

Applicant: John Basalyga & Michelle Ann Gartshore
File No.: 58-C-225113
Subject Lands: PIN 62345-0017, Lot 3, Con 4; Lot 4, Con 4; and Lot 4, Con 5; Unincorporated Township of Upsala, District of Thunder Bay

Date of Decision: November 1, 2024
Date of Notice: November 1, 2024
Last Date of Appeal: November 21, 2024

NOTICE OF CHANGES

On Application for Consent Subsection 53(24) of the Planning Act

This Application for Consent was given conditional approval on November 28, 2022 and was amended on November 1, 2024. Last date to appeal decision is November 21, 2024.

The following changes are now being made:

- Condition 1 is amended to reflect the actual size of the lot as shown on the survey
- Condition 3 is amended to include an additional provision to the Consent Agreement related to a requirement for a Record of Site Condition if a change of use occurs in the future.

A copy of the changes is attached. All other conditions remain unchanged. The provisional Consent will now lapse two years from the date of this Notice.

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.

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.

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.

Other Related Applications

58-C-180656 & 58-C-224982

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the address shown below.

The notice of appeal should be sent to the attention of Chelsea Flegel, 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.

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: Chelsea Flegel, Planner
Telephone: (807) 630-8442

How to Receive Notice of Changed Conditions

The conditions of a provisional consent may be changed at any time before the consent is given.

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

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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/019-5916>



Victoria Kosny
Manager, Community Planning & Development
Municipal Services Office – North (Thunder Bay)

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Condition 1 is amended as follows by changing the lot size to reflect the actual size as shown on the survey:

1. That this approval applies to permit to create a new lot of ~~19.28~~ 30.87 hectares, for existing commercial purposes, as applied for and identified hereto as Lot 4 in Appendix A and forming part of this decision, in the above noted location in the Unincorporated Township of Upsala, in the District of Thunder Bay.

Condition 3 is amended as follows by adding an additional provision to the Consent Agreement:

e. Lot 4 has an existing industrial use, which shall continue, unless a filing of a Record of Site Condition (RSC) on the Brownfields Registry is completed prior to a change to a more sensitive use, such as residential.