

Applicant:	Lloyd and Lillian Byer	Date of Decision:	June 11, 2024
File No.:	54-C-217666	Date of Notice:	June 11, 2024
Municipality/Twp:	Unincorporated Township of Otto, in the District of Temiskaming	Last Date of Appeal:	July 01, 2024
Subject Lands:	PIN 61243-0159 , S ½ of Lot 8, Concession 1; Unincorporated Township of Otto, District of Temiskaming		

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. **54-C-217666** for the severance of a new parcel, for residential use in respect of the land described as PIN 61243-0159, on Highway 11, in the unincorporated Township of Otto, in the District of Temiskaming. A copy of the decision is attached.

Who Has Appeal Rights under the Planning Act

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 David Ferrone Planner at the address shown below and it must,

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

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 (Sudbury)
159 Cedar Street, Suite 401
Sudbury, ON. P3E-6A5
Attention: David Ferrone, Planner
Telephone: (249) 885-4067

In addition, send a copy of your notice of

Applicant: Lloyd and Lillian Byer
File No.: 54-C-217666
Municipality/Twp: Unincorporated Township of Otto, in the District of Temiskaming
Subject Lands: PIN 61243-0159 , S ½ of Lot 8, Concession 1; Unincorporated Township of Otto, District of Temiskaming

Date of Decision: June 11, 2024
Date of Notice: June 11, 2024
Last Date of Appeal: July 01, 2024

appeal to the Minister of Environment, Conservation and Parks. You can provide notice by email at minister.mecp@ontario.ca or by mail at:

College Park
5th Floor, 777 Bay Street
Toronto, ON
M7A 2J3

Appeal Rights under the Environmental Bill of Rights
The *Environmental Bill of Rights, 1993* provides a separate ability to seek leave to appeal decisions on consent applications that are posted to the

Environmental Registry of Ontario (ERO). This appeal must be commenced within 15 days of the notice of decision being posted on the ERO. For more information about this appeal method, refer to the *Environmental Bill of Rights, 1993*, or <https://www.ontario.ca/page/environmental-bill-rights>.

The notice for this application is available to view on the ERO at <https://ero.ontario.ca/index.php/notice/019-8407>



Megan Grant, Team Lead
Community Planning and Development

Applicant:	Lloyd and Lillian Byer	Date of Decision:	June 11, 2024
File No.:	54-C-217666	Date of Notice:	June 11, 2024
Municipality/Twp:	Unincorporated Township of Otto, in the District of Temiskaming	Last Date of Appeal:	July 01, 2024
Subject Lands:	PIN 61243-0159 , S ½ of Lot 8, Concession 1; Unincorporated Township of Otto, District of Temiskaming		

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 permit the severance of a piece of land approximately 0.74 HA from PIN 61243-0159 as described in the above-noted application and identified on Schedule A attached hereto and forming part of the decision.
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 parcel(s) to which the consent approval relates.
3. That prior to final approval, and pursuant to subsections 53(12) and 51(25) and 51(26) or (27) of the *Planning Act*, the applicant shall enter into a Consent Agreement with the Ministry of Municipal Affairs and Housing, to its satisfaction, addressing the use and potential development of the severed and retained lots, including:
 - a. the retained lot can only be used for agricultural uses and is not to be used for residential, commercial, or industrial uses;
 - b. provisions to obtain undertakings from the applicant and/or the applicant's lawyer to implement conditions and requirements, including that the Consent Agreement be registered on title in priority to other documents; and
 - c. provisions relating to the enforcement of the Consent Agreement.
4. Prior to final approval, confirmation from the Ministry of Transportation must be provided indicating that entrance permits to Highway 11 are available for both the severed and retained lots.

The following notes are for your information:

No. Notes

Applicant:	Lloyd and Lillian Byer	Date of Decision:	June 11, 2024
File No.:	54-C-217666	Date of Notice:	June 11, 2024
Municipality/Twp:	Unincorporated Township of Otto, in the District of Temiskaming	Last Date of Appeal:	July 01, 2024
Subject Lands:	PIN 61243-0159 , S ½ of Lot 8, Concession 1; Unincorporated Township of Otto, District of Temiskaming		

1. It is the applicant's and/or agent's responsibility to fulfil the conditions of consent approval within two years 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. 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*.

