

# TOWN OF FORT FRANCES

## Committee of Adjustment

### AGENDA - July 18, 2016 5:00 PM

#### MEETING - Civic Centre - Committee Room

	Page
1. <b><u>Call to Order</u></b>	
2. <b><u>Non-agenda items</u></b>	
3. <b><u>Declarations, Municipal Conflict of Interest Act</u></b>	
4. <b><u>Minutes of Previous Meetings</u></b>	
4.1 Approval of the minutes of the March 28, 2016 meeting	2 - 3
5. <b><u>Committee Applications</u></b>	
5.1 C1- 2016 - 1411 Colonization Road W - Application for temporary use by-law to permit a garden suite	4 - 16
5.2 A2 - 2016 - 850 King's Highway - Minor Varince Application to reduce the side yard setback from 6m to 3.5m and buffer width from 3m to 1.5m	17 - 21
5.3 B1-2016 - Re-conveyance of H2O Power property for effluent line to Resolute Forest Products	22 - 31
5.4 B2-2016 - Easement over Resolute Forest Products Property for access to H2O Power transmission lines	32 - 39
5.5 B3-2016 - Easement over Resolute Forest Products Property for access to H2O Power canal walls for maintenance	40 - 54
5.6 B4-2016 - Easement over Resolute Forest Products property for access to H2O Power Sluice Gates for maintenance	55 - 65
6. <b><u>Other Business</u></b>	
6.1 Request from Wahkaihanun Futures for extension to deadline for paving of parking area - 237 Eighth Street West. Relief granted by Minor Variance A4 - 2011	66 - 68
7. <b><u>Outstanding Items</u></b>	
8. <b><u>Meeting Close</u></b>	

## TOWN OF FORT FRANCES

### MINUTES

### COMMITTEE OF ADJUSTMENT

March 28, 2016

The meeting of Committee of Adjustment of the Town of Fort Frances was held in the Public Library and Technology Centre - Shaw Room on March 28, 2016 from 5:00 p.m. to 6:09 p.m.

PRESENT: Cindy Mason, Irene Laing, Barry Jackson, Viktor Nowak, Vice-Chair

ALSO PRESENT: Bill Krag, Property Owner (5:00pm - 5:35pm), Travis Rob, Secretary

**1. Call to Order - 5:06pm**

**2. Non-agenda items**  
- None

**3. Declarations, Municipal Conflict of Interest Act**  
- None

**4. Minutes of Previous Meetings**

4.1 Approval of the Minutes of the December 7, 2015 Property Standards Appeal Committee Meeting

Mason - Laing THAT the minutes of the December 7, 2015 meeting of the property standards appeal committee be approved as circulated

CARRIED

4.2 Approval of the Minutes of the December 7, 2015 Committee of Adjustment Meeting

Mason - Laing THAT the minutes of the December 7, 2015 Meeting of the Committee of Adjustment be approved as circulated.

CARRIED

**5. Committee Applications**

5.1 A1-2016 - Minor Variance Application - 800 Scott Street

- The property owner was in attendance to discuss the development proposal and anticipated use. It became apparent that the proposed use was intended to be on a temporary basis while the property owner established his rental equipment business. The decision of the Committee was that the proposed use did not suit the property for a prolonged time and chose to deny the application. The recommendation of the committee was to suggest that the owner apply for a temporary use by-law to permit the storage for a temporary period.

Laing - Jackson THAT the application A1/2016 for 800 Scott Street, being and application for special permission to allow the on-site storage of equipment accessory to the principle, permitted use, of an office be denied

CARRIED

**6. Other Business**

6.1 OAPSO Presentation to OBOA - Property Standards Overview - Information

6.2 December 2015 OACA Newsletter - Information

7. Outstanding Items

- 7.1 Application A7-2015 - 501 Third Street West - T. Rob Verbal Update
  - A verbal update on this file and the resolution of the issues with the development was presented and the committee was informed that the development plans were changed to conform with the current zoning by-law and the file subsequently closed.

8. Meeting Close - 6:09pm

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

\_\_\_\_\_  
T. Rob, Chief Building Official

**Notice of Public Record:**

In accordance with section 1.0.1 of the Planning Act, RSO, 1990, all information and materials required in support of your application shall be made available to the public.

**Complete Application:**

All applicable sections of the application form must be completed. An incomplete application will be returned. For assistance, contact the Planning Department by phone at 807-274-5323 ex. 252 or by email at trob@fort-frances.com.



APPLICATION TYPE (check one)

- ☐ Zoning By-Law Amendment (section 34)
 ☐ Removal of Holding Provision (section 36)
 ☐ Removal of Interim Control By-Law (section 38)
 ☒ Temporary Use By-Law (section 39)

1. The name, address, telephone number and email address (if any) of the Applicant:

Thorsten and Lisa Ruppenstein (807) 274-9699  
 1411 Colonization Rd. West (807) 276-7819  
 Fort Frances, Ontario P9A 2T6  
 lruppenstein@mail.crcdsb.com

2. If known the names and full addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:

3. The current Official Plan designation of subject land:

4. Describe how the application conforms to the official plan of the municipality?

Construction of a granny suite that will be temporary and portable.

5. The current zoning of the subject land:

Residential

6. The nature and extent of the rezoning requested:

7. The reason why the rezoning is requested.					
To construct a 24' x 30' temporary and Portable granny Suite according to the planning and zoning by laws					
8. Is the subject land within an area where the municipality has pre-determined minimum & maximum density requirements or minimum or maximum height requirements?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide information relative to these requirements.					
9. The description of the subject land, such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number:					
Parcel 17103, Section Rainy River, Part Lot 45, River Range, McIrvine, designated as Part 1, Plan 48R2553, Town of Fort Frances, 1411 Colonization Rd. West					
10. The frontage, depth and area of the subject land (in metric):					
Frontage:	58.16	Depth:	177.85	Area:	10343.76
11. Is the application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide details of the official plan that deals with the matter					
12. Is the application to remove land from an area of employment?					
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, provide details of the official plan that deals with the matter.					
13. Is the subject land within an area where zoning with conditions may apply?					
Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions					
14. Is access to the subject land by provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way or by water?					



15. If access to the subject land is by water only, provide details of the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public land:	
16. Existing uses of the subject land:	
Residential	
17. Are there any buildings or structures on the subject land: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
18. If answer to question 17 is yes, provide, for each building or structure, the type of building or structure and the setback from the front lot lines, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:	
House: 56' from frontage and 32' from east boundary = 1180 sq. ft. Garage: 66' from frontage and 37' from west boundary = 896 sq. ft.	
19. The proposed uses of the subject land:	
Residential living	
20. Are any buildings or structures proposed for the subject land? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
21. If answer for question 20 is yes, provide, for each building or structure, the type of building or structure proposed, the setback from the front lot line, rear lot line and side lot lines, the height in metres of the building or structure and the dimensions or floor area of the building or structure:	
See attached	
22. If known,	
a. the date the subject land was acquired by the current owner:	2009
b. the date existing buildings or structures on the subject land were constructed:	
House: unknown Garage: 1983	
c. the length of time that the existing uses of the subject land have continued:	
23. Water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or by other means:	
Publicly owned + operated	

24. Whether sewage disposal is provided to the subject land by a publicly owned and operated piped sewage disposal system, a privately owned and operated individual or communal septic system, a privy or other means:		
Publicly owned + operated		
25. If the application permits development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report, and a hydrogeological report are required. Are these reports attached?		
a. a servicing options report,	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. a hydrogeological report	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26. Indicate whether storm drainage is provided by sewers, ditches, swales or other means:		
Sewers		
27. If known,		
a. is the subject land the subject of an application under the Act for approval of a plan of subdivision or a consent:      Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
If yes, provide file number and status of the application:		
b. has the subject land ever been the subject of an application under Section 34 of the Act: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
If yes, provide file number and status of the application:		
c. has the subject land ever been the subject of a Minister's Zoning Order? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
If yes, provide Ontario Regulation number of the Order:		

28. A sketch showing, in metric units, 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 the lot lines.
- c. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to it, and that in the applicant's opinion, may affect the application (*for examples buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks*).
- d. The current uses on 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 a 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.

29. Is the application for an amendment to the zoning by-law consistent with the policy statements issued under subsection 3(1) of the Act. Yes ☐ No ☐

30. Is the subject land within an area of land designated under any provincial plan or plans?  
Yes ☐ No ☐

31. If answer to question 30 is yes, does the application conform to the applicable provincial plan or plans?  
Yes ☐ No ☐

32. An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.



DECLARATION  
Of Applicant or Authorized Agent

I, Thorsten Ruppenstein of the Town of Fort Frances, in the District of Rainy River  
solemnly declare that:

All the statements contained in this application 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 and by virtue of the Canada Evidence Act.

DECLARED before me at the

Town of Fort Frances, in the

District of Rainy River, this \_\_\_\_\_

day of \_\_\_\_\_ 20\_\_

)  
)  
)  
)  
)  
)

Thorsten Ruppenstein

Signature of Applicant or  
Authorized Agent

\_\_\_\_\_  
Signature of Commissioner etc.

**PLEASE NOTE:**

1. *The Owner must complete the Owner's Consent.*
2. *If the applicant is not the Owner, the application must be accompanied by an Authorization of Owner.*
3. *12 copies of this application are required for processing accompanied by the required fee as outlined in current user fee by-law.*
4. *Application and fee to be filed with the Municipal Planner*
5. *It takes approximately 3 months to complete the process for a Zoning Amendment Application.*
6. *It is strongly recommended that you consult with the Municipal Planner to ensure the timelines of your application coincide with your development proposal.*

COMPLETE IF APPLICANT IS THE OWNER

OWNER'S CONSENT

I, \_\_\_\_\_, am the owner of the land that is the subject of this application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

\_\_\_\_\_  
Date

  
Signature of Owner

COMPLETE IF APPLICANT IS NOT THE OWNER

AUTHORIZATION OF OWNER

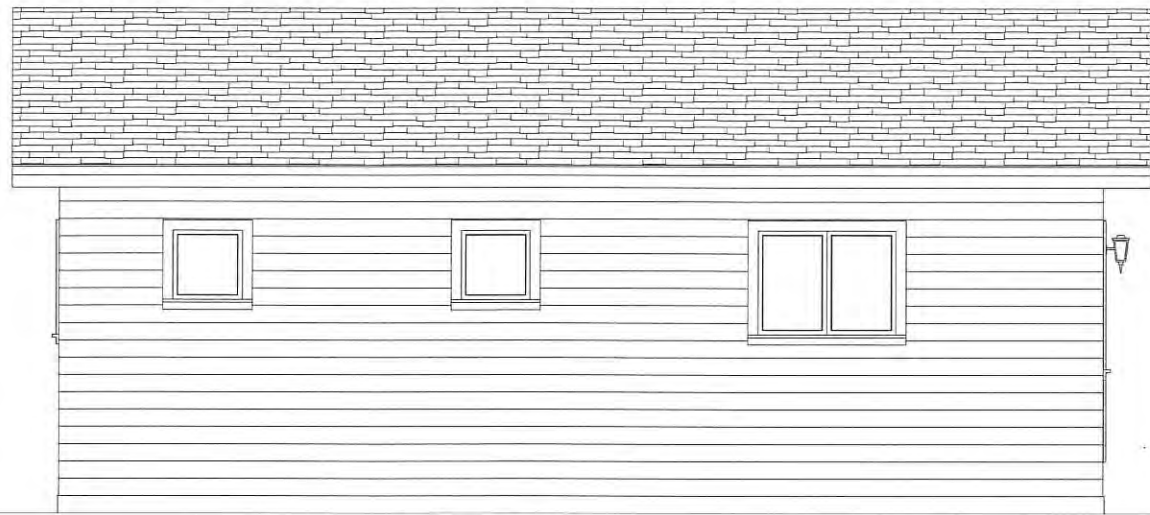
I, \_\_\_\_\_, am the owner of the land that is the subject of this application for zoning amendment and, for the purpose of processing and the Freedom of Information and Protection of Privacy Act, I authorize \_\_\_\_\_ to act as my agent for this application and provide any of my personal information that will be included in this application or collected during the processing of the application and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application

