

# TOWNSHIP OF NAIRN AND HYMAN

## Consent Approval Authority Notice of Decision

### DECISION

### CONSENT

Under Section 53 of the *Planning Act*

**File No. :** B-03-19 (Insley)  
**Applicant:** Vale Canada Limited  
**Legal Description:** Lot 4, Conc. II, Hyman Twp; Parts 15 and 16, Plan 53R-21085; Part of PIN 73384-0005 (LT)  
**Property Address:** Agnew Lake, accessed via water/public boat access  
**Official Plan:** Rural  
**Zoning:** Natural Resources Rural (R) Zone  
**By-law:** By-law No. 2013-5

### PURPOSE OF THE APPLICATIONS

The applicant has submitted five (5) applications for consent to create five (5) new residential lots to facilitate the sale of existing cottage properties to a group of private land owners who currently lease said lands from the applicant.

The applications are re-submissions of applications B-02/2017, B-03/2017, B-04/2017, B-05/2017, and B-06/2017 which lapsed as the conditions of approval were not fulfilled.

### DECISIONS AND REASONS OF THE CONSENT APPROVAL AUTHORITY

The Application is hereby:

Granted

Granted On Condition

Refused

The Consent Approval Authority, having considered the evidence presented and reviewed the plan and correspondence on file, and having had regard to the matters set out in Section 51(24) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, is satisfied that, in this instance, a plan of subdivision is not necessary or desirable for the proper and orderly development of the Municipality. The Consent Approval Authority therefore grants the provisional consent, subject to the following conditions, **which must be fulfilled within a one-year period from the date of this Decision:**

1. That the Owner file with the Clerk a copy of the registered Reference Plan, prepared by an Ontario Land Surveyor registered in the Province of Ontario, to include the following:
  - Parts for the severed lands

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- Lot dimensions and area in accordance with the applications.
- Location, setbacks, and dimensions of all existing buildings and structures

The Reference Plan should conform substantially to the sketch filed with the Applications for Consent.

2. That the payment of the balance of any outstanding taxes, as of the date of the certification of the Transfer/Deed with respect to the property that is subject to the application shall be made to the Treasurer of the Township of Nairn and Hyman.
3. That comments are received from the Health Unit as to the suitability of the lot for use with a Class 4 (septic) sewage disposal system and comply with any requirements of the Health Unit with respect to existing or proposed sewage disposal systems.
4. That the applicant verify in writing from a local sewage hauler that hauled sewage capacity available.
5. That a Zoning By-law Amendment for the severed lands to permit the existing use and location of existing buildings and structures, be adopted and passed by the Municipal Council, with all levels of appeals exhausted.

Upon completion of the conditions as outlined above, the Clerk of the municipality shall give a certificate to the applicant stating that the consent has been given. **Within a two-year period from the date of the certificate**, the Owner(s) must file with the Clerk, the 'electronic registration preparation documents' for the Conveyance for which the Consent is required, otherwise the consent will lapse per Section 53(43) of the *Planning Act*.

Please note that if a major change to a condition or conditions is requested, you will be entitled to receive Notice of the changes only if you have made a written request to be notified.

**NOTICE OF RIGHT TO APPEAL**

To appeal this Decision to the Local Planning Appeal Tribunal (LPAT), a letter, outlining the reasons for appeal, must be filed with the Township's Clerk.

**Date of Notice: November 6, 2019**

**Last Date of Appeal: November 26, 2019**

The notice of appeal must be accompanied by a cheque or money order for \$300.00 made payable to the Minister of Finance. If you have any questions about the appeal process, please contact the Township Clerk's office.

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for Consent to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or

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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.

Belinda Ketchabaw  
Municipal Clerk/Treasurer  
Township of Nairn and Hyman  
64 McIntyre Street  
Nairn Centre, ON P0M 2L0  
Telephone: 705-869-4232

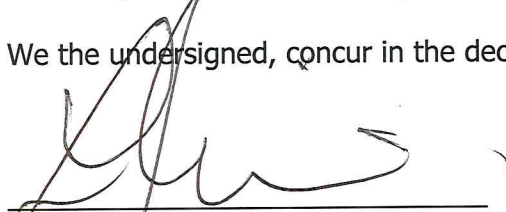
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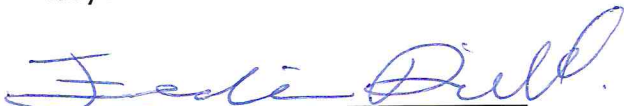
**DECISION SIGNATURE PAGE**

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We the undersigned, concur in the decision and reasons of the Approval Authority:

  
\_\_\_\_\_  
Mayor Laurier P. Falldien

  
\_\_\_\_\_  
Councillor Rod MacDonald

  
\_\_\_\_\_  
Councillor Frederic Diebel

  
\_\_\_\_\_  
Councillor Katherine Bourrier

*(Absent with Regrets)*  
\_\_\_\_\_  
Councillor Brigita Gingras

I, Belinda Ketchabaw, Municipal Clerk/Treasurer of the Township of Nairn and Hyman, certify that the attached is a true copy of the Decision of the Approval Authority with respect to the application recorded.

Nov. 4 / 2019  
\_\_\_\_\_  
Date of Decision

  
\_\_\_\_\_  
Belinda Ketchabaw  
Municipal Clerk/Treasurer,  
Township of Nairn and Hyman