



## **COMMITTEE OF ADJUSTMENT AGENDA**

September 14, 2022 5:30 PM

MEETING - Civic Centre - Committee Room

### **Microsoft Teams meeting**

**Join on your computer or mobile app**

[Click here to join the meeting](#)

Meeting ID: 249 000 238 775

Passcode: PoyVMY

[Download Teams](#) | [Join on the web](#)

**Or call in (audio only)**

[+1 807-701-5988,446057820#](#) Canada, Thunder Bay

Phone Conference ID: 446 057 820#

[Find a local number](#) | [Reset PIN](#)

Page

#### **1. Call to Order/Roll Call**

#### **2. Declarations, Municipal Conflict of Interest Act**

#### **3. Minutes of Previous Meetings**

2 - 3 3.1 March 16, 2022

#### **4. Committee Applications**

4 - 32 4.1 A1-2022: Application for Minor Variance - 1061 Walker Avenue

#### **5. Other Business - None**

#### **6. Meeting Close**

MINUTES

COMMITTEE OF  
ADJUSTMENT

March 16, 2022

The meeting of Committee of Adjustment of the Town of Fort Frances was held in the Civic Centre - Committee Room including virtual attendance on March 16, 2022 from 5:30 PM p.m. to 6:19 p.m.

PRESENT: Gary Rogozinski (Chair), Donald Taylor, Barry Jackson, Don Eldridge, Christine Denby

ALSO PRESENT: Cody Vangel (CBO/Municipal Planner), Stacey Jack, Mitch Lepage, Paul Veldman, Rob Coulbeck, Lloyd Will, Merna Emara, Randy Thoms

**1. CALL TO ORDER / ROLL CALL**

5:30pm

**2. Declarations, Municipal Conflict of Interest Act**

Donald Taylor declared a conflict with Item 4.1

**3. Minutes of Previous Meetings**

3.1 June 16, 2021

- Approved as presented
  - Moved by Donald Taylor, seconded by Christine Denby

**4. Committee Applications**

4.1 B1-2022: Zoning By-law Amendment - 1037 Third Street East

- Municipal Planner provided a verbal summary of the application
- No one from the application attended the meeting
- The Committee engaged in brief conversation on the application
- Donald Taylor did not speak or vote on the application
- All Committee members present, except for Donald Taylor, voted in favour of recommending approval of the application

4.2 B2-2022: Zoning By-law Amendment - 1229 Cornwall Avenue (Lagoon Property)

- Municipal Planner provided a verbal summary of the application
- Representatives from the application were able to speak and provide a further summary
- The Committee engaged in lengthy conversation on the application
- All Committee members present voted in favour of recommending approval of the application subject to the following:
  - Approval of:
    - To add a site-specific permitted use for the establishment of a 150 MW Solar Farm to produce solar energy and/or feed into the electrical grid;
    - To add a site-specific permitted use for Transmission of electricity, including infrastructure (towers and lines);
    - To add a site-specific permitted use for Electric substations; and
    - To add a site-specific permitted use for Battery Energy Storage System (BESS)
  - Approval of the following with the inclusion of a noise mitigation study:
    - To add a site-specific permitted use for Industrial Scale Computing;

- To utilize sea-cans or containers converted to Buildings and/or a constructed structure to house the Industrial Scale Computing equipment.

**5. Other Business**

- 5.1 Charleen Mallory - Resignation from Committee of Adjustment
  - Accepted with thanks
  - Committee recommended posting vacancies in newspaper
- 5.2 2022 - Committee of Adjustment Meeting Schedule
  - Accepted as presented

**6. Meeting Close**  
6:19pm

\_\_\_\_\_  
Chair, Committee of Adjustment

\_\_\_\_\_  
C. Vangel, Chief Building Official / Municipal Planner  
Secretary to Committee of Adjustment


**FORTFRANCES**  
 BOUNDLESS

# APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION For applying under Section 45 of the Planning Act, R.S.O., 1990 (as revised)

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:

		FOR OFFICE USE ONLY	
		FEE	FILE NO.
		\$	A /20
		PAYMENT RECEIPT STAMP	
<b>PROPERTY INFORMATION</b>			
Property Address	1001 WALKER AVENUE FF, ON		
Tax Roll No.	59 - 12 - 010 - 007 - 21100		
Legal Description			
<b>OWNER/APPLICANT INFORMATION</b>			
Registered Owner(s)	AMANDA OLSON + DUANE WALTON		
Application Contact	807-276-2366		
Full Mailing Address	1001 WALKER AVENUE FF, ON P9A 1H5		
Telephone	807-276-2366		
Email	mandikins1987@gmail.com		
<b>AGENT INFORMATION (if applicable)</b>			
Company Name			
Application Contact			
Full Mailing Address			
Telephone			
Email			
Note – All communication will be sent to Application Contact unless otherwise requested			
<b>MORTGAGEES, HOLDERS OF CHARGES OR OTHER ENCUMBRANCES</b>			
Institution	CIBC		
Contact/Reference	807-274-5391		
Full Mailing Address	203 SCOTT ST. FF, ON P9A 1G8		
Telephone	807-274-5391		
Email	N/A.		

- 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):

Section 3.2 of Zoning by-law – to permit  
 i) in a residential zone shall not exceed 5.0 metres in height, or contain more than one storey, except that where a dwelling unit is a permitted accessory use it shall not contain more than two storeys. In all other zones the maximum height shall not exceed 6.5 metres.

\* Proposing a new garage build, 2 storey, with max height of 7.4m (24'3").  
 Attaching: highlighted bylaw requirement, 7 page detailed blueprint,  
 Photos of existing/ proposed garage location, letter from home owners.

-1-



2.	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)	The request is for a second story as we would like additional storage space within our garage. This proposed plan is economical (financially) but also environmental (less supplies wasted/leaser to heat in the winter) as well as utilizes less sq-footage across the land. This request is also a safer practice than reinforcing rafters and utilizing a ladder.												
3.	When did the current owner acquire the Property?	Amanda - 2009.												
4.	Provide the date of construction for all buildings and structures on the Property.	• Original home - 1980's • Addition on home - unknown • Current garage - unknown.												
5.	What is the existing use of the Property?	Residential - Type 1												
6.	How long has the existing use of the Property continued?	Always												
7.	What is the existing use of the abutting properties?	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">North</th> <th style="width: 33%;">South</th> <th style="width: 33%;">East</th> <th style="width: 33%;">West</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td>Residential</td> <td>Town Road</td> <td>Vacant open / CN Rail bed</td> </tr> </tbody> </table>	North	South	East	West	Residential	Residential	Town Road	Vacant open / CN Rail bed				
North	South	East	West											
Residential	Residential	Town Road	Vacant open / CN Rail bed											
8.	Dimensions of the Property:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Property Dimensions</th> <th style="width: 50%;">Metric</th> <th style="width: 50%;">Imperial</th> </tr> </thead> <tbody> <tr> <td>Frontage:</td> <td></td> <td>521</td> </tr> <tr> <td>Depth:</td> <td></td> <td>355.95'</td> </tr> <tr> <td>Area:</td> <td></td> <td>18,509.4 sq. ft.</td> </tr> </tbody> </table>	Property Dimensions	Metric	Imperial	Frontage:		521	Depth:		355.95'	Area:		18,509.4 sq. ft.
Property Dimensions	Metric	Imperial												
Frontage:		521												
Depth:		355.95'												
Area:		18,509.4 sq. ft.												


**9. Building/Structure Particulars**

Describe the particulars (in metric) of all buildings and/or structures existing and proposed for the Property.

