



November 3, 2023

**RE: APPLICATION FOR SEVERANCE B06-2023**

**OWNER: Contracting Kings Inc.**

**LOCATION: Oliver Creek Road, Neebing, Ontario**

**NOTICE OF THE DECISION OF THE COUNCIL OF THE MUNICIPALITY**

Property owners in the vicinity of the property which is the subject of this notice, First Nations and interested agencies, were advised by way of notice sent on July 27, 2023, of a public meeting of the Council of The Corporation of the Municipality of Neebing, sitting as Committee of the Whole, to be held on August 16, 2023. Notices were then sent on September 8, 2023 of a second public meeting on October 4, 2023. Another notice was sent on October 6, 2023 of a third public meeting on October 25, 2023. You are receiving notice of the decision either because you received one of the notices, or because you attended the hearing and requested receipt of a copy of the decision.

**PLEASE TAKE NOTICE** that the Committee of the Whole recommended to the Council that the application for severance be approved. Council ratified that decision at the Council meeting held on November 1, 2023. Via Resolution #2023-11-358, Council resolved:

WHEREAS Council considers that approval of the application brought by Contracting Kings, the owner, to sever a parcel from property on Oliver Creek Road for the purposes of creating three new lots;

AND WHEREAS Council recognizes that the approval of the application will not result in any additional service requirements from the Municipality,

NOW THEREFORE BE IT RESOLVED THAT, a public meeting having been held with respect to the application by Contracting Kings, the owner, relative to vacant land with no municipal address on Oliver Creek Road, and is legally described as Mining Location R226 West Part PCL 1856 FWF in the geographic Scoble Township and the District of Thunder Bay; the consent requested in Application B06-2023, as submitted, be approved, subject to the following conditions:

1. A survey is finalized and registered;
2. Driveway entrances for the new and retained lots are evaluated and approved by the Working Roads Foreman.
3. Satisfactory approval from the Thunder Bay District Health Unit relating to adequacy of the severed and retained lots for septic services is obtained;
4. Proof from a licensed well contractor that the lots can be adequately and safely serviced by potable private water supplies and if lots cannot be serviced by a well, a notification agreement will be required that specifies that all offers to purchase will require alternative water supply;
5. If it is not already in Municipal Ownership, that portion of Oliver Creek Road that is adjacent to the Severed Lot is transferred to the Municipality, free of encumbrances, and at no cost to the Municipality; and

6. Conveyance of the lots and road allowance must occur within twenty-four (24) months of the date that this decision becomes final and binding.

**PLEASE TAKE FURTHER NOTICE** that the final day for submitting an appeal against this decision shall be twenty (20) days after the mailing of this notice being **Thursday, November 23, 2023**. Should there be no appeal, the Decision will become final and binding. It is the applicant 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 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 from the date of this letter and the applicant is still interested in pursuing the proposal, a new application will be required.

### **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.

*"Specified person" means,*

- (a) a corporation operating an electric utility in the local municipality or planning area to which the relevant planning matter would apply,
- (b) Ontario Power Generation Inc.,
- (c) Hydro One Inc.,
- (d) a company operating a natural gas utility in the local municipality or planning area to which the relevant planning matter would apply,
- (e) a company operating an oil or natural gas pipeline in the local municipality or planning area to which the relevant planning matter would apply,
- (f) a person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the relevant planning matter would apply,
- (g) a company operating a railway line any part of which is located within 300 metres of any part of the area to which the relevant planning matter would apply, or
- (h) a company operating as a telecommunication infrastructure provider in the area to which the relevant planning matter would apply.

### **How to File a Notice of Appeal**

An appeal against the Decision may be made by sending written notice of appeal, outlining the reasons for the appeal, accompanied by the prescribed fee to the Clerk-Treasurer. The Appellant Form (A1) available from the OLT website at <https://olt.gov.on.ca/appeals-process/forms/>.

**THIS NOTICE** is sent to various public authorities and agencies, and to the property owners surrounding the Subject Property (as required by Ontario Regulation 197/96, as amended), for their information. It will also be posted on the Municipality's website at [www.neebing.org/notices](http://www.neebing.org/notices).

Yours truly,



Erika Kromm  
Clerk-Treasurer

THE CORPORATION OF THE MUNICIPALITY OF NEEBING