

## THE TOWN OF FORT FRANCES

**Applicant:** Fort Frances Native Urban Wahkaihanun Corporation  
**File No.:** B3/2013  
**Property Address:** Lot 2 Plan SM-138

**Date of Decision:** 3 June 2013  
**Date of Notice:** 4 June 2013  
**Last Date for Appeal:** 23 June 2013

# NOTICE OF DECISION

On Application for Consent  
Subsection 53(17) of the Planning Act

**TAKE NOTICE THAT** the Committee of Adjustments for the Town of Fort Frances did, on the date referenced above, grant provisional approval to the application referenced above to **sever the easterly 70.8 metres of Lot 2 Plan SM-138 for the purposes of a lot addition to enlarge the property known as 237 8<sup>th</sup> Street West.**

Provisional approval was given based on the reasons set out on the Decision and subject to specific conditions which must, in accordance with section, 53(41) of the Planning Act, be fulfilled within one year from the date of this notice. The legislated time period for satisfying conditions imposed is one year from the date of this Notice. Therefore if all conditions are not satisfied by June 4, 2014, approval will lapse. A certified copy of the Decision is attached.

Approval is also subject to a legislated appeal period. Pursuant to section 53(19) of The Planning Act, any person or public body may, no later than twenty (20) days from the date of this notice, appeal the decision or any condition imposed or both the decision and any condition to the Ontario Municipal Board by filing with the undersigned a Notice of Appeal. The last date for filing a Notice of Appeal is noted above.

Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. An unincorporated association or group may not file a Notice of Appeal. However, a Notice of Appeal may be filed on behalf of the association or group in the name of an individual who is a member of the association or group.

The Notice of Appeal must include the reasons for the appeal and be accompanied by a cheque or money order in the amount of \$125.00 payable to the "Minister of Finance".

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you make a written request to be notified of changes to the conditions of approval of the provisional consent.

Additional information about the application is available for public inspection between the hours of 8:30 and 4:30 at the Office of the Secretary-Treasurer for the Committee of Adjustment.

Dated at Fort Frances this 4<sup>th</sup> day of June 2013.

N. Faye Flatt, AMCT, ACST, CPT  
Municipal Planner/Committee Secretary-Treasurer  
Town of Fort Frances  
320 Portage Avenue  
Fort Frances, On P9A 3P9  
Telephone: (807) 274-5323 (ex. 275)



TOWN OF FORT FRANCES  
320 Portage Avenue, Fort Frances, On P9A 3P9  
COMMITTEE OF ADJUSTMENT DECISION

File No.  
**B3 / 2013**

IN THE MATTER of Section 53 of the Planning Act, R.S.O. as amended

AND IN THE MATTER of an Application by: Fort Frances Native Urban  
Wahkaihanun Corporation

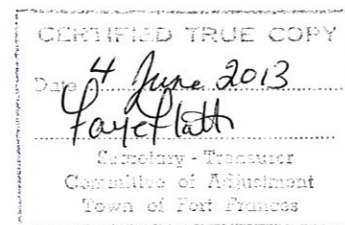
Subject Land: 1034/1036 York Avenue North

Proposal To: sever the east approximately 70 metres x 40 metres of the  
Subject Land for the purposes of enlarging as a lot addition  
the property to the immediate north, namely 237 8<sup>th</sup> Street  
West

Decision: Provisional Approval is Granted ☒ Not Granted ☐

Subject to the following Conditions:

1. **Reference Plan** – That the Municipal Planner be provided with two hard copies and one electronic copy of deposited reference plan bearing the seal of the Land Registrar, and depicting each property as a part thereon, or a Letter of Exemption from the Land Registrar or proper legal description endorsed by evidence of approval of the Land Registrar.
2. **Legal Description** - That the Municipal Planner be provided with the legal descriptions of the property being severed and the property to which it is being added and sufficient for the issuance of the Certificate of Official.
3. **Zoning** – That an application to rezone the severed property to Residential Type Four (R4) is received and approved by Town Council or the Ontario Municipal Board to enable the use of the property for multi-residential use.
4. **Consolidation – Undertaking** – That the Municipal Planner be provided with an Undertaking that the property being severed will be consolidated with and registered in the same name and interest as the property to which it is added and that Section 50 of the Planning Act, shall apply to all subsequent conveyances and transactions.
5. **Parkland** – Pursuant to Council policy, 5% of the value of vacant land be submitted as payment in lieu of parkland in accordance with section 51.1(1) and 51.1(3) of the Planning Act, as amended.



**WARNING:**  
**ALL CONDITIONS MUST BE FULFILLED WITHIN ONE YEAR OF THE DATE**  
**OF THE GIVING OF THE NOTICE OF DECISION, FAILING WHICH THIS**  
**APPLICATION SHALL THEREUPON BE DEEMED TO BE REFUSED**

*Section 53(41), The Planning Act, R.S.O. 1990*