

# TOWN OF FORT FRANCES

## Planning & Development Executive Committee

AGENDA - November 18, 2019 at 8:00 AM

### MEETING - Civic Centre - Committee Room

	Page
1. <b><u>Call to Order</u></b> Session #17	
2. <b><u>Disclosure of pecuniary interest and the general nature thereof</u></b>	
3. <b><u>Approval of Previous Committee Minutes</u></b> 3.1 Approval of Previous Committee Minutes.	3 - 4
4. <b><u>Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting.</u></b>	
5. <b><u>In-Camera</u></b>	
6. <b><u>Items Referred from Council</u></b> 6.1 Request from R. Socholotuk - Amend Off-Road Vehicles By-Law. - Deferred to next meeting. Awaiting input from Traffic Safety, OFEC & EDAC. 6.2 Joint Letter from D. Taylor & L. Sharp - Sump Pump Discharge - 1015 Third Street East. 6.3 Letter from M. Ahrens re: Student Safety & Legion Park Concerns.	5 - 6 7
7. <b><u>New Business</u></b> 7.1 Deeming Application - 214, 216, 218, 220 Fifth Street West. 7.2 Deeming Application - 615 First Street East.	8 - 16 17 - 25
8. <b><u>Outstanding Items</u></b> 8.1 Brewery Definitions & Zoning - Zoning By-Law Amendments. - Deferred to next meeting, research ongoing. 8.2 Second Units - Zoning By-Law Amendment. - Deferred to next meeting, research ongoing.	
9. <b><u>Information</u></b>	
10. <b><u>Non-agenda Items</u></b>	

11. **Adjourn / Next Meeting Date**  
Monday December 2nd, 2019.

## TOWN OF FORT FRANCES

### MINUTES

### SESSION NO. #

November 4, 2019

The meeting of Planning & Development Executive Committee of the Town of Fort Frances was held in the Civic Centre - Committee Room on November 4, 2019 from 8:30 a.m. to 8:50 a.m.

PRESENT: J. McTaggart - Chairperson, W. Brunetta - Councillor, D. Judson - Councillor, Mayor J. Caul (ex-officio)

ALSO PRESENT: D. Brown, CAO, C. Vangel, CBO/Planner, P. Briere, Committee Secretary

**1. Call to Order - 0830am**  
Session #16

**2. Disclosure of pecuniary interest and the general nature thereof**  
None.

**3. Approval of Previous Committee Minutes**

- 3.1 Approval of Previous Committee Minutes.  
- Approved as presented.

**4. Non-agenda items identified to be considered later in this meeting, both in-camera and in open meeting.**  
None.

**5. In-Camera**  
None.

**6. Items Referred from Council**

- 6.1 Request Letter S. Hatfield re: Request to Waive Fees.  
- An overview of the item was done by Administration and Mr. R. McKay, Property Owner. A discussion was had on this item and the Planning & Development Executive Committee is recommending that Council waive the fees for the deeming application for his 4 lots 214, 216, 218 & 220 Fifth Street West.
- 6.2 Request from R. Socholotuk - Amend Off-Road Vehicles By-Law.  
- Deferred to next meeting. Awaiting input from OFEC, Traffic Safety Committee & EDAC.

**7. New Business**

- 7.1 Appointment of Chief Building Official & Deputy Chief Building Official.  
- A brief discussion was had on this item and the Planning & Development Executive Committee is recommending that Council approve the report as presented.
- 7.2 2020 Planning & Development User Fees & Charges.  
- A review of the fees was completed and a discussion/clarification was had on some of the fees. The Planning & Development Executive Committee is recommending that Council approve the fees as presented.

**8. Outstanding Items**

- 8.1 Brewery Definitions & Zoning - Zoning By-Law Amendments.  
- Research Ongoing. Item deferred to next meeting.

- 8.2 Second Units - Zoning By-Law Amendment.
  - A review of the item was completed by Administration. A discussion/clarification was had on this item and the Planning & Development Executive Committee is recommending to Administration to make changes to the wording and bring back to the next meeting for review.

9. **Information**  
None.

10. **Non-agenda Items**  
None.

11. **Adjourn / Next Meeting Date - 0917am**  
Monday November 18th, 2019.

\_\_\_\_\_  
Executive Committee Chair

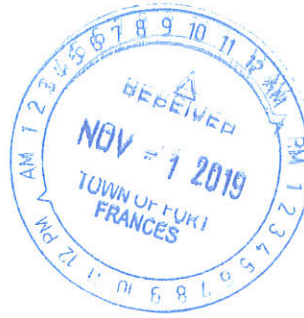
\_\_\_\_\_  
Secretary, Planning & Development Executive  
Committee



Dalton Taylor and Lydia Sharp  
1021 Third Street East  
Fort Frances, ON P9A 1S3

October 31, 2019

Town of Fort Frances  
By-law Enforcement Office  
Public Works Department  
320 Portage Avenue,  
Fort Frances, ON P9A 3P9



**RE: 1015 Third Street East, Fort Frances – Sump line water discharge**

Dear Sir/Madam:

This will confirm that we recently made a complaint to both the By-law Enforcement Department and the Public Works Department regarding the recent installation of a sump line at 1015 Third Street East that is being discharged directly on the municipal lane. The continuous discharge of water has caused flooding of the lane and adjoining properties. Both departments have advised the discharge of sump line subsurface ground water on municipal lane was permissible, which is extremely troubling.

