

Applicant: Kady Stachiw (Larson Lawyers Professional Corporation)
File No.: 58-C-219973
Subject Lands: PIN 62459-0044; Location TW 175; Part 1, 55R-5004; Unincorporated Township of Killraine, District of Thunder Bay

Date of Decision: August 11, 2021
Date of Notice: August 11, 2021
Last Date of Appeal: August 31, 2021

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 gave a provisional consent to Application No. **58-C-219973** for a 0.002-hectare lot addition in respect of land described as PIN 62459-0044 in the Unincorporated Township of Killraine, District of Thunder Bay. A copy of the decision is attached.

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 Neil MacKay, Assistant Planner, at the address shown below and it must,

- (1) set out the reasons for the request for the appeal, and
- (2) be accompanied by the fee prescribed under the Ontario Land Tribunal in the amount of \$400.00, payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File a Notice of Appeal

Only individuals, corporations or public bodies may appeal decisions of the Ministry of Municipal Affairs and Housing 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.

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.

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

Submit notice of appeal to the attention of:
Neil MacKay, Assistant Planner
Municipal Services Office North (Thunder Bay)
Telephone: (807) 630-8442

Victoria Kosny
Manager, Community Planning & Development
Municipal Services Office – North (Thunder Bay)

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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 this letter** are set out below. These conditions must be fulfilled prior to the granting of consent.

No.	Conditions
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1. That this approval applies to permit the addition of approximately 0.002 hectares of land being part of PIN 62459-0044; Location TW 175; more particularly described as Part 1 on Reference Plan of Survey 55R-5004, as applied for in the above-noted location on Whitesand Lake, Unincorporated Township of Killraine, 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; and
 - c. A copy of the instrument for this transaction upon which an Order from the local Land Registrar appears, exempting this transaction from the requirement to provide a reference plan of survey under subsection 150 of the Land Titles Act or subsection 80 of the Registry Act, or a letter to that effect from the local Land Registrar, or confirmation from a legal professional that the severed and retained lands each have their own registerable legal description acceptable to the Land Registrar.

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 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. 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

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not required. Inquiries about the Building Code should be made to:

Ontario Buildings Branch
Ministry of Municipal Affairs
12th Floor, 777 Bay St.
Toronto, ON M5G 2E5
Telephone: (416) 585-6666

3. 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 Health Unit. The Health Unit can also provide information on construction requirements, including minimum distances required between sewage systems and sources of potable water.
4. 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.
5. Please notify The Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) at archaeology@ontario.ca or 416-314-7620 if archaeological resources are impacted by any ground disturbing work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the *Ontario Heritage Act* and the Standards and Guidelines for Consultant Archaeologists.

If human remains are encountered, all activities must cease immediately and the local police as well as the Registrar, Burials of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.

6. Whitesand Lake is an identified Lake Trout lake. Section 2.1.6 and 2.1.7 of the Provincial Policy Statement, 2020 (PPS) states that development and site alteration shall not be permitted in fish habitat and in habitat of endangered and threatened species except in accordance with provincial and federal requirements. Should any activities on the lots pose a risk to Species at Risk (SAR) or their habitat, the *Endangered Species Act* may be triggered at that time. If a SAR authorization may be necessary in future, the ministry recommends the proponent contact SAR@ontario.ca.

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7. Shoreline Best Management Practices, listed in Appendix B of the Lakeshore Capacity Assessment Handbook, 2010, are available at: <http://www.ontario.ca/environment-and-energy/lakeshore-capacity-assessmenthandbook-protecting-water-quality-inland-lakes>.
 8. Owners and prospective buyers should look to minimize the risk of Wildland Fire to a low to moderate rating by referring to the Ministry of Northern Development, Mines, Natural Resources and Forestry's (MNDMNRF) Wildland Fire Risk Assessment and Mitigation reference manual, found at <https://www.ontario.ca/page/wildland-fire-risk-assessment-and-mitigation-reference-manual>.
 9. 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.