<b>Main Building:</b> All imperial.	<b>Existing</b>	<b>Proposed</b>
Ground Floor Area:	1225 sq. ft.	N/A
Width:	25'	
Length:	49'	
# of Storeys:	1	
<b>Location of Building/Structure – Check geographic direction of Side Yard Setbacks</b>		
Front Yard:	28.5'	
Rear Yard:	278.45'	
North <input checked="" type="checkbox"/> or East <input type="checkbox"/> - Side Yard:	11.5'	
South <input checked="" type="checkbox"/> or West <input type="checkbox"/> - Side Yard:	15.5'	
<b>Accessory Building:</b> Garage.	<b>Existing</b>	<b>Proposed</b>
Ground Floor Area:	852.59 sq. ft.	1680 sq. ft.
Width:	24'	30'
Length:	35.5'	56'
# of Storeys:	1	2
Height:	12'	24.3'
Distance to Main Building:	9.2'	200'
<b>Location of Building/Structure – Check geographic direction of Side Yard Setbacks</b>		
Front Yard:	86.7'	274.95'
Rear Yard:	233.75'	25'
North <input checked="" type="checkbox"/> or East <input type="checkbox"/> - Side Yard:	26.5'	23'
South <input checked="" type="checkbox"/> or West <input type="checkbox"/> - Side Yard:	1.5'	3'

Note – Above information to match Site Plan

**10.**

Check the appropriate box to Indicate connected or available services to the Property:

<b>Source of Service:</b>	<b>Municipal</b>	<b>Private</b>
Water	✓	
Sanitary Sewer	✓	
Storm Sewer	✓	



11. Check the appropriate box to indicate access to the Property:

Source of Access:	Yes	No
Municipal Road	✓	
Other Public Road		
Water Access Only		

12. What is the Official Plan designation of the Property?

Living

13. What is the Zoning of the Property?

Residential Type I

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.

16.

**DECLARATION**

I/We, AMANDA OLSON/DIANE WATSON 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

4<sup>th</sup> day of July, 20 22.

A Commissioner, etc.

(Signature of Owner or Agent)

(Signature of Owner or Agent)

**Karyn L. Haney, a Commissioner for  
the Corporation of the Town of Fort  
Frances, District of Rainy River.**

- 4 -





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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)

*Amanda DeWitt*  
*Diane Walker*
*1061 WALKER AVE.*

 I, Diane Walker, am an Owner of the property known as 1061 Walker Ave. 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 \_\_\_\_\_ 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.

July 4, 2022

Date

  
 Owner Signature

  
 Owner Signature

June 29, 2022

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

Re: Application for Minor Variance

To Whom It May Concern,

Please accept this letter as a formal request for permission on behalf of Amanda Olson and Duane Walton (1061 Walker Avenue, Fort Frances, ON residence) as per our application for minor variance submission.

Amanda has been a resident at the above address since purchasing in 2009. Duane was later added to the property in 2019 as a secondary owner. Our lot size is approximately 52' frontage by 356' deep. Within our request, you will see we are seeking permission to allow for a new garage structure to be built which will include a second storey access for storage within the garage. We understand that we are applying for relief under section 3.2 (i), asking for permission to exceed the 5.0-meter height limitation, with a secondary story. Our intent is to remove our existing garage and rebuild the new structure further back on our property.

We have weighed many options as to how to move forward with the build which included consideration given to economics, environmental as well as practical uses. As you will see in our application, our home is small, a single story approximately 1200 sq. ft. therefore space, especially storage, is extremely limited as our crawl space has minimal access as well. The reason we need the additional height is for various purposes including:

- Second storey access would allow for roughly additional sq. footage of storage space
- Environmental:
  - Less supplies/wastage minimal for the build itself
  - Land protection- utilizing less land, still allows for yard and garden
- Safety- we would not have to worry about reinforcing rafters and using ladders to access our items
- Economics- More affordable to heat in the winter
- Food Sovereignty- if built within the existing height limitations, there would not be enough ceiling height to hang our wild game (moose/deer)
- Substantially increasing land & home value

Within our application we have also included blueprints, a land map as well as photos showing the present-day structures/views of our property. We also want to let you, the committee, know that the newly proposed build will not impede on our neighbours views or impact them in any direct/indirect way. We have done our due diligence to ensure that we are not only meeting our needs, but also respecting our neighbours to the north and south.

We appreciate your consideration for our application and welcome you to contact us to ask questions, come and view the proposed location, or even drive by our home to see for yourself.

Thankyou,



Amanda Olson & Duane Walton  
1061 Walker Avenue  
807-276-2366



May 24, 2022  
June 24

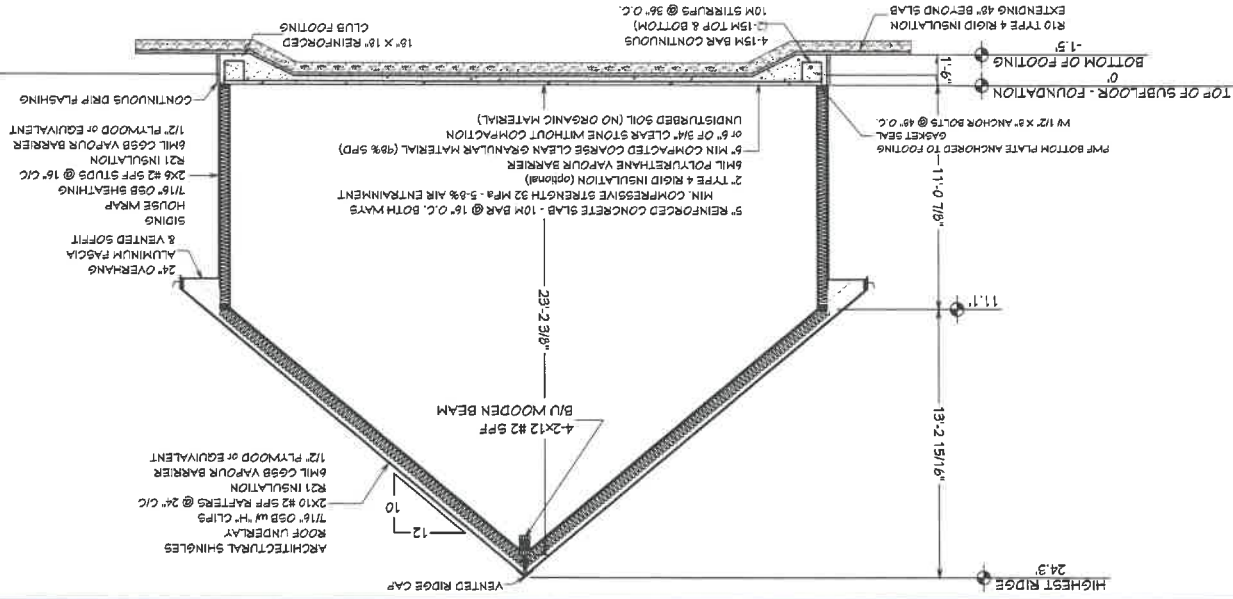
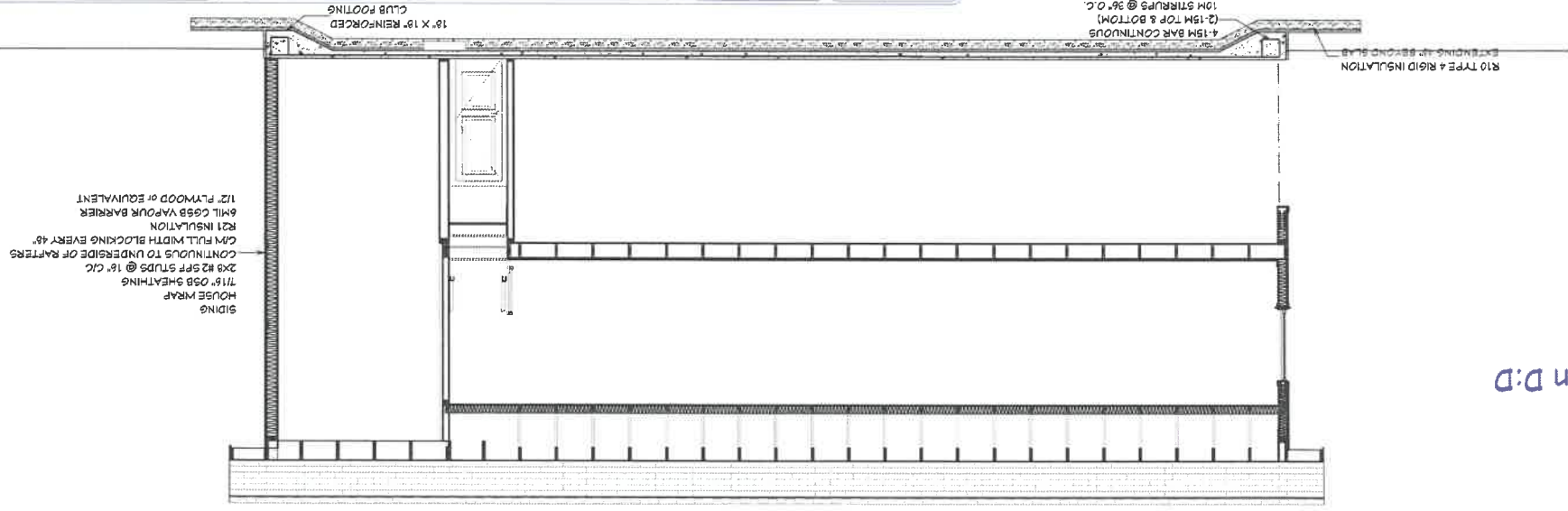
Reo & Mandy Olsen  
Garage - 1061 Walker Ave  
Fort Frances, Ontario  
NOT FOR PERMIT