\_\_\_\_\_  
Date

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





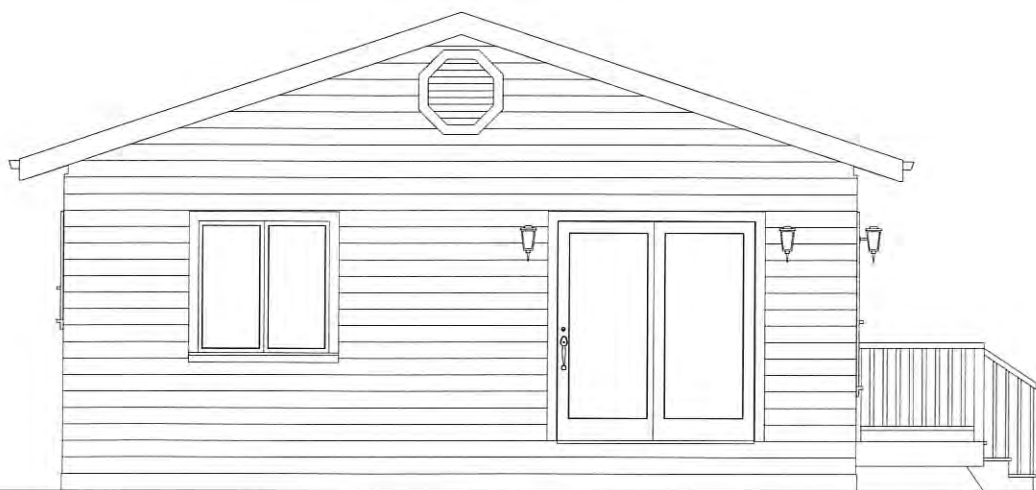
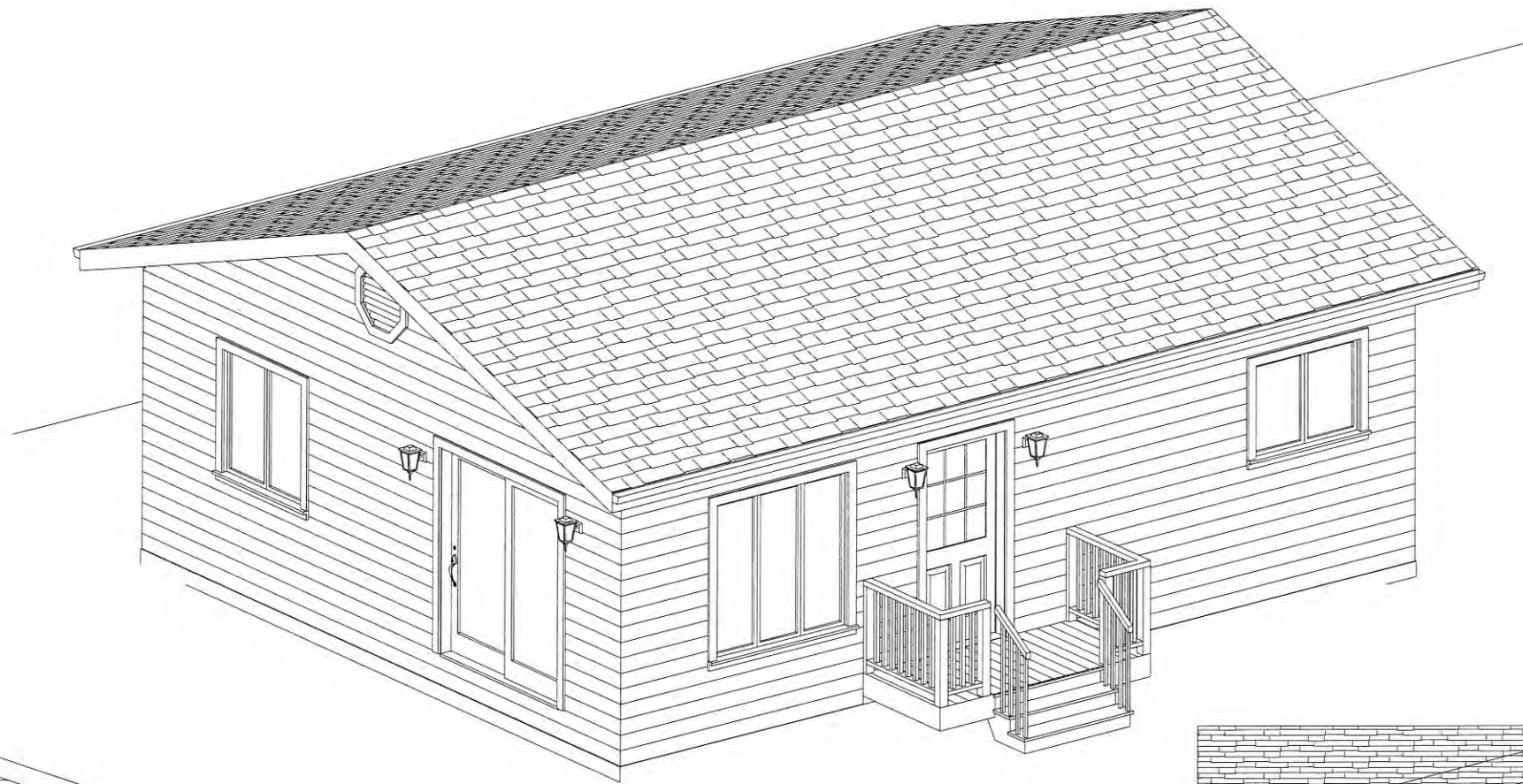


