

RECEIVED

01-14-2025

Fields marked with an asterisk (\*) are required under Ontario Regulation 197/96.

MSO-N THUNDERBAY

**1. Application Information**
**1.1 Owner/Chargee/Purchaser Information \***
☒ Owner    ☐ Chargee    ☐ Purchaser

First Name of Owner/Chargee/Purchaser 1 \*  
Mckayla R.

Last Name of Owner/Chargee/Purchaser 1 \*  
Cybulski

First Name of Owner/Chargee/Purchaser 2

Last Name of Owner/Chargee/Purchaser 2

Company Name (if applicable)

Home Telephone Number \*  
613-332-8624

Business Telephone Number

CRA Business Number

Email Address  
mckaylacybulski@gmail.com

**Address**

Unit Number

Street Number \*  
478

Street Name \*  
Kerry Line

PO Box

City/Town \*  
Ennismore

Province \*  
ON

Postal/Zip Code \*  
K0L 1T0

**1.2 Agent/Applicant: Name of the person who is to be contacted about the application, if different than the owner/chargee/purchaser. (This may be a person or firm acting on behalf of the owner/chargee/purchaser.)**

First Name of Contact Person  
Robert B.

Last Name of Contact Person  
Howe

Company Name (if applicable)  
Bradley Law Professional Corporation

Home Telephone Number  
613-639-6572

Business Telephone Number  
613-756-2087

CRA Business Number

Email Address  
rhowe@bradleylawpc.com

**Address**

Unit Number

Street Number  
19470

Street Name  
Opeongo Line

PO Box  
790

City/Town  
Barry's Bay

Province  
ON

Postal/Zip Code  
K0J 1B0

**1.3 Name of owner(s) of the sub-surface rights if different from the surface right owner(s).**

Note: Sub-surface rights can be found by contacting the Ontario Land Registry Office and the Provincial Recording Office.

First Name

Last Name

**2. Type and Purpose of Application/Transaction (Highlight appropriate dropdown box)**
**2.1 Is this application for: \***

Transfer

Other Purpose Easement (right-of-way)

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

First Name  
Peter/Catherine

Last Name  
Cybulski

- 2.3** If a lot addition, provide the legal description of the lands to which the parcel will be added.  
Lot 7 and Block 14, Plan 55M-638

What is the existing land use of the receiving parcel?  
Seasonal recreational

What is the purpose of the lot addition request?  
Purpose of easement is to provide legal road access over existing driveway for a parcel which is currently legally accessible only by water (Windigoostigwan Lake)

### 3. Description/Location of the Subject Land (complete applicable boxes)

**3.1** What is the Property Identification Number (PIN)?  
(If PIN number is not available please complete section 3.2) 625051440

**3.2** District / Upper Tier  
Thunder Bay  
Municipality / Geographic Township (in an area without municipal organization, select District) \*  
Thunder Bay

Legal Description  
Lot 4 and Block 11, Plan 55M-638

Name of Street/Road  
Brule Creek Road, Kashabowie  
Street Number

**3.3** Description

	Severed	LT 6 Retained BL 13	LOT 7 Lot Addition (if applicable) BLK 14
Frontage (m)	10.88	10.88	0
Depth (m)	length 958.00	(avg.) 50.00	50.00
Area (ha)	1.07	1.75	1.90

**3.4** Buildings and Structures

	Severed	Retained
Existing (construction date)	None	None
Proposed	None	None

**3.5** Are there any easements or restrictive covenants affecting the subject land? \*

☒ Yes ☐ No

If yes, describe each easement or covenant and its effect. Use a separate page, if necessary.

Subject property is accessible by registered right-of-way (see copy attached of Parcel Register for owner's property - PIN 62505-1440). Purpose of application (as set out above) is to extend right-of-way across Owner's property for the benefit of adjacent parcel (see copy attached of Parcel Register for Lot 7 - PIN 62505-1441). Extension is laid out as Part 6 on Plan 55R-14283 (copy attached).



#### 4. Designation of Subject Lands

4.1 Name of the official plan  
None

4.2 What is the current designation(s), if any, of the subject land in the applicable official plan? \*  
N/A

4.3 What is the present zoning, if any, of the subject land?  
None

4.4 If the land is covered by a Minister's Zoning Order (MZO), what is the regulation number?  
N/A

4.5 If the land is covered by a Minister's Zoning Order (MZO), what uses are permitted by the order?  
N/A

#### 5. Current and Proposed Land Use

5.1 Use of Property	Severed	Retained
Existing use(s)	Driveway	Seasonal recreational
Proposed use(s)	Driveway	Seasonal recreational

5.2 What are the surrounding land uses?

East Bush

South Seasonal recreational

West Windigoostigwan Lake

North Undeveloped bush, intended for seasonal recreational

#### 6. Former Uses of Site and Adjacent Land (History)

6.1 Has there been an industrial or commercial use, or an orchard, on the subject land or adjacent lands?

☐ Yes ☒ No ☐ Unknown

If yes, specify the uses.

