

Applicant: Estate of Donald Nichols
File No.: 58-C-259506
Municipality/Twp: Unincorporated Township of Stirling,
District of Thunder Bay
Subject Lands: PINs 62483-0104 and 62483-0105, Lot
3, Con 2, Unincorporated Township
of Stirling, DISTRICT OF THUNDER
BAY

Date of Decision: December 19, 2025
Date of Notice: December 19, 2025
Last Date of Appeal: January 8, 2026

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-259506** for a new lot, in respect of the land described as PIN 62483-0104 and PIN 62483-0105, Lot 3, Con 2, Unincorporated Township of Stirling, 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 under the Planning Act

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

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

- (1) set out the reasons for the appeal, and
- (2) be accompanied by the fee required by the Tribunal, fee chart available at <https://olt.gov.on.ca/fee-chart/>.

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.

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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: Chelsea Flegel, Planner
Telephone: (807) 630-8442

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/025-1233>



Heather Boyer, Manager
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.

No.	Conditions
1.	That this approval applies to create a new lot of approximately 2.32 hectares, as applied for, in the above noted location in the Unincorporated Township of Stirling, District of Thunder Bay.
2.	That the following documents be provided for the transaction described in Condition 1: <ul style="list-style-type: none"> 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; 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 parcel(s) to which the consent approval relates; and/or a legal description of the lands to be severed which is acceptable to the land registrar.
3.	That prior to final approval, this Ministry must receive written confirmation from the holder of an Environmental Compliance Approval (ECA) for an approved septage disposal facility, referencing the disposal facility and the related MECP approval confirming it has sufficient reserve capacity to accept any additional hauled sewage from the proposed severed and retained lots.
4.	That prior to final approval, the Ministry must be advised by the Thunder Bay District Health Unit that the severed and retained lands have been inspected and are suitable for the installation of a subsurface sewage system; or that existing systems meet requirements.

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

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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.

2. In accordance with the Public Transportation and Highway Improvement Act (PTHIA), Entrance Permits are required for any entrance onto a provincial highway. Any change of, property ownership, property description, entrance/land use or of entrance construction, requires a new entrance permit. Entrance Permits do not run with the land. Where a property has frontage along a highway and along a public road, the Highway Access Management Guideline (HAMG) policy requires the property to access the public road and no direct access to the highway is permitted.

Once the consent process is complete and the property ownership is properly registered, the registered owners must make application for a Ministry of Transportation Highway Residential Entrance Permit. Entrance Permit Applications are made on-line at the website <http://www.hcms.mto.gov.on.ca>. Application is to be made for a Residential Entrance Permit-Change of Permit Ownership. There will be no fee for the permit.

Additionally, the PTHIA requires MTO Building and Land Use Permits be obtained for any development/construction occurring within 45 metres of the property limit of a provincial highway or within 180 metres of the centre point of an intersection between a public sideroad with a highway. Prior to adding any additional improvements on the subject lands, the property owners should contact MTO to verify if a Building and Land Use Permit will be required.

3. 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:

Buildings and Development Branch
Ministry of Municipal Affairs and Housing
2nd Floor, 777 Bay St.
Toronto, ON M5G 2E5
Telephone: (416) 585-6666

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Fax: (416) 585-7531
codeinfo@ontario.ca

4. 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.
5. 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.
6. 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).

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).

7. If activities on the lots could pose a risk to species at risk or their habitat, the Endangered Species Act may be triggered at that time. If a species at risk

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authorization is required in the future, it is recommended that owners or prospective purchasers contact SAR@ontario.ca.

8. 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.