As you are aware, the discharge from the sump line has created large puddles, erosion and continuously wet conditions on the municipal lane, which due to insufficient grading does not flow towards the storm sewers and therefor pools in the lane and neighboring properties. This has created a nuisance and a hazard. It has now reached the point that there are hazardous icy conditions and jagged ice chunks strewn about the lane and abutting properties. The Town could be held potentially liable in the event of property damage or personal injury.

The Town of Fort Frances By-law #06/16, and in particular paragraphs 8.4 and 8.8 (a), a copy of which is enclosed, applies to this situation and which should not be permitted to continue.

I trust that this matter will be addressed promptly and properly.

Sincerely,

*Dalton Taylor*  
*Lydia Sharp*

Dalton Taylor/Lydia Sharp

cc: June Caul, Mayor

installation is made. The rates for the installation of this service are as provided in the current Town's User Fee by-law.

- b) Where as determined by the Engineer, there is no acceptable storm sewer or open ditch abutting the property, the property owner may make application annually for permission to direct the discharge from the weeping tile sump pump to the sanitary sewer between October 15 and March 31 each year. Approval by the Engineer, of the application is required before any connection to the sanitary sewer is made. The property owner shall terminate the connection of the discharge from the weeping tile sump pump to the sanitary sewer and redirect the discharge to the outdoors by March 31 or as directed by the Engineer.

In special circumstances, the Engineer may grant permission to a property owner to deviate from the foregoing required timelines.

No property owner shall permit the discharge from the weeping tile sump pump to the surface of any municipal roads during winter months.

**8.3 Development requiring site plan approval**

For all new site plan approvals, all existing connections of foundation drains (weeping tile) shall be removed and no new connection of foundation drains shall be allowed to the sanitary sewer system unless approved by the Engineer.

**8.4 Discharge of foundation drain (weeping tile) flows**

Every person shall discharge all foundation drain (weeping tile) flows from a building in accordance with this by-law.

**8.5 Gravity connections**

No gravity connection of foundation drains (weeping tile) will be allowed to the storm sewer system unless the system has the capacity to provide for such connections and is approved by the Engineer.

**8.6 New plans of subdivision**

Where ever possible no person shall create a lot that does not have a storm sewer adjacent to it and, in subdivisions where the subdivision agreement has been approved by Council no person shall create a lot that does not have a storm private drain connection, except where a geotechnical engineer certifies that foundation drains (weeping tile) are not required.

**8.7 When sump pumps are discharged to ground surface**

For all new subdivisions, where the subdivision agreement is approved by Council where ever possible sump pumps shall discharge foundation drain (weeping tile) flows into a storm sewer. Where a sump pump discharges foundation drain (weeping tile) flows to the ground surface, the following shall apply:

- a) if a problem related to a lot, caused by the discharge of the sump pump to the ground surface occurs prior to the Town's assumption of the street fronting that lot, the developer will be required to redirect the sump pump discharge to the storm sewer via a storm private drain connection at no cost to the Town;
- b) prior to the assumption of a street by the Town, the developer will be required to engage a geotechnical engineer to certify that the soil and ground water conditions on any vacant lot or lots are such that a direct connection to a storm sewer will not be required. If such certification cannot be provided, the developer shall be required to install a storm private drain connection to serve each affected lot, at no cost to the Town;
- c) prior to the assumption of a street by the Town, should the discharge of a sump pump on any lot adjacent to a vacant lot be required, because of unsuitable or unfavourable soil and ground water conditions, to be connected directly to the storm sewer, the developer shall install storm private drain connections to all vacant lots as directed by the Engineer, at no cost to the Town.

**8.8 Requirements for foundation drain (weeping tile) flows**

The foundation drain (weeping tile) flows from a building shall be discharged in the following manner:

- a) via a sump pump to the ground surface, provided that the discharge to the ground surface does not create continually wet ground conditions and/or do not create any adverse effect upon municipal sidewalks and roads or upon adjacent properties; or
- b) via a sump pump to a storm sewer; or
- c) via a sump pump to a dry well system, provided that appropriate soil testing is completed to establish the suitability of using a dry well system, and that the dry well system is designed and certified by a qualified Ontario Professional Engineer; or
- d) by gravity water flow to the storm sewer, if capacity and availability, as determined by the Engineer, exists in the storm sewer; and
- e) in subdivisions where the subdivision agreements are approved by Council, notwithstanding the requirements of clauses 8.8 (a) to (d) inclusive, sump pump discharges shall be connected to storm building sewers, which shall be connected to storm private drain connections.

October 24, 2019

*June*  
**Dear Mayor Caul:**

Re: 1) Pedestrian Safety - Keating Ave. / 1st St. W  
2) Vehicular degradation of Legion Park (south end Lillie Ave.)

**Elementary Student Safety - Keating Ave. / 1st Street W**

- \* 400+ students will be attending St. Mary (Elementary) School (JK-Gr.8) beginning January 2020.
- \* A number of these students will walk from south of #11/71 to and from the school.
- \* Students using Keating Ave. and/or 1st St. West need sidewalks. (Each day 13+ school buses & long Kiss & Ride line-ups create traffic hazards.)
- \* The T of FF needs to budget / install a sidewalk along the west side of Keating Ave. from J. W. Walker School north to 2nd Ave. W.
- \* In the interim, during the winter months, a sidewalk plow needs to keep open a safe passageway off the west side of Keating Ave.

**Degradation of Legion (Westend) Park (south end)**

- \* Dozens of vehicles are invading the south end of Legion Park and using it as a turnaround.
- \* This ugly "traffic circle" has destroyed the grass, cut deep muddy ruts, and is hyper-stressing the young, shallow-rooted red pines.
- \* Management at the park seems to see the solution to be the responsibility of the Streets and Roads Department.
- \* The Streets and Roads Department seems to see the solution to be the responsibility of the Parks Department.
- \* An order from "**on high**" needs to be issued to stop this totally avoidable degradation of our beautiful Legion Park.

