

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

1. Application Information

1.1 Owner Information

First Name of Owner 1*	Alexander	Last Name of Owner 1*	McEachern
First Name of Owner 2	Katelyn	Last Name of Owner 2	McEachern
Company Name (if applicable)			

Home Telephone Number*	Business Telephone Number	Fax Number
204-298-6965		

Email Address
lexmceachern@gmail.com

Address

Unit Number	Street Number*	Street Name*	PO Box
	38	Kimberley Rd.	112
City/Town*	Province*	Postal/Zip Code*	
Longbow Lake	Ontario	P0X 1H0	

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	Last Name of Contact Person
n/a	
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	

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

First Name	Last Name

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

2.1 Is this application for:*

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

First Name	Last Name
n/a	

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

n/a

What is the existing land use of the receiving parcel?
n/a

What is the purpose of the lot addition request?
n/a

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

3.1 District Kenora - see attached sketch/service Ontario doc		Municipality (in an area without municipal organization, select District)* District of Kenora		
Former Municipality		Geographic Township in Territory without Municipal Organization Kirkup		Section or Mining Location No. Mining Claim K 2500
Concession Number(s)		Lot Number(s)		Registered Plan Number KR 361
Reference Plan No.	Part Number(s) 2, 5, 6	Property Identification Number		Name of Street/Road Kimberly Rd.

3.2 Description

	Severed	Retained	Lot Addition (if applicable)
Frontage (m)	136.00		
Depth (m)	82.00		
Area (ha)	1.11	1.48	

3.3 Buildings and Structures

	Severed	Retained
Existing (construction date)	2001 Residence in Part 2	1989 Residence in Part 5
Proposed	n/a	n/a

3.4 Are there any easements or restrictive covenants affecting the subject land?*

Yes No

If yes, describe each easement or covenant and its effect. Use a separate page, if necessary.
Please see attached e-mail from lawyer's office regarding Part 6 (road).

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

- 4.1 Name of the official plan
Residential
- 4.2 What is the current designation(s), if any, of the subject land in the applicable official plan?*
- Residential
- 4.3 What is the present zoning, if any, of the subject land?
Residential

4.4 If the land is covered by a Minister's Zoning Order (MZO), what is the regulation number?
No.

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)	Residential	Residential
Proposed use(s)	Residential	Residential

4.7 What are the surrounding land uses?

East
Residential

West
Longbow Lake Fire hall abuts west side of subject land

North
Highway No. 17

South
Residential

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.
n/a

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?

Legal purchase documents 2019.

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?

n/a

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.
n/a

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

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

Yes No *next page paperclip*

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

MMAH File No.: 60-C-211135 - see attached documents and responses from applicants.

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

Yes No

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

Attached

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

Yes No

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.

n/a

Note: All materials required in the official plan for complete application must be provided at the time of submitting an application.

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

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:

n/a

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

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

See attached documents. (Appendix A)

- 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"/>	
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"/>	25 meters north side
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	
Utility corridors	<input type="checkbox"/>	Bell Canada - 10 to 15 m East
Electricity generating station, hydro transformer, railway yard, etc.	<input type="checkbox"/>	Hydro One - 10 m South
Crown land (identified by the Ministry of Natural Resources and Forestry as being of special interests, such as lake access points)	<input type="checkbox"/>	Fire department abuts west side

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).

n/a

- 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

10. Archaeology

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.

11. Servicing

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?*

Private Services

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?*

Private Services

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
Sewage Disposal	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
Hauled Sewage		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.
Water Supply	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.

12. Access

12.1 The proposed road access would be by:

Other public road

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.

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

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

Road access to proposed severed land is using Part 6, which is currently owned by grantor's on this application.
Please see pre-consultation letter and communication from Lawyer's office for reference.

ii) Who is responsible for maintenance

From pre-consultation letter: "Kimberley Road is an access road which is a 50/50 road, partially funded by the Ministry of Transportation (MTO). MTO engages in a 50/50 cost share agreement renewed on a yearly basis for maintenance with a group of property owners along Kimberly Road. Fees are collected and submitted to the ministry on a voluntary basis. There are no taxes levied for each property owner."

iii) Whether maintenance is seasonal or year round
all year round.

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

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.

13. Proposal Waste Disposal

13.1 Garbage disposal is proposed to be by:

Garbage collection Municipal dump Crown landfill Other

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

Services	Provider
<input checked="" type="checkbox"/> Electricity	Hydro One - access is already in place to residence on subject land
<input checked="" type="checkbox"/> School bussing	NWO Student Services Consortium - access in place to local bus lines to Kenora district
<input checked="" type="checkbox"/> Other	Owners of subject land to dispose own garbage at municipal dump.

