

Applicant: R. Prentice
File No.: S-01/24
Municipality/Twp.: Township of Armour
Subject Lands: Part of Lot 23, Concessions 1 & 2
(Part 1, 42R-13495 & Part 2, 42R-22305)

Date of Decision: July 23, 2025
Date of Notice: August 7, 2025
Last Date of Appeal: August 27, 2025
Lapsing Date: July 23, 2028

NOTICE OF DECISION

On Applications for Approval of a Draft Plan of Subdivision Subsection 51(37) of the Planning Act

The Southeast Parry Sound District Planning Board has approved application S-01/24 to create 15 residential lots and 2 Blocks. A copy of the decision is attached.

Please be advised that the last day for filing an appeal is **August 27, 2025**.

EFFECT THAT WRITTEN AND ORAL SUBMISSIONS HAD ON DECISION

The Municipality supports approval of the application subject to conditions. Submissions were received from members of the public which had an effect on the conditions of approval.

When and How to File An Appeal

Notice to appeal the decision to the Ontario Land Tribunal (OLT) must be filed with the Southeast Parry Sound District Planning Board no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal must be filed with the Planning Board at the address shown below and it must,

- (1) set out the reasons for the appeal, and
- (2) be accompanied by the fee required by the Ontario Land Tribunal payable by certified cheque or money order to the Minister of Finance, or by credit card to the Tribunal.

Who Can File An Appeal

No person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the local council/planning board or, made a written request to be notified of changes to the conditions or, in the Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

Right to Appeal Conditions

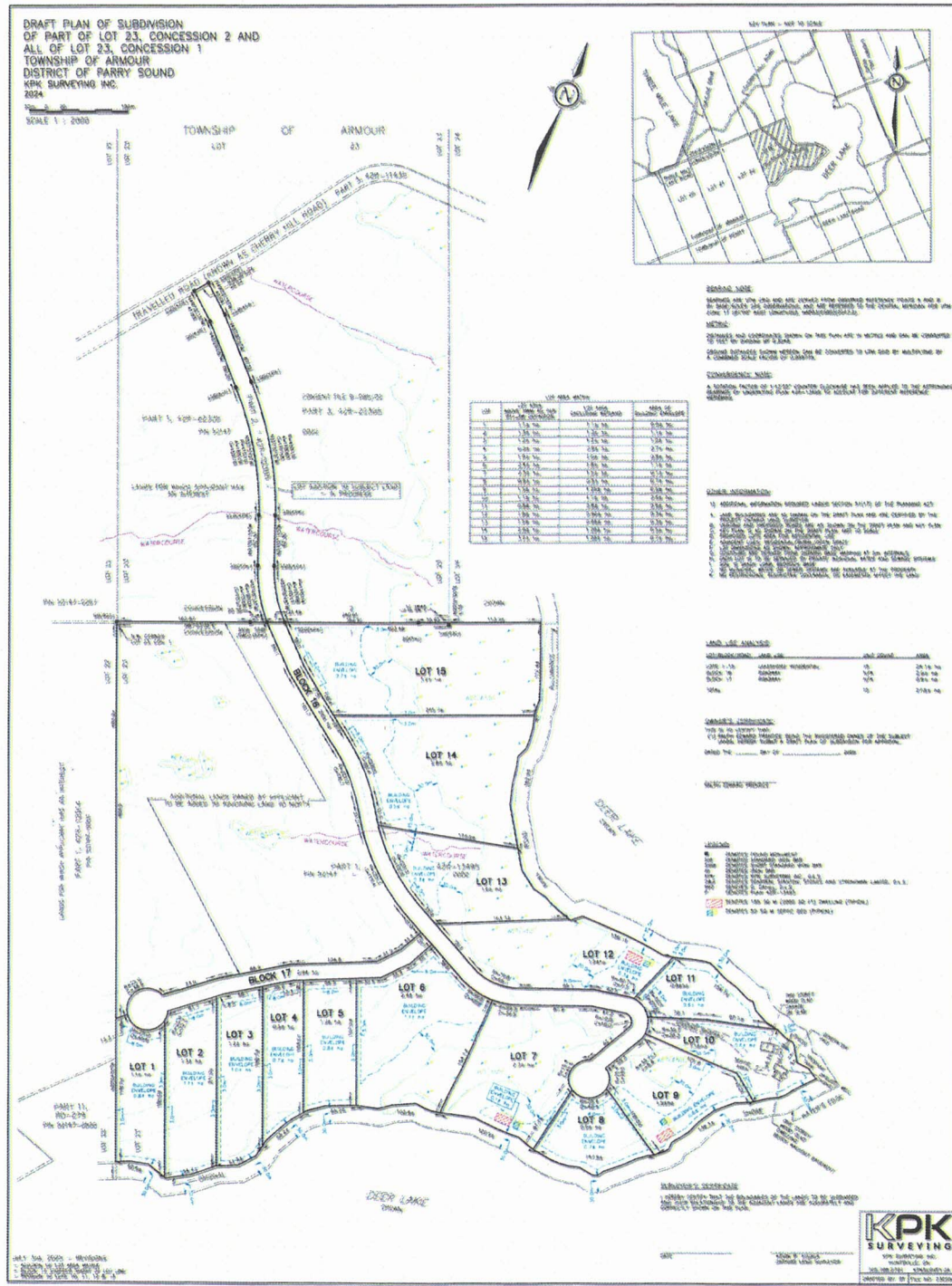
Any of the following may, at any time before the approval of the final plan of subdivision appeal any of the conditions imposed by the approval authority to the Tribunal by filing a notice of appeal with the approval authority:

- i) the applicant,
- ii) any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority,
- iii) a specified person who, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority,
- iv) the Minister,
- v) the municipality in which the subject land is located.

Notice of Changed Conditions

The conditions of an approval of a draft plan of subdivision may be changed at any time before the final approval is given. You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of changes to the conditions.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.



NOTICE OF DECISION

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

FILE No.: S-01/24

In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13 and;
In the matter of applications for a plan of subdivision on behalf of:

NAME: Ralph Prentice

ADDRESS: 233 Cherry Hill Road
P.O. Box 865
Burk's Falls, ON P0A 1C0

Location: Part of Lot 23, Concessions 1 & 2 (Part 1, 42R-13495 & Part 2, 42R-22305), Township of Armour.

Subject of the applications: To create 15 residential lots and 2 Blocks for private road purposes.

Decision: *APPROVED*

Reasons:

See attached.

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

See attached.


Chairman (signed)

Date of decision:July 23, 2025.....


Linda Moyer
Secretary-Treasurer

Date of mailing: *August 7, 2025*

Last date for filing an appeal to the Ontario Land Tribunal under Section 51 of the Planning Act: *August 27, 2025*
Additional copies of this Notice of Decision can be obtained at the address shown above.

SOUTHEAST PARRY SOUND DISTRICT PLANNING BOARD

REASONS FOR APPROVAL

Subdivision Application – S-01/24 (PRENTICE)

1. The application complies with the approved Zoning By-law in effect for the municipality.
2. The application conforms to the Provincial Policy Statement.
3. The municipality supports the subject application.
4. The land is suitable for the purposes for which it is being subdivided.

The Southeast Parry Sound District Planning Board’s conditions and amendments to final plan approval for registration of this Draft Plan of Subdivision file no. **S-01/24** are as follows:

No.	Conditions
1.	That this approval applies to the Draft Plan of Subdivision prepared by KPK Surveying Inc., dated November 14, 2024, as amended, to show a total of 15 residential lots and 2 Blocks for private road purposes.
2.	That the subdivision plan confirms that all proposed lots meet the Armour Township Zoning By-law Definition of “Lot Area” meaning “the total horizontal area within the lot lines of a lot but shall not include any area below the high water mark,” each having a minimum area of 2 acres (0.80 ha.).
3.	That the applicant provide written evidence from the MNRF confirming that Lots 1 – 5 are not a confirmed deer habitat to allow for a reduced minimum frontage of 120 metres to 61-70 metres. Upon confirmation from the MNRF, that a zoning by-law amendment be applied for and received which recognizes a minimum lot frontage for proposed Lots 1 – 5 requires variations in the minimum lot frontage requirement for winter deer habitat.
4.	That a zoning by-law amendment be applied for and received to rezone the proposed lots to Lakeshore Residential (LR) Zone, Flood Plain (FP) Zone and Wetlands Protection Zone to allow residential uses on a year-round basis.
5.	That a zoning amendment be applied for and approved for the following: <div><div>a) to implement the setbacks recommended by the EIS regarding a 30 metre setback from Deer Lake and wetlands and 15 metre from watercourses;</div><div>b) no development be permitted within Type 1 Fish Habitat and all docks are to be located outside of Type 1 fish habitat.</div><div>c) a Holding Provision be implemented on a portion of Lot 11 as recommended in the Archaeological Assessment, prepared by Woodland Heritage Northeast and dated July 3, 2024, that includes the site and the 30 m. no work buffer, until such time as a Stage 3 site-specific assessment is completed.</div></div>
6.	That the lands identified as “additional lands owned by applicant” be merged with lands to the north and a zoning by-law amendment be applied for and received to prevent any future residential development or further land division.
7.	That a subdivision agreement be entered into with the Township of Armour pursuant to Section 51 (26) of the Planning Act and that this agreement be registered on title against the lands to which it applies prior to the final registration of the plan of subdivision and shall contain all requirements, financial and otherwise for the installation of public and on-site services, drainage, the conservation of natural heritage features and other matters set out in the conditions of approval.