Respectfully re-submitted by

*Mew Ahrens*

Date: November 13, 2019

Report To: Planning & Development Executive Committee

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: **Deeming Application – 214, 216, 218, 220 Fifth Street West**

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In the summer of 2018 construction began on a single detached dwelling which spanned across Lots 214, 216, 218, 220 Fifth Street West. For this to be compliant with the zoning specifications in the Town of Fort Frances Zoning By-law, these four lots require to be deemed as one through by-law.

On September 24, 2019 a letter accompanied by an “APPLICATION TO DEEM LOTS TO NOT BE ON A REGISTERED PLAN OF SUBDIVISION” was sent to the owners of the above-mentioned lots to begin the process of deeming the four lots as one.

On October 23, 2019 administration received the partially completed application along with a letter to council detailing refusal to pay the application fees due to not being informed of the deeming requirements in the summer of 2018.

On November 12, 2019 council considered the letter and waived the required fees for said application.

All other documentation has been provided to move forward with processing the application.

With this stated, it is the recommendation of administration that the application to deem lots 214, 216, 218 and 220 Fifth Street West as one through by-law be approved.

Respectfully submitted,

Original Signed By:

Cody Vangel, EIT  
Chief Building Official & Municipal Planner



**APPLICATION TO DEEM LOTS NOT TO BE  
ON A REGISTERED PLAN OF SUBDIVISION**  
SECTION 50(4), ONTARIO PLANNING ACT, R.S.O. 1990, C.P. 13



**Subject Property:** Municipal Address(es):

Lots: 214, 216, 218, 220 Fifth Street West

Registered Plan: 214: PLAN M74 BLK 11 LOT 20 PCL 25072

216: PLAN M74 BLK 11 LOT 21 PCL BLK 11-21-1 SEC SM 74

218: PLAN M74 BLK 11 LOT 22 PCL 25074

220: PLAN M74 BLK 11 LOT 23 PCL 25075

I, the undersigned Owner(s) of the above-noted property, hereby apply to the Corporation of the Town of Fort Frances for the enactment of a By-Law to deem the above-noted lots deemed not to be on a registered plan of subdivision for the purposes of Section 50 (3) of the Planning Act.

I acknowledge that full lots on a registered plan of subdivision are separately conveyable from one another; that the enactment and registration of the deeming by-law will merge them to be one lot of record; that conveyance of part of the lot of record will require approval of the Town of Fort Frances through the Consent process; and that this process does not consolidate the properties under the Land Titles Act.

Purpose of Application: **To deem 214, 216, 218, and 220 Fifth Street West as one lot.**

I/We submit with this application the following:

- ☒ Evidence of ownership (original deed/s or copy of parcel register/s) *Get a copy of our town bill*  
☒ Site Plan of property *Given to Tyson Dennis when we got building permit*  
☐ Required fee of \$63.40 for the first two lots, and additional \$63.40 per each additional lot  
*I refuse to pay this we were never informed.*

Owner's Name(s):

Owner's Signature:

Randy McKay  
Sue Hatfield

Randy McKay  
Sue Hatfield

Mailing Address:

218 Fifth St. W.  
Fort Frances, Ont. P9A 3P6

Phone: 807-274-3327

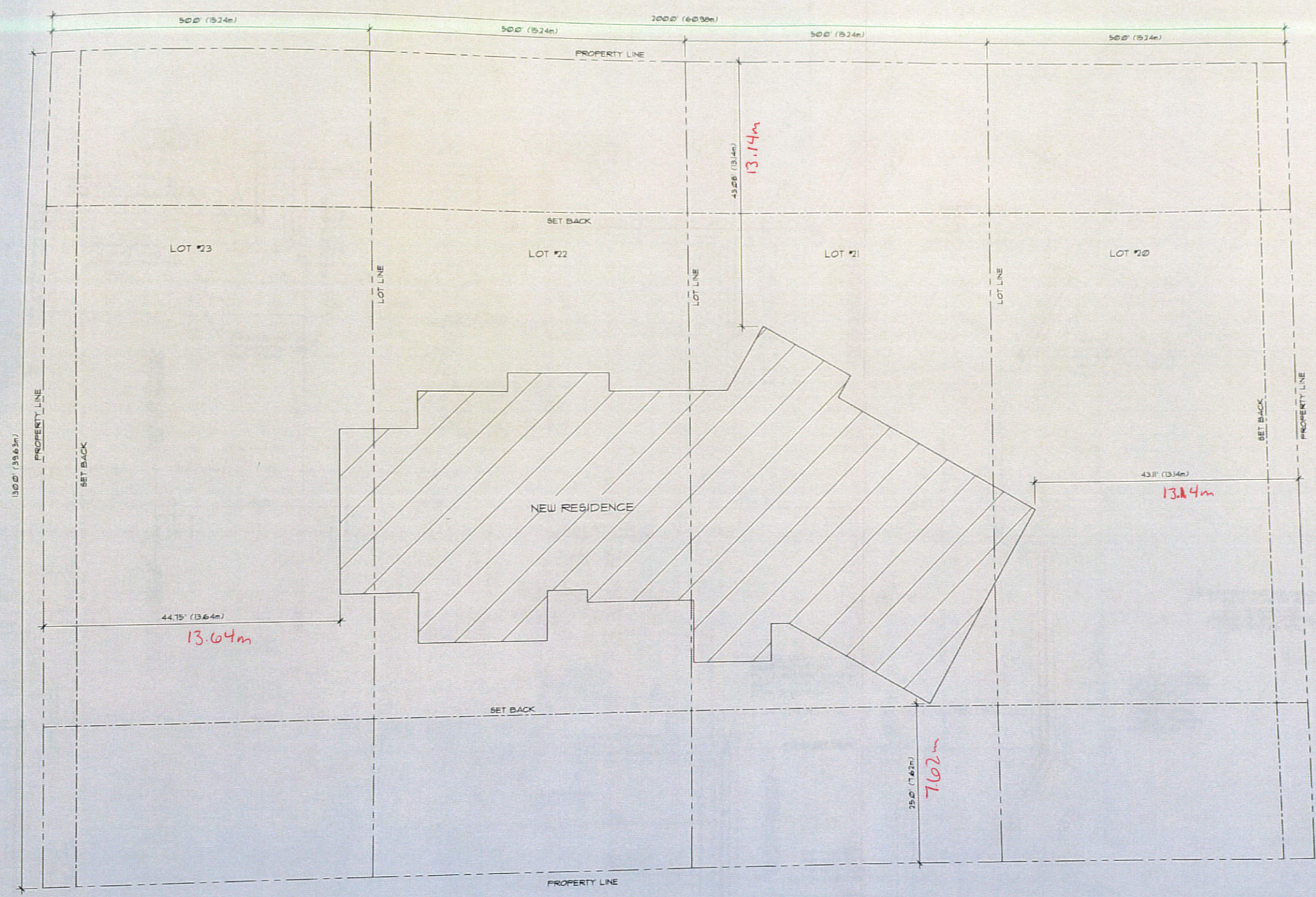
Dated: Oct 21/19

**FOR OFFICE USE ONLY**

Application Received:	Receipt No.:	RECOMMENDED BY PLANNER  <input type="checkbox"/> Yes <input type="checkbox"/> No - reasons below
Registration Date of Plan No:		
Ownership Confirmed:	Yes <input type="checkbox"/> No <input type="checkbox"/>	

FOR OFFICE USE ONLY		
Application Received: <i>Oct. 23, 2019</i>	Receipt No.: <i>N/A</i>	RECOMMENDED BY PLANNER  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No - reasons below
Registration Date of Plan No: <i>Greater than 8 years</i>		
Ownership Confirmed:    Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
By-Law No.	Enacted:	
Date Registered:	Document No.	





PLAN M-14  
LOTS 20, 21, 22 & 23, PCL 20386  
5TH STREET WEST, FORT FRANCES

LOT AREA = 4 LOTS \* 6,500 SQ. FT. EA.  
TOTAL LOT AREA = 26,000 SQ. FT.

LIVING SPACE FLOOR AREA = 2,925.43 SQ. FT.  
ATTACHED GARAGE FLOOR AREA = 1,130.81 SQ. FT.  
TOTAL RESIDENCE FLOOR AREA = 4,056.24 SQ. FT.  
TOTAL LOT COVERAGE = 4,056.24 SQ. FT.  
TOTAL LOT COVERAGE PERCENTAGE = 15.60%

SITE PLAN  
SCALE: 1" = 10'-0"

5TH STREET WEST

REVISION NO.	DATE	DESCRIPTION	MARK
1	11/12/14	ISSUED FOR CONSTRUCTION	
2			
3			
4			
5			
6			
7			
8			
9			
10			

BCIN: 43291

SCE  
SAULTEAUX CONSULTING  
ENGINEERING

SITE 206-207 RR#2  
FORT FRANCES, ONTARIO  
P9A 3T3  
1-807-214-7114

SHEET TITLE: SITE PLAN		PROJECT TITLE: NEW RESIDENCE FOR CLIENT MCKAY	
DRAWN BY: MS.	CHECKED BY: TK DZ	DATE: 11/12/14	PROJECT NO: 11-0
REVISION NO.			





