

Applicant:	Mckayla R. Cybulski	Date of Decision:	July 3, 2025
File No.:	58-C-255543	Date of Notice:	July 3, 2025
Municipality/Twp:	Unsurveyed Territory, District of Thunder Bay	Last Date of Appeal:	July 23, 2025
Subject Lands:	PIN 625051440, LOT 6, PLAN 55M638 DISTRICT OF THUNDER BAY; TOGETHER WITH AN EASEMENT OVER PART OF MINING CLAIM TB3813 UNSURVEYED TERRITORY BEING LAND AND LAND UNDER THE WATER OF THAT PART OF A SMALL LAKE LYING WITHIN THE LIMITS OF SAID CLAIM SITUATE ON THE NORTH SHORE OF WINDIGOOSTIGWAN LAKE, PART 2, 55R14350 AS IN TY322498; TOGETHER WITH AN EASEMENT OVER PART LOT 5, PLAN 55M638, PART 1 & 2, 55R14438 AS IN TY322499; TOGETHER WITH AN EASEMENT OVER MINING CLAIM TB 3831 UNSURVEYED TERRITORY BEING LAND AND LAND UNDER THE WATER OF THAT PT OF GREEN LAKE LYING WITHIN THE LIMITS OF THIS CLAIM SITUATE NEAR WINDIGOOSTIGWAN LAKE BEING PART 6 ON PLAN 55R14350 AS IN TY322497		
	PIN 625051441, LOT 7, PLAN 55M638 DISTRICT OF THUNDER BAY		

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 a provisional consent to Application No. **58-C-255543** for easement over PIN 62505-1440 for the purpose of access in favour of PIN 62505-1441 in Unincorporated Township, District of Thunder Bay. 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 Ropheka Adofo, A/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.

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Other Related Applications

58-C-257762

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: Ropheka Adofo, A/Planner
Telephone: (807) 631-4954

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 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/025-0137>

Andrew Carr, Acting 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.

Conditions

1. That this approval, applies to permit the creation of an easement, approximately 91.02 metres long, over PIN 62505-1440, for the purpose of access in favour of PIN 62505-1441, as applied for in the above-noted location in the Unincorporated Territory, in the District of Thunder Bay.
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 the parcel(s) in question. This Schedule must also contain the names of the parties indicated on application to transfer;
 - c. 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; and/or a legal description of the lands to be severed (and retained if requested) which is acceptable to the land registrar.
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 the title for PIN 62505-1440 in favour of PIN 62505-1441.
5. That prior to final approval, the ministry is to be provided with signed written confirmation that access to PIN 62505-1441 has been granted by the servient lands.

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

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PIN 625051441, LOT 7, PLAN 55M638 DISTRICT OF THUNDER BAY

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.

2. 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, except as they relate to the location and construction of septic systems. Inquiries about the Building Code Construction Standards should be made to:

Buildings and Development Branch
 Ministry of Municipal Affairs and Housing
 17th Floor, 777 Bay Street
 Toronto, ON M7A 2J3
 Telephone: (416) 585-6666
codeinfo@ontario.ca

3. 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.
4. If any archaeological resources (artifacts or any other physical evidence of past human use or activity) are found, all alteration must immediately cease on the site and a licensed consultant archaeologist must be engaged to carry out an archaeological assessment in compliance with Section 48(1) of the Ontario Heritage Act prior to any further alteration. Any alterations or soil disturbance to an archaeological site prior to having met the requirements of Section 48(3) of the Ontario Heritage Act is an offence. The Ministry of Citizenship and Multiculturalism may be contacted for guidance (archaeology@ontario.ca).

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The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 requires that any person discovering human remains must cease all activities immediately and notify the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with Ontario Regulation 30/11 the coroner shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery, which administers provisions of that Act related to burial sites. In situations where human remains are associated with archaeological resources, MCM should also be notified (archaeology@ontario.ca).

5. 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 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.**