BACK

24"X24" OCTAGON VENT



RIGHT



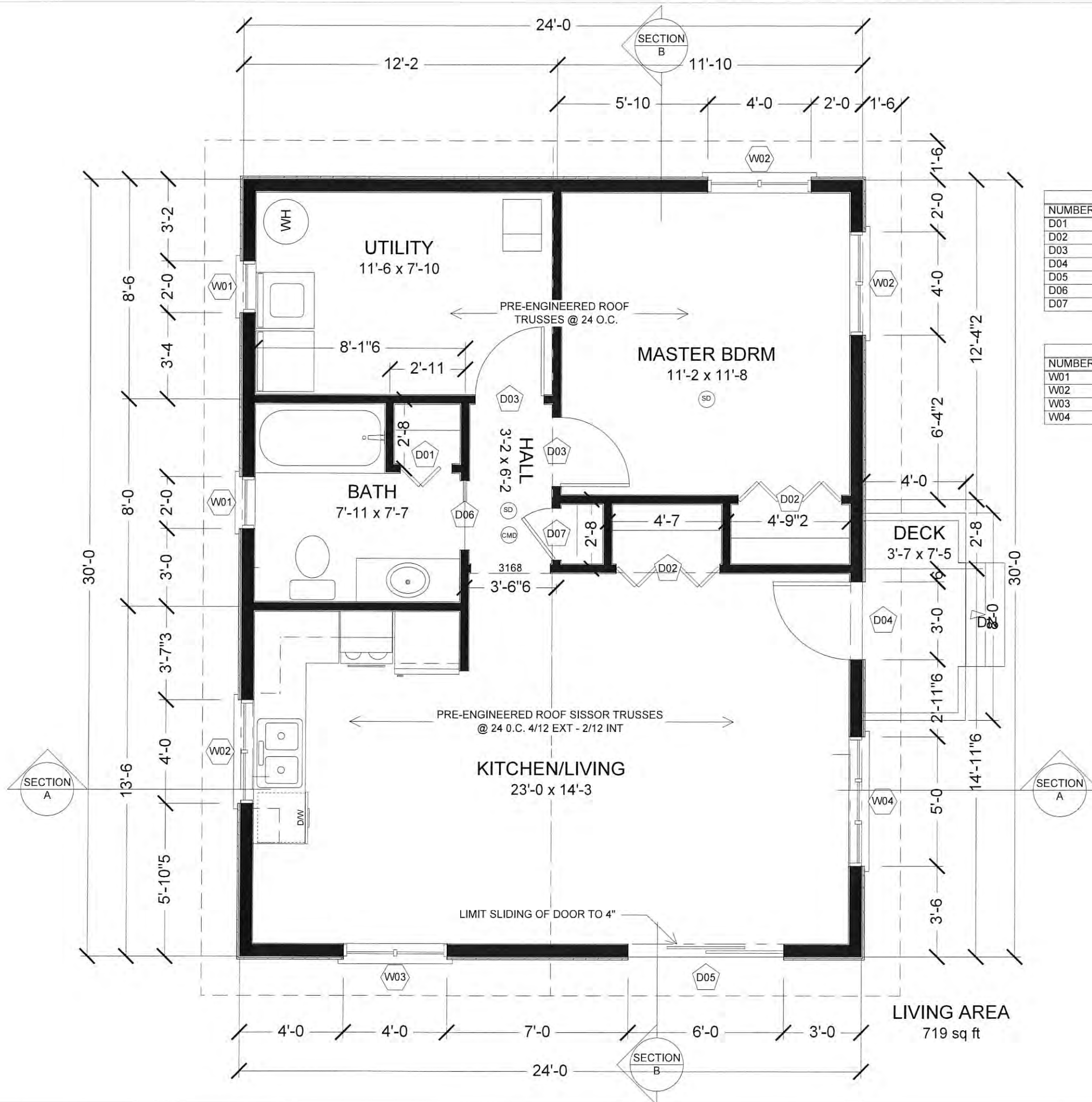
LEFT



FRONT

# ELEVATIONS

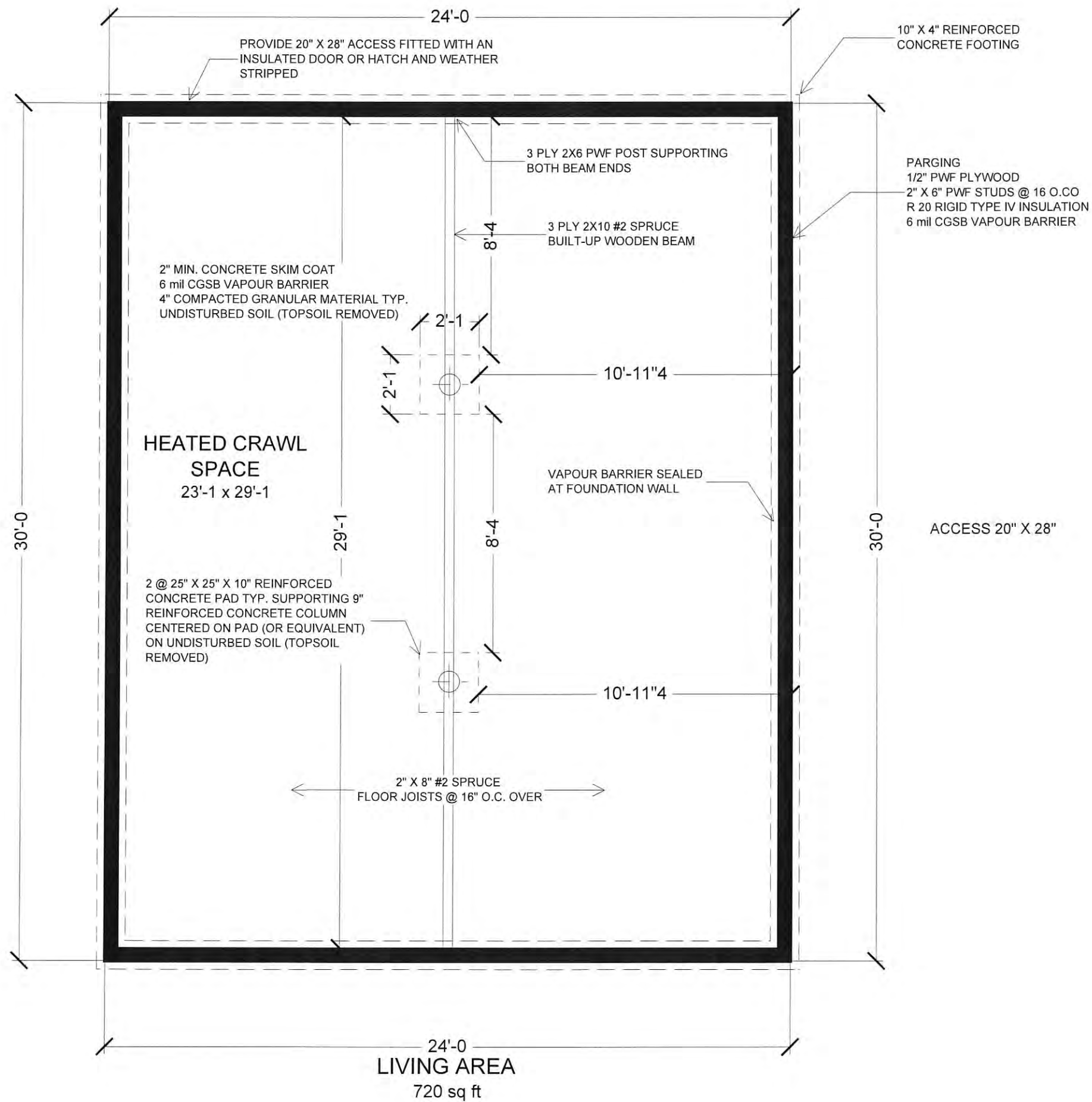




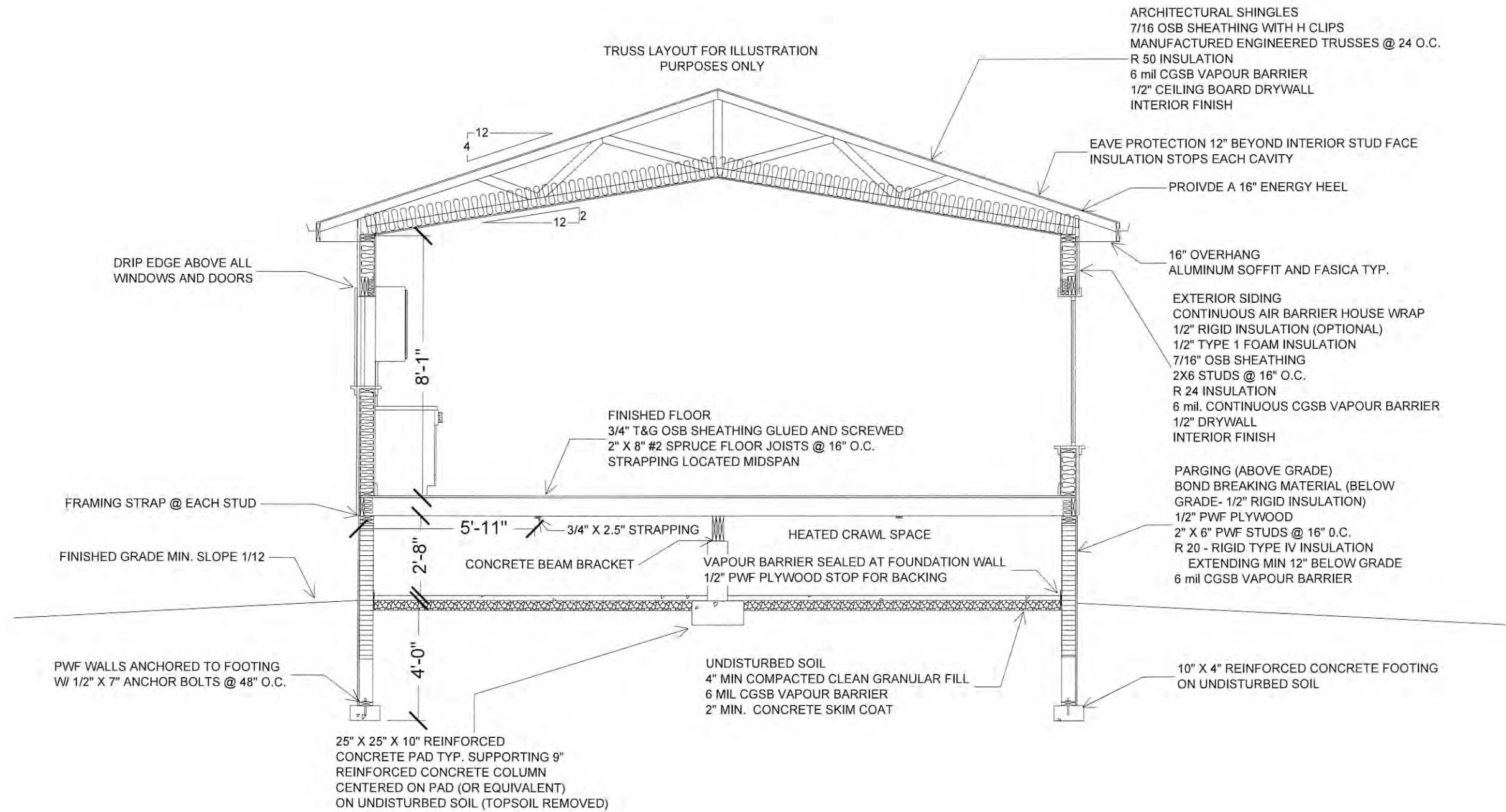
DOOR SCHEDULE - MAX U-VALUE 1.6					
NUMBER	QTY	DIMENSIONS	R/O	DESCRIPTION	HEADER
D01	1	24X80"	25X81 1/2	BIFOLD 2-PANEL	2X6X28 (2)
D02	2	24X80"	49X81 1/2	BIFOLD 2-PANEL	2X6X52 (2)
D03	2	32X80X1 3/8"	33X81 1/2	4-PANEL	2X6X36 (2)
D04	1	36X80X1 3/4"	37X81 1/2	EXT. 9 LITE, 2 PANEL	2X6X40 (2)
D05	1	72X80"	73X81 1/2	EXT. SLIDER-GLASS	2X8X76 (2)
D06	1	32X80X1 3/8"	33X81 1/2	POCKET 4-PANEL	2X6X36 (2)
D07	1	24X80X1 3/8"	25X81 1/2	4-PANEL	2X6X28 (2)

WINDOW SCHEDULE - MAX U-VALUE 1.6					
NUMBER	QTY	DIMENSIONS	R/O	DESCRIPTION	HEADER
W01	2	24"X24"	25X25 1/2	AWNING	2X6X28 (2)
W02	3	48"X36"	49X37 1/2	DBL CASEMENT-LHL/RHR	2X6X52 (2)
W03	1	48"X48"	49X49 1/2	DBL CASEMENT-RHL	2X6X52 (2)
W04	1	60"X60"	61X61 1/2	TRIPLE CASEMNT-LHL/RHR2X8X64	(2)

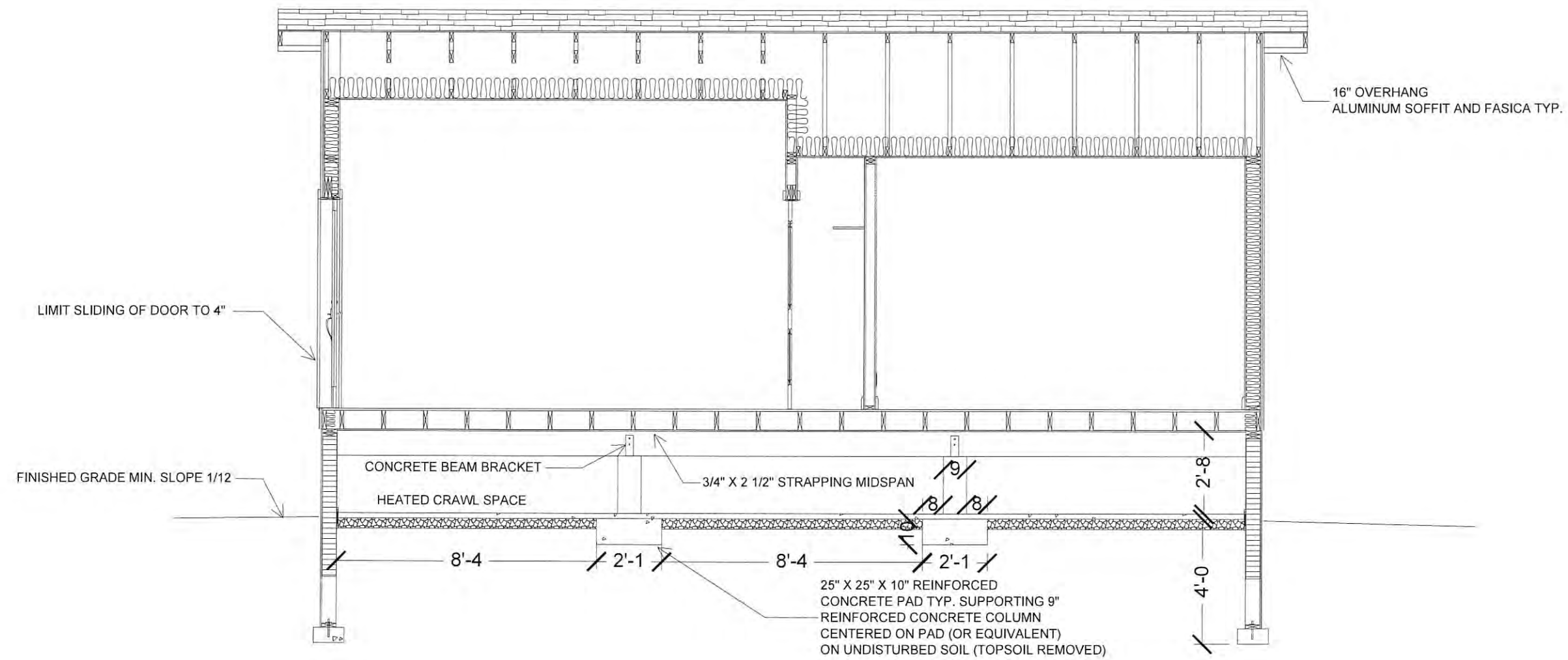
MAIN FLOOR PLAN



# FOUNDATION PLAN



WALL SECTION A:A



WALL SECTION B:B





File No **A-**

APPLICATION FOR MINOR VARIANCE  
OR FOR PERMISSION

The undersigned hereby applies to the Committee of Adjustment for the **TOWN OF FORT FRANCES** under Section 45 of the **Planning Act, 1990** for relief, as described in this application, from By-Law No. 8/98 (as amended).

1. Name of Owner: 2291523 Ontario Inc  
Telephone Number: (519) 998-8499
2. Address: \_\_\_\_\_
3. Name of Agent (if Any) Antech Design & Engineering Candice Micucci  
Telephone Number: (705) 492-9422 candice.micucci@antechdesign.com  
Address: 32 Zatonski Ave, Brantford, On, N3V 1G1

NOTE: Unless otherwise requested, all communications will be sent to the agent, if any.

4. Names and addresses of any mortgagee, holders or charges or other encumbrances:  
\_\_\_\_\_  
\_\_\_\_\_

5. Street Address, where applicable, and Legal description of subject land (registered plan number and lot number or other legal description).

850 Kings Highway, PCL 18234 Sec Rainy River, Pt  
Lt 39, River Range, McIrvine Designated as Pt 4, 48R2376  
Fort Frances

6. Nature and extent of relief applied for:

Side yard setbacks from 6m to 3.5m  
buffer from 3.0m to 1.5m

7. Why is it not possible to comply with the provisions of the by-law?

existing narrow lot of record

8. Dimensions and land affected: Frontage: 24.8m  
Depth: 54.35m  
Area: 1378.3 m<sup>2</sup>  
Width of Street: \_\_\_\_\_

9. Particulars of all buildings and structures on or proposed for the subject land (Specify ground floor area, gross floor area, number of storeys, width, length, height, etc.)

Existing: existing dwelling - 72.1m<sup>2</sup>

Proposed: car wash/oil change building 136m<sup>2</sup>

Location of all buildings and structures on or proposed for the subject land (Specify distance from side, rear, and front lot lines);

Existing: Front - 12.27m, Side - 4.05m, side - 10.66m,  
rear - 36.07m

Proposed: Front - 13m, side 5.9m, side - 4.5m, rear - 31.9m

10. Date of Acquisition of Subject Land: March 13, 2016

11. Date of construction of all buildings and structures on subject land.

unknown

12. Existing uses of the subject property: commercial/residential

13. Existing uses of abutting properties: commercial

14. Length of time the existing uses of the subject property have continued:

unknown

15. Municipal services available (check services property is connected to):

Water ☒

Sanitary Sewers ☒

Storm Sewers ☒

16. Present Official Plan provisions applying to the land: Employment Area

17. Present Zoning By-Law provisions applying to the land: Enterprise

18. Has the Owner previously applied for relief in respect of the subject property?

Yes ☐

No ☒

If the Answer is yes, describe briefly:

19. Is the subject property, the subject of a current application for consent under section 53 of the Planning Act, 1990. Yes ☐ No ☒

20. **DECLARATION** of Applicant or Authorized Agent

I/We, Candice Micucci of the Town of Fort Frances, in the District of Rainy River 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 \_\_\_\_ day of \_\_\_\_\_, 20\_\_ )

Candice Micucci

Signature of Applicant or

Authorized Agent

\_\_\_\_\_  
Signature of Commissioner etc.

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**CONSENT OF OWNER**  
**USE AND DISCLOSURE OF PERSONAL INFORMATION**  
(is not required if owner is a Corporation)

I/We 2291523 Ontario Inc, the owner(s) of the land that is the subject of this application 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.

\_\_\_\_\_  
Date

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

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

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**OWNER' S PERMISSION TO ENTER**

I/We hereby 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 that are the subject of this application, namely 850 Kings Highway for the purpose of evaluating the merits of this application and for so doing, this shall be good and sufficient authority.

\_\_\_\_\_  
Date

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

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

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If the applicant is not the owner of the land that is the subject of this application, complete the following page.

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AUTHORIZATION AND ACKNOWLEDGEMENT OF OWNER FOR AGENT

I/We , 2291523 Ontario Inc of the Town of Fort Frances, in the District of Rainy River, as the owner(s) of the land that is the subject of this application, hereby authorize and instruct Antech Design & Engineering act as my agent and make this application on my behalf and acknowledge that information requested on this form is collected under the authority of The Planning Act, R.S.O. 1990, Chapter P13, as amended and will assist in the processing of the application and will become part of a public record.

\_\_\_\_\_  
Date

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

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

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## APPLICATION FOR CONSENT

FOR OFFICE USE ONLY		
<b>File Number:</b>		
<b>Property:</b>	<b>Roll #:</b>	
<b>Date Application Received:</b>	<b>Date Fee Received:</b>	
<b>Date Application Complete:</b>	<b>Receipt #:</b>	<b>Application Fee: \$</b>

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

### 1. Applicant Information

▶ 1.1	Name of Applicant <b>H2O Power Fort Frances Inc.</b>	Home Telephone No.	Business Telephone No. <b>905 438 8539</b>
	Address <b>560 King St. West, Unit 2, Oshawa, Ontario</b>	Postal Code <b>L1J 7J1</b>	
▶ 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)	Home Telephone No.	Business Telephone No.
	Address		Postal Code
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 <b>Fort Frances</b>	Township <b>MCIRVINE</b>	Property Roll No. <b>5912-010-001-10725</b>
	Part of Block 2 plan M 149 Township of McIrvine being PARTS 1, 2, AND 3 REFERENCE PLAN 48R 4138, CONTAINING 0.26 HECTARES (PARTS 1 & 2 REFERENCE PLAN 48R 4169 ARE PART OF PART 2 48R 4138)		Pin Number. <b>56018 2248</b>
▶ 2.2	Are there any easements or restrictive covenants affecting the subject land? <span style="float: right;"><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes</span>		
	If Yes, describe each easement or covenant and its effect <b>PART 1 48R 4138 IS SUBJECT TO AN EASEMENT TO ONTARIO HYDRO (HYDRO ONE) AS IN A26494 and A59117</b> <b>RD 9877 PROVIDES AN EASEMENT OVER PART 3 48R 4138 AND PARTS 1 AND 2 48R4169 TO ABITIBI-CONSOLIDATED INC. (RESOLUTE FP CANADA INC.) TO MAINTAIN EFFLUENT LINE</b>		

PARTS 1, 2, & 3 48R 4138 IS SUBJECT TO AN EASEMENT TO ABITIBI-CONSOLIDATED INC.  
(RESOLUTE FP CANADA INC.) AS IN RD 9882

- 2.3 Is there a mortgage or other encumbrance on title to the subject land? ☐ No ☒ Yes  
If Yes, provide name, full mailing address and contact information of encumbrance holder

No mortgages registered.