13.3 a) The proposed stormwater drainage would be by:

N/A

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

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.
-

15. Other Information

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.

See attached documents.

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.

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.

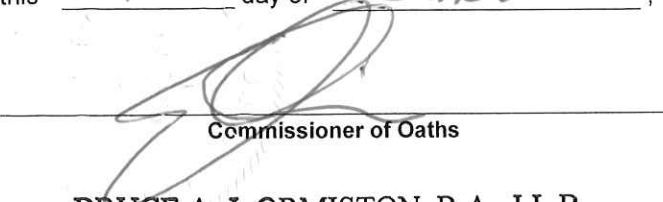
16. Affidavit or Sworn Declaration

I, McEachern, Katelyn of the City of Kenora
McEachern, Alexander 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 KENORA in the DISTRICT OF KENORA
(lower-tier municipality) (upper-tier municipality)

this* 14th day of* JUNE, *20 22.



Commissioner of Oaths



Applicant

BRUCE A. J. ORMISTON, B.A., LL.B
BARRISTER, SOLICITOR
NOTARY PUBLIC

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, n/a, am the owner of the land that is the subject of this application for
Last Name, First Name

consent and I authorize _____
to make this application on my behalf.

Signature of Owner _____ Date (yyyy/mm/dd) _____

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, n/a, am the owner of the land that is the subject of this application for
Last Name, First Name

application for consent and for the purposes of the **Freedom of Information and Protection of Privacy Act**.

I authorize _____, as my agent for this application, to provide any of my
Last Name, First Name

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, McEachern, Katelyn & Alexander, am the owner of the land that is the subject of this application for
Last Name, First Name

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 _____ Date (yyyy/mm/dd) _____
K McEachern / M 2022/06/14

19. Submission of Application

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

2022/06/15

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?
- 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.)

Key Plan

N



Appendix A

Some General Requirements for Development Applications Where Ministry of Municipal Affairs is the Approval Authority

Planning Application Fees

Fees are required for permit(s) and certificate(s) of approval and set by individual permitting agencies. There is also an application processing fee for consents and other planning applications to be submitted to the Ministry of Municipal Affairs (a certified cheque or money order made out to the Minister of Finance) at the time of submission of the application.

Please see the attached Fee Schedule for more details.

Early Consultation

Prior to formally submitting an application, the applicant and/or agent(s) are strongly encouraged to contact staff of the regional Municipal Services Office (MSO) of the Ministry of Municipal Affairs (MMA) to discuss the development proposal. Early consultation is highly beneficial, as the applicant can review the proposal with ministry staff and discuss what supporting documents and information may be required.

Please contact your local Municipal Services Office (MSO) to discuss your proposed development. (Refer to Page 1 for office locations).

Consistency with the Provincial Policy Statement (PPS)

The Planning Act requires that decisions affecting planning matters "shall be consistent with" the PPS which supports a comprehensive, integrated and long-term approach to planning in Ontario, and recognizes linkages among policy areas. The PPS is intended to be read in its entirety and the relevant policies are to be applied to each situation.

For more information, visit the ministry's website: www.mah.gov.on.ca

Conformity to Official Plan

Assessment/review of a consent application is based on land use planning legislation, policies and principles and potential social, economic and environmental impacts. A major consideration is conformity to the official plan policies.

Applicants are advised to determine if the proposed development is in conformity with official plan policies by discussing the proposal with MMA and/or the relevant municipality/planning board.

Some 'Commonly Required' Permits and Approvals

Part 8 Permit/Certificate of Approval for Sewage System

Consents proposed on small, private sewage servicing systems, generating 10,000 or less litres of effluent per day on one lot, would require a Part 8 permit under the Building Code issued by either the local municipality, public health unit or area conservation authority where it exists (if there is no health unit). The municipality (through the health unit or conservation authority) administers Part 8 of the Building Code that sets out the standards for locating accepted kinds of sewage/septic systems on a lot.

Prior to issuing a permit, the health unit would inspect the property, may stake the septic system site and recommend to the planning approval authority whether a servicing options report and/or a hydrogeological report is required.

Consents proposed on larger sewage systems that generate more than 10,000 litres of effluent per day on one lot would require a Certificate of Approval from the Ministry of the Environment and Climate Change under the *Environmental Protection Act*.

Some larger private or communal sewage treatment systems are also subject to the *Environmental Assessment Act* (generally where there is a surface water discharge).

For more information on larger private or communal sewage treatment systems, contact the Ministry of the Environment and Climate Change.