6.2 Has the grading of the subject land been changed by adding earth or other material(s)?

☐ Yes ☒ No ☐ Unknown

6.3 Has a gas station been located on the subject land or adjacent land at any time?

☐ Yes ☒ No ☐ Unknown

Has there been petroleum or other fuel stored on the subject land or adjacent land?

☐ Yes ☒ No ☐ Unknown

6.4 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent site?

☐ Yes ☒ No ☐ Unknown

6.5 What information did you use to determine the answers to the above questions on former uses?

6.6 If yes to any of (6.1), (6.2), (6.3) or (6.4) an inventory of previous uses of the subject land or, if appropriate, of the adjacent land(s), is needed.

Is the inventory of previous uses attached?

☐ Yes ☐ No

If the inventory is not attached, why not?

6.7 If yes to any of (5.1), (5.2), (5.3) or (5.4) was an Environmental Site Assessment (ESA) conducted under the *Environmental Assessment Act* or has a Record of Site Condition (RSC) been filed? Refer to Appendix A

☐ Yes ☐ No ☐ Unknown

If no, why not? Explain on a separate page, if necessary.

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## 7. Consultation with the Planning Approval Authority (Check boxes where applicable)

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7.1 Has there been consultation with the Ministry of Municipal Affairs and Housing prior to submitting this application? \*

☒ Yes ☐ No

If yes, and if known, indicate the file number and/or the name of the person discussed this with.

See Schedule

7.2 Have you consulted with the municipality/planning board on the application's conformity to the official plan?

☐ Yes ☒ No

If yes, attach a letter/documentation from the municipality/planning board on the proposal's conformity to the official plan.

☐ Attached

7.3 Have you included any materials identified in the official plan as submission requirements for development applications with this application?

☐ Yes ☒ No

7.4 Have you provided with this application a list, accompanied by the related materials, identified in the official plan as submission requirements for development applications?

☐ Yes ☒ No ☐ Attached

If no, why not? Please explain.

No Official Plan

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**Note:** All materials required in the official plan for complete application must be provided at the time of submitting an application.

## 8. Status of Current and Other Applications under the *Planning Act*

### 8.1 Current

Is this application a re-submission of a previous consent application? \*

☐ Yes ☒ No ☐ Unknown

If yes, and if known, describe how it has been changed from the original application.

### 8.2 Has the subject land ever been severed from the parcel originally acquired by the owner of the subject land? \*

☐ Yes ☒ No ☐ Unknown

If yes, provide (below) the date of transfer, the name of the transferee and the land use (for multiple transfers attach a separate sheet).

Severed parcel	Date of transfer (yyyy/mm/dd)	Name of transferee	Use of severed parcel

### Other Planning Applications

Has the subject land ever been the subject of any other planning application, including applications before the Ontario Land Tribunal (OLT) or any of its predecessors, for approval of either:

(For each if yes and if known, indicate i) file number ii) status of the application iii) OLT file number, if applicable and iv) OLT status).

### 8.3 Official Plan Amendment \*

☐ Yes ☒ No

i) File Number	ii) Status	iii) OLT File Number	iv) OLT Status
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### 8.4 Plan of Subdivision \*

☒ Yes ☐ No

i) File Number 58-T-13001	ii) Status Registered	iii) OLT File Number	iv) OLT Status
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### 8.5 Consent \*

☒ Yes ☐ No

i) File Number 58-C-213127	ii) Status Registered	iii) OLT File Number	iv) OLT Status
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### 8.6 Site Plan \*

☐ Yes ☒ No

i) File Number	ii) Status	iii) OLT File Number	iv) OLT Status
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### 8.7 Minor Variance \*

☐ Yes ☒ No

i) File Number	ii) Status	iii) OLT File Number	iv) OLT Status
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### 8.8 Zoning By-law Amendment \*

☐ Yes ☒ No

i) File Number	ii) Status	iii) OLT File Number	iv) OLT Status
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### 8.9 Minister's Zoning Order Amendment \*



☐ Yes ☒ No

If yes and if known, what is the Ontario Regulation number? \_\_\_\_\_

**Note:** Please provide list(s) of the relevant applications on a separate page and attach to this form.

## 9. Provincial Policy

9.1 Is the proposal consistent with the **Provincial Policy Statement (PPS)** issued under subsection 3(1) of the *Planning Act* (see Appendix A for more details)? \*

☒ Yes ☐ No

9.2 Explain how the application is consistent with the PPS. Attach a separate page if necessary.  
Application is for consent to the creation of an easement only in the nature of a right-of-way over an existing driveway for the benefit of an existing lot of record and raises no policy concerns.