Elizabeth St West

York Avenue

Cornwall Avenue

Fifth Street West



Date: July 27, 2018

## Municipal Sales Listing

Page: 1

County/Municipality: 5912		Municipality: FORT FRANCES TOWN			
Roll Number /Location	Previous Owner(s)	New Owner(s)	Mailing Address	Sale	
010 001 09000 323 FOURTH ST W PLAN SM29 LOT 18 PCL 18-2	KAUFMAN JUDITH ELIZABETH	ROSENTHAL JAMES EDWARD LEWISON JAMIE LYNN	323 FOURTH ST W FORT FRANCES ON P9A 3C1	Date: Instrument: Amount:	20180720 RD35692 \$191,000
010 007 02402 216 FIFTH ST W PLAN M74 BLK 11 LOT 21 PCL BLK 11-21-1 SEC SM 74	ROBINSON DENNIS ARTHUR ROBINSON LORNA GRACE	MCKAY RANDY ALLAN HATFIELD SUSAN MAE	218 FIFTH ST W FORT FRANCES ON P9A 3P6	Date: Instrument: Amount:	20180711 RD35617 \$55,000
010 007 02404 220 FIFTH ST W PLAN M74 BLK 11 LOT 23 PCL 25075	ROBINSON DENNIS ARTHUR ROBINSON LORNA GRACE	MCKAY RANDY ALLAN HATFIELD SUSAN MAE	218 FIFTH ST W FORT FRANCES ON P9A 3P6	Date: Instrument: Amount:	20180711 RD35617 \$55,000
020 004 06000 706 VICTORIA AVE PLAN SM2 BLK 2 LOT 4 TO 5 PCL BLK 2-4-1	TUCKER TIMOTHY WAYNE	TUCKER TIMOTHY WAYNE	627 SCOTT ST FORT FRANCES ON P9A 1H7	Date: Instrument: Amount:	20180725 RD35715 \$1
020 004 06000 706 VICTORIA AVE PLAN SM2 BLK 2 LOT 4 TO 5 PCL BLK 2-4-1	TUCKER CATHERINE MAY	TUCKER TIMOTHY WAYNE TRUSTEE	627 SCOTT ST FORT FRANCES ON P9A 1H7	Date: Instrument: Amount:	20180710 RD35610 \$1
030 002 00500 612 SCOTT ST PLAN ALB TOWN PLOT E1/2 LOT 429 PCL 1363	FRIESEN WADE ADAM	GERVAIS DALLAS F J PETAWANAQUEB-TOWNSON CATLYN	612 SCOTT ST APT A FORT FRANCES ON P9A 1H6	Date: Instrument: Amount:	20180720 RD35683 \$107,500
030 003 12000 918 PHAIR AVE PLAN SM159 LOT 24 PCL 20987	BORDEN CHRISTINE ANN	WOOLSEY CHRISTINE ANN	916 PHAIR AVE FORT FRANCES ON P9A 2M7	Date: Instrument: Amount:	20180718 RD35665 \$1
030 006 04600 1124 SCOTT ST PLAN SM48 LOT 133 W81/4 FT LOT 134 PCL 12941	ALGIE HEATHER KATHLEEN	COISH SARA MARIE ANDERSON MORGAN DOUGLAS	1124 SCOTT ST FORT FRANCES ON P9A 1J6	Date: Instrument: Amount:	20180718 RD35663 \$100,000
030 006 12400 401 COLONIZATION RD E PT RANGE LOT 20 RP48R817 PARTS 12 13 PCL 12226	ELLIOTT CECIL ESTATE	ELLIOTT MAXINE D TRUSTEE	401 COLONIZATION RD E FORT FRANCES ON P9A 2R9	Date: Instrument: Amount:	20180619 RD35474 \$1
030 007 11420 1219 ELIZABETH ST E PLAN SM113 PT BLK B 48R1638 PARTS 22 & 23 & 48R1731 PTS 16 & 18 PCL BLK B-43 & BLK B-21	BEAUSHENE WYNNDI RAE-ANN SELIN WADE BARRY	CARLSON SKYLAR ELIZABETH CARLSON MITCHELL DAVID	1219 ELIZABETH ST E FORT FRANCES ON P9A 3R8	Date: Instrument: Amount:	20180716 RD35645 \$347,000

Date: July 13, 2018

## Municipal Sales Listing

Page: 1

County/Municipality: 5912		Municipality: FORT FRANCES TOWN				
Roll Number /Location	Previous Owner(s)	New Owner(s)	Mailing Address	Sale		
010 003 02800 519 SECOND ST W PLAN SM62 LOT 7 TO 8 PCL 7-1	AVIS JOHN WALTER	GREEN BRITTON ROBERT	519 SECOND ST W FORT FRANCES ON P9A 2Z5	Date: Instrument: Amount:	20180711 RD35623 \$150,000	
010 003 04200 546 SECOND ST W PLAN SM16 W60FT LOTS 50 51 PCL 50-3	LACH SEBASTIAN JERZY IVANY SYDNEY NICOLE	MANTY KARI-LYN SARAH	546 SECOND ST W FORT FRANCES ON P9A 2Z4	Date: Instrument: Amount:	20180703 RD35570 \$70,000	
010 004 09600 630 THIRD ST W PSM167 LOT 4 PCL 15239	SLEETMOEN EDWIN SLEETMOEN SYBIL	OGDEN CHELSEY DAWN SLEETMOEN BENJAMIN JOHN	630 THIRD ST W FORT FRANCES ON P9A 3B6	Date: Instrument: Amount:	20180621 RD35491 \$240,000	
010 005 00800 1039 RIVER RD W PLAN SM59 LOT 18 PCL 22985	RADOSLAV STEPHEN VINCENT RADOSLAV JENNIFER ANNE	ASH JAMES WESLEY KAUFMAN JUDITH ELIZABETH	1039 RIVER RD W FORT FRANCES ON P9A 2V3	Date: Instrument: Amount:	20180712 RD35568 \$335,500	
010 006 14326 1701 LYNDY PLACE N PLAN 48M354 LOT 26 PCL 26-1	CAIN JASON DOUGLAS CAIN MICHELLE DAWN	DEAN JASON DOUGLAS DEAN MICHELLE DAWN	1701 LYNDY PL N FORT FRANCES ON P9A 3V4	Date: Instrument: Amount:	20180703 RD35566 \$385,000	
010 007 02400 214 FIFTH ST W PLAN M74 BLK 11 LOT 20 PCL 25072	ROBINSON GEORGE BENJAMIN C	MCKAY RANDY ALLAN HATFIELD SUSAN MAE	218 FIFTH ST W FORT FRANCES ON P9A 3P6	Date: Instrument: Amount:	20180711 RD35618 \$27,500	
010 007 02403 218 FIFTH ST W PLAN M74 BLK 11 LOT 22 PCL 25074	HYSKA JEAN ELIZABETH	MCKAY RANDY ALLAN HATFIELD SUSAN MAE	218 FIFTH ST W FORT FRANCES ON P9A 3P6	Date: Instrument: Amount:	20180711 RD35619 \$27,500	
010 007 22850 1005 CORNWALL AVE N PLAN SM 138 NPT LOT 12 PLAN 48R2948 PART 1 PCL 12-2	OGDEN LEROY GARY OGDEN MARILYN JEAN	OGDEN LEROY GARY	1005 CORNWALL AVE N FORT FRANCES ON P9A 3G9	Date: Instrument: Amount:	20180711 RD35625 \$1	
020 005 00800 528 FIRST STE PLAN M73 BLK 2 LOT 23 PCL BLK 2-23-1	JORGENSEN GLENN DAVID JORGENSEN PATRICIA JOSEPHINE	HAEHN MARLENE EDITH HAEHN ALLAN	477 ANNDALE RD WATERLOO ON N2K 2N7	Date: Instrument: Amount:	20180703 RD35571 \$145,000	
030 001 09600 627 SCOTT ST PALB PT LOT 393 PCL 1444	TUCKER CATHERINE MAY TUCKER TIMOTHY WAYNE	TUCKER TIMOTHY WAYNE	627 SCOTT ST FORT FRANCES ON P9A 1H7	Date: Instrument: Amount:	20180710 RD35609 \$1	