SHEET NUMBER  
**A-4.1**

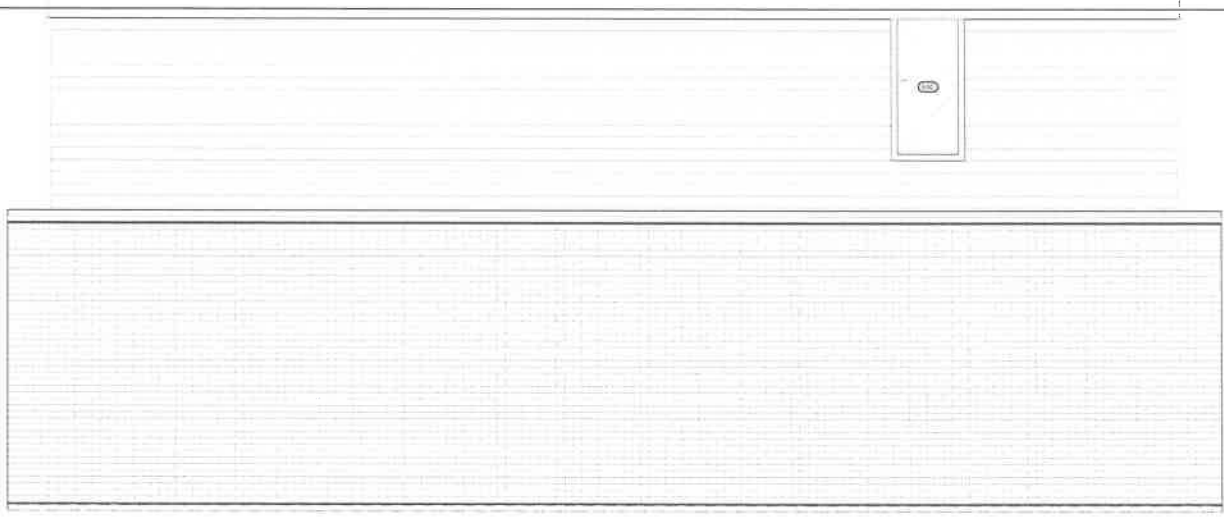
DATE  
JUNE 29

SCALE  
3/16" = 1'-0"

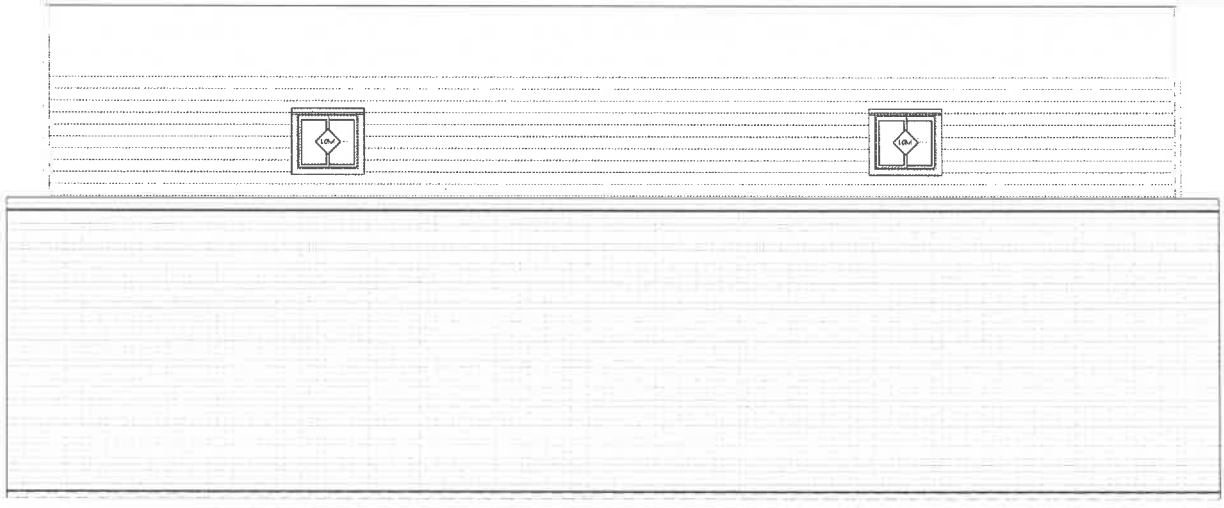
SECTION  
C-C



Exterior Elevation Front



Exterior Elevation Back



FRONT & BACK  
ELEVATIONS  
TITLE

A-5.0  
SHEET NUMBER

3/16: 1'-0"  
SCALE

JUNE 29  
DATE

Reo & Mandy Olsen  
Garage - 1061 Walker Ave  
Fort Frances, Ontario  
NOT FOR PERMIT

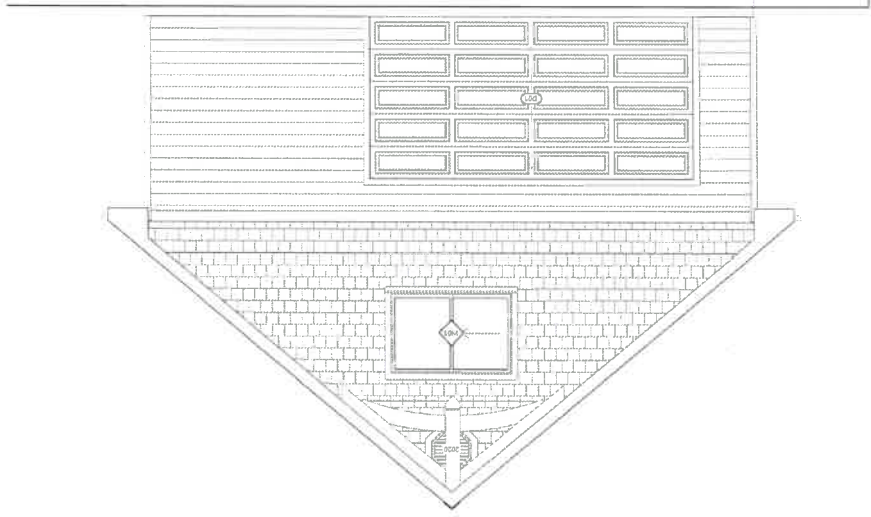
May 24, 2022  
June 29



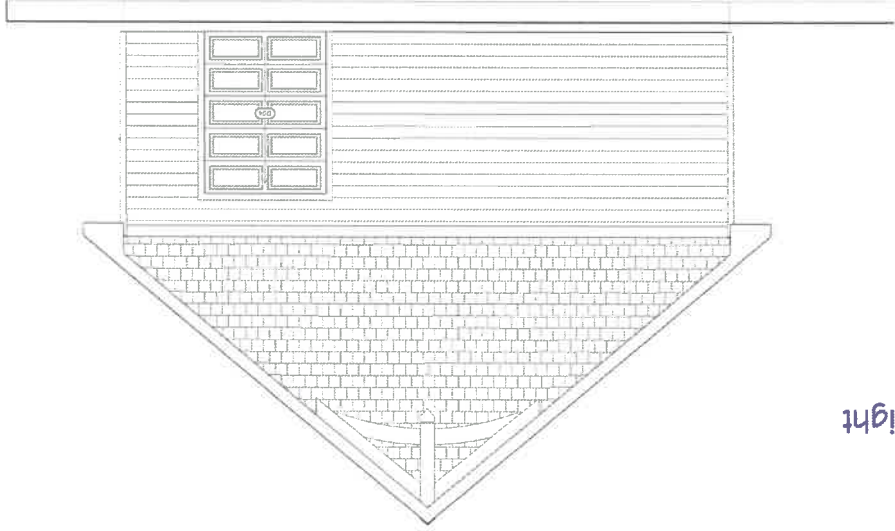
Box 646, Emo  
Ontario, P0W 1E0  
Cell: 807-276-3815  
BCIN: 102602  
email: dan.dgmdesign@gmail.com  
Drawings provided by: Dan Mack BCIN 102062