Communal Systems

Communal septic and communal well systems would generally require a servicing options and a hydrogeological report based on assessment of the specific circumstances.

Communal septic systems generating effluent of more than 4,500 litres per day would need a servicing options and a hydrogeological report.

Communal well systems for non-residential development may need a hydrogeological report.

Where communal services are proposed (water and/or sewage), the applicant must confirm, through a signed letter of acceptance, that the municipality or other public body would assume ownership and maintenance of these systems.

Entrance Permits

Any consent application that is proposed in close proximity to a provincial highway or has the potential to impact upon a provincial highway, would require an entrance permit from the Ministry of Transportation issued under the *Public Transportation and Highway Improvement Act*.

Contact your local Ministry of Transportation office to obtain information on permit requirements.

Record of Site Condition (RSC) for Contaminated Sites

Proposals for sensitive land uses on sites with potential soil contamination would require the completion of an environmental site assessment by a qualified person to determine the extent of contamination and to recommend actions for site remediation.

A change in activity regardless of the zoning could also trigger the need for an RSC as applicable law under the Building Code. An RSC is required when changing from industrial, commercial or community use to a more sensitive land use, such as residences or schools.

For more information on contaminated sites, refer to Ontario Regulation 153/04 (Records of Site Condition - Part XV.1) made under the *Environmental Protection Act*; and Ontario Brownfields website at www.ontario.ca/brownfields; or contact your local Ministry of the Environment and Climate Change (MOECC) office.

Permit for Alteration to Shoreline

If a proposed severance has potential to impact natural heritage areas or alteration to a shoreline, a permit would be required prior to any site alteration(s) or erecting of structures. Permits would be required from a local conservation authority or the Ministry of Natural Resources and Forestry (MNRF). Applicants are advised to discuss their proposal with the Ministry of Municipal Affairs or the municipality/planning board. You may be directed to contact your local area conservation authority or the MNRF office prior to making a formal application under the *Planning Act*.

Permit to Take Water

Section 34 of the *Ontario Water Resources Act* (OWRA) provides that "no person shall take more than a total of 50,000 litres of water in a day" for wells or surface water supply without a permit issued by a director of the Ministry of the Environment and Climate Change (MOECC).

Crown Lands

Certain areas of Crown lands are identified by the MNRF as being of special interests, such as lake access points.

Consult your local regional Municipal Services Office as the first point of contact for assistance in dealing with planning issues relating to proposals requiring the acquisition or use of Crown lands.

For Contact the MNRF District Office regarding the actual acquisition or use of Crown land.