Applicant:	Lloyd and Lillian Byer	Date of Decision:	June 11, 2024
File No.:	54-C-217666	Date of Notice:	June 11, 2024
Municipality/Twp:	Unincorporated Township of Otto, in the District of Temiskaming	Last Date of Appeal:	July 01, 2024
Subject Lands:	PIN 61243-0159 , S ½ of Lot 8, Concession 1; Unincorporated Township of Otto, District of Temiskaming		

5. 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.

Applicant: Lloyd and Lillian Byer
File No.: 54-C-217666
Municipality/Twp: Unincorporated Township of Otto, in the District of Temiskaming
Subject Lands: PIN 61243-0159 , S ½ of Lot 8, Concession 1; Unincorporated Township of Otto, District of Temiskaming

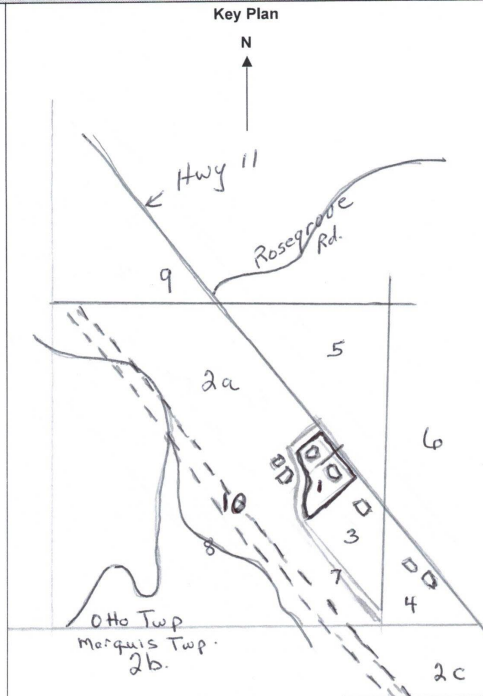
Date of Decision: June 11, 2024
Date of Notice: June 11, 2024
Last Date of Appeal: July 01, 2024

Schedule A

21. Sketch Sheet

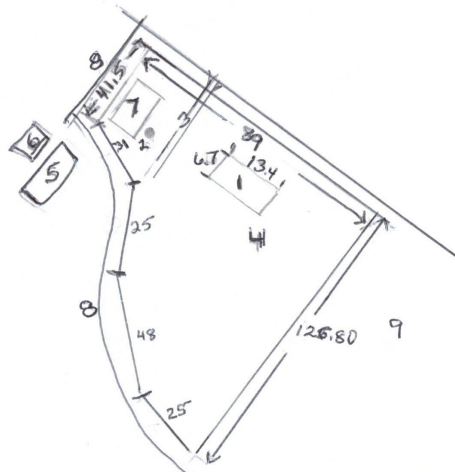
▶ Sketch Accompanying Application
 (Please use metric units and refer to section 14 for details.)

1. Area to be severed
- 2a Grantor's holding - agriculture
- 2b Grantor's holding - agriculture
- 2c Grantor's holding - agriculture
- 3 Vacant land
- 4 Private - residential
- 5 Vacant land
- 6 Private - residential
- 7 Private road access
- 8 Creek
- 9 lot with camping, trailers
- 10 Trans Canada Pipeline



- 1 House - 6.7m x 13.4m
- 33m from Hwy 11
- 2 Drilled well
- 3 Private road access
- 4 Septic
- 5 Machine Shed 18.288m. from garage
6. Shed
- 7 Garage - 7.62m x 12.192m
- 22.86m from house
- 8 Farm Road Access
- 9 Private lot

Enlargement of area to be severed.



Applicant: Lloyd and Lillian Byer
File No.: 54-C-217666
Municipality/Twp: Unincorporated Township of Otto, in the District of Temiskaming
Subject Lands: PIN 61243-0159 , S 1/2 of Lot 8, Concession 1; Unincorporated Township of Otto, District of Temiskaming

Date of Decision: June 11, 2024
Date of Notice: June 11, 2024
Last Date of Appeal: July 01, 2024