WESTCOAST POWER INC, PARK PLACE, 666 BURNARD ST., SUITE 600, VANCOUVER, BC  
V6C 2X8 (ATTN: KELLY WHARTON)

RESOLUTE FP CANADA INC. 111 Duke Street, Suite 5000, Montreal, Quebec, H3C 2M1

### 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

Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged

- 3.2 Transferred to Resolute FP Canada Inc. Reserving an easement to benefit Pins 56018-2248  
and 2247 (H2O Power Fort Frances Inc.)

- 3.3 If a lot addition, identify the lands to which the parcel will be added. Also show on accompanying sketch.  
Lands to be added to pin 56018 2246

### 4. Existing or Proposed servicing information regarding the subject land.

		(complete each section)	Severed	Retained
► 4.1 Dimensions	REFERENCE PLAN PARTS		PARTS 1 & 2 REF PLAN 48R 4169 AND PART 3 REF PAN 48R 4138	PART 2 48R 4138 except of Parts 1 and 2 of 48R 4169 and Part 1 REF PLAN 48R 4138
	Depth (m) (# of ft. x .3048)			
	Area (ha.) (# of acres x .4047)		0.069 HA	0.190 HA
► 4.2 Use of Property	Existing Use(s)		Hydro transformer station	Hydro transformer station
	Proposed Use(s)		Paper mill	Same as above
► 4.3 Buildings or Structures	Existing		None	Hydro transformers
	Proposed		None	Same as above
► 4.4 Access ( ✓ appropriate space)	Provincial Highway (secondary or primary)			
	Municipal Road (maintained all year)			
	Municipal Road (seasonally maintained)			

► 4.5	<b>Water Supply</b> ( ✓ appropriate space)	Other Public Road		
		Right of Way	Yes	Yes
		Publicly owned & operated piped water system	Yes	Yes
		Privately owned & operated individual well		
		Privately owned & operated communal well		
		Lake or other water body		
		Other means		
► 4.6	<b>Sewage Disposal</b> ( ✓ appropriate space)	Publicly owned & operated sanitary sewage system	Yes	Yes
		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	<b>Other Services</b> ( ✓ 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.

**Easement over parts 4, 5, and 6 48R 4138 as in RD 9878. Current owner Resolute FP Canada Inc. is responsible for maintenance.**

## 5. Land Use

► 5.1

What is the existing Official Plan designation(s), if any of the subject land?

Employment Area

5.2

What is the zoning, if any, of the subject land?

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	No	No
A landfill	No	No
An industrial or commercial use (specify uses)	Hydro Transformer Station	Pulp and Paper Mill
An active railway line	No	No
A Municipal Airport	No	No



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## 6. History of the Subject Land

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- 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

**In 2006 the consent was granted to sever the subject lands from the adjacent lands subject an easement as set out in RD 9877 (file B2/2006. Consent granted by committee of adjustment July 17, 2006, ratified by the Ontario Municipal Board December 21, 2006.**

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- 6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

**New Proposal**

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- 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.

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## 7. Current Applications

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- 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.

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## 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

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- 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.
- The effluent pipeline that transfers mill waste to the lagoon system north of 8<sup>th</sup> Street is located on the lands to be transferred to Resolute FP Canada Inc. This will return the ownership of the land that the effluent line traverses to Resolute FP Canada Inc. and clarifying the responsibility under the Environmental Protection Act.**
- the wording in the draft schedule is as follows: "..., a right-of-way and easement for general use of the Burdened Lands and a right-of-way and easement for ingress to and egress from the Benefiting Lands for the Transferor in common with the Transferee, its successors in title to the Burdened Lands and its and their respective duly authorized lessees, sublessees, invitees, licensees, employees, workers, agents, contractors and subcontractors, to construct, maintain, operate, use, examine, repair, replace, relocate, reconstruct, alter and remove at any time and from time to time a driveway upon, over, in, along, through, under and across the Burdened Lands and to enter on and to pass and repass at any and all times in, over, along, upon, across, through and under the Burdened Lands with or without vehicles, supplies, machinery and equipment...."**
-

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## 10. Signature and Statutory Declaration

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► 10.1 Signature and Statutory Declaration of Applicant

As an Officer of H2O Power Fort Frances Inc. with head office in the City of Oshawa In the Province of Ontario, I make oath and say OR solemnly declare that all 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.

Sworn/Declared before me at

the City of Oshawa

in the Province of Ontario

this 19 day of April, 2016

Julie Stevens  
Commissioner for Oaths, etc.

}

Jim Oartshore  
Name: Jim Oartshore  
Title: President

Julie Elizabeth Stevens, a Commissioner, etc.,  
Province of Ontario, for Kelly Greenway Bruce,  
Barristers and Solicitors.  
Expires October 23, 2018.

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## 11. Notice of Collection – Municipal Freedom of Information and Protection of Privacy Act

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- 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. 236.

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## 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 \_\_\_\_\_ the owner of the land that is the subject of this application and, as evidenced by my signature below, I hereby authorize \_\_\_\_\_ 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.

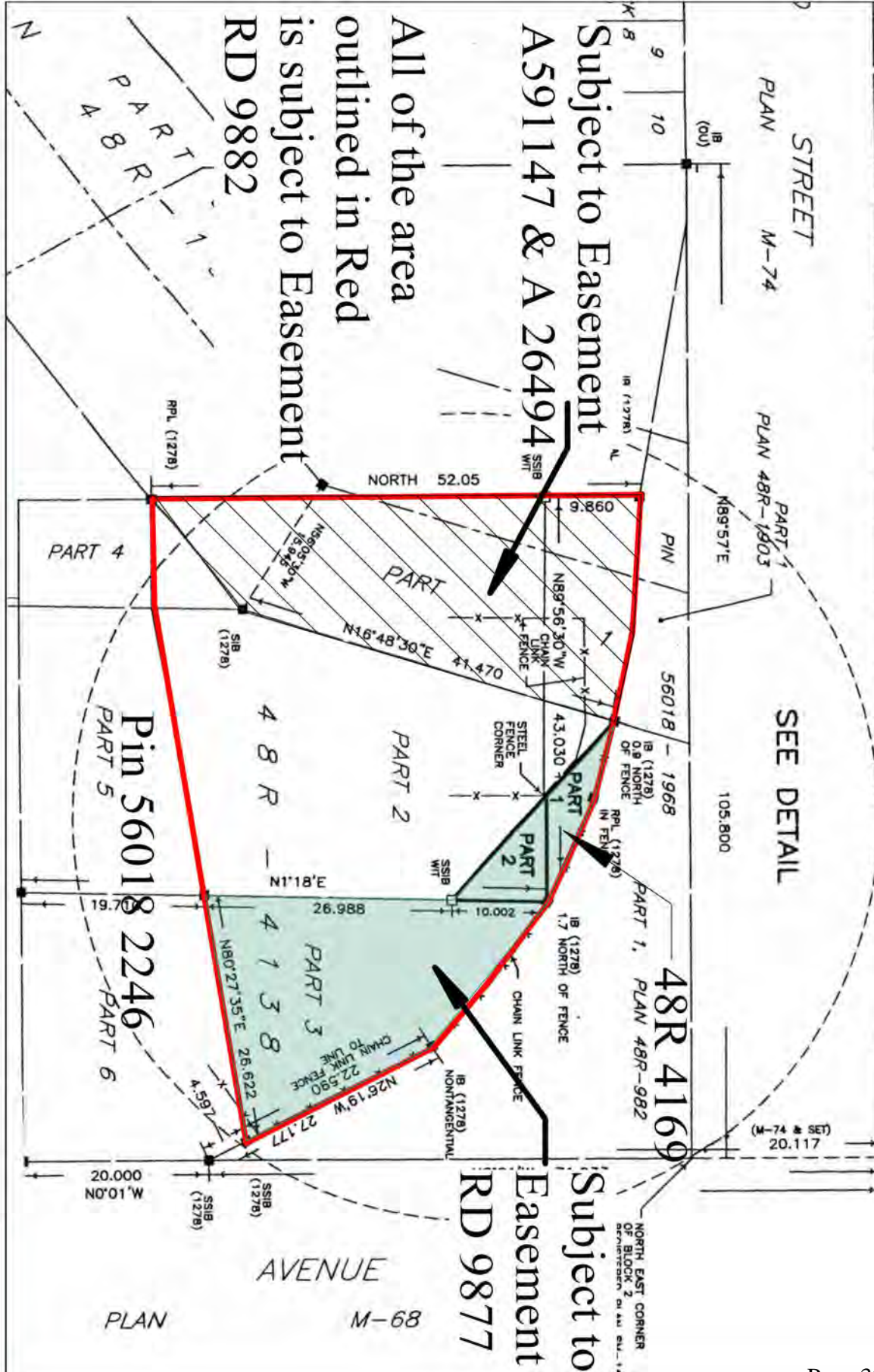
\_\_\_\_\_  
Date







REDD	PLAN	M-74	LOT 42
BLOCK		9	



Pin 56018 2248 ————— To be added to Pin 56018 2246

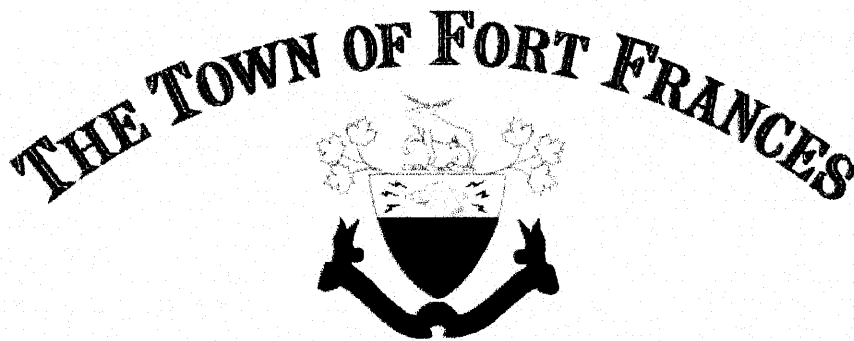
A File Number will be assigned by the Secretary for the Committee of Adjustment, which will be used in all communication.

**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



## APPLICATION FOR CONSENT

FOR OFFICE USE ONLY		
File Number:		
Property:	Roll #:	
Date Application Received:	Date Fee Received:	
Date Application Complete:	Receipt #:	Application Fee: \$

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

### 1. Applicant Information

▶ 1.1	Name of Applicant <b>Resolute FP Canada Inc.</b>	Home Telephone No.	Business Telephone No. <b>514 875 2160</b>
	Address <b>111 Duke Street, Suite 5000, Montreal, Quebec</b>		Postal Code <b>H3C 2M1</b>
▶ 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)	Home Telephone No.	Business Telephone No.
	Address		Postal Code
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 <b>Fort Frances</b>	Township	Property Roll No. <b>59-12-010-001-10700</b>
	Roll No 5912-010-001-10700 covers a significant portion of the Resolute FP Canada Inc. properties. The subject property is currently part of Pin 56018 2246. For legal description of the lands please refer to the attached copy of PIN 56018 2246.		Pin Number. <b>56018 2246</b>
▶ 2.2	Are there any easements or restrictive covenants affecting the subject land? <span style="float: right;"><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes</span>		
	If Yes, describe each easement or covenant and its effect <b>The lands contained in Pin 56018-2246 are subject to several easements. Easement set out in RD9879 over PART OF BLOCK 2, PLAN SM149 MCIRVINE DESIGNATED AS PARTS 5, 7 AND 8 ON PLAN 48R-4138 for the purpose of electrical transmission line and electrical transmission towers.</b>		

- 2.3 Is there a mortgage or other encumbrance on title to the subject land? ☐ No ☒ Yes  
If Yes, provide name, full mailing address and contact information of encumbrance holder

**H2O POWER FORT FRANCES INC, 560 King St. West, Unit 2, Oshawa, Ontario, L1J 7J1)**  
**WESTCOAST POWER INC, PARK PLACE, 666 BURNARD ST., SUITE 600, VANCOUVER, BC**  
**V6C 2X8 (ATTN: KELLY WHARTON)**

### 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

Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged

- 3.2 To be granted to **H2O Power Fort Frances Inc. for the benefit of Pins 56018 2247 and 2248(See Section 6.1 and 6.2)**

- 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)	<b>Easement over Parts 5, 7, 8 48R4138</b>	<b>The applicant retains ownership of the entire property</b>
	Depth (m) (# of ft. x .3048)		
	Area (ha.) (# of acres x .4047)		
► 4.2 Use of Property	Existing Use(s)	<b>Hydro transmission Line, Towers and service roads no new structures proposed</b>	<b>Paper Mill Mill complex No new structures proposed</b>
	Proposed Use(s)		
► 4.3 Buildings or Structures	Existing	<b>Hydro transmission Line, Towers and service roads no new structures proposed</b>	<b>Paper Mill Mill complex No new structures proposed</b>
	Proposed		
► 4.4 Access ( ✓ appropriate space)	Provincial Highway (secondary or primary)		
	Municipal Road (maintained all year)		<b>Central avenue</b>
	Municipal Road (seasonally maintained)		
	Other Public Road		
	Right of Way	<b>Easement set out in RD 9878</b>	
► 4.5 Water Supply ( ✓ appropriate space)	Publicly owned & operated piped water system	<b>Yes</b>	<b>Yes</b>
	Privately owned & operated individual well		
	Privately owned & operated communal well		
	Lake or other water body		
	Other means		
	Publicly owned & operated sanitary sewage system	<b>Yes</b>	<b>Yes</b>

► 4.6 Sewage Disposal ( ✓ appropriate space)	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.