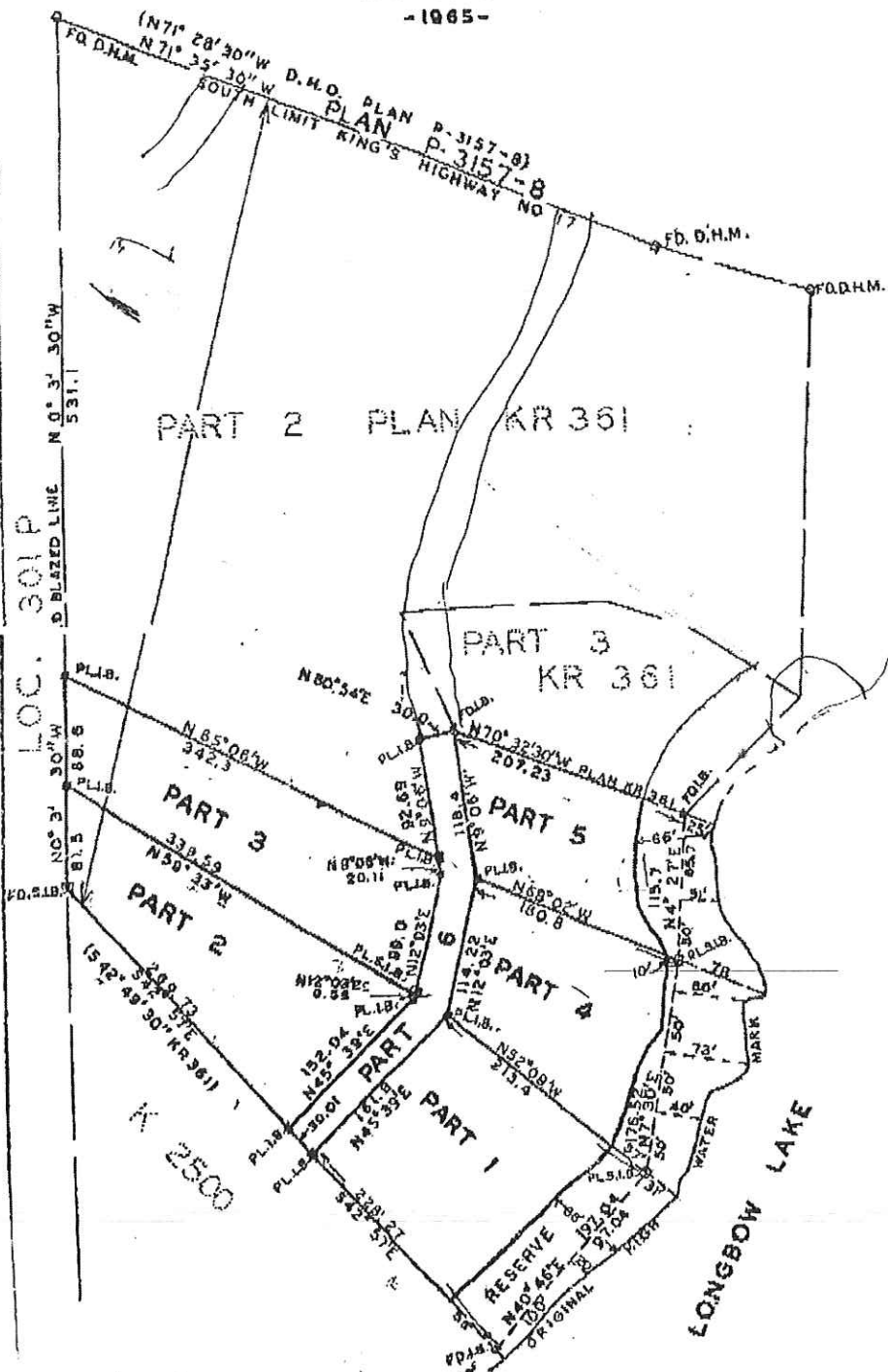
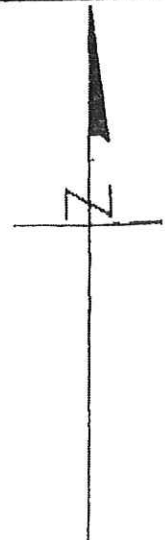
PLAN OF SURVEY OF
 PART OF MINING LOCATION M 8
 NOW RECORDED AS MINING CLAIM K 2500
 TOWNSHIP OF KIRKUP
 DISTRICT OF KENORA

SCALE 1" = 100'
 E.D. SEWELL O.L.S.
 -1965-

PLAN-KR

APPROVED 7/4/65

E.D. Sewell
 ASST. EXAMINER OF
 PLAN-KR- 112
 RECORDED UNDER
 REGISTERED 24TH
E.D. Sewell
 DEPT. LOCAL MASTER OF
 PARTS 1, 2, 3, 4,
 PART OF PARCE
 DISTRICT OF KEN



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY:

1. THAT THIS SURVEY AND PL CORRECT AND IN ACCORDANCE SURVEYS ACT AND THE LAND ACT AND THE REGULATIONS M THEREUNDER
2. THAT I WAS PRESENT AT AND PERSONALLY SUPERVISE THE REPRESENTED BY THIS PLAN
3. THAT THIS PLAN CONTAINS A OF THE FIELD NOTES OF SUR
4. THAT THE SURVEY WAS COMPLET THE 6TH DAY OF JULY 196


KENDRA ONT.
 DEC. 4, 1965.

E.D. Sewell
 E.D. SEWELL


BEARINGS ARE ASTRONOMIC AND DERIVED FROM THE WEST LIMIT O CLAIM K2500 WHICH IS ASSUMED NO° 3' 30"W ACCORDING TO PLA'