Exterior Elevation Left



Exterior Elevation Right



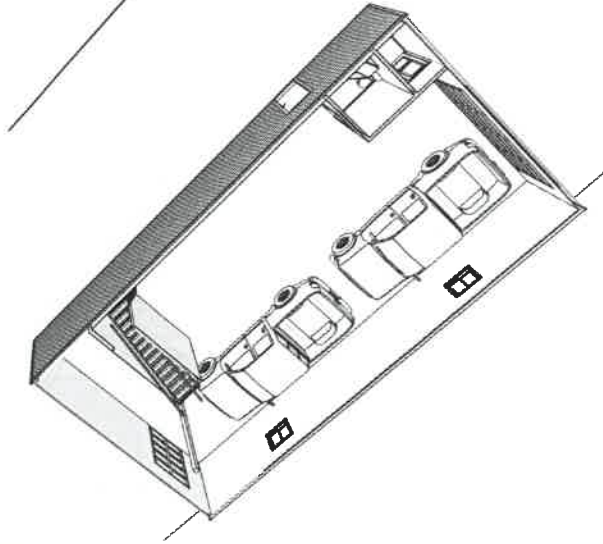
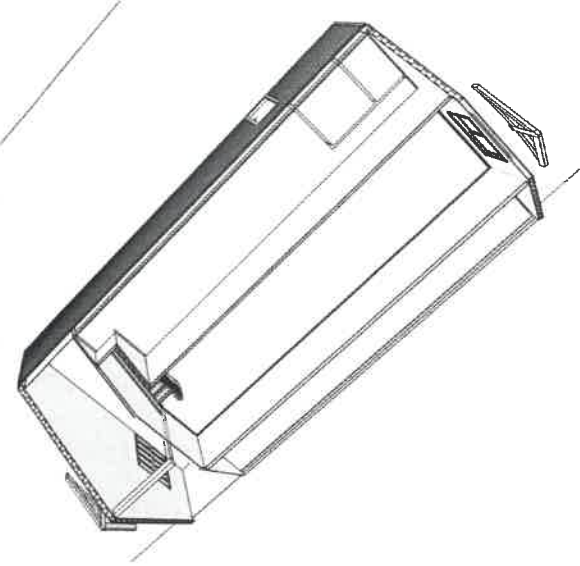
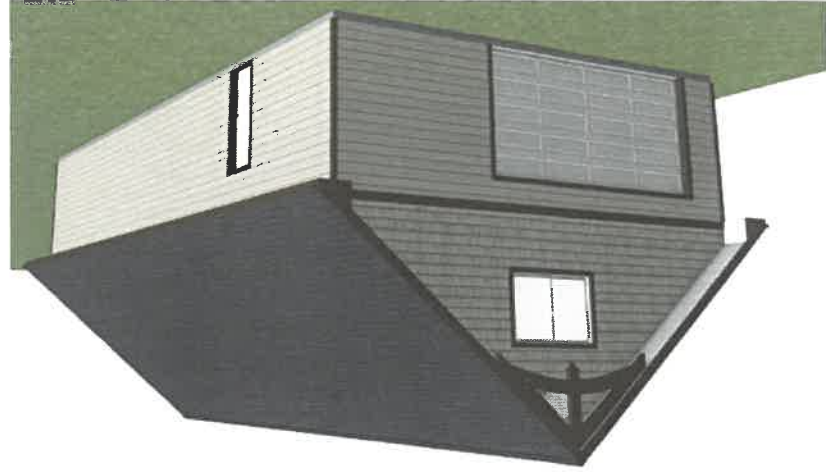
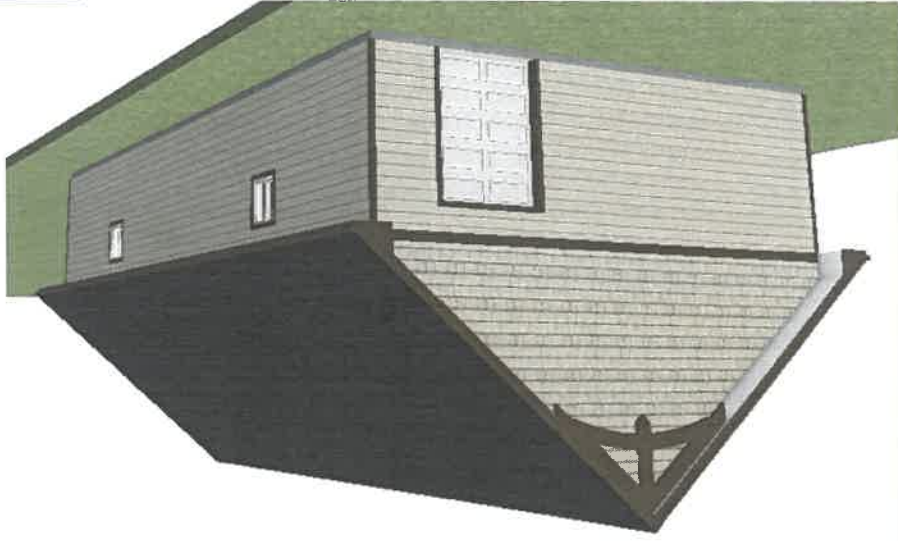
RIGHT & LEFT ELEVATIONS TITLE	SHEET NUMBER A-5.1
SCALE 3/16: 1'-0"	DATE JUNE 29

Reo & Mandy Olsen  
Garage - 1061 Walker Ave  
Fort Frances, Ontario  
NOT FOR PERMIT

May 24, 2022  
June 29



Box 646, Emo  
Ontario, P0W 1E0  
cell: 807-276-3815  
email: dan.dgmdesign@gmail.com  
BCIN: 102602  
Drawings provided by: Dan Mack BCIN 102062



SHEET NUMBER  
Overview  
TITLE

DATE  
JUNE 29  
SCALE  
No Scale

Reo & Mandy Olsen  
Garage - 1061 Walker Ave  
Fort Frances, Ontario  
NOT FOR PERMIT

May 24, 2022  
June 29

Box 646, Emo  
Ontario, P0W 1E0  
cell: 807-276-3615  
email: dan.dgmdesign@gmail.com  
BCIN: 102602  
Drawings provided by: Dan Mack BCIN 102062





BCIN: 102602  
email: dan.dgmdesign@gmail.com  
Drawings provided by: Dan Mack BCIN 102062  
Box 646, Emo  
Ontario, P0W 1E0  
Cell: 807-276-9815



May 24, 2022  
June 29

Reo & Mandy Olsen  
Garage - 1061 Walker Ave  
Fort Frances, Ontario  
NOT FOR PERMIT

SCALE  
3/16" = 1'-0"