**Easement over parts 4, 5, and 6 48R 3138 as in RD9878. Current owner Resolute FP Canada Inc. is responsible for maintenance.**

## 5. Land Use

► 5.1 What is the existing Official Plan designation(s), if any of the subject land? **Employment Area**

5.2 What is the zoning, if any, of the subject land? **Light Industrial (M1)**

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	No	No
A landfill	No	No
An industrial or commercial use (specify uses)	<b>Electrical transmission towers and lines.</b>	<b>Pulp and Paper Mill</b>
An active railway line	No	No
A Municipal Airport	No	No

## 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

**Consent of the Committee of Adjustment for the Town of Fort Frances was given on July 17, 2006 (file B4/2006) and ratified by the Ontario Municipal Board on December 21, 2006 (order 3540) to an easement in perpetuity over Parts 5, 7, and 8 plan 48R 4138 for the purpose of an electrical transmission line and electrical transmission towers.**

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

**This application is to clarify the easement granted in RD9879 by adding the need to maintain the driveway on the subject lands. Proposed wording "to use, maintain, operate, examine and repair at any time and from time to time the road or driveway located upon, over, in, along, through and across the Burdened Lands and to enter on and to pass and repass at any and all times in, over, along, upon, across and through the Burdened Lands with or without**



supplies, machinery and equipment. Notwithstanding anything to the contrary in this Agreement, the types of vehicles that shall be permitted to drive over the Burdened Lands pursuant to the terms of this Agreement shall be only such types as are appropriate for the terrain and all parking of vehicles on the Burdened Lands shall be prohibited."

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- 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.

The lands contained in Pin 56018-2246 are subject to several easements. Easements set out in RD9878 and RD9879 are the only easements affecting this particular portion of Pin 56018-2246.

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## 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.
-

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## 10. Signature and Statutory Declaration

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► 10.1 Signature and Statutory Declaration of Applicant

As an officer of **Resolute FP Canada Inc.** with head office in the City of **Montreal**

In the **Province of Quebec**, with the authority to bind the corporation I 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.

Sworn/Declared before me at

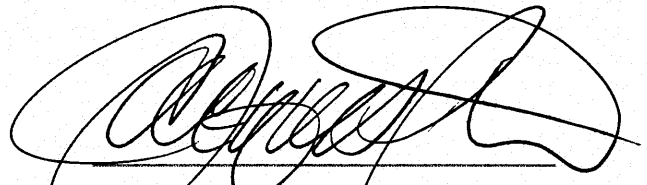
the City of MONTREAL

in the Province of QUEBEC

this 13TH day of JUNE, 2016

Alice Minville  
Commissioner for Oaths, etc.



  
Name: JACQUES VACHON  
Title: VICE PRESIDENT AND SECRETARY

---

## 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. 236.

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## 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, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ am the owner of the land that is the subject of this application and, as evidenced by my signature below, I hereby authorize \_\_\_\_\_ 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.

---

Date

---

Owners signature

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A File Number will be assigned by the Secretary for the Committee of Adjustment, which will be used in all communication.

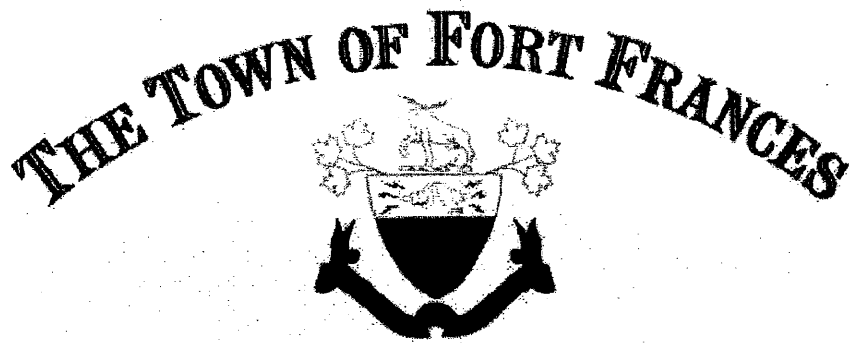
**Applicant's Checklist:** Have you remembers to attach

- ☐ 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





## APPLICATION FOR CONSENT

### FOR OFFICE USE ONLY

<b>File Number:</b>		
<b>Property:</b>	<b>Roll #:</b>	
<b>Date Application Received:</b>	<b>Date Fee Received:</b>	
<b>Date Application Complete:</b>	<b>Receipt #:</b>	<b>Application Fee: \$</b>

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

### 1. Applicant Information

▶ 1.1	Name of Applicant: <b>Resolute FP Canada Inc.</b>	Home Telephone No.	Business Telephone No. <b>514 875 2160</b>
	Address <b>111 Duke Street, Suite 5000, Montreal, Quebec</b>		Postal Code <b>H3C 2M1</b>
▶ 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)	Home Telephone No.	Business Telephone No.
	Address		Postal Code
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 <b>Fort Frances</b>	Township	Property Roll No. <b>59-12-010-001-10700</b>
	Roll No 5912-010-001-10700 covers a significant portion of the Resolute FP Canada Inc. properties. The subject property is contained in two pins Parts 2 and 3 Plan 48R 4140 are currently part of Pin 56018 2246 and Part 4 Plan 48R 4140 is part of Pin 56018 0083. For legal description of the lands please refer to the attached copy of PIN 56018-2246 and Pin 56018 0083.		Pin Number. <b>56018 2246 and 0083</b>
▶ 2.2	Are there any easements or restrictive covenants affecting the subject land? <span style="float: right;"><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes</span>		
	If Yes, describe each easement or covenant and its effect <b>Easement set out in RD 9883 for access to the north wall of the canal effects Parts 2, 3, and 4 Plan 48R 4140. Easement as set out in RD 9985 for access to Block 1 on Plan SM 149 McIrvine, Fort Frances affects Part 4 Plan 48R 4140</b>		

- 2.3 Is there a mortgage or other encumbrance on title to the subject land? ☐ No ☒ Yes  
If Yes, provide name, full mailing address and contact information of encumbrance holder

H2O POWER FORT FRANCES INC, 560 King St. West, Unit 2, Oshawa, Ontario, L1J 7J1)  
WESTCOAST POWER INC, PARK PLACE, 666 BURNARD ST., SUITE 600, VANCOUVER, BC  
V6C 2X8 (ATTN: KELLY WHARTON)  
CANADA CUSTOMS AND REVENUE AGENCY and THE DEPARTMENT OF CITIZENSHIP AND  
IMMIGRATION CANADA, 101 Church Street, Fort Frances, ON P9A 3X8

### 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  
To be granted to H2O Power Fort Frances 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)	Easement over Parts 2, 3 and 4 48R 4140  0.122Ha	The applicant retains ownership of the entire property
	Depth (m) (# of ft. x .3048)		
	Area (ha.) (# of acres x .4047) Part 2 = .108 ha, Part 4=.014 ha, Part 3 =2.5 Sq. Meters		
► 4.2 Use of Property	Existing Use(s)	The purpose of the easement is to provide vehicle and Pedestrian access to maintain the canal walls.	Paper Mill Mill complex No new structures proposed
	Proposed Use(s)		
► 4.3 Buildings or Structures	Existing		
	Proposed No new buildings are proposed		
► 4.4 Access ( ✓ appropriate space)	Provincial Highway (secondary or primary)		
	Municipal Road (maintained all year)		Central Av, Church Street
	Municipal Road (seasonally maintained)		
	Other Public Road		
	Right of Way		
► 4.5 Water Supply ( ✓ appropriate space)	Publicly owned & operated piped water system	Yes	Yes
	Privately owned & operated individual well		
	Privately owned & operated communal well		
	Lake or other water body		
	Other means		

► 4.6	<b>Sewage Disposal</b> (✓ appropriate space)	Publicly owned & operated sanitary sewage system	Yes	Yes
		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	<b>Other Services</b> (✓ 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.				
<b>Easement over Parts 4, 5, 6, 7, 8, 9 13 and 14 plan 48R 4140 as in RD 9885. Current owner Resolute FP Canada Inc. is responsible for maintenance.</b>				

## 5. Land Use

► 5.1	What is the existing Official Plan designation(s), if any of the subject land?	<b>Employment Area</b>
5.2	What is the zoning, if any, of the subject land?	<b>Light Industrial (M1)</b>
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
	An agricultural operation	No
	A landfill	No
	An industrial or commercial use (specify uses)	<b>Pulp and Paper Mill</b>
	An active railway line	No
	A Municipal Airport	No

## 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  
**RD 9883**

**Consent of the Committee of Adjustment for the Town of Fort Frances was given on July 17, 2007 (file B7/2006) and ratified by the Ontario Municipal Board on December 21, 2006 (order 3540) to an easement in perpetuity over Parts 1, 2, 3, 4 and 5 plan 48R 4167 for the purpose of maintaining and repairing the wall of the canal located in and on the servient lands.**

**RD 9885**

**Consent of the Committee of Adjustment for the Town of Fort Frances was given on July 17, 2007 (file B11/2006) and ratified by the Ontario Municipal Board on December 21, 2006 (order 3540) to an easement in perpetuity over Parts 4, 5, 6, 7, 8, 9 13 and 14 plan 48R 4140 for the purpose of ingress regress and access.**

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

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► 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.

The lands contained in Pins 56018-2246 and 0083 are subject to several easements. Easement set out in RD 9883 impacts Parts 2, 3, and 4 48R4140 and Easement set out in RD 9885 impacts Part 4 48R 4140. Other easements identified in these Pins do not impact Parts 2, 3, and 4 of Plan 48R 4140.

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## 7. Current Applications

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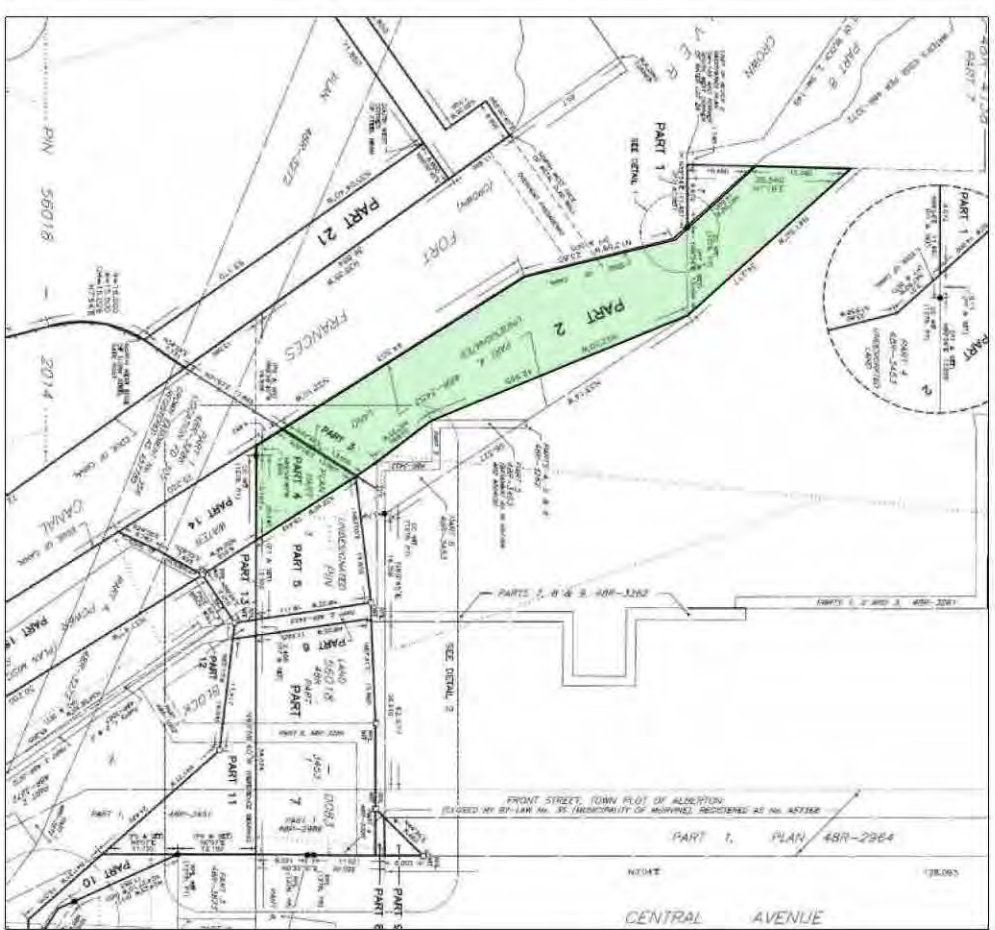
► 7.1 Is the subject land currently the subject of a proposed Official plan or Official Plan amendment, Zoning By-Law amendment, a minister's zoning order, a minor variance, an approval or a plan of subdivision or a consent?

☐ Yes ☒ No ☐ Unknown

If yes and if known, specify the appropriate file number and status of the application.

