

Applicant: J. ARMSTRONG
File No.: B-023/23
Municipality: Township of Ryerson
Subject Lands: Part Lot 16, Concession 14

Date of Decision: August 23, 2023
Date of Notice: September 6, 2023
Last Date of Appeal: September 26, 2023
Lapsing Date: September 6, 2025

NOTICE OF DECISION
Southeast Parry Sound District Planning Board
On Application for Consent
Section 53 of the Planning Act

In compliance with Section 53 of the Planning Act, Revised Statutes of Ontario, 1990, Chapter P. 13, attached is the notice of decision of the District Planning Board with regard to the above noted file(s).

Please be advised that the last day for filing an appeal is **September 26, 2023**.

Section 53 of the Planning Act states that the applicant, the Minister, a specified person or any public body may, not later than 20 days after the giving of notice is completed, appeal the decision or any condition imposed by the Planning Board or appeal both the decision and any condition to the Ontario Land Tribunal (OLT) (formerly Local Planning Appeal Tribunal (LPAT)) by filing a notice of appeal setting out the reasons for the appeal, accompanied by the fee required by the Tribunal. The notice of appeal is to be filed with the Secretary-Treasurer of the Planning Board, accompanied by the fee charged by the Tribunal.

In accordance with Section 53(24) of the Planning Act, you will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal (OLT) (formerly Local Planning Appeal Tribunal (LPAT)). 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 on its behalf.

The decision of the Planning Board will become final and binding when the final date for appeal has passed and no appeal has been filed, unless the consent was granted with conditions. On a consent granted, before the final certificate can be issued, proof in writing must be submitted to the Secretary-Treasurer showing that all conditions imposed by the Planning Board have been dealt with in a manner satisfactory to the appropriate authority. In accordance with Section 53(41) of the Planning Act, if the conditions imposed by the Planning Board have not been fulfilled within two years of the date of mailing of the notice of decision, the consent lapses.

EFFECT THAT WRITTEN AND ORAL SUBMISSIONS HAD ON DECISION

The Municipality supports approval of the application. No further submissions were received which had an effect on the decision.

**SOUTHEAST PARRY SOUND DISTRICT
PLANNING BOARD**

P.O. Box 310
Kearney, ON PoA 1M0

Tel: 705-787-5070 Email: lmoyer@sepsdplanningboard.ca

NOTICE OF DECISION

SOUTHEAST PARRY SOUND DISTRICT
PLANNING BOARD
P.O. Box 310
Kearney, Ontario P0A 1M0

FILE No....B-023/23...

In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13 and;
In the matter of an application for consent on behalf of:

NAME: Jeff Armstrong
2170 Highway 520 West
Burk's Falls, ON P0A 1C0

Type of transaction for which application for consent is being made:

<input checked="" type="checkbox"/>	New Lot	<input type="checkbox"/>	Easement or Right-of-Way
<input type="checkbox"/>	Lot Addition	<input type="checkbox"/>	Mortgage Discharge
<input type="checkbox"/>	Title Correction	<input type="checkbox"/>	Other _____

Location: Part Lot 16, Concession 14, Township of Ryerson

Subject of the application: To sever one lot approximately 7.91 ha. (19.55 ac.) in size.


Decision: *APPROVED*

Reasons:

See attached.

The above decision is subject to the following condition(s):

See attached.



Chairman (signed)

Date of decision:August 23, 2023.....



Linda Moyer
Secretary-Treasurer

Date of notice: September 6, 2023

Last date for filing an appeal to the Ontario Land Tribunal under Section 53 of the Planning Act: September 26, 2023
Additional copies of this Notice of Decision can be obtained at the address shown above.

SOUTHEAST PARRY SOUND DISTRICT PLANNING BOARD

REASONS FOR APPROVAL

Consent Application - B-023/23 (ARMSTRONG)

1. The application conforms to the approved Official Plan for the municipality.
2. The application complies with the approved Zoning By-law in effect for the municipality.
3. The municipality supports the subject application.
4. No concerns or objections have been raised through the circulation of the application.

The conditions to the granting of consent for this transaction, file no. B-023/23, **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 transfer of one lot approximately 7.91 ha. (19.55 ac.) in size, as applied for in the above-noted location and municipality and as indicated on the attached sketch.
2. That the applicant(s) shall have the following documents delivered to the Secretary-Treasurer of the Southeast Parry Sound District Planning Board for the transaction described in Condition 1:
 - a) the "in preparation Transfer";
 - b) a "Long form certificate" on which is set out the legal description of the severed parcel;
 - 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, together with an electronic (pdf) version of the plan; or

a legal description acceptable to the Registrar of Deeds. It may be necessary for the applicant's Solicitor to submit a description approval form to the Registry Office exempting the transfer from a survey.
3. That the draft reference plan of survey be submitted to the Secretary-Treasurer of the District Planning Board for review prior to registration.
4. That the draft reference plan of survey be submitted to the Township of Ryerson for review prior to registration. If the reference plan or other evidence discloses that either severed property or the retained property owned by the Applicant contains a deviation road maintained by the municipality as a public road, then the Applicant shall survey and transfer such deviation road to the municipality as a condition of severance. The area to be surveyed and transferred shall generally be sixty-six (66') feet in width and centred upon the centre line of the present travelled road. In situations where this is impractical, the Applicant should discuss how this requirement will be fulfilled with the Municipality before the reference plan is finalized.

Prior to the finalization of consent, the District Planning Board must be advised in writing by the Township of Ryerson that the above condition has been satisfied.
5. That two copies of the final reference plan, together with one digital copy, be provided to the Township of Ryerson.
6. That prior to the finalization of consent the District Planning Board is satisfied that the North Bay-Mattawa Conservation Authority has no concerns or objections with regard to sewage disposal systems.

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Conditions cont'd.

7. Prior to the finalization of consent, the District Planning Board must be advised in writing by the Township of Ryerson that the Public Works Supervisor has confirmed that a suitable location for a new entrance on the proposed severed lot can be properly constructed to municipal standards.
8. Prior to the finalization of consent, the District Planning Board must be advised in writing by the municipality that the owner has conveyed up to 5% of the land to be severed to the Township of Ryerson for park or other recreational purposes. Alternatively, the municipality may require cash-in-lieu of all or a portion of the conveyance.
9. That the applicant(s) shall remit the finalization fee of \$200.00 per transfer document in the form of a certified cheque or money order, to the Southeast Parry Sound District Planning Board prior to finalization of consent.

The following **NOTES** are for your information:

NOTES:

1. Prior to the development of the property, a Sewage System Permit as required under Regulation 332/12 of the Ontario Building Code must be obtained from the North Bay-Mattawa Conservation Authority. Applications may be obtained from the Conservation Authority's North Bay office.

North Bay-Mattawa Conservation Authority
15 Janey Ave.
North Bay, ON P1C 1N1 Tel: 705-474-5420

2. MTO has advised that the owner will need to apply for an entrance permit for the severed lot via MTO's Highway Corridor Management – Online Services. An entrance permit will be issued to the severed lot upon receipt of confirmation that the severance has been perfected and the severed lot exists. Access to the retained lot shall be from Lakeview Drive only.

Building and land use permits may also be required. To determine this, a site plan should be submitted to the MTO for assessment, prior to the commencement of any development.

3. 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.

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.