DATE  
JUNE 29

MAIN  
FLOOR

SHEET NUMBER  
A-1.0

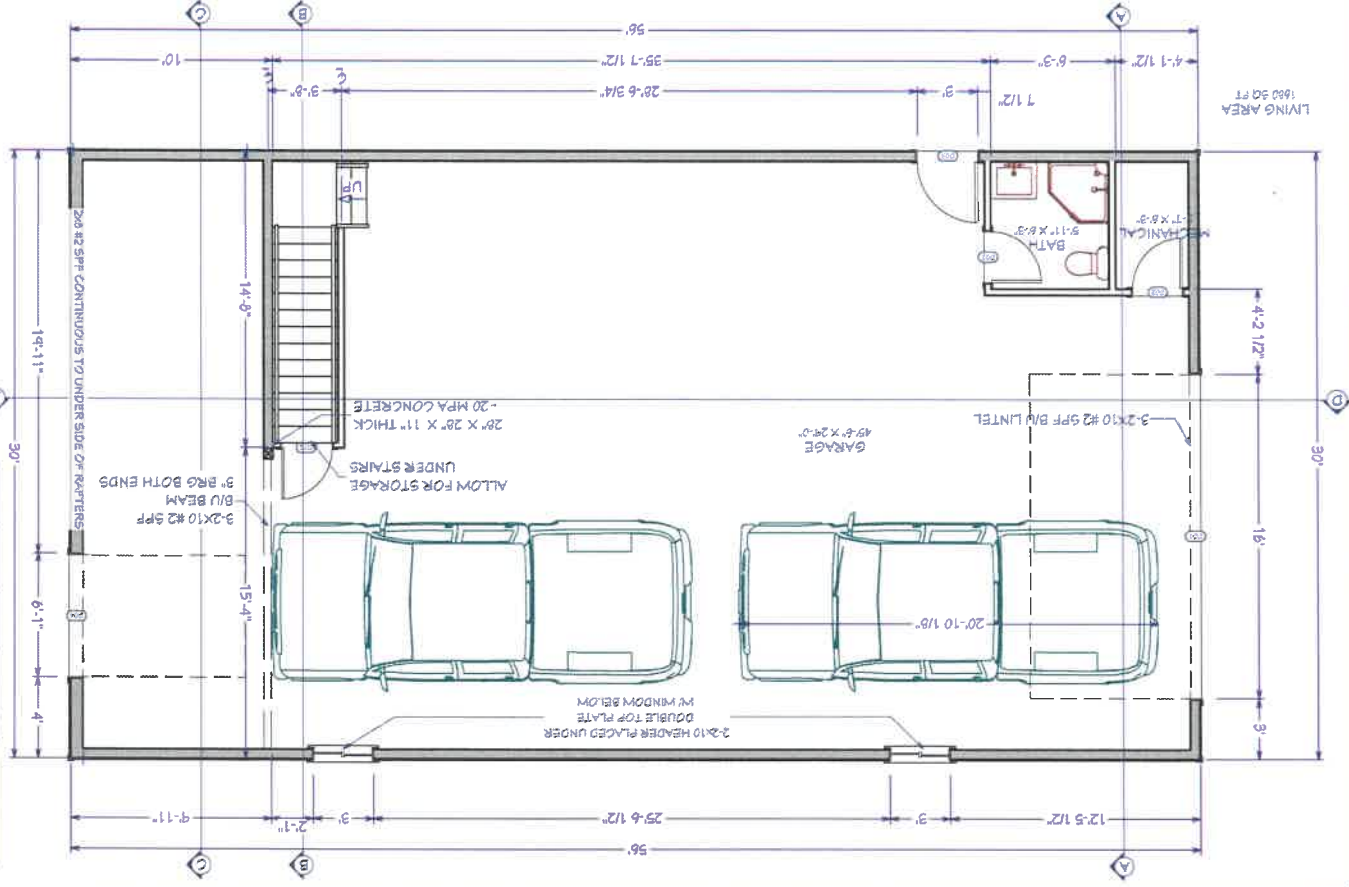
DATE

SHEET NUMBER

SCALE

TITLE

SHEET NUMBER



3D EXT.	NUMBER	QTY	WIDTH	HEIGHT	DESCRIPTION
D01	1	1	142"	46"	GARAGE-GARAGE DOOR P03
D02	3	3	30"	80"	HINGED-DOOR P04
D03	1	1	36"	80"	EXT. HINGED-SLAB
D04	1	1	72"	46"	GARAGE-GARAGE DOOR P01

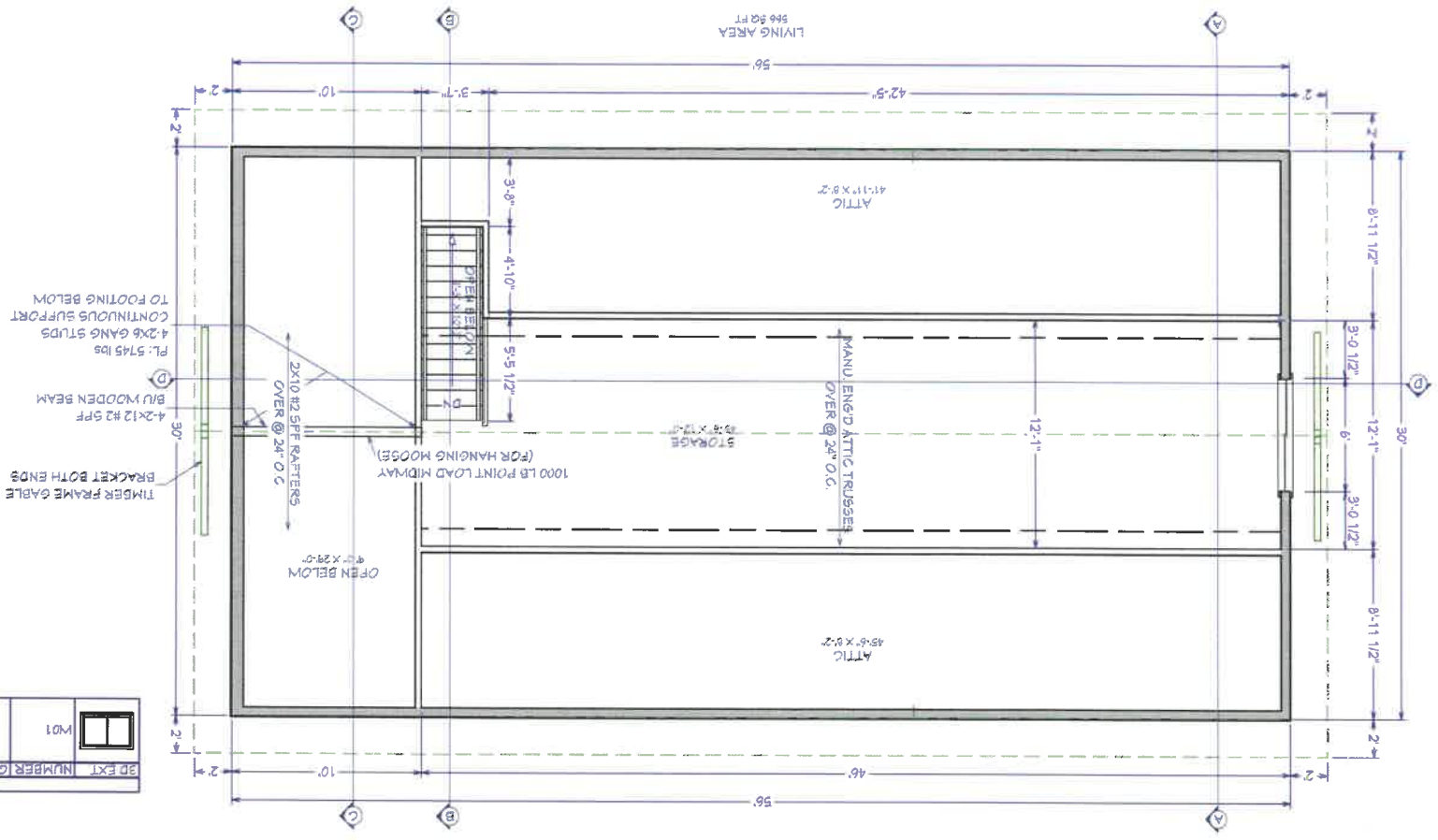
3D EXT.	NUMBER	QTY	WIDTH	HEIGHT	DESCRIPTION
W01	2	2	36"	32"	LEFT SLIDING

SHEET NUMBER <b>A-1.1</b>	DATE <b>JUNE 24</b>
TITLE <b>ATTIC</b>	SCALE <b>3/16" = 1'-0"</b>

**Reo & Mandy Olsen**  
Garage - 1061 Walker Ave  
Fort Frances, Ontario  
**NOT FOR PERMIT**

**DGM Design**  
Box 646, Emo  
Ontario, P0W 1E0  
cell: 807-276-3815  
email: dan.dgmdesign@gmail.com  
BCIN: 102602  
Drawings provided by: Dan Mack BCIN 102062

