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-03-12-2021

MSO-N THUNDERBAY

58-C-219973.

Application for Consent Under Section 53 of the Planning Act

Fields marked with an asterisk (\*) are required under Ontario Regulation 547/06.

1. Application Information

1.1 Owner Information

First Name of Owner 1\* RAYMOND PHILLIBERT | Last Name of Owner 1\* BERGERON

First Name of Owner 2 CAROL LYNN | Last Name of Owner 2 BERGERON

Company Name (if applicable)

Home Telephone Number\* | Business Telephone Number | Fax Number

Email Address

Address: Unit Number | Street Number\* | Street Name\* | PO Box

City/Town\* | Province\* | Postal/Zip Code\*

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

First Name of Contact Person KADY | Last Name of Contact Person STACHIW

Company Name (if applicable) LARSON LAWYERS PROFESSIONAL CORPORATION

Home Telephone Number n/a | Business Telephone Number 807-285-7777 ext 142 | Fax Number 807-623-1354

Email Address kady.stachiw@larsonlawyers.com

Address: Unit Number 222 | Street Number 620 | Street Name Victoria Ave E | PO Box

City/Town Thunder Bay | Province Ontario | Postal/Zip Code P7C 1A9

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

First Name N/A | Last Name

2. Type and Purpose of Application/Transaction (highlight appropriate dropdown box)

2.1 Is this application for:\*

Transfer | Other Purpose LOT ADDITION

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

First Name MARILYN | Last Name DOGGETT

2.3 If a lot addition, provide the legal description of the lands to which the parcel will be added.

PCL 21048 SEC TBF; PT LOCATION TW 175 KILLRAINE PT 3, 55R5004; DISTRICT OF THUNDER BAY

What is the existing land use of the receiving parcel?

SINGLE FAMILY RESIDENTIAL

What is the purpose of the lot addition request?

TO ACCOMODATE RETAINING WALL (PT 1 55R14636) WHICH IS ENCROACHING ON PT 2 55R5004 BY ADDING PT 1 55R14636 TO PT 3 55R5004

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

3.1 District THUNDER BAY		Municipality (in an area without municipal organization, select District)* DISTRICT		
Former Municipality		Geographic Township in Territory without Municipal Organization KILLRAINE	Section or Mining Location No.	
Concession Number(s)		Lot Number(s)	Registered Plan Number	Lot(s)/Block(s)
Reference Plan No. 55R5004	Part Number(s) 2	Property Identification Number 62459-0044	Name of Street/Road Whitesand-Winston Rd	Street Number
3.2 Description				
	Severed	Retained	Lot Addition (if applicable)	
Frontage (m)	irregular - 1.11 x 19.78 x 2.09 x		Yes	
Depth (m)	14.59			
Area (ha)	0.002 ha	0.054656 ha		
3.3 Buildings and Structures				
	Severed		Retained	
Existing (construction date)	None		None	
Proposed	None		None	
3.4 Are there any easements or restrictive covenants affecting the subject land?*				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

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

**4. Designation of Subject Lands / Current and Proposed Land Use**

4.1 Name of the official plan  
N/A

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?

N/A

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

4.6 Use of Property	Severed	Retained
Existing use(s)	shoreline road allowance	shoreline road allowance
Proposed use(s)	shoreline road allowance	shoreline road allowance

4.7 What are the surrounding land uses?

East shoreline road allowance/residential

West Whitesand Lake

North shoreline road allowance

South shoreline road allowance

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

5.1 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.

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

Yes  No  Unknown

5.3 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

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

Yes  No  Unknown

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

Personal knowledge

5.6 If yes to any of (5.1), (5.2), (5.3) or (5.4) 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?

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5.7 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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**6. Consultation with the Planning Approval Authority (check boxes where applicable)**

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6.1 Has there been consultation with the Ministry of Municipal Affairs prior to submitting this application?

Yes  No

If yes, and if known, indicate the file number.

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

Yes  No N/A there is no municipality or local planning board

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

Attached

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6.3 Have you discussed with the municipality/planning board the official plan submission requirements for a consent?

Yes  No N/A

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6.4 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.

There is 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.

