



August 13, 2026

RE: APPLICATION FOR SEVERANCE B09-2026
OWNER: Albert Kapush Contracting
LOCATION: Mining Location K16, 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, Metis, and interested agencies, were advised by way of notice sent on July 17, 2026, 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 12, 2026. 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 August 12, 2026. Via Resolution #2026-08-201, Council resolved:

WHEREAS Council considers that approval of the application brought by Albert Kapush Contracting, property owner, to sever property north of Maragret Street N for the purpose of a creating four new lots;

AND WHEREAS 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 Albert Kapush Contracting, the property owner, relative to property with no municipal address north of Margaret St N, legally described as Mining Location K16, Part Shoreline Road Allowance on Reference Plan 55R11303 Part 2 in the geographic Blake Township, Municipality of Neebing, in the District of Thunder Bay; the consent requested in Application B09-2026, as submitted, be approved, subject to the following conditions:

1. A reference plan describing the lands to be conveyed shall be prepared, deposited and registered;
2. A driveway entrance pre-approval is received from the Roads Foreman for the severed lots;
3. Satisfactory approval from the Thunder Bay District Health Unit relating to adequacy of the severed lots for septic services is obtained;
4. A letter is obtained from a sewage hauler confirming that there is sufficient capacity at an Environmental Compliance Approval (ECA) approved waste disposal facility;
5. The easement must be registered at the Land Registration Office to provide legal access to the severed and retained lots; and
6. The above conditions must be fulfilled within twenty-four (24) months of the date this decision becomes final and binding. Once all conditions have been satisfied and the Clerk has issued the Consent Certificate, the applicant shall have two (2) years to register the new lots and easement.

PLEASE TAKE FURTHER NOTICE that an appeal to the Ontario Land Tribunal in respect to this severance may be made by filing a notice of appeal with the Clerk-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Neebing (Municipality of) as the Approval Authority or by mail to the address noted below, no later than 4:30 p.m. on **September 2, 2026**. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to clerk@neebing.org.

Should there be no appeal, the Decision will become final and binding on September 3, 2026. It is the responsibility of the applicant to fulfill all conditions of consent within the time period identified.

In accordance with subsection 53(43) of the *Planning Act*, the consent shall lapse two (2) years from the date of issuance of the Certificate of Consent if the transaction is not carried out within that period. This requires registration of the severed lot and any associated easements on title. No further notice of the lapsing of the consent will be provided. Should the consent lapse, a new application will be required.

Who Has Appeal Rights

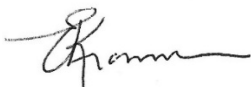
Other than the applicant, only a “specified person” or “public body”, as defined in s. 1(1) of the *Planning Act*, has the ability to appeal the decision to the Ontario Land Tribunal.

“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.*

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