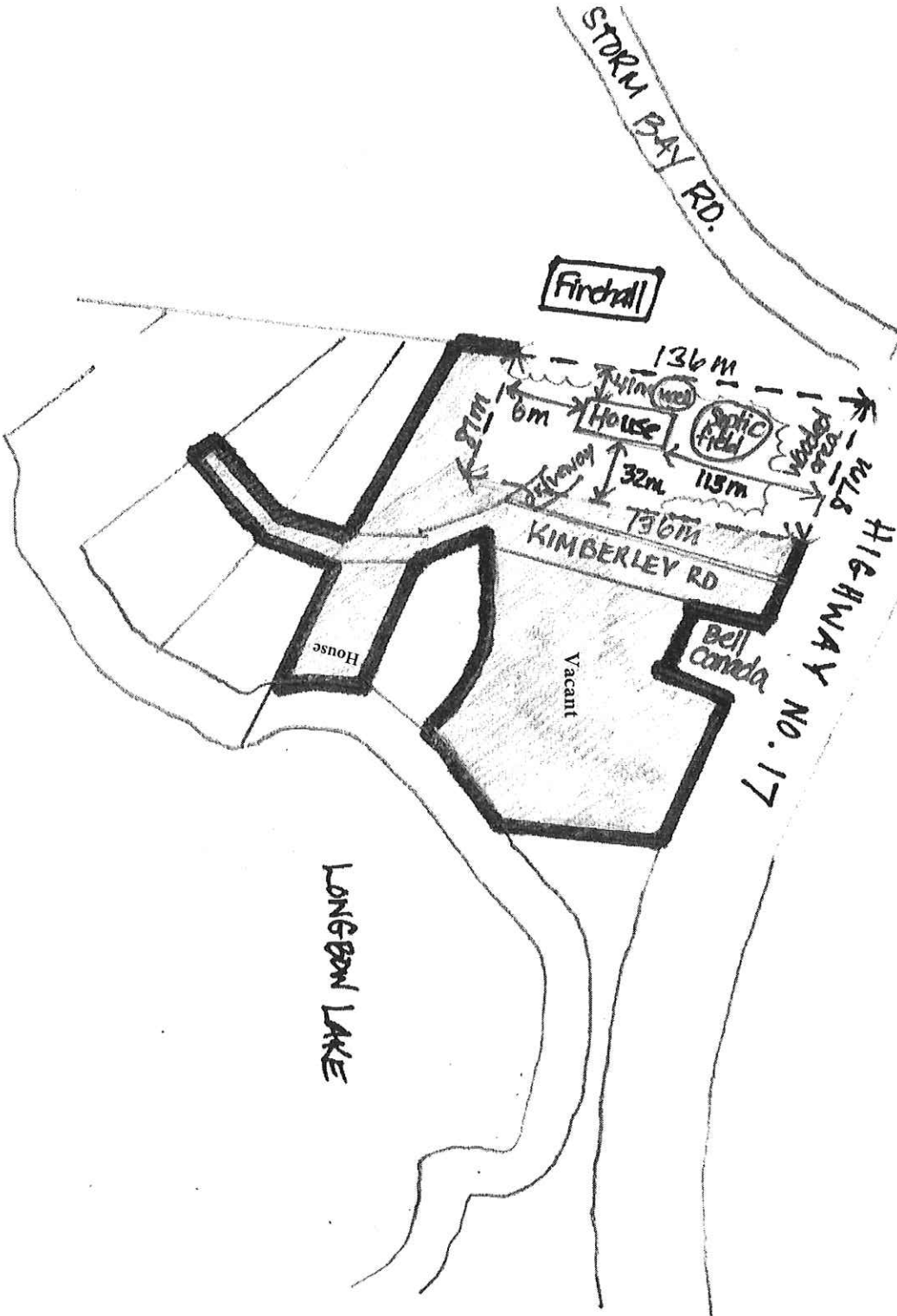
5/8" X 5/8" X 24" IRON BARS SHOWN
 1" X 1" X 48" IRON BARS SHOWN

Current holdings 6.4 acres

 = Area to be severed (1.11 ha)