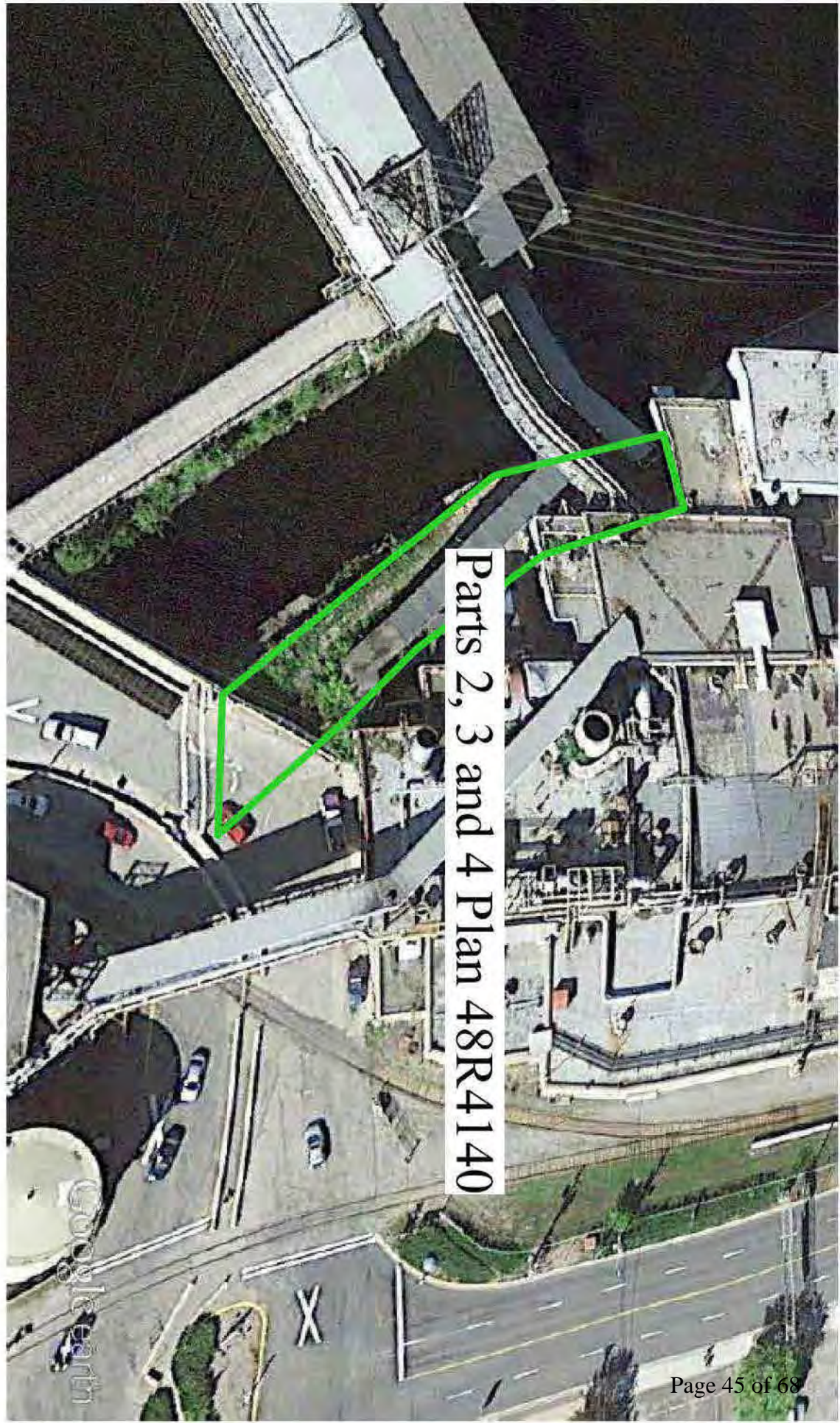
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I REQUEST THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.				PLAN 48R-4140	
DATE 5 APRIL 2007				RECEIVED AND DEPOSITED DATE 5 APRIL 2007	
H. VERHOEFF REGISTERED LAND SURVEYOR ONTARIO LAND SURVEYOR CANADA LANDS SURVEYOR				"ANGIE COUSINEAU" LAND REGISTRAR FOR THE LAND TITLES DIVISION OF SASKATCHEWAN	
PARTS SCHEDULE					
PART	LOT	PLAN	PIN	AREA	
1	PART OF BLOCK 2	SM-149		0.005 ha	
2	PART OF BLOCK 2 AND PART OF UNDESIGNATED LAND	SM-149	PART OF 56018-2014 <u>CERTIFICATE 56018-2004</u>	0.109 ha	
3	PART OF UNDESIGNATED LAND			2.5 m <sup>2</sup>	
4				0.014 ha	
5				0.028 ha	
6				0.004 ha	
7	UNDESIGNATED LAND AND PART OF FRONT STREET		PART OF 56018-0093	0.066 ha	
8	PART OF FRONT STREET	TOWN PLOT OF ALBERTON		0.001 ha	
9					0.002 ha
10	PART OF FRONT STREET AND PART OF BLOCK X		PART OF 56018-2014	0.008 ha	
11				0.032 ha	
12	PART OF BLOCK X			0.001 ha	
13	PART OF BLOCK X AND PART OF WATER POWER PARCEL NO. 3		PART OF 56018-2027	0.007 ha	





Parts 2, 3 and 4 Plan 48R4140

- 
- 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.

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## 9. Other Information

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- 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.

**The current application is to expand the area that can be accessed to complete the maintenance of the north canal wall and to clarify the intent of the easement.**

**"...a right-of-way and easement for pedestrian and vehicular ingress to and egress from the Benefiting Lands for the Transferee in common with the Transferor, its successors in title to the Burdened Lands and its and their respective duly authorized lessees, sublessees, invitees, licensees, employees, workers, agents, contractors and subcontractors, to use from time to time the road or driveway located upon, over, in, along, through and across the Burdened Lands and to enter on and to pass and repass at any and all times in, over, along, upon, across and through the Burdened Lands with or without supplies, machinery and equipment for the purposes of accessing and maintaining, examining, repairing, replacing, altering and removing at any time and from time to time the walls of the canal located on the lands legally described as Parts 1, 2, 3, 4, and 5 on Plan 48R-4167."**

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## 10. Signature and Statutory Declaration

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► 10.1 Signature and Statutory Declaration of Applicant

As an officer of **Resolute FP Canada Inc.** with head office in the City of **Montreal**

In the **Province of Quebec**, with the authority to bind the corporation I 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.

Sworn/Declared before me at

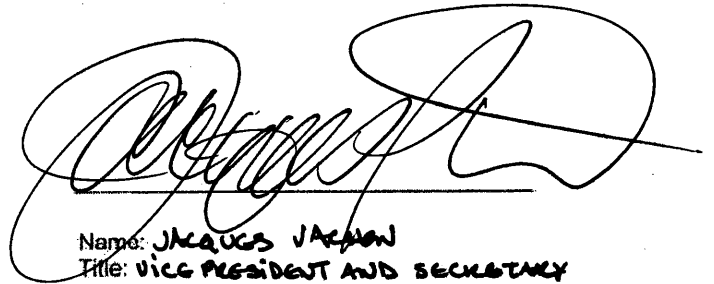
the City of MONTREAL

in the Province of QUÉBEC

this 10th day of April, 2016

Alice Minville  
Commissioner for Oaths, etc.



  
Name: **JACQUES JAXON**  
Title: **VICE PRESIDENT AND SECRETARY**



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## 11. Notice of Collection – Municipal Freedom of Information and Protection of Privacy Act

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- 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. 236.

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## 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, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ am the owner of the land that is the subject of this application and, as evidenced by my signature below, I hereby authorize \_\_\_\_\_ 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.

---

Date

---

Owners signature

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LAND  
REGISTRY  
OFFICE #48

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 1 OF 2

PREPARED FOR JLDelBianco  
ON 2015/08/14 AT 09:47:55

56018-0083 (LT)

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

PROPERTY DESCRIPTION:

PCL 25754 SEC RAINY RIVER; PT UNDESIGNATED LANDS MCIRVINE PT 1, 2 & 3, 48R3453; PT FRONT ST TOWN PLOT ALBERTON PT 1, 48R2986 CLOSED BY BYLAW 35 REGISTERED AS A57368; S/T EASE OVER PT 2, 48R3453 AS IN A57784; S/T EASEMENT OVER PT 3, 48R4167 IN FAVOUR OF PT BLK 2 PL SM149 MCIRVINE PT 1, 2 & 3, 48R4138 AND BLK 1 PL SM149 MCIRVINE AS IN RD9883; S/T EASEMENT OVER PT 4, 5, 6, 7 & 8, 48R4140 IN FAVOUR OF BLK 1 PL SM149 AS IN RD9885; FORT FRANCES

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE

ABSOLUTE

OWNERS' NAMES

RESOLUTE FP CANADA INC.

RECENTLY:

FIRST CONVERSION FROM BOOK

CAPACITY SHARE

PIN CREATION DATE:

2003/06/16

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CEPT/ CHMD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
48R2986	1989/11/10	PLAN REFERENCE				C
48R3320	1992/09/02	PLAN REFERENCE				C
A57784	1993/09/28	TRANSFER EASEMENT			CENTRA GAS ONTARIO INC.	C
48R3453	1994/07/28	PLAN REFERENCE				C
A60409	1994/09/01	ORDER			RAINY RIVER FOREST PRODUCTS INC.	C
REMARKS: VESTING, AMENDED BY A79073, A70090, A63763						
A60428	1994/09/06	ORDER				C
A62310	1995/06/26	APL (GENERAL)				C
REMARKS: A57784						
A79074	2002/02/11	NOTICE				C
A81976	2003/03/14	ORDER				C
RD5284	2006/05/24	LR'S ORDER				C
REMARKS: AS THEREIN SET OUT.						
48R4140	2007/04/05	PLAN REFERENCE		COUSINEAU, ANGELA LEE ANNE		C
48R4167	2007/11/20	PLAN REFERENCE				C
RD9782	2007/12/05	TRANSFER	\$2	ABITIBI-CONSOLIDATED COMPANY OF CANADA	ABITIBI-CONSOLIDATED INC.	C

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.





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ON 2015/08/14 AT 09:47:55

56018-0083 (LT)

\* 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
RD9883	2007/12/21 REMARKS: CONSENT OF THE TOWN OF FORT FRANCES	TRANSFER EASEMENT	\$2	ABITIBI-CONSOLIDATED INC.	ACH FORT FRANCES INC.	C
RD9885	2007/12/21 REMARKS: CONSENT OF THE TOWN OF FORT FRANCES	TRANSFER EASEMENT	\$2	ABITIBI-CONSOLIDATED INC.	ACH FORT FRANCES INC.	C
RD17700	2011/03/15	APL CH NAME OWNER		ABITIBI-CONSOLIDATED INC.	ABIBOW CANADA INC.	C
RD27640	2015/05/25 REMARKS: AMEND DESCRIPTION	LR'S ORDER		LAND REGISTRAR		C
RD28044	2015/07/08	APL CH NAME OWNER		ABIBOW CANADA INC.	RESOLUTE FP CANADA INC.	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.  
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PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 1 OF 3

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ON 2015/08/14 AT 09:30:47

56018-2246 (LT)

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

PROPERTY DESCRIPTION:

BLK 2 PL SM149 MCIRVINE EXCEPT PT 1, 48R982 & PT 1, 2 & 3, 48R4138; LT 1-10, INCLUSIVE BLK 8 PL M74 MCIRVINE; PT FRONT ST TOWN PLOT ALBERTON AS CLOSED BY A57368, PT 1, 48R2964; PT UNDESIGNATED LANDS MCIRVINE PT 4, 5 & 6, 48R3453; T/W PT 1, RR144 AS IN SLT78453; T/W PT 2 & 3, 48R3287 AS IN A57698; S/T A26494, A57784, A59117; T/W EASEMENT OVER PT BLK 2 PL SM149 MCIRVINE PT 3, 48R4138; PT 1 & 2, 48R4169 AS IN RD9877; S/T EASEMENT OVER PT 4, 5 & 6, 48R4138 IN FAVOUR OF PT BLK 2 PL SM149 MCIRVINE PT 1, 2 & 3, 48R4138 AS IN RD9878; S/T EASEMENT OVER PT 5, 7 & 8, 48R4138 IN FAVOUR OF PT BLK 2 PL SM149 MCIRVINE PT 1, 2 & 3, 48R4138 AS IN RD9880; T/W EASEMENT OVER BLK 1 PL SM149 MCIRVINE AS IN RD9881; T/W EASEMENT OVER PT BLK 2 PL SM149 MCIRVINE PT 1, 2 & 3, 48R4138 AS IN RD9882; S/T EASEMENT OVER PT 1 & 2, 48R4167 IN FAVOUR OF PT BLK 2 PL 149 MCIRVINE PT 1, 2 & 3, 48R4138 AND BLK 1 PL SM149 MCIRVINE AS IN RD9883; T/W EASEMENT OVER PT BLK 1 PL SM149 MCIRVINE AS IN RD9884; S/T EASEMENT OVER PT 9, 48R4140 IN FAVOUR OF BLK 1 PL SM149 MCIRVINE AS IN RD9885; T/W EASEMENT OVER PT BLK 1 PL SM149 MCIRVINE PT 19, 48R4140 AND PT 2, 5, 6 & 8, 48R4168 AS IN RD9886; PORT FRANCES; TOGETHER WITH AN EASEMENT AS IN RD18132

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE

ABSOLUTE

OWNERS' NAMES

RESOLUTE FP CANADA INC.

