

Applicant: Joanna Ulisse-Caren
File No.: 60-C-231173
Municipality/Twp: Eton, District of Kenora
Subject Lands: PIN 420700268, LT 6 CON 2 ETON EXCEPT
LT31256, LT42799, SRO LT47952, PT 1 23R2776,
PTS 1 & 2 23D111, LT76948, PT 1 23R11493;
DISTRICT OF KENORA; S/T LT100197,
LT100948, LT225925, LT57078, LT57172,
unorganized Township of Eton, District of
Kenora

Date of Decision: Aug 27, 2024
Date of Notice: Aug 27, 2024
Last Date of Appeal: Sept 16, 2024

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-231173 for the creation of a new lot in respect of the land described as PIN 420700268 in the Geographic Township of Eton, District of Kenora. 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 Ropheka Adofo, A/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 (Thunder Bay)
435 James Street South, Suite 223
Thunder Bay, ON. P7E 6S7
Attention: Ropheka Adofo, A/Planner
Telephone: (807) 631-4954

In addition, send a copy of your notice of 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/notice/019-8542>



Victoria Kosny, Manager
Community Planning and Development

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

Conditions

1. That this approval, applies to the creation of a new lot of approximately 4.66 hectares of land while retaining approximately 118.95 hectares of land, in the above-noted location in the Geographic Township of Eton, in the District of Kenora.
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. That prior to final approval, the Ministry is to be provided written confirmation from a registered Ontario land surveyor verifying that all buildings and structures indicated as being located within the boundary of the proposed severed lot are actually located entirely within the boundary of the proposed severed lot.
4. That prior to final approval, an archaeological assessment (and any further assessments, as recommended) must be prepared by a licensed archaeologist under the Ontario Heritage Act on the entire property and submitted to the Ministry of Citizenship and Multiculturalism (MCM). Existing structures 40 years or older should also be evaluated for cultural heritage value or interest. Any assessment(s) must conform to the standards and guidelines for Consultant Archaeologists and the terms and conditions of the license issued to the archaeologist under Part VI of the Ontario Heritage Act. The licensed archaeologist should forward a copy of the MCM review letter to MMAH. The review letter should indicate that the reports have been entered into the Ontario Public Register of Archaeological Reports where those reports recommend that:
 - a. all archaeological assessment of the subject lands is complete or
 - b. all archaeological sites identified by the assessment are either of no further cultural

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heritage value or interest (as per Section 48(3) of the Ontario Heritage Act) or that mitigation of impacts has been accomplished through excavation or an avoidance and protection strategy.

5. That prior to final approval, the Ministry is to be provided by the applicant with written verification from the Ministry of Transportation (MTO) that entrance permits will be made available for both the proposed severed and retained lands.

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 not required, except as they relate to the location and construction of septic systems. Inquiries about the Building Code Construction Standards should be made to:

Buildings and Development Branch
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto, ON M7A 2J3
Telephone: (416) 585-6666

codeinfo@ontario.ca

3. 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.

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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.

5. 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.**

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.**