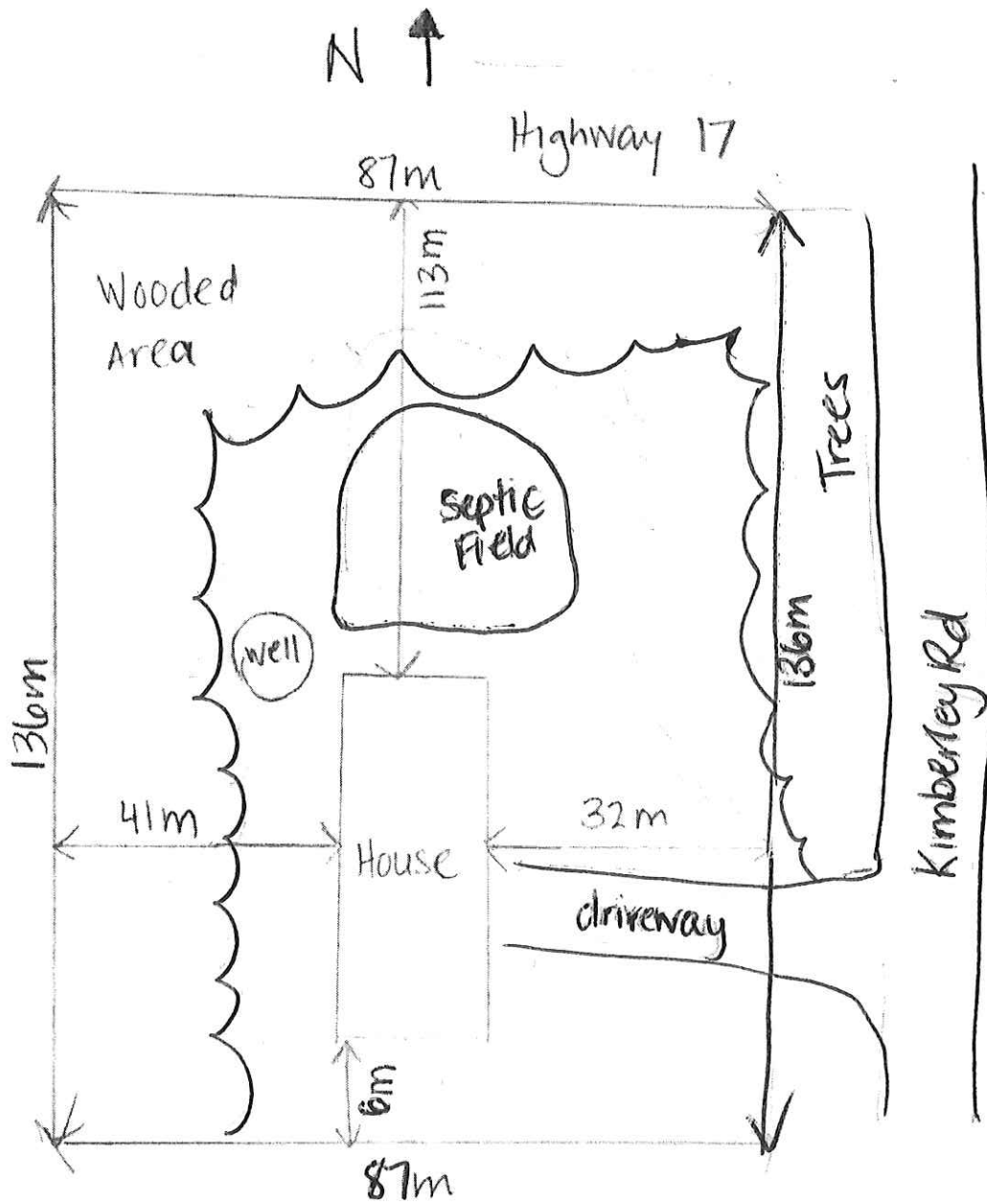
 = Grantor's holdings (1.48 ha)

 House = 153 m²



"Zoomed-In"

Proposed Severed land (1.11 ha)



Original

Ministry of
Municipal Affairs
and Housing

Ministère des
Affaires municipales
et du Logement



Municipal Services Office
North (Thunder Bay)

435 James Street S., Suite 223
Thunder Bay ON P7E 6S7
Tel.: 807 475-1651
Toll-free: 1 800 465-5027

Bureau des services aux
municipalités du Nord (Thunder Bay)

435, rue James S., bureau 223
Thunder Bay ON P7E 6S7
Tél.: 807 475-1651
Sans frais: 1 800 465-5027

December 10, 2021

Alexander & Katelyn McEachern
38 Kimberley Road
PO Box 112
Longbow Lake ON P0X 1H0
lexmceachern@gmail.com

SENT BY E-MAIL

Subject: Early Consultation for Consents
Mining Claim K2500, Reg Plan KR361, Pts 2,5,6, Unincorporated Twp of Kirkup
Longbow Lake, District of Kenora
MMAH File No.: 60-C-211135

Dear Alexander & Katelyn:

We have reviewed your early consultation submission to sever your property on Kimberley Road, within the unincorporated Township of Kirkup. This proposed consent would permit the creation of a 1.11-hectare backlot from an original 2.59-hectare parcel to recognize an existing permanent residential dwelling constructed in 2001. The proposed severed lot is currently serviced by an approved sewage system and well. The retained property has 35 metres of frontage on Longbow Lake and contains a residential dwelling on Part 5 constructed in 1989 serviced by its own approved sewage system and lake water. The proposed severed and retained lands share a border with Highway 17 but are accessed by Kimberley Road.

As you know, this Ministry is the approval authority for severances in unincorporated territory. Land use planning decisions made by the Ministry are governed by the Provincial Policy Statement (PPS), introduced under Section 3 of the Planning Act.