RECENTLY:

DIVISION FROM 56018-2014

CAPACITY SHARE

BENO

PIN CREATION DATE:

2008/01/23

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT / CHED
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
SLT45567	1946/04/15	TRANSFER	\$9,000		RAINY RIVER FOREST PRODUCTS INC.	C
REMARKS: AMENDED BY A63698 & A70090						
48R1903	1982/08/25	PLAN REFERENCE			ONTARIO HYDRO	C
A26494	1983/03/22	TRANSFER EASEMENT			RAINY RIVER FOREST PRODUCTS INC.	C
A29977	1984/04/27	TRANSFER	\$95,000		RAINY RIVER FOREST PRODUCTS INC.	C
REMARKS: AMENDED BY A63698 & A70090						
48R2964	1989/10/16	PLAN REFERENCE			RAINY RIVER FOREST PRODUCTS INC.	C
A48577	1990/06/11	TRANSFER	\$150,000		RAINY RIVER FOREST PRODUCTS INC.	C
REMARKS: AMENDED BY A63698 & A70090						
48R3261	1991/11/25	PLAN REFERENCE				C
48R3262	1991/11/25	PLAN REFERENCE				C
48R3272	1992/01/02	PLAN REFERENCE				C
A57783	1993/09/28	APL (GENERAL)				C

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ON 2015/08/14 AT 09:30:47

56018-2246 (LT)

\* 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/ CHKD
A57784	1993/09/28	TRANSFER EASEMENT			CENTRA GAS ONTARIO INC.	C
A59117	1994/04/14	TRANSFER EASEMENT			ONTARIO HYDRO	C
48R3453	1994/07/28	PLAN REFERENCE				C
A60409	1994/09/01	ORDER			RAINY RIVER FOREST PRODUCTS INC.	C
	REMARKS: VESTING, AMENDED BY A79073,		A70050, A63763			
48R3475	1994/12/05	PLAN REFERENCE				C
A62309	1995/06/26	NOTICE				C
	REMARKS: A57783					
A62310	1995/06/26	APL (GENERAL)				C
	REMARKS: A57784					
48R4138	2007/03/23	PLAN REFERENCE				C
48R4140	2007/04/05	PLAN REFERENCE				C
48R4167	2007/11/20	PLAN REFERENCE				C
RD9878	2007/12/21	TRANSFER EASEMENT	\$2	ABITIBI-CONSOLIDATED INC.	ACH FORT FRANCES INC.	C
	REMARKS: CONSENT OF THE TOWN OF FORT FRANCES					
RD9879	2007/12/21	TRANSFER EASEMENT	\$2	ABITIBI-CONSOLIDATED INC.	ACH FORT FRANCES INC.	C
	REMARKS: CONSENT OF THE TOWN OF FORT FRANCES					
RD9880	2007/12/21	TRANSFER EASEMENT	\$2	ABITIBI-CONSOLIDATED INC.	ACH FORT FRANCES INC.	C
	REMARKS: CONSENT OF THE TOWN OF FORT FRANCES					
RD9885	2007/12/21	TRANSFER EASEMENT	\$2	ABITIBI-CONSOLIDATED INC.	ACH FORT FRANCES INC.	C
	REMARKS: CONSENT OF THE TOWN OF FORT FRANCES					
RD9913	2008/01/02	NOTICE		ACH FORT FRANCES INC.		C
RD10622	2008/04/23	LR'S ORDER				C
	REMARKS: EXCHANGING REFERENCE TO "S/T A59917" SET OUT					
	LAND REGISTAR, LRO NO. 48					
	IN THE PROPERTY DESCRIPTION WITH "S/T A59117" DUE TO TYPOGRAPHICAL ERROR.					

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.  
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PAGE 3 OF 3

PREPARED FOR JLDelBianco  
ON 2015/08/14 AT 09:30:47

56018-2246 (LT)

\* 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/ CHKD
RD12812	2009/02/10	LR'S ORDER REMARKS: PIN 56018-2246/ADDING SECOND PORTION OF DOMINANT LANDS (BLK 1, SM149 MCIRVINE) TO PT BLK 2 SM149 MCIRVINE PT 1, 2 & 3, 48R4138 SET OUT IN EASEMENT RD9879 PIN 56018-2247/ADDING "T/W EASEMENT OVER BLK 2 SM149 MCIRVINE PT 5, 7 & 8, 48R4138 AS IN RD9879" TO THE PROPERTY DESCRIPTION PURSUANT TO TRANSFER OF EASEMENT RD9879 AS THEREIN SET OUT.		LAND REGISTRAR, LRO NO. 48		C
48R4229	2009/03/12	PLAN REFERENCE				C
RD17700	2011/03/15	AFL CH NAME OWNER		ABITIBI-CONSOLIDATED INC.	ABIBOW CANADA INC.	C
RD18137	2011/05/26	NOTICE		ABIBOW CANADA INC.	ACH FORT FRANCES INC.	C
RD28044	2015/07/08	AFL CH NAME OWNER		ABIBOW CANADA INC.	RESOLUTE FP CANADA INC.	C

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.

A File Number will be assigned by the Secretary for the Committee of Adjustment, which will be used in all communication.

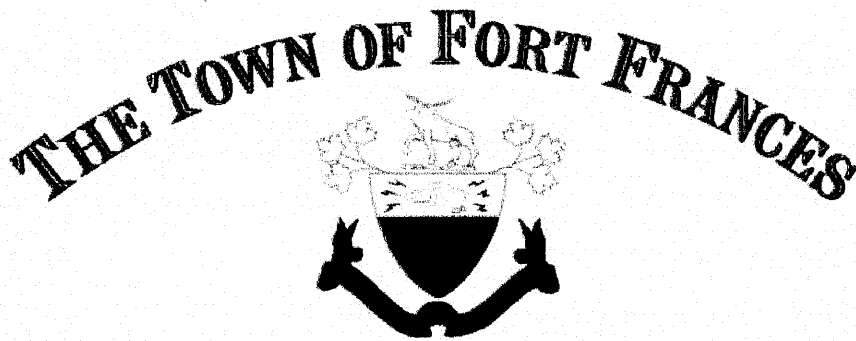
**Applicant's Checklist:** Have you remembers to attach

- ☐ 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





## APPLICATION FOR CONSENT

FOR OFFICE USE ONLY		
File Number:		
Property:	Roll #:	
Date Application Received:	Date Fee Received:	
Date Application Complete:	Receipt #:	Application Fee: \$

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

### 1. Applicant Information

▶ 1.1	Name of Applicant <b>Resolute FP Canada Inc.</b>	Home Telephone No.	Business Telephone No. <b>514 875 2160</b>
	Address <b>111 Duke Street, Suite 5000, Montreal, Quebec</b>		Postal Code <b>H3C 2M1</b>
▶ 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)	Home Telephone No.	Business Telephone No.
	Address		Postal Code
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 <b>Fort Frances</b>	Township	Property Roll No. <b>59-12-010-001-10700</b>
	Roll No 5912-010-001-10700 covers a significant portion of the Resolute FP Canada Inc. properties. The subject property is currently part of Pin 56018 2027. For legal description of the lands please refer to the attached copy of PIN 56018 2027.		Pin Number. <b>56018-2027</b>
▶ 2.2	Are there any easements or restrictive covenants affecting the subject land? <span style="float: right;"><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes</span>		
	If Yes, describe each easement or covenant and its effect <b>The lands contained in PIN 56018-2027 are subject to several easements. The northern portion of the proposed easement will impact the Agreement set out in Instrument number A 79074. None of the other easements impact lands within the boundaries of this proposal.</b>		

- 2.3 Is there a mortgage or other encumbrance on title to the subject land? ☐ No ☒ Yes  
If Yes, provide name, full mailing address and contact information of encumbrance holder

H2O POWER FORT FRANCES INC, 560 King St. West, Unit 2, Oshawa, Ontario, L1J 7J1)

WESTCOAST POWER INC, PARK PLACE, 666 BURRARD ST., SUITE 600, VANCOUVER, BC  
V6C 2X8 (ATTN: KELLY WHARTON)

CANADA CUSTOMS AND REVENUE AGENCY and THE DEPARTMENT OF CITIZENSHIP AND  
IMMIGRATION CANADA, 101 Church Street, Fort Frances, ON P9A 3X8

### 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  
**Easement for pedestrian and vehicle access to be granted to H2O Power Fort Frances Inc. for the benefit of PIN 56018-2247 and part of PIN 56018-2248**

- 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)	Irregular see Sketch "A" and "A 1" attached.	
	Depth (m) (# of ft. x .3048)		
	Area (ha.) (# of acres x .4047)	Easement over .09 Ha	
► 4.2 Use of Property	Existing Use(s)	Paper Mil	Paper Mill
	Proposed Use(s)	Access	Paper Mill
► 4.3 Buildings or Structures	Existing	None	Mill complex
	Proposed	None	None
► 4.4 Access ( ✓ appropriate space)	Provincial Highway (secondary or primary)		
	Municipal Road (maintained all year)		
	Municipal Road (seasonally maintained)	Church Street	Church street
	Other Public Road		
	Right of Way		
► 4.5 Water Supply ( ✓ appropriate space)	Publicly owned & operated piped water system	Yes	Yes
	Privately owned & operated individual well		
	Privately owned & operated communal well		
	Lake or other water body		
	Other means		
	Publicly owned & operated sanitary sewage system	Yes	Yes

► 4.6	<b>Sewage Disposal</b> ( ✓ appropriate space)	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	<b>Other Services</b> ( ✓ 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.			
	<b>None applicable</b>			

## 5. Land Use

► 5.1	What is the existing Official Plan designation(s), if any of the subject land?	<b>Employment Area</b>
5.2	What is the zoning, if any, of the subject land?	<b>Light Industrial (M1-13)</b>
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
	An agricultural operation	No
	A landfill	No
	An industrial or commercial use (specify uses)	<b>Pulp and Paper Mill</b>
	An active railway line	No
	A Municipal Airport	No

## 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?
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
	If Yes, and if known, provide the Ministry or Municipal Application file number and the decision made on the application
	<b>Over the years several applications under the Planning Act that impact portions of the lands contained in PIN 56018-2027.</b>
6.2	If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.
	<b>New Proposal</b>
► 6.3	Has any land been severed from the parcel originally acquired by the owner of the subject land?
	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
	If yes, provide for each parcel severed the date of transfer, the name of the transferee and the land use.
	<b>The lands contained in PIN 56018-2027 are subject to several easements. The easement in RD9885 impacts lands within the boundaries of this proposal.</b>

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## 7. Current Applications

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- 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.

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## 8. Sketch

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- 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.

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## 9. Other Information

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- 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.

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## 10. Signature and Statutory Declaration

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► 10.1 Signature and Statutory Declaration of Applicant

As an officer of **Resolute FP Canada Inc.** with head office in the City of **Montreal**

In the **Province of Quebec**, with the authority to bind the corporation I 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.

Sworn/Declared before me at

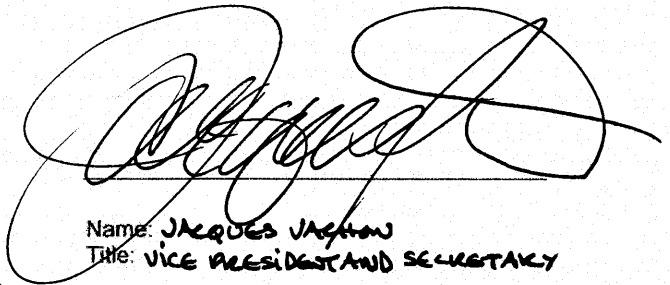
the City of MONTREAL

in the Province of QUEBEC

this 13<sup>TH</sup> day of April, 2016

Alice Minville  
Commissioner for Oaths, etc.



  
Name: **JACQUES VACHON**  
Title: **VICE PRESIDENT AND SECRETARY**



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## 11. Notice of Collection – Municipal Freedom of Information and Protection of Privacy Act

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- 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. 236.

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## 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, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ am the owner of the land that is the subject of this application and, as evidenced by my signature below, I hereby authorize \_\_\_\_\_ 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.