Administration & Finance Division  
Planning & Development Division  
Phone: 807-274-5323  
Fax: 807-274-8479

Mailing Address for All Divisions:  
Civic Centre  
320 Portage Avenue  
Fort Frances, ON  
P9A 3P9



Operations & Facilities Division  
Phone: 807-274-9893  
Fax: 807-274-7360

Community Services Division  
Phone 807-274-4561  
Fax: 807-274-3799

email: [town@fortfrances.com](mailto:town@fortfrances.com)  
[www.fort-frances.com](http://www.fort-frances.com)

November 13, 2019

Ms. Sue Hatfield  
218 Fifth St. W.  
Fort Frances, Ontario P9A 3P6

Dear Ms. Hatfield:

At their meeting Tuesday, November 12, 2019, Council approved a report from C. Vangel, CBO Trainee / Municipal Planner which agrees with the recommendation of the Planning & Development Executive Committee to waive the fee of \$190.20 to deem lots 214, 216, 218 and 220 Fifth Street East as one lot of record.

A copy of the report by C. Vangel, CBO Trainee / Municipal Planner is attached.

Please direct any questions you may have to C. Vangel, CBO Trainee / Municipal Planner at 274-5323, ext 1216.

Yours very truly,

ADMINISTRATION & FINANCE DIVISION

Elizabeth (Lisa) Slomke, Clerk

/es

c.c. C. Vangel, CBO / Municipal Planner





**TOWN OF FORT FRANCES**  
**COUNCIL**

Session No. 026

Resolution No. \_\_\_\_\_

Moved by R. Wiedenhoef

Dated: November 12, 2019

Seconded by [Signature]

THAT the report dated November 5, 2019 from C. Vangel, CBO Trainee / Municipal Planner re: Hatfield Request to Waive Deeming Application Fees be approved to agree with the recommendation of the Planning and Development Executive Committee to waive the fee of \$190.20 to deem Lots 214, 216, 218 and 220 Fifth Street West as one lot of record through By-Law.

TO: <u>Cody</u>
<u>Approved by Consent</u>
FROM: <u>Lisa</u>
CLERK
TOWN OF FORT FRANCES
DATE: <u>Nov 13, 2019</u>

	Yea	Nay	Disclosure of Interest
M. Behan			
W. Brunetta			
J. Caul			
A. Hallikas			
D. Judson			
J. McTaggart			
R. Wiedenhoef			

<input type="checkbox"/> CARRIED
<input type="checkbox"/> DEFEATED
_____ MAYOR or DEPUTY MAYOR

Date: November 12, 2019

Report To: Planning & Development Executive Committee

From: Cody Vangel, CBO Trainee/Municipal Planner

Re: **Deeming By-Law Application – 655 First Street East**

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The municipally known property of 655 First Street East is currently comprised of two separately conveyable lots. The two separate lots that form this municipal address are:

1. **PCL 116-1 SEC M94; LT 116 PL M94 MCIRVINE; FORT FRANCES**
  - Containing a single-detached dwelling
2. **PCL 117-1 SEC M94; LT 117 PL M94 MCIRVINE; FORT FRANCES**
  - Containing an accessory building (garage)

The property owner has applied to deem the two separate lots as one, through an **APPLICATION TO DEEM LOTS NOT TO BE ON A REGISTERED PLAN OF SUBDIVISION**.

Historically these two lots have been treated as one, however, this application will act as a measure of “housekeeping” that is necessary to fulfill compliance with the *Planning Act* and the Town of Fort Frances Zoning By-Law. Upon enacting a by-law to deem the lots not to be on a registered plan of subdivision, it will then be registered on title as one lot of record known as 655 First Street East.

It is the recommendation of administration to pass a by-law to **PCL 116-1 SEC M94; LT 116 PL M94 MCIRVINE; FORT FRANCES** and **PCL 117-1 SEC M94; LT 117 PL M94 MCIRVINE; FORT FRANCES** as one lot of record known as 655 First Street East.

