administration Road P.O. Box 1000 Concord Vaughan Ontario L4K 1B9
Telephone	
Email	
AGENT INFORMATION (if applicable)	
Company Name	
Application Contact	Edward Holbik
Full Mailing Address	2155 Whitegates Drive Thunder Bay Ontario P7K 1G2
Telephone	807-939-1280 705-507-3563
Email	holbik@tbaytel.net
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	

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):
	<p>Section ____ of Zoning by-law – to permit</p> <p>4.7.2.a - requires minimum lots area of 1ha. Proposed application requests reduction to 0.9ha</p> <p>4.7.2.c - requires minimum front yard of 30m. Proposed application request reduction to 25m</p> <p>3.2 - requires main use (cabin) prior to accessory buildings. Proposed application requests outhouse and sauna prior to constructing main cabin.</p>



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2. 

<b>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)</b>
<p>See Part 1 on attached reference plan 48R-3592 is 0.9ha versus the required 1.0ha</p> <p>Due to irregular shape, requesting reduction from 30m front yard to 25m</p> <p>Outhouse and sauna to be constructed prior to cabin, may utilize as shelter when constructing cabin. Also lumber prices creating some uncertainty on construction timeline.</p>
  
3. 

<b>When did the current owner acquire the Property?</b>	Unknown
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4. 

<b>Provide the date of construction for all buildings and structures on the Property.</b>
Vacant - no structures though railway runs through middle of island
  
5. 

<b>What is the existing use of the Property?</b>	Vacant - railway through middle of island
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6. 

<b>How long has the existing use of the Property continued?</b>	Unknown
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7. 

<b>What is the existing use of the abutting properties?</b>			
North	South	East	West
Lake	Railway ROW and cabin	Lake	Lake
  
8. 

<b>Dimensions of the Property:</b>		
<b>Property Dimensions</b>	<b>Metric</b>	<b>Imperial</b>
Frontage:	See Part 1 on attached reference plan 48R-3592	
Depth:		
Area:		



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

Main Building: Cabin	Existing	Proposed	
Ground Floor Area:	Vacant	120 m2	
Width:	Vacant	12m	
Length:	Vacant	10m	
# of Storeys:	Vacant	1	
Location of Building/Structure – Check geographic direction of Side Yard Setbacks			
Front Yard:	Vacant	25m	
Rear Yard:	Vacant	33m	
North <input type="checkbox"/> or East <input type="checkbox"/> - Side Yard:	Vacant		
South <input type="checkbox"/> or West <input type="checkbox"/> - Side Yard:	Vacant		
Accessory Building: Sauna/Outhouse	Existing	Proposed	
Ground Floor Area:	Vacant	12.5m2	4m2
Width:	Vacant	5m	2m
Length:	Vacant	2.5m	2m
# of Storeys:	Vacant	1	1
Height:	Vacant	2.5m	2.1m
Distance to Main Building:	Vacant	18m	10m
Location of Building/Structure - Check geographic direction of Side Yard Setbacks			
Front Yard:	Vacant	15m	
Rear Yard:	Vacant	41m	
North <input type="checkbox"/> or East <input type="checkbox"/> - Side Yard:	Vacant	50m	
South <input type="checkbox"/> or West <input type="checkbox"/> - Side Yard:	Vacant	26m	

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		Lake water
Sanitary Sewer		Septic approval by NWHU required
Storm Sewer		N/A



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11. Check the appropriate box to indicate access to the Property:
- | Source of Access: | Yes | No |
|-------------------|-----|----|
| Municipal Road    |     | No |
| Other Public Road |     | No |
| Water Access Only | Yes |    |
12. What is the Official Plan designation of the Property? Employment -  
Amendment Required for Cabin
13. What is the Zoning of the Property? Seasonal Residential
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.
- File number to be assigned
16. **DECLARATION**

I/We, Ed Holbik 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

23rd day of April, 2021

A Commissioner, etc.

(Signature of Owner or Agent)

(Signature of Owner or Agent)

**JOHN AUGUST DE BAKKER**  
Barrister, Solicitor & Notary Public  
in and for the Province of Ontario.  
My commission is of unlimited duration.

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**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, \_\_\_\_\_, am an Owner of the property known as \_\_\_\_\_ 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 EDWARD HGLBIK 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.

APRIL 26/2021  
Date

  
Owner Signature

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

