



April 22, 2024

RE: APPLICATION FOR SEVERANCE B03-2024

OWNER: Victoria Lynn and Garry Shipston

LOCATION: 121 Boundary Drive East, 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 March 22, 2024, 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 April 17, 2024. 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 April 17, 2024. Via Resolution #2024-04-110, Council resolved:

WHEREAS Council considers that approval of the application brought by Victoria and Garry Shipston, the owners, to sever one parcel from property on Boundary Drive East for the purposes of creating one new lot;

AND WHEREAS Council considers that the proposed locations for the severed and retained lots will not result in negative impacts to any nearby residential property owners;

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 Victoria and Garry Shipston, the property owners, relative to property with municipal address 121 Boundary Drive East, and legally described as Concession 1, Part E ½ NE ¼ Lot 8, within geographic Blake Township, Municipality of Neebing, in the District of Thunder Bay; the consent requested in Application B03-2024, as submitted, be approved, subject to the following conditions:

A survey is finalized and registered;

1. A driveway entrance for the severed lot is pre-approved by the Roads Foreman;
2. Satisfactory approval from the Thunder Bay District Health Unit relating to adequacy of the severed lot for septic services is obtained;
3. If it is not already in Municipal Ownership, that portion of Boundary Drive East that is adjacent to the Severed Lot is transferred to the Municipality, free of encumbrances, and at no cost to the Municipality; and
4. Conveyance of the road allowance and the lot 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 **Monday, May 13, 2024**. 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.

Yours truly,



Erika Kromm
Clerk-Treasurer

THE CORPORATION OF THE MUNICIPALITY OF NEEBING