Respectfully submitted,

Original Signed By:

Cody Vangel, EIT  
CBO Trainee/Municipal Planner

APPLICATION TO DEEM LOTS NOT TO BE  
ON A REGISTERED PLAN OF SUBDIVISION  
SECTION 50(4), ONTARIO PLANNING ACT, R.S.O. 1990, C.P. 13

Subject Property: Municipal Address(es):

Lots: 655 First Street East  
Registered Plan: **PCL 116-1 SEC M94; LT 116 PL M94 MCIRVINE; FORT FRANCES**  
**PCL 117-1 SEC M94; LT 117 PL M94 MCIRVINE; FORT FRANCES**

I, the undersigned Owner(s) of the above-noted property, hereby apply to the Corporation of the Town of Fort Frances for the enactment of a By-Law to deem the above-noted lots deemed not to be on a registered plan of subdivision for the purposes of Section 50 (3) of the Planning Act.  
I acknowledge that full lots on a registered plan of subdivision are separately conveyable from one another; that the enactment and registration of the deeming by-law will merge them to be one lot of record; that conveyance of part of the lot of record will require approval of the Town of Fort Frances through the Consent process; and that this process does not consolidate the properties under the Land Titles Act.

Purpose of Application: **To deem PCL 116-1 SEC M94; LT 116 PL M94 MCIRVINE; FORT FRANCES AND PCL 117-1 SEC M94; LT 117 PL M94 MCIRVINE; FORT FRANCES as one lot.**

- I/We submit with this application the following:
- ☒ Evidence of ownership (original deed/s or copy of parcel register/s)
  - ☒ Site Plan of property
  - ☒ Required Fees as per User Fee By-Law

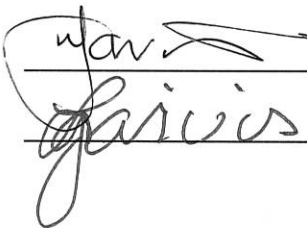
Owner’s Name(s):

IAN JARVIS  
LORI ANN JARVIS

Mailing Address:

655 FIRST STREET EAST  
FORT FRANCES, ONTARIO P9A 1L5

Owner’s Signature:

  
627-8535  
Nov. 14/19.

FOR OFFICE USE ONLY		
Application Received: <u>Nov. 14, 2019</u>	Receipt No.: <u>41876</u>	RECOMMENDED BY PLANNER  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No - reasons below
Registration Date of Plan No:		
Ownership Confirmed:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
By-Law No.	Enacted:	
Date Registered:	Document No.	



## 1987

EAST

FIRST STREET

5' MUNICIPAL SIDEWALK

704 30'

103 68' Meas

NOTE  
FOUND IP 2 90' NORTH OF LOT CORNER  
NOT USED FOR THIS SURVEY

(748)

AVENUE

FRENETTE

131.86' Meas

119.86' Meas

90906, W

SIB

IB (UNKNOWN) SIB (UNKNOWN)

D. F. WALTON  
ONTARIO LAND SURVEYOR  
436 SCOTT STREET, UNIT C,  
FORT FRANCES, ONTARIO P9A 1H2  
(807) 274-7036

DRAWN BY: R C.

CHECKED BY: P W.

JOB No  
87-595

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
THE FIELD SURVEY REPRESENTED ON THIS PLAN  
WAS COMPLETED ON THE 23rd DAY OF SEPTEMBER,  
1987.

SEPTEMBER 25th, 1987  
FORT FRANCES, ONTARIO

7 ONTARIO LAND SURVEYOR

TOWN            PLOT            OF            ALBERTON

© COPYRIGHT 1987

NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH LIMIT OF FIRST STREET, AS SHOWN ON PLAN M-94, HAVING A BEARING OF EAST

CLIENT: WOLDER AND McLENNAN  
RE WOLFF TO DALK

BUILDING TIES SHOWN HEREON ARE TO THE FINISHED WALL  
UNLESS OTHERWISE NOTED.  
MUNICIPAL ADDRESS: 655 FIRST STREET EAST

### LEGEND

- |      |         |                         |
|------|---------|-------------------------|
| ■    | DENOTES | SURVEY MONUMENT FOUND   |
| □    | DENOTES | SURVEY MONUMENT SET     |
| S1B  | DENOTES | STANDARD IRON BAR       |
| SS1B | DENOTES | SHORT STANDARD IRON BAR |
| 1B   | DENOTES | IRON BAR                |
| 1P   | DENOTES | IRON PIPE               |
| 77   | DENOTES | NOT TO SCALE            |
| 748  | DENOTES | DF WALTON, OLS          |

"THIS IS NOT  
AN ORIGINAL COPY  
UNLESS  
EMBOSSSED WITH  
SEAL"









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

# RECEIPT OF PAYMENT

Page 1

lori ann jarvis

Receipt Number: 41876

Tax Number: HST #106984586 RT0001

Date: November 14, 2019

Initials: KG

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
General	GL	Planning Application Fees	1	\$0.00	\$63.40	N/A

Subtotal: \$63.40

Taxes: \$0.00

Total Receipt: \$63.40

Debit: \$63.40

Total Amount Received: \$63.40

Rounding: \$0.00

Amount Returned: \$0.00

**Properties**

PIN 56018 - 1417 LT Interest/Estate Fee Simple  
 Description PCL 116-1 SEC M94; LT 116 PL M94 MCIRVINE; FORT FRANCES  
 Address 655 FIRST STREET EAST  
 FORT FRANCES

PIN 56018 - 1418 LT Interest/Estate Fee Simple  
 Description PCL 117-1 SEC M94; LT 117 PL M94 MCIRVINE; FORT FRANCES  
 Address 655 FIRST STREET EAST  
 FORT FRANCES

**Consideration**

Consideration \$0.00

**Transferor(s)**

The transferor(s) hereby transfers the land to the transferee(s).

Name MICKELSON, HAL WILLIAM  
 Address for Service 809 SCOTT STREET  
 FORT FRANCES, ON  
 P9A 1J3

I am at least 18 years of age.

I am not a spouse

This document is not authorized under Power of Attorney by this party.

