NOTICE OF DECISION

**On Application for Consent**

**Subsection 53(17) of the Planning Act**

On **the above noted date**, the Minister of Municipal Affairs and Housing (MMAH) gave provisional consent for the creation of an easement to **Application No. 58-C-212983** in respect of land in unsurveyed territory in the District of Thunder Bay. A copy of the decision is attached.

**When and How to File a Notice of Appeal**

Notice to appeal the decision to the Ontario Land Tribunal must be filed with the Minister of Municipal Affairs and Housing on or before the last date of appeal as noted above.

The notice of appeal should be sent to the attention of Andrew Carr, Planner at the address shown below and it must,

(1) set out the reasons for the appeal, and

(2) be accompanied by the fee prescribed under the *Ontario Land Tribunal Act* in the amount of $400.00, payable to the Minister of Finance, Province of Ontario.

**Who Can File a Notice of Appeal**

Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

**Effect of Written and Oral Submissions**

No written or oral submissions received.

**How to Receive Notice of Changed Conditions**

The conditions of a provisional consent may be changed at any time before the consent is given.

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

**Other Related Applications**

N/A

**Getting Additional Information**

Additional information about the application is available for public inspection during regular office hours at the address shown below.

**Mail Address for Notice of Appeal**

Ministry of Municipal Affairs and Housing

Municipal Services Office North (Thunder Bay)

435 James Street South, Suite 223

Thunder Bay, ON. P7E 6S7

Attention: Andrew Carr, Planner

Telephone: (807) 621-8902



Victoria Kosny, Manager

Community Planning and Development

The Minister's conditions to the granting of consent for this transaction **which must be fulfilled within one year from the date of this letter** are set out below. These conditions must be fulfilled prior to the granting of consent.

No. Conditions

1. That this approval applies to permit the creation of an easement on lot 5 of Plan 55M-638 to benefit Lot 4 of Plan 55M-638 as applied for, in the above noted location in unsurveyed territory in the District of Thunder Bay.
2. That the following documents be provided for the transaction described in Condition 1:
   1. A copy of the application to transfer documents;
   2. A schedule to application to transfer on which is set out the entire legal description of the parcel(s) in question. This Schedule must also contain the names of the parties indicated on application to transfer; and
   3. A reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcel(s) to which the consent approval relates.
3. That the application to transfer noted in Condition 2 shall not identify the transferors and the transferees as the same person.
4. That the easement be registered and shown on the title for Lot 4 of Plan 55M-638.

The following NOTES are for your information:

NOTES:

1. The required Transfer/Deed of Land form and Schedule page shall contain a complete and accurate legal description. The Minister's certificate of consent will be affixed to the completed Schedule page. For this reason, the names of the parties also must be set out on the Schedule page, so that the consent may be properly related to the intended conveyance.

Inaccuracies or omissions with regard to the legal description in the Transfer/Deed of Land form, the Schedule page or the survey plan will result in the documents being returned without consent.

1. All Buildings, including those in unorganized territories, have been required to comply with the Ontario Building Code since December 31, 1975.

At this time in unorganized territory, building permits and the payment of permit fees are not required. Inquiries about the Building Code should be made to:

Ontario Buildings Branch

Ministry of Municipal Affairs and Housing

2nd Floor, 777 Bay St.

Toronto, ON M5G 2E5

Telephone: (416) 585-6666

1. Approval must be obtained from the local Health Unit for all sewage systems that require a permit, including greywater systems but excluding pit privies.  The importation of suitable fill may be required to construct sewage treatment systems to the satisfaction of the Thunder Bay District Health Unit.  The Health Unit can also provide information on construction requirements, including minimum distances required between sewage systems and sources of potable water.
2. New wells must be installed in accordance with the requirements of Ontario Regulation 903 (Wells). Water quality and quantity testing should be completed for each new lot in accordance with MECP’s “*Technical Guideline for Private Wells*” (1996) and conducted by a qualified professional. If water from test wells exhibit values for health and aesthetic parameters that are above the Ontario Drinking Water Standards, the water must be treated prior to consumption. Upon well installation, a qualified professional should also demonstrate that there is an adequate quantity of groundwater available to meet the requirements of the residence without interference to adjacent properties.
3. Please notify the Ministry of Heritage, Sport, Tourism, and Culture (MHSTCI) (at archaeology@ontario.ca or 416-314-7620) if archaeological resources are impacted by any ground disturbing work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.

1. It is the applicant's and/or agent's responsibility to fulfill the conditions of consent approval within one year of the date of this letter pursuant to Section 53(41) of the Planning Act. **We will issue no further notice or warning of the expiration of the one-year period.**

If the conditions to consent approval are not fulfilled within one year of the date of this letter and the applicant is still interested in pursuing the proposal, a new application will be required. All documentation required for final approval should be provided to the Ministry of Municipal Affairs and Housing a minimum of one month prior to the lapsing date.