Territory without Municipal Organization

Section 1.1.6 of the PPS states that on rural lands located in territory without municipal organization and in areas adjacent to and surrounding municipalities the focus of development shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).

The application proposes to create one new lot for permanent residential use and therefore the proposed application is not consistent with Section 1.1.6.1 and Section 1.1.6.4 of the PPS which states the following:

“1.1.6.1 On rural lands located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).

1.1.6.4 In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings) shall be permitted. Other uses may only be permitted if:

- a) the area forms part of a planning area;
- b) the necessary infrastructure and public service facilities are planned or available to support the development and are financially viable over their life cycle; and
- c) it has been determined, as part of a comprehensive review, that the impacts of development will not place an undue strain on the public service facilities and infrastructure provided by adjacent municipalities, regions and/or the Province.”

The goal of the province is to encourage development within municipal boundaries and limit fringe development in unorganized areas. The Province has concerns that the increase in demand on provincial services (e.g. police, ambulance, public health, social services, education) and municipal services (e.g. roads, infrastructure) incurred by developments in unorganized areas is not sufficiently offset by the tax revenue generated by these developments. Therefore, the province has typically taken the view that development in unorganized areas on the fringe of municipalities is to be discouraged.

A formal application would be required to explain how it is consistent with the relevant policies in the PPS outlined above; and a letter of support from the City of Kenora should also be provided.

Water Quality

Section 2.2 of the PPS addresses the protection, improvement, and restoration of water quality and quantity, and speaks to the use of mitigative measures and/or alternative development approaches to protect, improve or restore sensitive surface water features and their hydrologic functions.

The ministry has listed Longbow Lake as being at or above its lakeshore development capacity since 1996 and since that time, has not support lot creation within 300 m of the shoreline. This listing is based in part on ice-free phosphorus concentrations; and in part of the occurrence of nuisance algal blooms (since 1967).

However, provincial lakeshore development guidance has since been updated concerning lakes identified as being at capacity. The Lakeshore Capacity Assessment Handbook now allows for new lot creation to separate existing habitable dwellings, each of which would be located on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake. This early application for consent appears to meet these criteria.

However, there do remain concerns that development could occur on the large vacant section of the retained property at the north end, which could lead to negative effects to water quality of the lake. Therefore, should a formal application be approved, the Ministry may consider a restriction on title for the retained property having the effect that the natural buffer of the shoreline at this location be maintained, and that no docks or shoreline structure within 30 metres of the shoreline be permitted.

Land Use Compatibility

Policy 1.1.1 c) of the PPS recognizes the importance of avoiding development and land use patterns which may cause environmental or public health and safety concerns. In addition, policy 1.2.6.1 of the PPS provides that major facilities (including industrial facilities,

transportation and rail infrastructure and corridors) and sensitive land uses (such as residences) should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

Section 1.6.8 of the PPS also addresses development in proximity to transportation corridors. Specifically, policy 1.6.8.3 provides that any development proposed on lands adjacent to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

The subject lands have frontage on provincial Highway 17. To be consistent with the PPS (2020) policy 1.2.6.1 and policy 1.6.8.3, a Noise Impact Feasibility Study should be submitted to MMAH with the formal application.

The feasibility study should follow the requirements of the ministry's "Environmental Noise Guideline: Stationary and Transportation Sources Approval and Planning. Publication NPC – 300". In situations where the feasibility study demonstrates that the proposal is feasible, MMAH should obtain a Noise Impact Detailed Design Study from the proponent either with the formal application, or through a condition of approval. It is recommended that noise studies occur early in the planning process.

Noise studies should be prepared by a qualified individual, preferably a Professional Engineer with experience in environmental noise assessments.

For more information on noise studies supporting land use development applications, please refer to Part C of Publication NPC-300 (<https://www.ontario.ca/page/environmental-noise-guideline-stationary-and-transportation-sources-approval-and-planning>).

Cultural Heritage

PPS 2.6.2 states that, "development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved." The subject property exhibits archaeological potential as it meets the provincial criteria for proximity to water, being located within 300m of Longbow Lake.

The applicant should confirm that no new additional development is being proposed. If that is the case, we may include the following information in any legal instrument approving this application:

Prior to any development, site alteration or ground disturbing activities, an archaeological assessment shall be completed, and related archaeological reporting shall be entered into the Ontario Public Register of Archaeological Reports. Recommendations from archaeological assessment(s) must be followed.

However, if development and/or site alteration is being proposed at this time or in the near future, an archaeological assessment of the entire subject property (including both the proposed severed and the retained lots) would be required to support a formal application. The assessment should be undertaken by a licensed archaeologist and then submitted directly to the Ministry of Heritage, Sport, Tourism, Culture and Industries (MHSTCI) for review as per the terms and conditions of their licence.