May 24, 2022  
June 29



WINDOW SCHEDULE					3D EXT	DESCRIPTION
W/O	NUMBER	QTY	WIDTH	HEIGHT		
W01	1	1	72"	48"		LEFT SLIDING

### 3.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

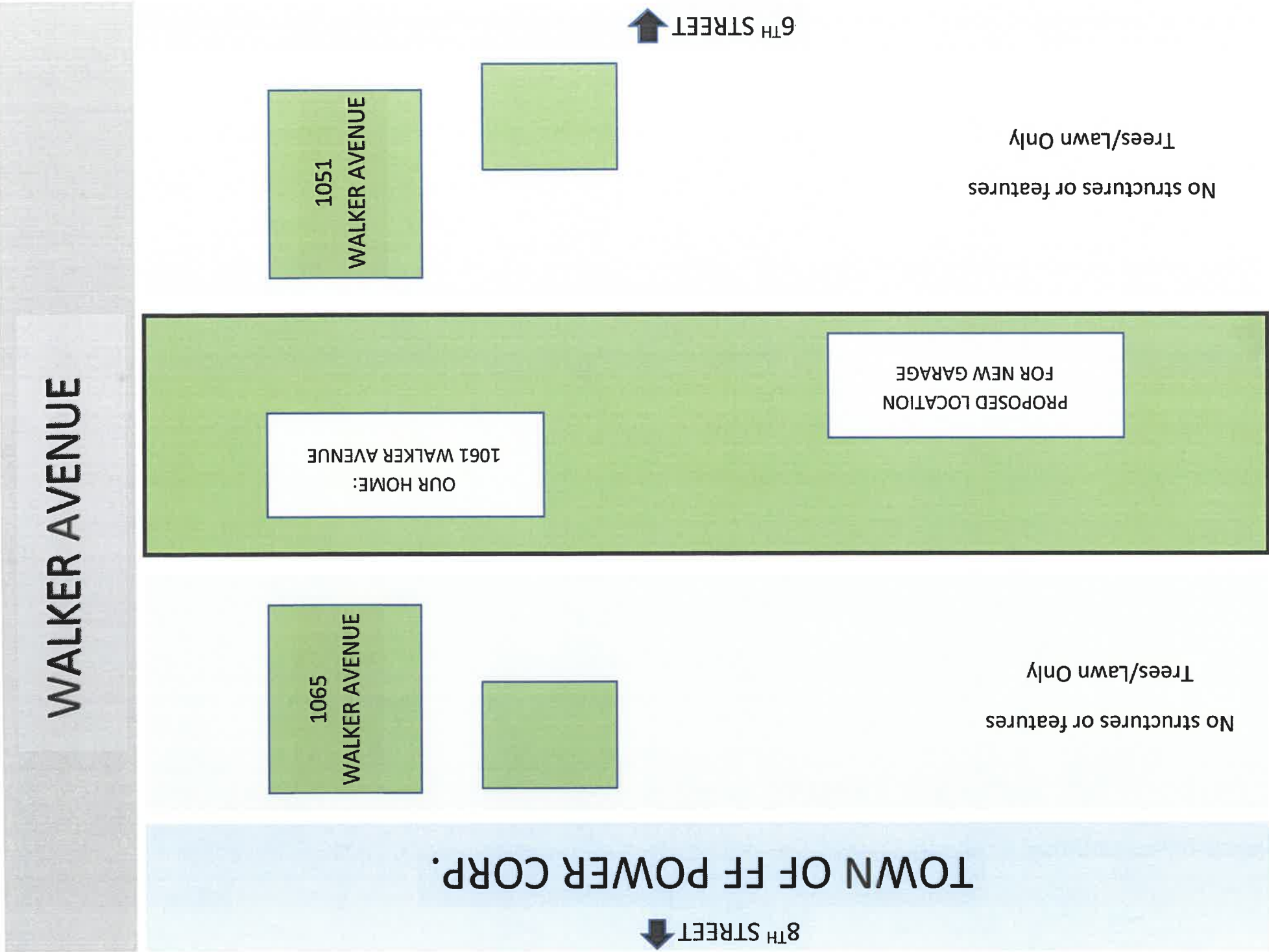
Accessory buildings or structures, are permitted in any yard, in any zone, subject to the provisions of this By-law for the particular zone in which said **building, structure, or use** is located, provided the principle building, structure or use is already in existence on the lot<sup>1</sup>, and provided that the accessory **building, structure or use**:

- a) shall not be used for human habitation, except where an accessory residential **use** is permitted **use**;
- b) accessory residential units above boat houses shall not be permitted;
- c) shall not be built closer to the **front lot line** than the minimum distance required by this By-law for the **main building** on the lot unless otherwise specified;
- d) shall not be located in the **front yard** or **exterior side yard** nor be built closer to the street than the **main building** is to that street except in an industrial zone where a gatehouse is permitted in the **front yard**;
- e) may be permitted in the **front yard** of a lot abutting a lake or river;
- f) shall not be built closer than 1.5 metres to any **lot line**;
- g) no detached accessory **building or structure** shall be located closer than 2.0 metres to a **main building** unless the accessory **structure** is a gazebo;
- h) shall not exceed 15 percent coverage of the total lot area;
- i) in a residential zone shall not exceed 5.0 metres in height, or contain more than one storey, except that where a **dwelling unit** is a permitted accessory use it shall not contain more than two storeys. In all other zones the maximum height shall not exceed 6.5 metres;<sup>23</sup>
- j) shall not be considered as an **accessory building or structure** if attached to the **main building** in any way except for an **accessory apartment dwelling** that is permitted above or behind a commercial or industrial use;
- k) shall not be considered an **accessory building or structure** if located completely underground;
- l) where a commercial retail use is permitted as an accessory use in an industrial zone, it shall be located within the **main building** or within 2.0 metres of the **main building** and shall not exceed 10% of the total floor area of the **main building** to a maximum of 280 square metres; and
- m) No land may be used for the purpose of a swimming pool capable of containing in excess of 0.6 metres (2 ft.) of water unless the pool is enclosed by a fence, or by the wall of a

<sup>1</sup> Amendment May 9, 2016 to clarify accessory use building uses

<sup>2</sup> Amendment 3/14-B – Sept. 8, 2014 – to correction to compensate for new definition of height

<sup>3</sup> Amended February 6, 2020



PAGE 1 OF 2  
PREPARED FOR Amanda Olson  
ON 2022/06/27 AT 12:07:36

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

56018-0918 (LT)

LAND  
REGISTRY  
OFFICE #48

ServiceOntario



PROPERTY DESCRIPTION: PCL BLK 3-5 SEC SM139; PT BLK 3 PL SM139 MCIRVINE PT 2, 48R1126; FORT FRANCES

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE  
ABSOLUTE

OWNERS' NAMES

WALTON, DUANE REO  
OLSON, AMANDA JENNIFER

CAPACITY SHARE

JTEN

RECENTLY:  
FIRST CONVERSION FROM BOOK

FIN CREATION DATE:  
2003/06/16

\* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT \* SUBJECT TO RESERVATIONS IN CROWN GRANT \*

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHRD
48R1126	1974/07/22	PLAN REFERENCE				
A76154	2000/10/27	TRANSFER		*** COMPLETELY DELETED ***	GERHARD, RANDY MORRIS GERHARD, IRIS JEAN	C
A76155	2000/10/27	CHARGE		*** COMPLETELY DELETED ***	CIBC MORTGAGES INC.	
A83245	2003/08/25	TRANSFER		*** COMPLETELY DELETED ***		
A83246	2003/08/25	CHARGE		*** COMPLETELY DELETED ***	POLLARD, DARREN WILLIAM	
A83923	2003/11/10	DISCH OF CHARGE		*** COMPLETELY DELETED ***	CIBC MORTGAGES INC.	
RD11026	2008/06/16	CHARGE	\$95,910	POLLARD, DARREN WILLIAM	CIBC MORTGAGES INC.	
RD11027	2008/06/16	DISCH OF CHARGE		*** COMPLETELY DELETED ***		
RD14331	2009/09/30	TRANSFER		*** COMPLETELY DELETED ***	POLLARD, DARREN WILLIAM	
		REMARKS: PLANNING ACT STATEMENTS			OLSON, AMANDA JENNIFER CAUL, BRADLY LORNE KENNETH	

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.  
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