9.3 **Table A** is a checklist (not a substitute for the Provincial Policy Statement) to assist in identifying areas of provincial interest that may apply to your application.  
Please fill in the appropriate rows in **Table A**, if any apply.

**Table A - Features Checklist**

Use or Feature	On the Subject Land	Within 500 Metres of subject land, unless otherwise specified (indicate approximate distance)
An agricultural operation including livestock facility or stockyard	<input type="checkbox"/>	
An industrial or commercial use {specify the use(s)}		
A landfill site (closed or active)	<input type="checkbox"/> Closed <input type="checkbox"/> Active	
A sewage treatment plant or waste stabilization pond	<input type="checkbox"/>	
A provincially significant wetland within 120 metres of the subject land	<input type="checkbox"/>	
Significant coastal wetlands	<input type="checkbox"/>	
Significant wildlife habitat and significant habitat of endangered species and threatened species	<input type="checkbox"/>	
Fish habitat	<input type="checkbox"/>	
Flood plain	<input type="checkbox"/>	
A rehabilitated mine site, abandoned mine site or mine hazards	<input type="checkbox"/>	
An operating or a non-operating mine site within 1000 metres of the subject land	<input type="checkbox"/>	
An active mine site or aggregates operation site within 1000 metres of the subject land	<input type="checkbox"/>	
A contaminated site	<input type="checkbox"/>	
Provincial highway	<input type="checkbox"/>	
An active railway line	<input checked="" type="checkbox"/>	adjacent
A municipal or federal airport	<input type="checkbox"/>	
Utility corridors	<input type="checkbox"/>	

Use or Feature	On the Subject Land	Within 500 Metres of subject land, unless otherwise specified (indicate approximate distance)
Electricity generating station, hydro transformer, railway yard, etc.	<input type="checkbox"/>	
Crown land (identified by the Ministry of Natural Resources and Forestry as being of special interests, such as lake access points)	<input type="checkbox"/>	
Known Archaeological Resources	<input type="checkbox"/>	
Areas of Archaeological Potential	<input type="checkbox"/>	

## 10. Provincial Plans

10.1 Is the subject land for the proposed development located within an area of land designated in any provincial plan? \*

☐ Yes ☒ No

10.2 If yes, identify which provincial plan(s) and explain the current designation(s) of the subject land(s).

10.3 If yes, does the proposal conform/not conflict with the policies contained in the provincial plan(s)? \*

☐ Yes ☐ No

If yes, please explain. Attach a separate page, if necessary. Submit a copy of the planning report, if applicable.

## 11. Servicing

### 11.1 Subject Lands

Indicate in a) and b) the proposed type of servicing for the subject land. Select the appropriate type of servicing from Table B. If servicing is private, please indicate the type of private servicing.

11.1 a) Indicate the proposed type of sewage disposal system – whether sewage disposal will be provided to the subject land by a publicly owned and operated sanitary sewage system, a privately owned and operated individual or communal septic system or other means? \*

11.1 b) Indicate the proposed type of water supply system – whether water will be 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 other means? \*

### 11.2 Retained Lands

Indicate in a) and b) the proposed type of servicing for the retained lands. Select the appropriate type of servicing from Table B. If servicing is private, please indicate the type of private servicing.

11.2 a) Indicate the proposed type of sewage disposal system – whether sewage disposal will be provided to the retained land by a publicly owned and operated sanitary sewage system, a privately owned and operated individual or communal septic system or other means? \*

Private Services - P RTP

11.2 b) Indicate the proposed type of water supply system – whether water will be provided to the retained 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 other means? \*

Private Services



### 11.3 Hauled Sewage

If development is proposed on privately owned and operated individual or communal septic system, provide confirmation that there is adequate reserve sewage treatment capacity for hauled sewage (septage) resulting from the proposed development. See Table B below.

