

Applicants: Claude and Diana Langlois
File No.: 60-C-222103
Municipality/Twp: Unincorporated Township of Wainwright, in the District of Kenora
Subject Lands: PIN 42069-0159; PCL 30739 DKF, Plan 23R-8466, N 1/2/ of the S 1/2 of Lot 7 Con 4, as in Lt 123788; PIN 42069-0158; Parts 2&3 Plan 23R-7884

Date of Decision: June 14, 2023
Date of Notice: June 14, 2023
Last Date of Appeal: July 4, 2023

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 (MMAH) gave a provisional consent to Application No. **60-C-222103** for the creation of a new lot (that has merged in title), for permanent residential use in respect of the land described as PIN 42069-0159 and PIN 42069-0158, in the unincorporated Township of Wainwright, in the District of Kenora. 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 Sylvie Oulton, Senior 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, Province of Ontario.

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

There were no written or oral submissions for 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.

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
Attention: Sylvie Oulton, Senior Planner
Telephone: (807) 630-3486



Victoria Kosny, Manager
Community Planning and Development

Applicants: Claude and Diana Langlois
File No.: 60-C-222103
Municipality/Twp: Unincorporated Township of Wainwright, in the District of Kenora

Date of Decision: June 14, 2023
Date of Notice: June 14, 2023
Last Date of Appeal: July 4, 2023

Subject Lands: PIN 42069-0159; PCL 30739 DKF, Plan 23R-8466, N 1/2/ of the S ½ of Lot 7 Con 4, as in Lt 123788; PIN 42069-0158; Parts 2&3 Plan 23R-7884

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

No. Conditions

1. That this approval, applies to the creation of one new parcel of approximately 32 hectares in size, for a permanent residential use, while a 32-hectare parcel would be retained.
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;
 - c. A reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcel(s) to which the consent approval relates; and/or a legal description of the lands to be severed (and retained if requested) which is acceptable to the land registrar.
3. This Ministry is to be advised in writing by the transferor that the Offer of Purchase and Sale agreement, or alternatively an acknowledgement by the transferor and transferees if the transaction is between family members, contains the following clause:
 - a. Domestic waste must be appropriately handled and disposed of at an approved waste disposal facility.
 - b. In Ontario's rural agricultural areas, the Provincial Policy Statement, 2020, and other provincial land use plans require that new land uses, including the creation of lots and new or expanding livestock facilities, comply with the Minimum Distance Separation (MDS) formulae and guidelines.

The MDS formulae and guidelines are land use planning tools that determine setback distances between livestock barns, manure storages or anaerobic digesters and surrounding land uses, with the objective of minimizing land use conflicts and nuisance complaints related to odour.

If a new dwelling is proposed in the future, the owner should refer to MDS Document to ensure the minimum distance separation to the new dwelling can be met.

<https://www.ontario.ca/page/minimum-distance-separation-mds-formulae>

Applicants: Claude and Diana Langlois
File No.: 60-C-222103
Municipality/Twp: Unincorporated Township of Wainwright, in the District of Kenora

Date of Decision: June 14, 2023
Date of Notice: June 14, 2023
Last Date of Appeal: July 4, 2023

Subject Lands: PIN 42069-0159; PCL 30739 DKF, Plan 23R-8466, N 1/2/ of the S ½ of Lot 7 Con 4, as in Lt 123788; PIN 42069-0158; Parts 2&3 Plan 23R-7884

- c. The attached *Client's Guide to Preliminary Screening for Species at Risk* should 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 Species at Risk (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 will 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.

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.

If the applicant(s), in making the application for consent,

- (a) requested that the certificate be given;
- (b) provided a registrable legal description of the retained land; and
- (c) provided a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Planning Act.

then the Minister will give the applicant a certificate for the retained land.

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

Applicants: Claude and Diana Langlois
File No.: 60-C-222103
Municipality/Twp: Unincorporated Township of Wainwright, in the District of Kenora

Date of Decision: June 14, 2023
Date of Notice: June 14, 2023
Last Date of Appeal: July 4, 2023

Subject Lands: PIN 42069-0159; PCL 30739 DKF, Plan 23R-8466, N 1/2/ of the S ½ of Lot 7 Con 4, as in Lt 123788; PIN 42069-0158; Parts 2&3 Plan 23R-7884

Buildings and Development Branch
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay St.
Toronto, ON M5G 2E5
Telephone: (416) 585-7041
codeinfo@ontario.ca

3. It is unlikely that additional severances from the severed or retained property will be supported by this Ministry.
4. Owners and prospective buyers should contact the Northwestern 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.
5. Please notify the Ministry of Citizenship and Multiculturalism (MCM) (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, MCM 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. 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 parcel 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.
7. It is the applicant's and/or agent's responsibility to fulfill the conditions of consent approval within **two years of the date** of this letter pursuant to Section 53 of the *Planning Act*. **We will issue no further notice or warning of the expiration of the two-year period.**

Applicants: Claude and Diana Langlois
File No.: 60-C-222103
Municipality/Twp: Unincorporated Township of Wainwright, in the District of Kenora
Subject Lands: PIN 42069-0159; PCL 30739 DKF, Plan 23R-8466, N 1/2/ of the S ½ of Lot 7 Con 4, as in Lt 123788; PIN 42069-0158; Parts 2&3 Plan 23R-7884

Date of Decision: June 14, 2023
Date of Notice: June 14, 2023
Last Date of Appeal: July 4, 2023

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.**