Municipality/Township: Township of Armour
Location: Part of Lot 23, Concessions 1 & 2
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Conditions cont'd.

8. That the Owner shall agree in the subdivision agreement that such easements and land dedication as may be required for access, utilities, servicing, drainage and construction purposes shall be granted to the appropriate agencies, authorities or persons, to their satisfaction free and clear of all encumbrances.
9. That the Owner submit an application for a Common Element Condominium for the private road servicing the lots within the plan of subdivision and that the plan of condominium be linked in title/agreement to the lots created through the plan of subdivision.
10. That a road design, prepared by a professional engineer, shall be submitted to ensure access can be provided in accordance with the Ontario Building Code, to the satisfaction of the Township.
11. That the subdivision agreement specify the road construction standard for the private road providing access to the development and that the Owner be required to enter into one or more agreements for the construction or upgrade of the road to meet the Township construction standard and to provide for the ongoing upkeep and maintenance of the road.
12. That the subdivision agreement shall require that the owner gives special attention to the drainage of storm water away from its proposed outlet onto Cherry Hill, a municipal road, at its intersection with the condominium road. The owner shall design and finance the entire cost to the Township of Armour for the installation of storm water drainage facilities if required, from the condominium road intersection.
13. That the owner shall enter into an agreement with the Township, to be registered on title of all affected properties, to indemnify the Township and all other public bodies of all responsibility for any maintenance of the road and all liability for any use of the road and alleged failure to provide emergency services for any other public services that were not being provided at the time of the creation of the road. Construction and/or maintenance costs of the road will not be the responsibility of the Township.
14. That the Owner shall agree to the provision of wording in the Subdivision agreement verifying that the entire property is subject to Site Plan control and that the Township of Armour shall require future site plan control applications for all proposed development within the boundaries of the plan of subdivision.
15. That the final development plan/agreement include topography and location of proposed wooded areas, flood plain areas, protected wetlands areas and the proposed building envelopes.
16. That the Subdivision Agreement include mitigation measures as described in the Wildland Fire Risk Assessment and Mitigation Reference Manual, 2017.
17. That the Subdivision Agreement require the implementation of recommendations contained within the Environmental Impact Study (EIS), prepared by RiverStone Environmental Solutions Inc., dated March 2024 and Outstanding Comments, prepared by RiverStone Environmental Solutions Inc., dated May 26, 2025
18. That the Subdivision Agreement require the implementation of the recommendations of the Archaeological Assessment prepared by Woodland Heritage Northeast and dated July 3, 2024.

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Conditions cont'd.

19. That prior to final approval, the District Planning Board must be advised in writing by the Township of Armour that the owners have conveyed up to 5% of the land included in the plan to the municipality for park or other public recreational purposes. Alternatively, the municipality may require cash-in-lieu of all or a portion of the conveyance, if required.
20. The owner shall submit a copy of the proposed Final Plan of Subdivision to the Township of Armour for their review and approval.
21. That prior to final approval and registration, the Owner shall submit a clearance letter(s) from the Municipality with respect to Items 2 - 8, 10-20.
22. The Owner agrees to submit the required number of copies of the proposed Final Plan of Subdivision to the Secretary-Treasurer of the Southeast Parry Sound District Planning Board for review and approval.
23. That draft plan approval for this development is for a period of three years. The owner shall apply for any extension at least 60 days prior to the lapsing date.
24. That the applicant(s) shall remit the finalization fee of \$700.00 in the form of a certified cheque, money order or e-transfer, to the Southeast Parry Sound District Planning Board prior to final approval.

NOTES TO DRAFT APPROVAL

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. It is the applicant's responsibility to fulfill the conditions of draft approval and ensure that the required clearance letters are forwarded by the appropriate agencies to the District Planning Board.
3. It is suggested that the municipality register the subdivision agreement as provided by subsection 51(26) of The Planning Act, R.S.O. 1990 against the land to which it applies, as notice to prospective purchasers.
4. The final plan approved by the Planning Board must be registered within 30 days or the Planning Board may withdraw approval under subsection 51(59) of the Planning Act, R.S.O. 1990.