**Table B – Sewage Disposal and Water Supply**

	Type of Servicing	Reports/Information Needed
<b>Sewage Disposal</b>	a) Publicly owned and operated sanitary sewage system	Applicants must provide evidence in their application that there is municipal confirmation of sufficient uncommitted reserve sewage system capacity to service the development at the time of conditional consent.
	b) Public communal septic	Development generating effluent of more than 4,500 litres per day may need a servicing options study and hydrogeological report.
	c) Privately owned and operated individual septic system	If the requested change would permit development on individual or communal septic system and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report may be needed.  If proposal would produce effluent less than 4,500 litres per day, a hydrogeological report may be needed.
	d) Privately owned and operated communal septic system	If the requested change would permit development on individual or communal septic system and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report may be needed.  If proposal would produce effluent less than 4,500 litres per day, a hydrogeological report may be needed.
	e) Privy	Provide details on location and size of out-houses.
	f) Other	Please describe.
<b>Hauled Sewage</b>	<i>N/A (Application is for right-of-way only)</i>	If development is proposed on privately owned and operated individual or communal septic systems, applicant must provide evidence in the application showing either: i) municipal confirmation of sufficient uncommitted reserve sewage system capacity for treatment of septage resulting from the proposed development; OR ii) confirmation (i.e., letter) from a commercial enterprise (private provider) for hauled sewage (septage) indicating that capacity is available to accommodate the specific proposal.
<b>Water Supply</b>	a) Publicly owned and operated piped water system	Applicants must provide evidence in their application that there is municipal confirmation of sufficient reserve water system capacity to service the development at the time of conditional consent.
	b) Privately owned and operated individual well	Development on communal or individual well system may need a servicing options report and a hydrogeological report.  Non-residential development on communal well system may need a hydrogeological report.
	c) Privately owned and operated communal well	Development on communal or individual well system may need a servicing options report and a hydrogeological report.  Non-residential development on communal well system may need a hydrogeological report.
	d) Lake	A Permit to Take Water may be required. Contact your regional Municipal Services Office and the Ministry of Environment, Conservation and Parks office for guidance.
	e) Other water body	Please describe.
	f) Other means	Please describe.



## Notes

1. To facilitate review of the application, submit a letter from the municipality to show concurrence (or not) with the recommendations in the servicing options report.
2. Before undertaking a hydrogeological report, consult MMAH for advice given the location of the subject land.
3. Where communal services are proposed (water and/or sewage), ownership of these services must be assumed by the municipality or a public body through a signed letter of acceptance.
4. To facilitate review of the application, submit a letter from the local health unit indicating that the site is developable and could accommodate the proposal.
5. A building permit is required for septic systems under Part 8 of the Building Code. See Appendix A.

## 12. Access

### 12.1 The proposed road access would be by: \*

Right-of-way *off end of forest access road*

**Note:** (See Appendix A for information on MTO Access Permits)

Certain type of development is not permitted on seasonally maintained roads.

Early consultation with your regional MSO is recommended.

### 12.2 Additional details on "other public road" and "right-of-way"

Would proposed road access be by:

☐ Crown road    ☐ Local roads board    ☒ Private road

### 12.3 If access to the subject land is by "other public road" or "right-of-way", or private road, indicate:

i) The owner of the land or road

Applicants already have deeded right-of-way to their property

ii) Who is responsible for maintenance

Owners of Lots 3 - 7 on Plan 55M-638 including the applicants and proposed transferees of easement

iii) Whether maintenance is seasonal or year round

Seasonal

**Note:** Access by right-of-ways and/or private roads are not usually permitted, except as part of a condominium.

### 12.4 Is water access ONLY proposed? \*

☐ Yes    ☒ No

If yes, on a separate page, describe i) the parking and ii) docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road access.

☐ Attached

You may be required to provide a letter from the owner(s) of a commercially operated parking and docking facility indicating that capacity is available to accommodate your specific proposal.

## 13. Proposal Waste Disposal

### 13.1 Garbage disposal is proposed to be by:

☐ Garbage collection    ☐ Municipal dump    ☒ Crown landfill    ☐ Other

### 13.2 Other Services Please check the other services available and the provider(s) of these services.

Services	Provider
<input type="checkbox"/> Electricity	
<input type="checkbox"/> School bussing	
<input type="checkbox"/> Other	

- 13.3** a) The proposed stormwater drainage would be by:  
ditches

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**14. Sketch: Use the attached sketch sheet.**

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To help you prepare the sketch, refer to the attached sample sketch.