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

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7.1 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:

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7.2 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 Municipal Board (OMB), for approval of either:

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

7.3 Official Plan Amendment\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

7.4 Plan of Subdivision\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

7.5 Consent\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

7.6 Site Plan\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

7.7 Minor Variance\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

7.8 Zoning By-law Amendment\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

7.9 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

**8. Provincial Policy**

8.1 Is the proposal consistent with the Provincial Policy Statement (PPS) issued under subsection 3(1) of the *Planning Act*?\*

Yes  No N/A

8.2 Explain how the application is consistent with the PPS. Attach a separate page if necessary.

The Application is a lot addition to remedy an encroachment.

- 8.3 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"/>	located approximately 1.9m from Whitesand Lake
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 type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	
Utility corridors	<input type="checkbox"/>	
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"/>	

**9. Provincial Plans**

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

Yes  No

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

- 9.3 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.

N/A

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## 10. Archaeology

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10.1 Does the subject land contain any known archaeological resources or areas of archaeological potential?

Yes  No  Unknown

If yes, does the plan propose to develop lands within the subject lands that contain:

- Known archaeological resources?  Yes  No
  - Areas of archaeological potential?  Yes  No
- 

10.2 If yes, contact the regional Municipal Services Office-MMA staff to discuss whether any reports may be needed.

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## 11. Servicing

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11.1 Indicate in a) and b) the proposed type of servicing for the subject land. Select the appropriate type of servicing from Table B.

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?\*

There is an existing septic system located on Lot 2 Plan M241 which is serving Lot 2 Plan M241. There will be no change to the existing septic system as a result of this Application.

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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?\*

Water is currently supplied by a water line crossing Part 2 55R5004 which serves the house located on Lot 2 Plan M241. The water line does not cross the proposed severed property. There will be no change to the water supply system as a result of this Application.

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11.2 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.

N/A

**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>		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 the Environment and Climate Change 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 MMA 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.



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**12. Access**

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12.1 The proposed road access would be by:  
There is existing road access on Whitesand-Winston Rd.

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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.

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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

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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

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ii) Who is responsible for maintenance

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iii) Whether maintenance is seasonal or year round

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

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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.

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**13. Proposal Waste Disposal**

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13.1 Garbage disposal is proposed to be by:

Garbage collection    Municipal dump    Crown landfill    Other

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

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

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13.3 a) The proposed stormwater drainage would be by:

N/A

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**14. Sketch:** Use the attached sketch sheet. To help you prepare the sketch, refer to the attached sample sketch.

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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.

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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.

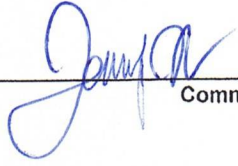
16. Affidavit or Sworn Declaration

I, STACHIW, KADY of the City of Thunder Bay  
Last Name, First Name\* 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 City of Thunder Bay in the District of Thunder Bay  
(lower-tier municipality) (upper-tier municipality)

this\* 3 day of\* March, \*2021.



Commissioner of Oaths



Applicant

Jennifer Lori Kruzick, a Commissioner, etc.,  
Province of Ontario, for Larson Lawyers  
Professional Corporation.  
Expires May 10, 2021.

## 17. Authorizations

If the applicant is not the owner 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 for Agent to Make the Application

I, Bergeron Ray Bergeron Carol, am the owner of the land that is the subject of this application for consent and I authorize Kady Stachiw to make this application on my behalf.

Signature of Owner

Carol Bergeron

Date (yyyy/mm/dd)

2021/02/14

If the applicant is not the owner 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 for Agent to Provide Personal Information

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for application for consent and for the purposes of the *Freedom of Information and Protection of Privacy Act*.

I authorize Stachiw, Kady, 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)

## 18. Consent of the Owner

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

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

I, Bergeron Ray Bergeron Carol, am the owner 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

Carol Bergeron

Date (yyyy/mm/dd)

2021/02/14

## 19. Submission of Application

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

2021/03/03

## 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? N/A

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).

**21. Sketch Sheet**

- ▶ Sketch Accompanying Application  
(Please use metric units and refer to section 14 for details.)

SEE ATTACHED SCHEDULE "A"

Key Plan