In addition, please be advised that a marine archaeological assessment would need to be undertaken in the case of future alterations to the property such as shoreline alterations or the construction of docks. For more information, please refer to MHSTCI's screening checklist: Criteria for Evaluating Marine Archaeological Potential.

Sewage and Water Servicing

To be consistent with the policy 1.6.6.6 of the PPS 2020, the availability of adequate reserve septage treatment capacity at the time of lot creation should be demonstrated to MMAH before a decision is provided on a formal application. The proponent will need to provide a letter which is signed by the holder of an approved septage facility, indicating that septage hauling is available and adequate capacity for the service to the created lot is available.

An up-to-date report from the Northwestern Health Unit will also be required to indicate that the existing sewage systems are operating satisfactorily.

Access

The subject property is not located within the boundaries of a Local Roads Board. Kimberley Road is an access road which is a 50/50 road, partially funded by the Ministry of Transportation (MTO). MTO engages in a 50/50 cost share agreement renewed on a yearly basis for maintenance with a group of property owners along Kimberly Road. Fees are collected and submitted to the ministry on a voluntary basis. There are no taxes levied for each property owner.

The property has two residential dwellings, one on the west side of Kimberley Road and one on the east side of Kimberley Road. Both the proposed severed lot and retained lot will have access to Highway 17 via Kimberly Road. MTO has indicated that they will not permit direct access to Highway 17.

In accordance with the Public Transportation and Highway Improvement Act, MTO Building and Land Use Permits are required 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 King's or Secondary Highway. Ministry permits are required prior to any development/construction taking place.

On-line permit applications can be found on the ministry web site at www.hcms.mto.gov.on.ca. Other permit requirements and information property owners should be aware of if their land is the vicinity of a highway can be found at www.mto.gov.on.ca/english/highway-bridges/highway-corridor-management/index.shtml.

If additional information or assistance with any MTO application process is required, please contact Sarah Nicolas, Corridor Management Officer, at (807) 468-2761 or email sarah.nicolas@ontario.ca.

Easements

Documents were submitted which show that legal easements were registered over Part 6 of Plan KR 1139 (the private road you own) to the owners of Parts 1 & 2, and Parts 3 and 4. Please include with a formal application, information on whether Part 3 of KR 361 has a legal easement in place and details on any other property that might require a legal easement over Part 6.

Species at Risk

The ministry recommends that the attached Client's Guide to Preliminary Screening for Species at Risk (SAR) be utilised to determine potential for conflicts with species subject to the

Endangered Species Act (ESA). The results of this screening, along with a completed checklist should be provided to SAR Ontario Branch (SAROntario@ontario.ca) in the case where there is a potential to impact species at risk or their habitat.

If activities subsequent to a severance or other administrative activity (for example, development on a lot) that could impact species at risk or their habitat are planned, then the person undertaking those activities would need to determine if an ESA authorization is required before the activities are undertaken. Please visit "How to avoid authorization" and "Permit types" (<https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization>) for more information. A person carrying out an activity may also wish to consult the Act and seek legal advice to understand its legal obligations.

Should any development occur on the lot then an SAR impact assessment may be required to avoid any contravention to sections 9 or 10 of the ESA.

Waste Disposal

To be consistent with Section 1.6.10 of the PPS, all domestic waste produced must be appropriately handled and disposed of at an approved waste disposal facility. The submitted draft application indicates that the City of Kenora will provide this service for the proposed new lot. Given that this location is outside of the municipality, should this application move to a formal submission, the applicant should provide a letter of permission from the municipality which indicates that it will provide this service in perpetuity and that the named waste disposal site has adequate capacity to service the subject lands. If an agreement has been established with the municipality in this regard, that agreement should be provided with the formal application.

Conclusion

Review of a formal application would take the above-noted considerations into account. If you choose to submit a formal application, please do so with the requested information above along with a certified cheque or money order payable to the Minister of Finance (Fees outlined on application link). Please ensure that all questions on the form are answered, and if not applicable, please indicate N/A. All owners are required to sign and authorize the application. Please note that a more thorough review with our partner ministries will be required and other concerns could be identified as a result. Applications can be found at the following link: <https://www.ontario.ca/page/applying-changes-land-use#section-2>

If you have any questions, please feel free to email me at sylvie.oulton@ontario.ca.

Kind Regards,



Sylvie Oulton
Senior Planner

Encls.

Copy: MECP, NRF, MHSTCI, MTO