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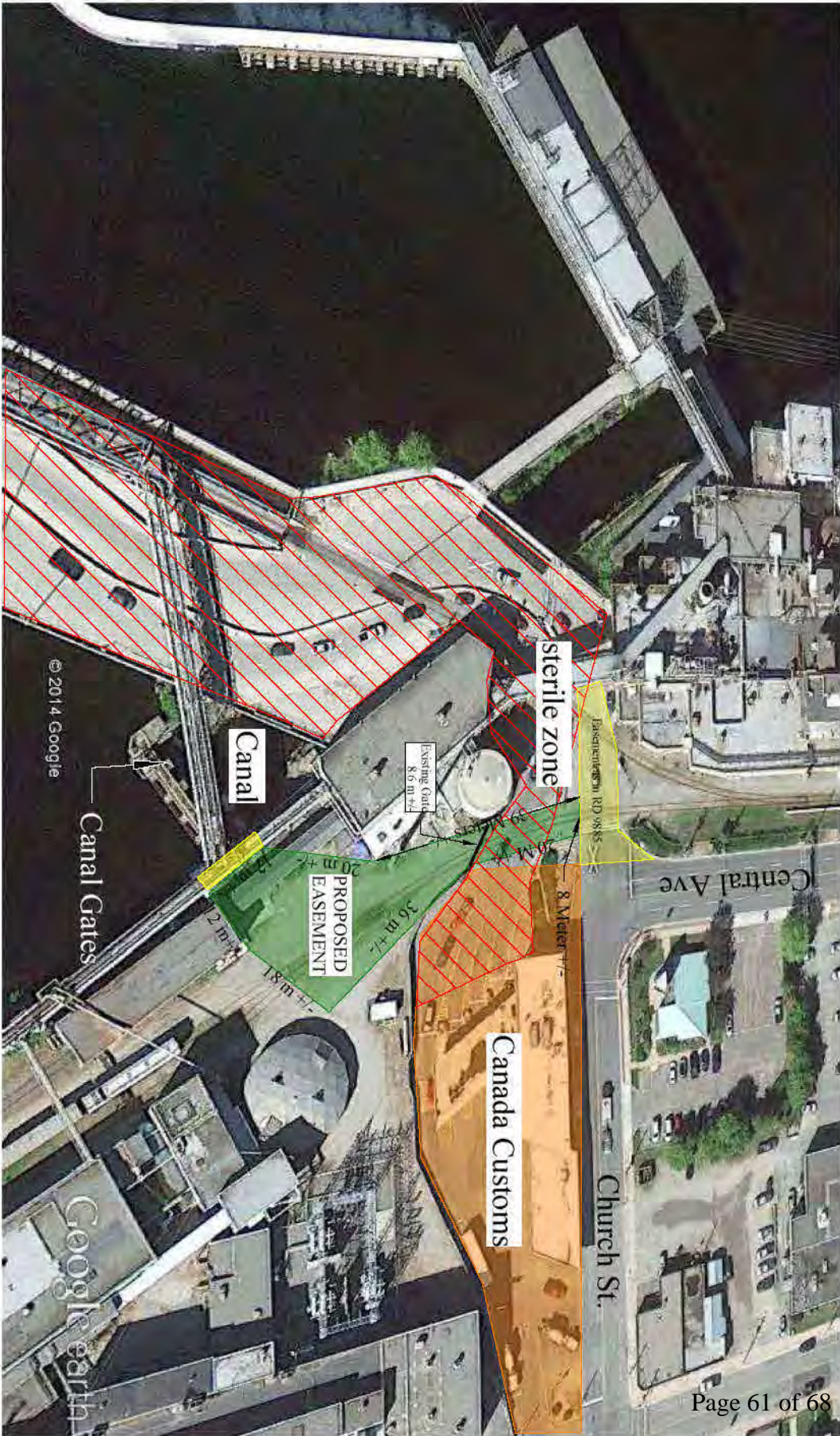
Date

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Owners signature

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# Sketch "A"



Google earth

feet  
meters

600

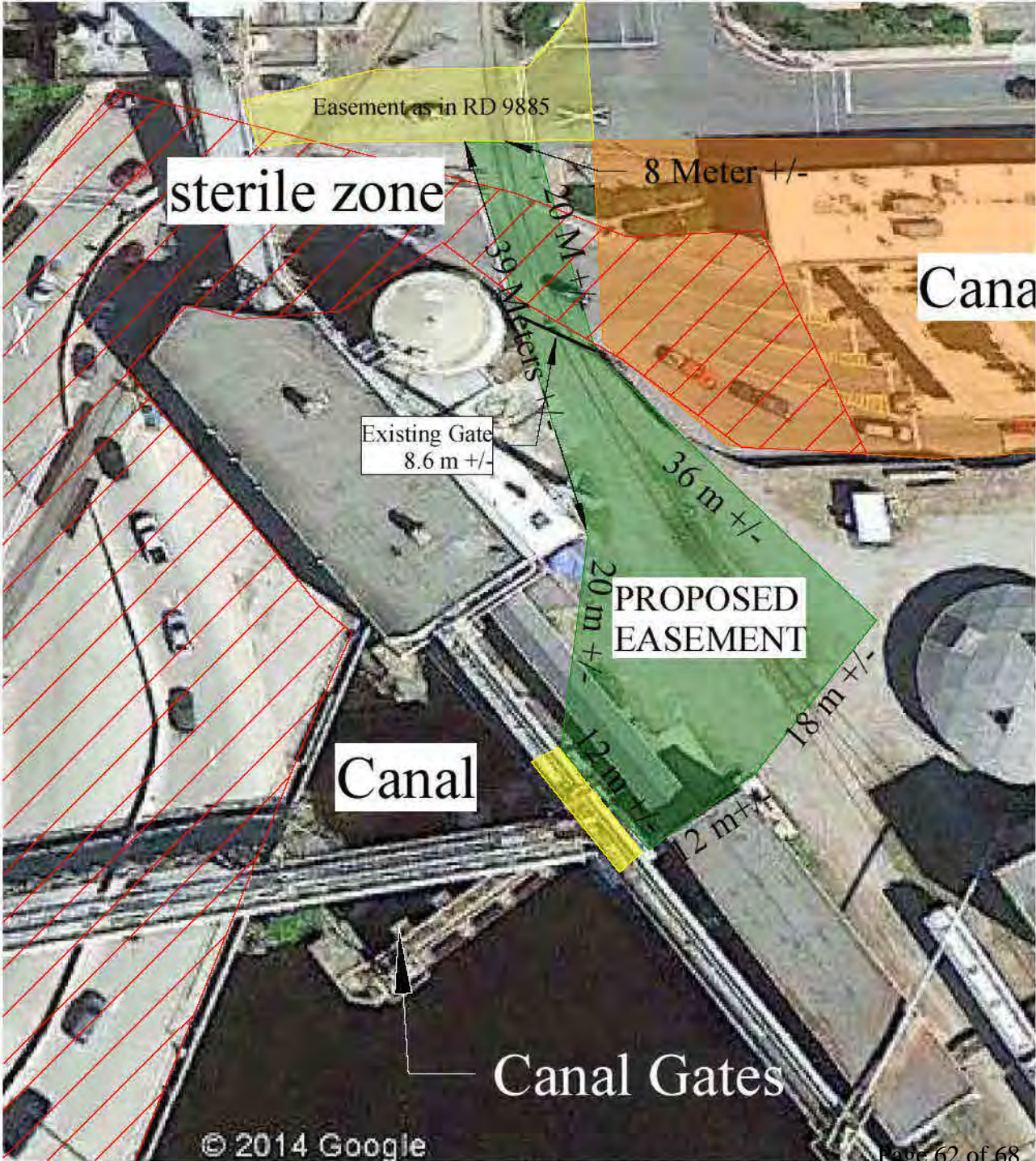
200

Proposed easement is part of Pin 56018 2027

Yellow portion indicates 2 Crown easements that may require consent from MNR



Sketch "A 1"





Pin 56018-0083

Abihow Canada Inc.

Pin 56018-0168

Abihow Canada Inc.

Pin 56018-2027

Resolute FP Canada Inc.

Adjacent Properties owned  
by Resolute FP Canada Inc.

Proposed Easement

Google earth

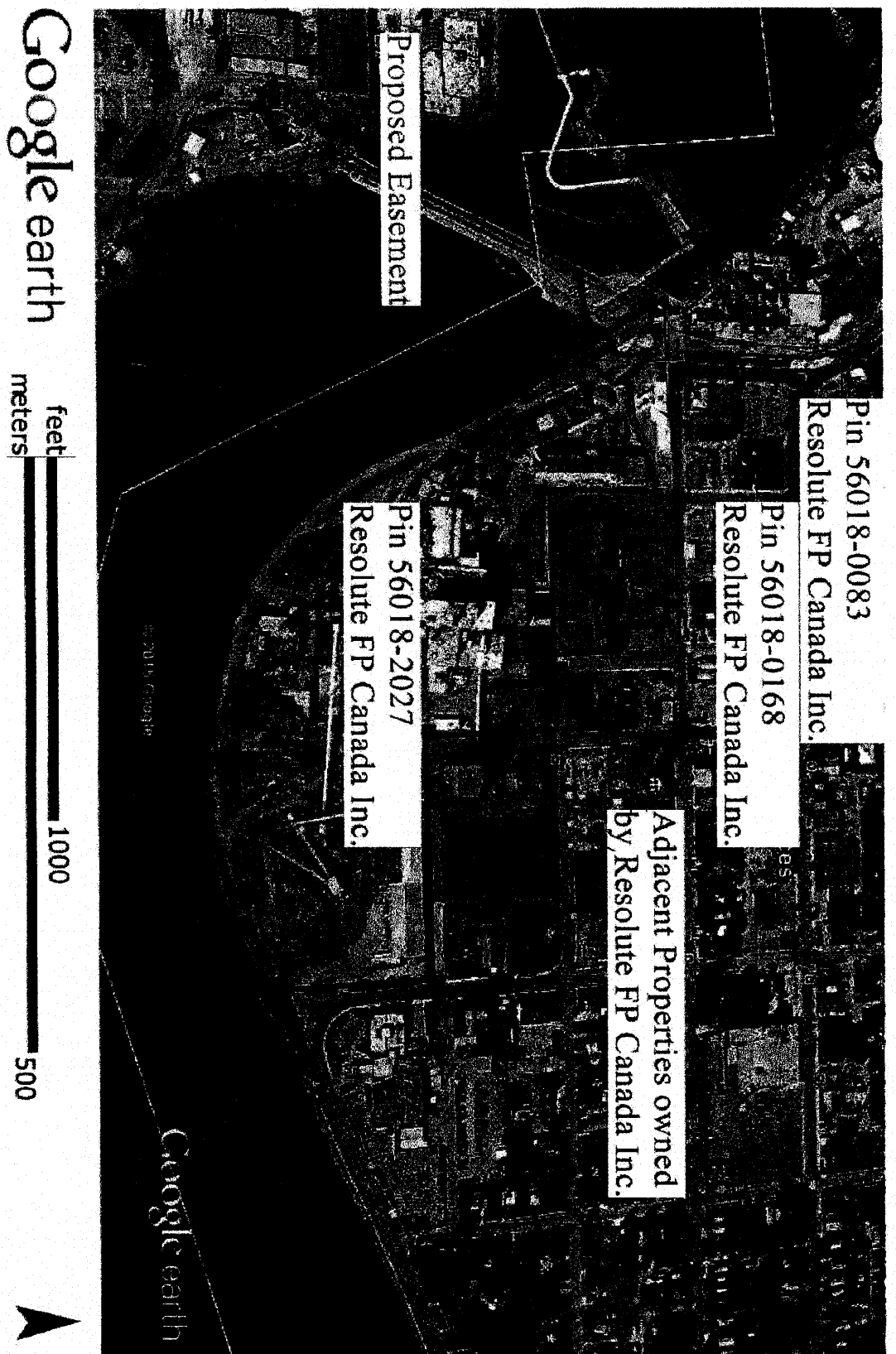
feet  
meters

1000

500



Google earth



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



<kabelda@shaw.ca>

07/05/2016 01:50 PM

Please respond to  
<kabelda@shaw.ca>

To <trob@fort-frances.com>

cc

bcc

Subject Re: Letter requesting extension for paving

To the Committee of Adjustments Attention : Travis Rob

Wahkaihanun Futures Corporation are requesting a relief from the paving agreement we made with the Town of Fort Frances to be extended for at least another 12 – 24 months re: affordability to pay.

Phase 3 of our last project of unforeseen expenses caused us to go over the budget by over \$100,000.00. Leaving our Corporation in some difficulty to get the job completed .

Travis thanks again for your due diligence in helping us through the building of this project .

Best regards,

Neil Kabel,  
Housing Manager

**From:** [trob@fort-frances.com](mailto:trob@fort-frances.com)

**Sent:** Sunday, July 03, 2016 4:21 PM

**To:** [kabelda@shaw.ca](mailto:kabelda@shaw.ca)

**Subject:** Letter requesting extension for paving

Good Day Neil,

Please provide a letter outlining the issues surrounding the paving of the parking lot at your 8th Street development as well as details surrounding the request for an extension from this provision for inclusion in the agenda for the July 18, 2016 meeting of the Committee of Adjustment.

Regards,

Travis

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Travis Rob, EIT  
Chief Building Official  
Facilities/Special Projects Coordinator  
Interim Municipal Planner  
Town of Fort Frances  
P:(807)274-5323 ext.252

C:(807)275-9757

# Memo

To: Members – Committee of Adjustment  
From: Faye Flatt, Municipal Planner  
Date: 8 June 2011  
Re: Minor Variance A4/2011

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As a result of a review of this project with municipal staff subsequent to submitting the noted minor variance, the agent for the applicant was reminded that parking area for 4 or more vehicles is to be surface treated. Knowing that surface treating the parking area would be of substantial cost, Mr. Kabel has requested an amendment to the minor variance and is seeking a 5 year reprieve from the requirement. A letter in this regard is attached to his application.

As outlined by Mr. Kabel, the potential exists that another apartment complex will be constructed within the next few years on the property to the south of the land currently being developed. If this happens any improvements to the subject land would be disturbed and need to be repaired.

The request for the elimination of the buffer strip along the south property line is also tied to the potential future development and if that development occurs there would be no need for the buffer along that line. The issue is that IF the development does not happen, the buffer requirement should be reinstated. For this reason, and to give the Town some reassurance that it would be, I request that if the variances are requested, the following conditions be imposed:

Re: Parking Area (section 3.18)

1. That during the period of time relief has been granted from the requirement to surface treat the parking area, the applicant cause the parking surface to be covered with a 7/8" granular "A" material and treated with calcium chloride or such other acceptable dust suppressant so as to prevent the raising of dust; and
2. That the applicant submit a grading/drainage plan to satisfy the public works department that the surface water run-off will not adversely affect the subject or adjacent properties.

Re: Buffer Strip (section 3.20)

1. That should development not occur on the property immediately south of and adjacent to the subject land within a period of 5 years from the date hereof, the applicant cause to be installed along the south property line a buffer strip in accordance with the requirements of The Town of Fort Frances Zoning By-Law or alternatively to seek an extension of the temporary relief for an additional period of time from the Committee of Adjustment.

No conditions are contemplated with regard to the variances requested for reduced lot frontage or lot area.

If you have any questions, please do not hesitate to contact me.