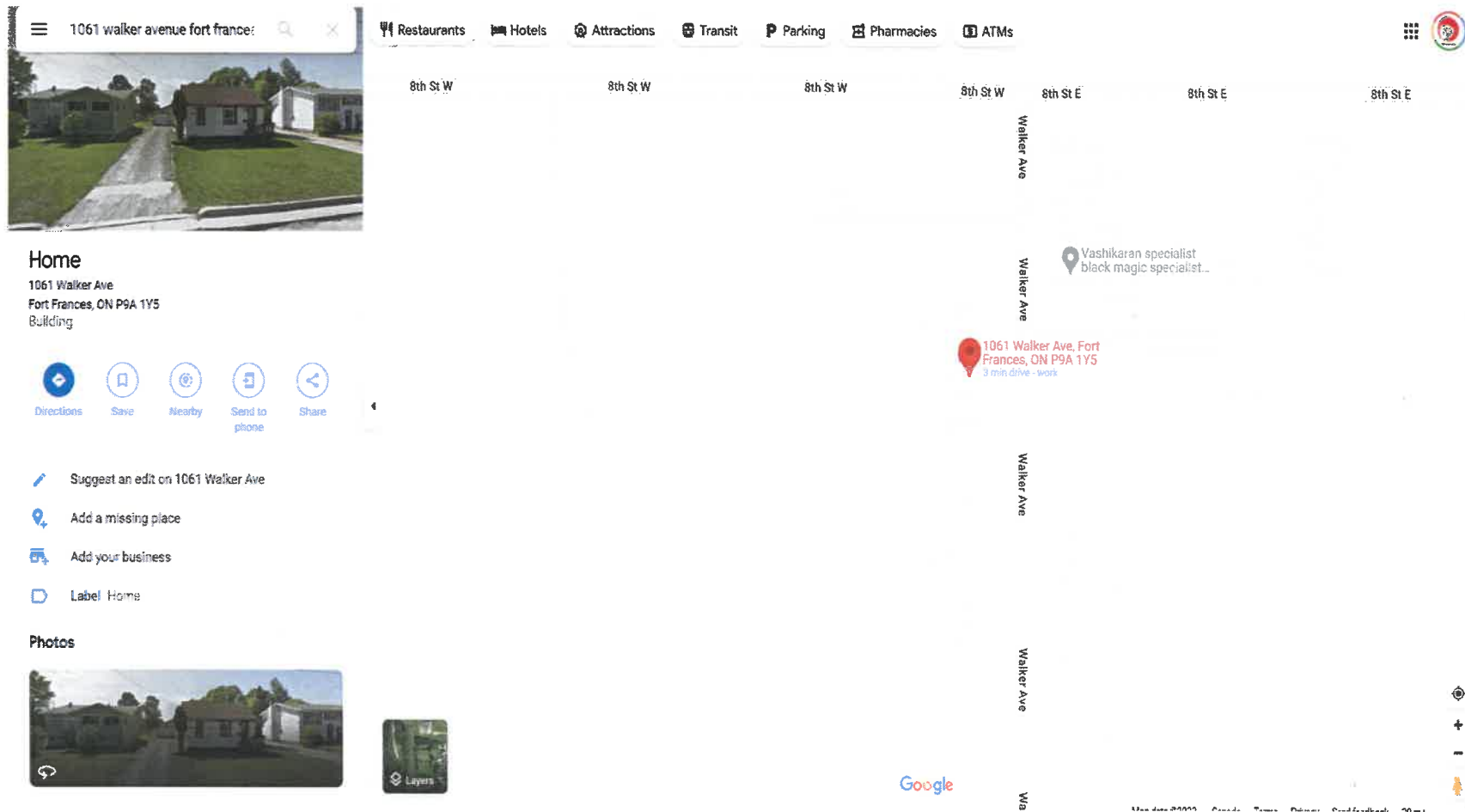
REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHRD
RD21064	2012/07/11	TEN		*** COMPLETELY DELETED *** LEGAL AID ONTARIO		
RD27517	2015/05/08	TRANSFER		*** COMPLETELY DELETED *** CAUL, BRADLY LORNE KENNETH OLSON, AMANDA JENNIFER	OLSON, AMANDA JENNIFER	
RD27518	2015/05/08	CHARGE		*** COMPLETELY DELETED *** OLSON, AMANDA JENNIFER		
RD27524	2015/05/11	DISCHARGE INTEREST		*** COMPLETELY DELETED *** LEGAL AID ONTARIO	CIBC MORTGAGES INC.	
RD30638	2016/07/27	CHARGE	\$112,000	OLSON, AMANDA JENNIFER	CANADIAN IMPERIAL BANK OF COMMERCE	C
RD30639	2016/07/27	DISCH OF CHARGE		*** COMPLETELY DELETED *** CIBC MORTGAGES INC.		
RD32874	2017/06/16	CHARGE		*** COMPLETELY DELETED *** OLSON, AMANDA JENNIFER	CANADIAN IMPERIAL BANK OF COMMERCE	C
RD37075	2019/02/07	TRANSFER		OLSON, AMANDA JENNIFER	WALTON, DUANE REO OLSON, AMANDA JENNIFER	C
RD37076	2019/02/07	CHARGE	\$140,000	OLSON, AMANDA JENNIFER WALTON, DUANE REO	CANADIAN IMPERIAL BANK OF COMMERCE	C
RD37129	2019/02/21	DISCH OF CHARGE		*** COMPLETELY DELETED *** CANADIAN IMPERIAL BANK OF COMMERCE		

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Google Map view of Walker Avenue with marker on existing home.



As shown on Google Map, there are no obstructions for any neighbour which will impact the utilizing or view of their backyard.



FROM HOME - LOOKING WEST INTO BACKYARD. NO STRUCTURES/OBSTRUCTIONS.





BACKYARD VIEW- SHOWS NO OBSTRUCTIONS OR IMPEDES BN VIEW.





BACKYARD  
VIEW.



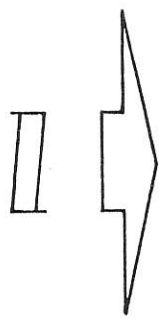




SURVEYOR'S REAL PROPERTY REPORT -  
PART 1  
PLAN OF

PART OF BLOCK 3, PLAN SM-139  
TOWN OF FORT FRANCES  
DISTRICT OF RAINY RIVER

SCALE: 1 : 500  
10 5 0 15 30 metres  
B. MASKELL LTD.  
1992



THIS PLAN MUST BE READ IN CONJUNCTION  
WITH PART 2, SURVEY REPORT DATED  
1992-10-13

METRIC

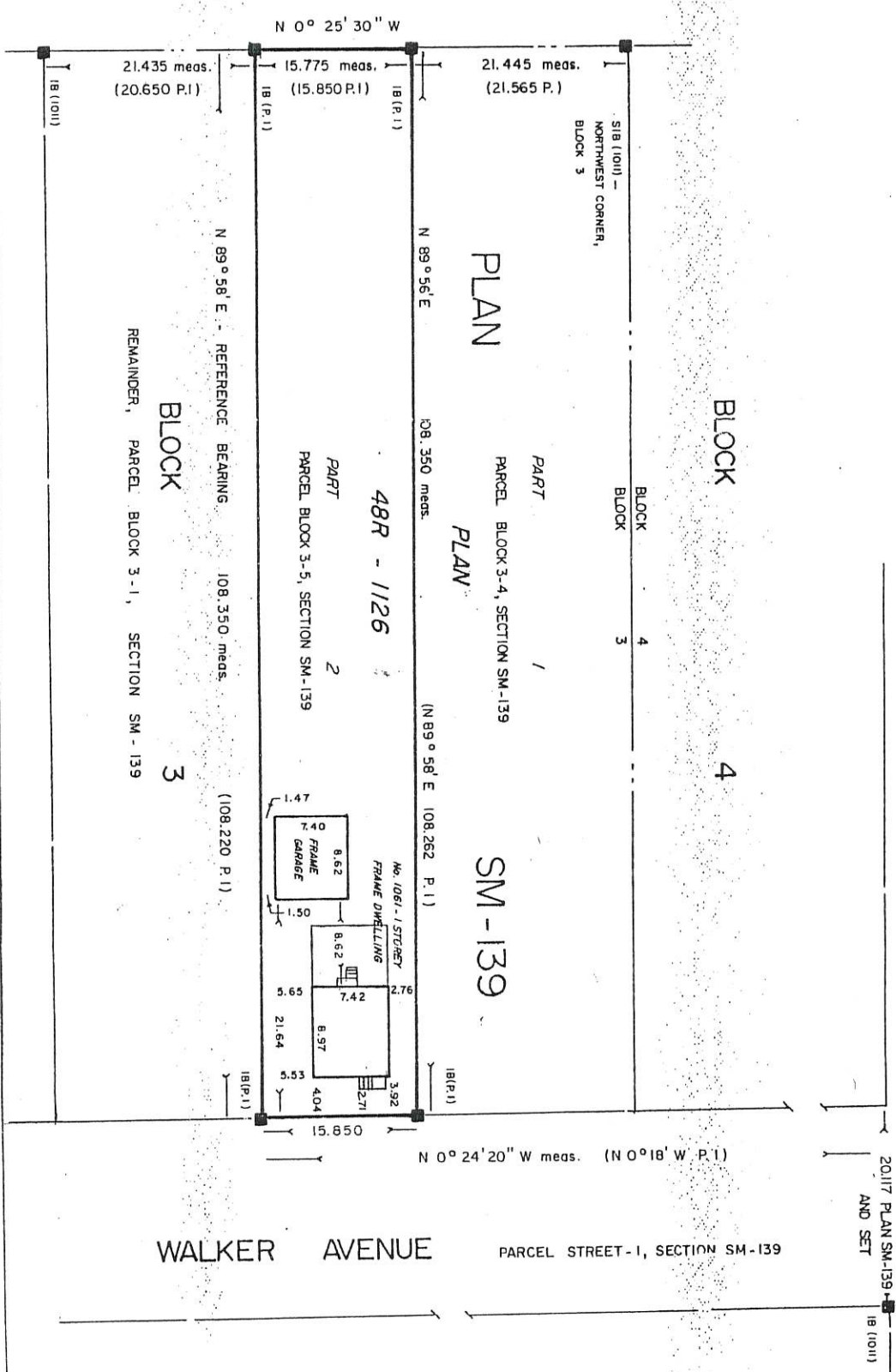
DISTANCES SHOWN ON THIS PLAN ARE  
IN METRES AND CAN BE CONVERTED TO  
FEET BY DIVIDING BY 0.3048.

NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO  
THE SOUTH LIMIT, PART 2, AS SHOWN ON PLAN  
48R-1126 HAVING A BEARING OF N 89° 58' E.

HUDSON'S BAY COMPANY RESERVE

PARCEL 8346 R.R.



LEGEND

P.I. PLAN 48R-1126  
(1011) H. SMITH, OLS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS  
COMPLETED ON THE 6th DAY OF OCTOBER, 1992.

1992-10-13  
ROSS BALMER  
ONTARIO LAND SURVEYOR

" Segl "

THIS IS NOT AN ORIGINAL COPY UNLESS  
EMBOSSED WITH SURVEYOR'S SEAL  
COPYRIGHT © B. MASKELL LIMITED 1992

B. MASKELL LIMITED  
ONTARIO LAND SURVEYORS  
THUNDER BAY and FORT FRANCES, ONTARIO

FILE: FF 9282  
THIS REPORT WAS PREPARED FOR  
J. LAFRENIERE  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR SUBSEQUENT USE  
BY OTHER PARTIES.

24.8.28



## SECTION 3 GENERAL PROVISIONS

### 3.1 ACCESS TO PROVINCIAL HIGHWAYS

Direct access onto a Provincial Highway shall be restricted. Development is encouraged to utilize municipal roads wherever possible. Access will only be considered to properties that meet the minimum safety and geometric requirements of the Ministry of Transportation prior to any construction.

In addition to all municipal requirements, all development located adjacent to Provincial Highways shall require all necessary permits from the Ministry of Transportation prior to any construction.

### 3.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

Accessory **buildings** or **structures**, are permitted in any **yard**, in any **zone**, subject to the provisions of this By-law for the particular **zone** in which said **building**, **structure**, or **use** is located, provided the principle building, structure or use is already in existence on the lot<sup>1</sup>, and provided that the accessory **building**, **structure** or **use**:

- a) shall not be used for human habitation, except where an accessory residential **use** is a permitted **use**;
- b) accessory residential units above boat houses shall not be permitted;
- c) shall not be built closer to the **front lot line** than the minimum distance required by this By-law for the **main building** on the **lot** unless otherwise specified;
- d) shall not be located in the **front yard** or **exterior side yard** nor be built closer to the street than the **main building** is to that street except in an industrial **zone** where a gatehouse is permitted in the **front yard**;
- e) may be permitted in the **front yard** of a lot abutting a lake or river;
- f) shall not be built closer than 1.5 metres to any **lot line**;
- g) no detached accessory **building** or **structure** shall be located closer than 2.0 metres to a **main building** unless the accessory **structure** is a **gazebo**;
- h) shall not exceed 15 percent coverage of the total **lot area**;
- i) in a residential **zone** shall not exceed 5.0 metres in height, or contain more than one **storey**, except that where a **dwelling unit** is a permitted accessory **use** it shall not contain more than two **storeys**. In all other **zones** the maximum height shall not exceed 6.5 metres;<sup>23</sup>
- j) shall not be considered as an **accessory building** or **structure** if **attached** to the **main building** in any way except for an **accessory apartment dwelling** that is permitted above or behind a commercial or industrial **use**;
- k) shall not be considered an **accessory building** or **structure** if located completely underground;
- l) where a commercial retail **use** is permitted as an accessory **use** in an industrial zone, it shall be located within the **main building** or within 2.0 metres of the **main building** and shall not exceed 10% of the total floor area of the **main building** to a maximum of 280 square metres; and
- m) No land may be used for the purpose of a swimming pool capable of containing in excess of 0.6 metres (2 ft.) of water unless the pool is enclosed by a fence, or by the wall of a

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<sup>1</sup> Amendment May 9, 2016 to clarify accessory use building uses

<sup>2</sup> Amendment 3/14-B – Sept. 8, 2014 – to correction to compensate for new definition of height

<sup>3</sup> Amended February 6, 2020

**building or structure**, or by a combination of walls and fences, at least 1.5 metres (4.92 ft) in height and despite any other provisions to the contrary, an outdoor swimming pool and its associated mechanical equipment, shall be located, altered, **erected** or renovated in accordance with the following provisions:

- i. An outdoor swimming pool shall be set back a minimum of 1.5 m (5 ft) from any **lot line**;
  - ii. No outdoor swimming pool accessory to a permitted residential **use** shall be located in any part of a front or exterior side yard; and
  - iii. Any filter, pumps, or similar operating machines are a minimum distance of 0.6 metres from any **lot line** and a minimum distance of 3.0 meters from any **main building**.
- n) A **storage container** shall not be used as an **accessory building or structure** except as may otherwise be permitted under this By-Law. Within the Industrial zone, storage containers may be permitted as an **accessory use** to the **principal or main use** but shall be used exclusively for the storage of goods and materials and shall not be used to accommodate work areas, shops, office uses, retail sales or human habitation.

### 3.3 ADEQUATE MUNICIPAL SERVICES

No land shall be used or the intensity of any **use** of land expanded or any **building** placed, **erected** or altered, enlarged or used within the **Town** of Fort Frances unless the land is serviced by municipal water and sewer systems that have adequate capacity, except under the following conditions:

- a) in the Resource<sup>1</sup> Development (RD) **Zone**, the Seasonal Residential (SR) **Zone**, or where municipal water and/or sewage systems are not available, private services approved by the Northwestern Health Unit may be permitted; or
- b) where the lands are subject to unique servicing constraints or restricted connection privileges through separate municipal by-laws and through legal and servicing agreement with the **Town** of Fort Frances, such lands are considered to be in compliance with this **By-Law**.

### 3.4 COMMUNITY GARDEN

Where a **community garden** is a permitted **use**, it shall be subject to the following conditions:

- a) All **accessory structures** shall comply with **accessory structure setbacks** as stipulated in the general provisions for **accessory uses**;
- b) Composting is limited only to the materials generated on site, and shall be used on-site and **lot coverage** for composting shall not exceed 5% of the **lot area**;
- c) Compost bins shall be rodent resistant and shall respect the **setbacks** for **accessory uses**;
- d) No off-street parking is required for a **community garden use**;
- e) Planting areas shall be **setback** from the property line a minimum of 1.5 m;
- f) Hoophouses and greenhouses are permitted **structures** in **community gardens** subject to height and **setback** requirements of the zone but not lot coverage requirements; and
- g) **Community garden** planting areas shall be designed and maintained to prevent water from irrigation, storm water and/or other activities and/or fertilizer from draining onto adjacent property.

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<sup>1</sup> Amended by 3-14-B – Sept 8, 2014 – to correct typographical error

#### **4.4 RESIDENTIAL TYPE ONE (R1) ZONE**

No **person** shall within a Residential Type One (R1) **Zone**, **use** any land or **erect**, alter or **use** any **building** or **structure** except in accordance with the following:

##### **4.4.1 Permitted Uses**

- a) single detached dwelling
- b) home occupation
- c) group home
- d) community garden

##### **4.4.2 Regulations for Permitted Uses**

- a) Minimum **Lot Area** 460 m<sup>2</sup>
- b) Minimum **Lot Frontage** 15 m
- c) Minimum Yard Requirements
  - Front Yard 7.5 m
  - Interior Side Yard 1.5 m
  - Exterior Side Yard 3.0 m
  - Rear Yard 7.5 m
- d) Maximum **Lot Coverage** 40%
- e) Minimum **Landscaped Open Space** 20%
- f) Maximum Height of Building 12 m
- g) Minimum Floor Area 79 m<sup>2</sup>