**14.1** The application shall be accompanied by a sketch showing, in **metric units**, the following:

- 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;
- The location, size and type of all existing and proposed buildings and structures on the subject land, including their setback from the front yard, rear yard, side yard and opposite side yard;
- The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- The approximate distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge;
- The location of all lands previously severed from the parcel originally acquired by the current owner of the subject land;
- The approximate location of all natural and artificial features on the subject land and adjacent lands that, in the opinion of the applicant, may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
- The current use(s) on land that is adjacent to the subject land;
- 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;
- If access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
- The location and nature of any easement affecting the subject land;
- The severed parcel, the date of transfer, the name of the transferee and the use of the land.

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**15. Other Information**

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**15.1** Is there any other information that may be useful to the ministry in reviewing this application (e.g., information relating to the requirements and policies in the municipal official plan or efforts made to resolve outstanding objections or concerns by area resident(s), the municipality, other)?

If so, explain below or attach a separate page with this information.  
See Schedule attached

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**15.2** The original or certified copy of any other information and materials, as required by the official plan of the municipality/ planning board, must be provided with this application.

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**15.3** Where applicable and relevant information is available in a planning report submitted to council, or in a technical study/ report(s) prepared for the proposal, please provide the name, section and page number if you have referenced the study/ report(s) in any of the questions above.

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**15.4** Include a copy of the agreement of purchase and sale for the proposed severed lands and a statement from a lawyer certifying that there are no abutting lands.

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## 16. Affidavit or Sworn Declaration

I, Howe, Robert B.

Last Name, First Name \*

of the Township of Madawaska Valley  
Municipality \*

in the province of \* Ontario

make oath and say (or solemnly declare) that the information required under Schedule 1 to Ontario Regulation 197/96, and provided by the applicant in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the Township of Madawaska Valley in the County of Renfrew  
(lower-tier municipality) (upper-tier municipality)

this \* 2nd day of \* January, \* 20 25



Kimberly Anne Bozak, a Commissioner, etc.,  
Province of Ontario, for Bradley Law Professional Corporation.  
Expires November 21, 2027.

  
Applicant

## 17. Authorizations

If the applicant is not the owner/chargee/purchaser of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

### 17.1 Authorization of Owner/chargee/purchaser for Agent to Make the Application

I, Cybulski, Mckayla Rose

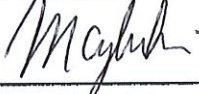
Last Name, First Name

am the owner/chargee/purchaser of the land that is the subject of this application for consent and I authorize

Bradley Law Professional Corporation (Robert B. Howe) to make this application on my behalf.

Signature of Owner

Date (yyyy/mm/dd)

x 

2024/12/24

If the applicant is not the owner/chargee/purchaser of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### 17.2 Authorization of Owner/chargee/purchaser for Agent to Provide Personal Information

I, Cybulski, Mckayla Rose

Last Name, First Name

am the owner/chargee/purchaser of the land that is the subject of this application for consent and for the purposes of the **Freedom of Information and Protection of Privacy Act**.

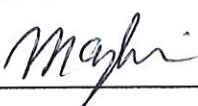
I authorize Bradley Law Professional Corporation (Robert B. Howe)

Last Name, First Name

as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application

Signature of Owner

Date (yyyy/mm/dd)

x 

2024/12/24



## 18. Consent of the Owner/Chargee/Purchaser

Complete the consent of the owner/chargee/purchaser concerning personal information set out below.

### 18.1 Consent of the Owner/chargee/purchaser to the Use and Disclosure of Personal Information

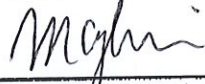
I, Cybulski, McKayla Rose

Last Name, First Name

am the owner/chargee/purchaser of the land that is the subject of this application for application and for consent 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.

Signature of Owner

x 

Date (yyyy/mm/dd)

2024/12/24

## 19. Submission of Application

Date of application to Ministry of Municipal Affairs (yyyy/mm/dd)\*

## 20. Applicant's Checklist

i) Have you remembered to attach the following:

- ☐ One original and one copy of the completed application form (ensure you have a copy for yourself), including the sketch, key plan and any reports indicated in the application form?
- ☐ The required fee, either a certified cheque or money order, payable to the Minister of Finance?
- ☐ A copy of the letter from the local health unit or conservation authority (as appropriate) indicating that the site is developable and could accommodate the proposed development?

ii) ☐ Check that the application form is signed and dated by the owner/agent?

Note: Applicants will be also required to cover the ministry's cost for providing public notice (e.g., advertising).