**Transferee(s)****Capacity****Share**

Name JARVIS, IAN  
 Date of Birth 1958 10 31  
 Address for Service 655 FIRST STREET EAST  
 FORT FRANCES, ON  
 P9A 1L5

Joint Tenants

Name JARVIS, LORI ANN  
 Date of Birth 1961 02 08  
 Address for Service 655 FIRST STREET EAST  
 FORT FRANCES, ON  
 P9A 1L5

Joint Tenants

**Statements**

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEREE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

**Signed By**

Clint Allen Calder 1455 Idylwild Dr., Suite 206-197, R. acting for Signed 2019 08 23  
 R. #2 Transferor(s)  
 Fort Frances  
 P9A 3M3

Tel 807-274-7076

Fax 807-274-7968

I am the solicitor for the transferor(s) and I am not one and the same as the solicitor for the transferee(s).

I have the authority to sign and register the document on behalf of the Transferor(s).

Deborah Anne Humphreys 101 244 Camelot Street acting for Signed 2019 08 28  
 Thunder Bay Transferee(s)  
 P7A 4B1

Tel 807-577-0806

**Signed By**

Fax 807-345-9886

I am the solicitor for the transferee(s) and I am not one and the same as the solicitor for the transferor(s).

I have the authority to sign and register the document on behalf of the Transferee(s).

**Submitted By**

DEBORAH HUMPHREYS LAW OFFICE

101 244 Camelot Street  
Thunder Bay  
P7A 4B1

2019 08 28

Tel 807-577-0806

Fax 807-345-9886

**Fees/Taxes/Payment**

Statutory Registration Fee	\$64.40
Provincial Land Transfer Tax	\$0.00
Total Paid	\$64.40

**LAND TRANSFER TAX STATEMENTS**

In the matter of the conveyance of: 56018 - 1417 PCL 116-1 SEC M94; LT 116 PL M94 MCIRVINE; FORT FRANCES  
56018 - 1418 PCL 117-1 SEC M94; LT 117 PL M94 MCIRVINE; FORT FRANCES

BY: MICKELSON, HAL WILLIAM

TO: JARVIS, IAN

Joint Tenants

JARVIS, LORI ANN

Joint Tenants

1. JARVIS, IAN AND JARVIS, LORI ANN

I am

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☒ (c) A transferee named in the above-described conveyance;
- ☐ (d) The authorized agent or solicitor acting in this transaction for \_\_\_\_\_ described in paragraph(s) ( ) above.
- ☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for \_\_\_\_\_ described in paragraph(s) ( ) above.
- ☐ (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of \_\_\_\_\_ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposed to.

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	\$0.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	\$0.00
(ii) Given Back to Vendor	\$0.00
(c) Property transferred in exchange (detail below)	\$0.00
(d) Fair market value of the land(s)	\$0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	\$0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	\$0.00
(h) VALUE OF ALL CHATTELS -items of tangible personal property	\$0.00
(i) Other considerations for transaction not included in (g) or (h) above	\$0.00
(j) Total consideration	\$0.00

4.

Explanation for nominal considerations:

h) Correcting deed to correct: TO TRANSFER PIN 56018-1418 and 56018-1417 TOGETHER AS THEY WERE PREVIOUSLY SUPPOSED TO BE BUT ONLY 56018-1418 WAS TRANSFERRED TO THE TRANSFEREES. PROPERTY 56018-1418 WAS TRANSFERRED BACK TO HAL WILLIAM MICKELSON IN ORDER TO TRANSFER BOTH PIN 56018-1417 AND PIN 56018-1418 TO IAN JARVIS AS ORIGINALLY INTENDED.

5. The land is subject to encumbrance

6. Other remarks and explanations, if necessary.

- The information prescribed for purposes of section 5.0.1 of the Land Transfer Tax Act is not required to be provided for this conveyance.
- The transferee(s) has read and considered the definitions of "designated land", "foreign corporation", "foreign entity", "foreign national", "specified region" and "taxable trustee" as set out in subsection 1(1) of the Land Transfer Tax Act. The transferee(s) declare that this conveyance is not subject to additional tax as set out in subsection 2(2.1) of the Act because:
- (a) This is not a conveyance of land that is located within the "specified region".
- The transferee(s) declare that they will keep at their place of residence in Ontario (or at their principal place of business in Ontario) such documents, records and accounts in such form and containing such information as will enable an accurate determination of the taxes payable under the Land Transfer Tax Act for a period of at least seven years.
- The transferee(s) agree that they or the designated custodian will provide such documents, records and accounts in such form and containing such information as will enable an accurate determination of the taxes payable under the Land Transfer Tax Act, to the Ministry of Finance upon request.

**PROPERTY Information Record**

A. Nature of Instrument: Transfer  
LRO 48 Registration No. RD38344 Date: 2019/08/28

B. Property(s):  
PIN 56018 - 1417 Address 655 FIRST STREET EAST  
FORT FRANCES Assessment -  
Roll No  
PIN 56018 - 1418 Address 655 FIRST STREET EAST  
FORT FRANCES Assessment -  
Roll No

C. Address for Service: 655 FIRST STREET EAST  
FORT FRANCES, ON  
P9A 1L5

D. (i) Last Conveyance(s): PIN 56018 - 1417 Registration No. RD10252  
PIN 56018 - 1418 Registration No. RD38343  
(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes ☒ No ☐ Not known ☐

E. Tax Statements Prepared By: Deborah Anne Humphreys

LAND TRANSFER TAX STATEMENTS

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101 244 Camelot Street  
Thunder Bay P7A 4B1