

<b>Applicant:</b>	Barry Waitt	<b>Date of Decision:</b>	January 21, 2025
<b>File No.:</b>	54-C-2444188	<b>Date of Notice:</b>	January 21, 2025
<b>Municipality/Twp:</b>	Unincorporated Township of Grenfell, District of Timiskaming	<b>Last Date of Appeal:</b>	February 10, 2025
<b>Subject Lands:</b>	PIN 612290307 & 612290298, Grenfell, UT, District of Timiskaming Unincorporated Township of Grenfell, District of Timiskaming		

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# NOTICE OF DECISION

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

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On **the above noted date**, the Minister of Municipal Affairs and Housing (MMAH) gave a provisional consent to Application No. **54-C-244188** for the transfer of approximately 0.19 hectares of land from PIN 612290307 to be consolidated with PIN 612290298 to resolve an encroachment issue between the two residential lots, together with an easement of approximately 31m x 22.6m in favour of the benefitting lot (612290298) within the Unincorporated township of Grenfell, District of Timiskaming. A copy of the decision is attached.

### Who Has Appeal Rights under the Planning Act

Other than the applicant, only a “specified person” or “public body”, as defined in s. 1(1) of the *Planning Act*, has the ability to appeal the decision to the Ontario Land Tribunal.

### 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 Gabriel Nimoh, Planner at the address shown below and it must,

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

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

### 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 – Sudbury  
159 Cedar Street, Suite 401  
Sudbury, ON, P3E 6A5

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Attention: Gabriel Nimoh, Planner  
Telephone: 249-885-4353

In addition, send a copy of your notice of appeal to the Minister of Environment, Conservation and Parks. You can provide notice by email at [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca) or by mail at:

College Park  
5th Floor, 777 Bay Street  
Toronto, ON  
M7A 2J3

**Appeal Rights under the  
Environmental Bill of Rights**

The *Environmental Bill of Rights, 1993* provides a separate ability to seek leave

to appeal decisions on consent applications that are posted to the Environmental Registry of Ontario (ERO). This appeal must be commenced within 15 days of the notice of decision being posted on the ERO. For more information about this appeal method, refer to the *Environmental Bill of Rights, 1993*, or <https://www.ontario.ca/page/environmental-bill-rights>.

The notice for this application is available to view on the ERO at <https://ero.ontario.ca/notice/019-9140>



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Megan Grant, Team Lead  
Community Planning and Development

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

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No. Conditions

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1. That this approval, applies to the severance of a piece of land of approximately 0.19 hectares from PIN 61229-0307 to be consolidated with PIN 61229-0298, together with an easement of approximately 31m x 22.6m in favour of PIN 61229-0298, as described in the above-noted application, and identified on Schedule A attached hereto and forming part of the decision.
2. That the following documents be provided for the transaction described in Condition 1:
  - a. A copy of the application to transfer documents;
  - b. A schedule to application to transfer on which is set out the entire legal description of all parcel(s) in question. This schedule must also contain the names of the parties indicated on application to transfer; and
  - c. A reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcels and easement to which the consent approval relates.
3. That the application to transfer noted in Condition 2 shall identify the property and ownership which the easement favours and the purpose of the easement.
4. That the easement be registered and shown on title for PIN 61229-0298.
5. That an application to consolidate the parcels is prepared and an undertaking from the person registering the documents shall be required agreeing to register the consolidations once the land transfers have been registered.

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No. Notes

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1. It is the applicant's and/or agent's responsibility to fulfill the conditions of consent approval within two years 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 two-year period.**

If the conditions to consent approval are not fulfilled within two years 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.

2. The required Transfer Application 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 Application form, the Schedule page or the survey plan will result in the documents being returned without consent.

3. For future reference, building permits are not available in areas without municipal organization, but all buildings are required to comply with the provisions of the Ontario Building Code. If you have any questions regarding the building code please direct your questions to the Building and Development Branch of the Ministry of Municipal Affairs and Housing, 16th Floor, 777 Bay Street, Toronto, Ontario M5G 2E5, at 416-585-6666, or at [codeinfo@ontario.ca](mailto:codeinfo@ontario.ca).
4. Please notify the Ministry of Citizenship and Multiculturalism (MCM) at [archaeology@ontario.ca](mailto: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, MCM should also be notified

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to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.

5. In the future, if development activities on the lots could pose a risk to any species at risk or their habitat, the Endangered Species Act may be triggered. Such development activities may require a species at risk authorization. If a species at risk authorization may be necessary in future, MECP recommends that proponents contact [SAR@ontario.ca](mailto:SAR@ontario.ca).

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## Schedule A



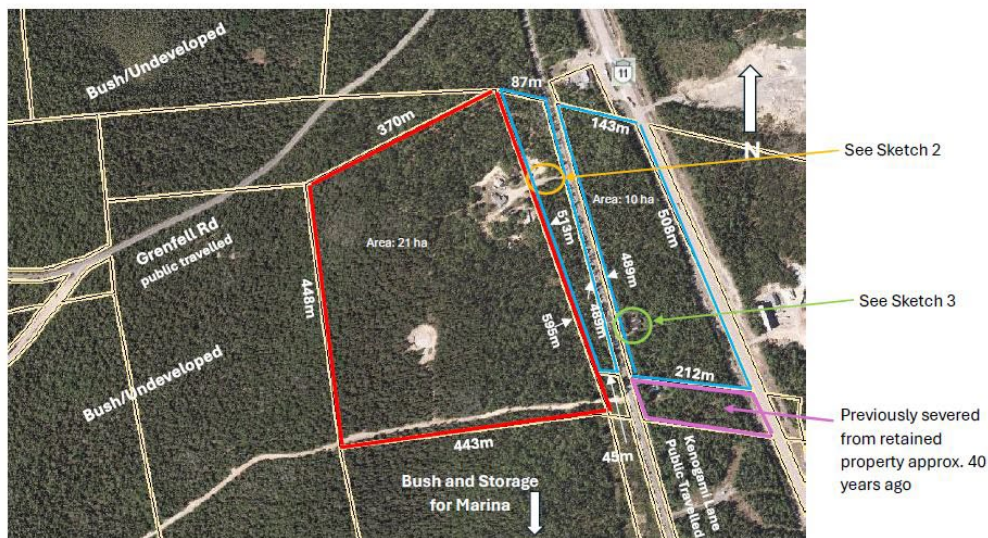
\* all measurements are approximate

<b>RAMSAY LAW OFFICE</b> Professional Corporation 18 Armstrong Street, Box 160 New Liskeard, ON P0J 1P0 705.647.4010	<b>Map Notes:</b> This map is a representation of a specific property and does not represent a survey by an Ontario Land Surveyor. Aerial image taken from Ministry of Agriculture, Food and Rural Affairs (AgMaps).	<b>Application for Consent</b> PIN: 61229-0307 NAME: TAILLEUR Date: (05/2024) Sketch Plan
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Property location – Sketch #1



\* all measurements are approximate

**RAMSAY LAW OFFICE**  
Professional Corporation

18 Armstrong Street, Box 160  
New Liskeard, ON P0J 1P0  
705.647.4010

**Map Notes:**

This map is a representation of a specific property and does not represent a survey by an Ontario Land Surveyor.  
Aerial image taken from Ministry of Agriculture, Food and Rural Affairs (AgMaps).

**Application for Consent**

PIN: 61229-0307  
NAME: TAILLEUR  
Date: (05/2024)

Sketch Plan