

Ministry of Municipal  
Affairs and Housing

Municipal Services Office  
North (Sudbury)

401-159 Cedar Street  
Sudbury, ON P3E 6A5  
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Ministère des Affaires  
municipales et du Logement

Bureau des services aux  
municipalités du Nord (Sudbury)

401-159, rue Cedar  
Sudbury ON P3E 6A5  
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November 19, 2019

Gerry Oriet  
Beaver Creek Land and Cattle Company  
999377 Highway 11  
PO Box 1565  
New Liskeard, ON P0J 1P0  
Email: [leeville.enterprises@gmail.com](mailto:leeville.enterprises@gmail.com)

via email

Dear Gerry Oriet,

**Subject:** GRANTING OF PROVISIONAL CONSENT  
**Location:** South ½ Lot 10 Concession 4 at 243223 Margueratt Road (PIN 61273-0070), Ingram unincorporated township, Timiskaming District  
**Owners:** William and Sharon Tardiff  
**MMAH File:** 54-C-192666

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Pursuant to Section 53 of the *Planning Act*, a provisional consent is hereby granted in respect of the above-noted application. Accordingly, the list of the conditions that must be fulfilled before consent is given is attached. 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.

Yours truly,

A handwritten signature in blue ink, appearing to read "M Grant", written over a light blue circular stamp.

Megan Grant  
Team Lead, Community Planning and Development  
Municipal Services Office North

<b>Applicant:</b>	William and Sharon Tardiff	<b>Date of Decision:</b>	November 19, 2019
<b>File Number:</b>	54-C-192666	<b>Date of Notice:</b>	November 19, 2019
<b>Municipality/ Township:</b>	Ingram unincorporated township, District of Timiskaming	<b>Last Date of Appeal:</b>	December 9, 2019
<b>Location:</b>	South ½ Lot 10 Concession 4 at 243223 Margueratt Road (PIN 61273-0070)		

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## NOTICE OF DECISION

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

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On November 19, 2019 the Minister of Municipal Affairs and Housing gave a provisional consent to Application No. 54-C-192666 in respect of land in the geographic township of Ingram, District of Timiskaming. A copy of the decision is attached.

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

Notice to appeal the decision to the Local Planning Appeal 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 Caitlin Carmichael, 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 *Local Planning Appeal Tribunal Act* in the amount of \$300.00, payable to the Minister of Finance.

#### **Who Can File a Notice of Appeal**

Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal 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.

#### **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.

#### **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 (Sudbury),  
401-159 Cedar Street  
Sudbury, ON P3E 6A5

Attention: Caitlin Carmichael, Planner  
Telephone: (705) 564-6845 or 1-800-461-1193 extension 46845  
Fax: (705) 564-6863



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Megan Grant  
Team Lead - Planning  
Community Planning and Development  
Municipal Services Office North (Sudbury)

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The Minister's conditions to the granting of consent for this transaction, **which must be fulfilled within one year from the date of the Notice of Decision**, 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 creation of a new lot approximately 59.64 hectares from PIN 61273-0070, known locally as 243223 Margueratt Road, in Ingram unincorporated township, District of Timiskaming.
2. That prior to final approval, the Ministry must be advised by the Timiskaming Health Unit that the retained lands have been inspected and that existing sewage system appears to be functioning satisfactorily with no signs of septic failure.
3. That prior to final approval, the Ministry must be advised in writing by the Ingram Local Roads Board that they do not have any concerns related to the construction of a new entrance on Margueratt Road.
4. 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; 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.
5. That the application to transfer noted in Condition 4 shall not identify the transferors and the transferees as the same person.
6. That prior to final approval, and pursuant to subsections 53(12) and 51(25) and 51(26) or (27) of the *Planning Act*, the applicant shall enter into a Consent Agreement with the Ministry of Municipal Affairs and Housing, to its satisfaction, addressing the use and potential development of the new lot, including:
  - a. the lot can only be used for agricultural purposes and is not to be used for

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permanent residential and/or recreational purposes;

- b. provisions to obtain undertakings from the applicant and/or the applicant's lawyer to implement conditions and requirements, including that the Consent Agreement be registered on title in priority to other documents; and,
- c. provisions relating to the enforcement of the Consent Agreement.

The following notes are for your information:

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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 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.

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 required 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).

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4. Should deeply buried cultural relics be found during construction and/or ground disturbance activities, the Ministry of Tourism, Culture and Sport (MTCS) should be informed directly. In the event that human remains are discovered, all work in the vicinity of the discovery must be suspended immediately. Notification will be made to the Ontario Provincial Police, or local police, who will conduct a site investigation and contact the District Coroner. Notification should also be made to the MTCS Archaeologist, c/o 435 South James Street, Suite 334, Thunder Bay, ON P7E 6S7, Telephone: (807) 475-1628, and the Registrar, Cemeteries Regulation Unit, 32 Floor, Eaton Tower, 250 Yonge Street, Toronto, ON M4G 2N5, Telephone: (416) 326-8404. Other government staff may be contacted as appropriate.
5. Graham's Creek is a tributary of the Blanche River that runs through the proponent's private property and downstream to the conservation reserve. Development (i.e., for agriculture) is not a concern if work is done to ensure there is no impact to the conservation reserve. Please complete land clearing and development activities such as drainage work in a manner consistent with best practices, including the following:
  - a. leave a treed buffer when clearing land along Graham's Creek to ensure field runoff is filtered before entering the waterway
  - b. ensure any ditching and drainage activities are properly filtered and engineered with erosion protection before connecting to existing drainage or waterway systems
  - c. for any more extensive work within 120 metres of Graham's Creek, please contact the Ministry of Natural Resources and Forestry to determine any potential impacts to fish habitat

Contact Ontario Parks Northeast Zone at 705-564-3165 for more information on conservation reserves and associated policies.

6. Any new buildings and/or structures on the retained and severed lands must respect the Minimum Distance Separation (MDS) Formulae, as applicable. For more information on MDS, please see the following link:  
<http://www.omafra.gov.on.ca/english/landuse/mds.htm>.