

Applicant: Darcy Dorrell
File No.: 54-C-231096
Municipality/Twp: Unincorporated Township of Robillard in the District of Temiskaming
Subject Lands: PIN 61285-0059 & -0060, Pt of Lot 6 and 5, Concession 3; Unincorporated Township of Robillard, District of Temiskaming

Date of Decision: June 19 2024
Date of Notice: June 19 2024
Last Date of Appeal: July 09 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. **54-C-231096** for the creation of a new parcel, for resource-based recreational use in respect of the land described as PIN 61285-0059 and - 0060 in the unincorporated Township of Robillard, in the District of Timiskaming. 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 of David Ferrone, 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

54-C-243266

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 (Sudbury)
159 Cedar Street, Suite 401
Sudbury, ON. P3E 6A5
Attention: David Ferrone, Planner
Telephone: (249)-885-4067

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

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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/index.php/notice/019-8578>



Megan Grant, Team Lead
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.

No. Conditions

1. That this approval applies to permit the severance of a rectangular piece of land approximately 26 hectares involving the entirety of PIN 61285-0059 as described in the above noted application and illustrated in Schedule A to this decision.
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 all parcel(s) in question. This schedule must also contain the names of the parties indicated on application to transfer; and
 - 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.
- 3 That prior to final approval, and pursuant to subsections 53(12) and 51(25) and 51(26) or (27) of the *Planning Act*, the applicant shall enter into a Consent Agreement with the Ministry of Municipal Affairs and Housing, to its satisfaction, addressing the use and potential development of the severed and retained lots, including:
 - a. the severed and retained lots can only be used for agricultural uses and are not to be used for residential, commercial, or industrial uses;
 - b. provisions to obtain undertakings from the applicant and/or the applicant's lawyer to implement conditions and requirements, including that the Consent Agreement be registered on title in priority to other documents; and
 - c. provisions relating to the enforcement of the Consent Agreement.

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The following notes are for your information:

No. Notes

1. 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*. **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.**

2. The required Transfer Application 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 Application form, the Schedule page or the survey plan will result in the documents being returned without consent.

3. For future reference, building permits are not available in areas without municipal organization, but all buildings are required to comply with the provisions of the Ontario Building Code. If you have any questions regarding the building code please direct your questions to the Building and Development Branch of the Ministry of Municipal Affairs and Housing, 16th Floor, 777 Bay Street, Toronto, Ontario M5G 2E5, at 416-585-6666, or at codeinfo@ontario.ca.
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

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be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.

5. Long Lake, formed by the widening in the Englehart River, stretches for roughly 1 km upstream and 8 km downstream from the subject lands. It is reported to support a cool water fishery with a stocked lake trout population. Other fish species found in this lake include walleye, burbot, Northern Pike, and pumpkinseed. The Englehart River Fine Sand Plain & Waterway Provincial Park Management Statement (Management Statement) for the Park additionally lists lake herring, ling, brown bullhead, smallmouth bass, yellow perch, and white sucker, as species inhabiting Long Lake.

Fish populations in Long Lake are sensitive to changes in nutrient loading and water quality. Increases in nutrient loading (phosphorous) could have negative impacts on fish populations supported by Long Lake. No total phosphorous data is available for Long Lake. We encourage lakefront property owners to participate in the Lake Partner Program to help gather information about phosphorous concentrations in Long Lake. Information regarding the program can be found at: <http://desc.ca/programs/lpp>.

Site clearing may result in increased runoff and nutrient loading into the lake. We strongly urge property owners to follow best management practices to prevent localized increase in phosphorous and to reduce potential for algae and weeds along the shoreline. Attached is the document “Stormwater Best Management Practices for Camp Owners in Northeastern Ontario” which outlines practices that can assist in maintaining or improving lake water quality. Best Management Practices such as shoreline naturalization and vegetated buffer strips can reduce the adverse effects of shoreline development on inland lakes. Infiltration practices should be introduced to reduce surface water runoff including rain gardens, infiltration trenches and grassed swales. Other Best Management Practices include maintaining vegetation along the shoreline and elsewhere on the site, appropriate site design (e.g. minimum 30 metre non-development zone adjacent to the shoreline), and construction mitigation. Additional resources regarding Best Management Practices are listed in Appendix B of the Lakeshore Capacity Assessment Handbook, 2010, available at the following link: [Lakeshore Capacity Assessment Handbook: Protecting Water Quality in Inland Lakes | Ontario.ca](#).

Also enclosed in this package is the Blue-Green Algae Fact Sheet. The fact sheet discusses the risks of drawing lake water, instead of well water, for private water supply.

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Please be advised that the lots have not been assessed for suitability to support onsite well or septic. The following notes are provided for your information:

Should wells be considered as drinking water sources in the future, they must be constructed in accordance with Regulation 903 – Wells, under the Ontario Water Resources Act.

The waters of Long Lake should not be used for human consumption unless it is disinfected and/or treated to meet the Ontario Drinking Water Quality Standards, as stipulated in O. Reg. 169/03 of the Safe Drinking Water Act.

Approval must be obtained from the local Health Unit for all sewage systems that require a permit, including greywater systems but excluding pit privies. The importation of suitable fill may be required to construct sewage treatment systems to the satisfaction of the Timiskaming Health Unit. The Health Unit can also provide information on construction requirements, including minimum distances required between sewage systems and sources of potable water.

- 6 If future development activities on the subject lands could pose a risk to species at risk or their habitat, the Endangered Species Act may be triggered. Such development activities may require authorization. For more information please contact SAR@ontario.ca. Additional information is available at <https://www.ontario.ca/page/species-risk>. For your reference, the Client's Guide to Preliminary Screening for Species at Risk is attached.
- 7 Please be advised that that the bed of Long Lake is a regulated provincial park. Any work that would affect the lakebed (for example, shoreline work that could extend into the water or the construction or maintenance of cribbing associated with boathouses and docks, new or existing) would require prior approval from Ontario Parks. Approval is not guaranteed and is subject to review under the Class Environmental Assessment for Provincial Parks and Conservation Reserves. Please contact-Jesse Archer, Protected Area Lands Technical Specialist, Northeast Zone Ontario Parks, at jesse.archer@ontario.ca prior to any work being initiated to determine whether proposed activities within the provincial park are permitted and whether a work permit application is required.
- 8 Permits/ approvals may be required prior to work which may impact the streams, wetland, or any other fish habitat on or near the subject property. Please visit the following link for more information [Crown land work permits | ontario.ca](https://www.ontario.ca/page/crown-land-work-permits)

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Schedule A

