

Owner/Agent:	Anneli Mattinen and Aila Taylor And Aaron Sands, Sands Surveying & Drafting Services	Date of Decision:	December 19, 2022
File Number:	48-C-218897	Date of Notice:	December 19, 2022
Municipality / Township:	Phelps unincorporated township, Nipissing District	Last Date of Appeal:	January 8, 2023
Location:	PINs 49123-0185 and 49123-0186, Mountain View Road, Phelps unincorporated township, Nipissing District		

NOTICE OF DECISION

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

On December 19th, 2022 the Minister of Municipal Affairs and Housing gave a provisional consent to Application No. 48-C-218897 in respect of land in Phelps unincorporated township, District of Nipissing. A copy of the decision is attached.

Who Has Appeal Rights

Other than the applicant, only a “specified person” or “public body”, as defined in s. 1(1) of the *Planning Act*, has the ability to appeal the decision to the Ontario Land Tribunal.

When and How to File a Notice of Appeal

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 Jameson Pearson, Assistant 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 *Ontario Land Tribunal Act* in the amount of \$400.00, payable to the Minister of Finance.

What Name Can a Notice of Appeal be Filed in

Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Ontario Land 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.

Effect of Written and Oral Submissions

Written and oral submissions were not received in relation to this application.

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.

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Getting Additional Information

Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time. Please reach out to Jameson Pearson, Assistant Planner at Jameson.pearson@ontario.ca or 705-561-5340 for additional information or to see if alternate arrangements can be made.

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: Jameson Pearson, Assistant Planner
Telephone: (705) 561-5340



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

Attached:

- Info Sheet Firesmart Landscaping Guide
- Info Sheet Home Owners Firesmart Manual

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The Minister's conditions to the granting of consent for this transaction, **which must be fulfilled within two years from the date of the Notice of Decision**, are set out below. These conditions must be fulfilled prior to the granting of consent.

No. Conditions

1. That this approval applies to permit the severance of a piece of land approximately 38.8 hectares in size from PIN 49123-0185 (LT) to be consolidated with PIN 49123-0186 (LT), as described in the above-noted application and identified as Part 2 on Schedule A attached hereto and forming part of the decision, for the purposes of residential use.
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 all 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 parcels to which the consent approval relates.
3. That an application to consolidate the parcels is prepared and an undertaking from the person registering the documents shall be required agreeing to register the consolidations once the land transfers have been registered.
4. That prior to final approval, the ministry must be provided written confirmation from the North Bay-Mattawa Conservation Authority that the retained and severed lands have been inspected and that all existing systems on both lots meet their requirements.

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The following notes are for your information:

No. Notes

1. It is the applicant's and/or agent's responsibility to fulfil 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 two-year period.**

If the conditions to consent approval are not fulfilled within two years of the date of this letter and the applicant is still interested in pursuing the proposal, a new application will be required. All documentation required for final approval should be provided to the Ministry of Municipal Affairs and Housing a minimum of one month prior to the lapsing date.

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 available 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.
4. In the future, if development activities on the lots could pose a risk to any species at risk or their habitat, the Endangered Species Act may be triggered. Such development activities may require a species at risk authorization. If a species at risk authorization may be necessary in future, MECP recommends that proponents contact SAR@ontario.ca.
5. MMAH mapping indicates that there is high potential for hazardous forest types on a large portion of the subject lands. Ontario FireSmart information sheets are attached to this notice for your information.

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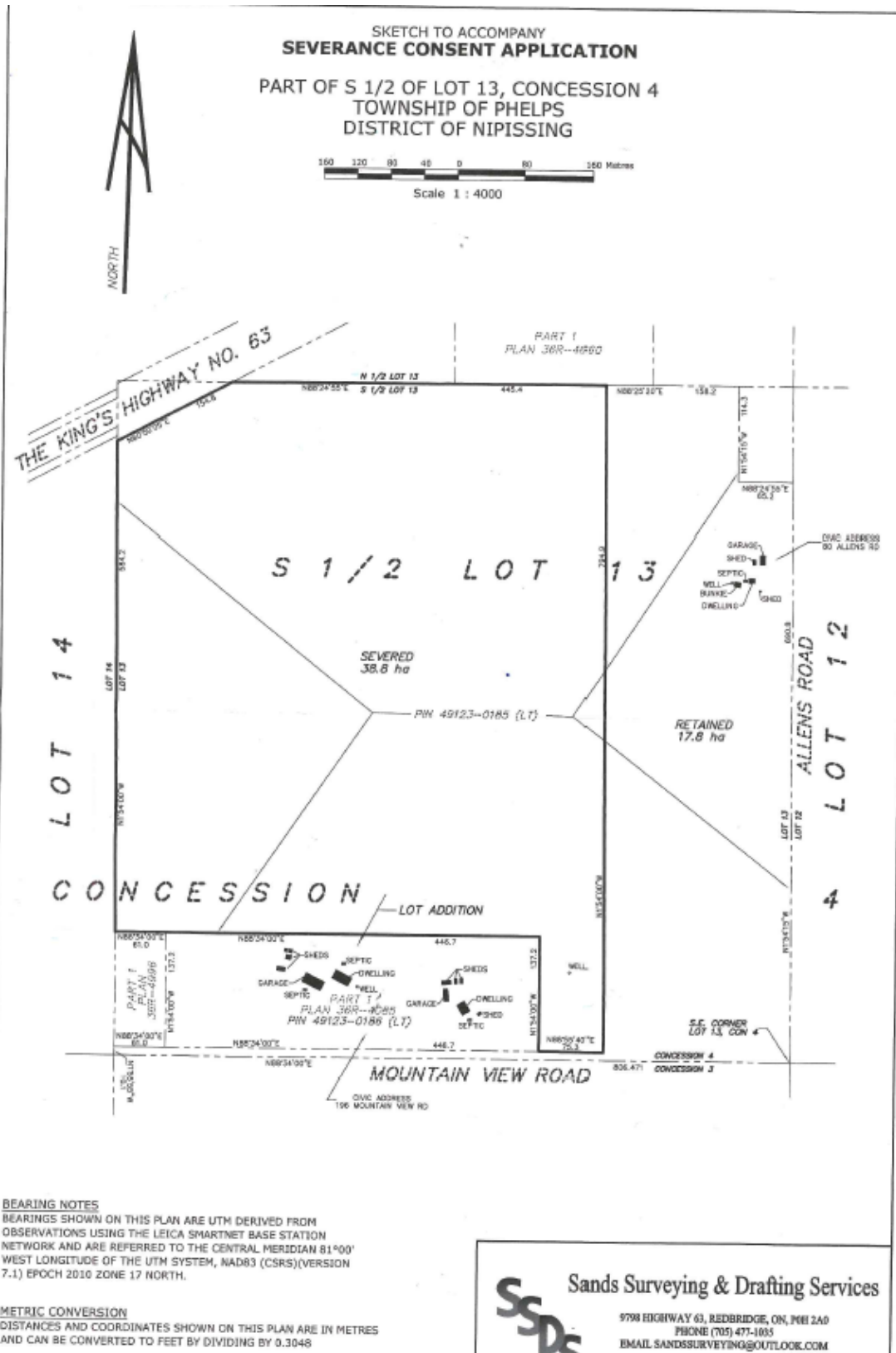
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Schedule A

