



March 29, 2017

MINUTES OF PLANNING BOARD MEETING - March 28, 2017

At a Meeting of the Manitoulin Planning Board, held in the Board Room at the Planning Board Office, Gore Bay, Ontario, on March 28, 2017, the following Members of Planning Board were present:

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|----|------------|-----|-------------|
| 1. | K. Noland | 6. | L. Hayden |
| 2. | A. Hunt | 7. | L. Addison |
| 3. | P. Moffatt | 8. | D. Head |
| 4. | E. Russell | 9. | I. Anderson |
| 5. | D. Osborne | 10. | R. Stephens |

Also in attendance was:

T. Sasvari, reporter, Manitoulin West Recorder.

There were no other interested parties or members of the general public or press in attendance.

The Meeting was called to Order at 7:00 P.M. by Chair K. Noland, who welcomed all present.

The Chair asked if there were any Board Members who wished to declare a conflict of interest with any of the items listed on the agenda or having to do with the previous Board Meeting of February 28, 2017. There were no conflicts declared.

1. ORDER OF BUSINESS

MOTION

The Chair requested the adoption of the order of business with the addition of Item 4.a) iii)
- AMCTO

It was moved by A. Hunt and seconded by D. Osborne that the Order of Business be adopted as amended - Carried.

2. MINUTES OF PREVIOUS BOARD MEETING - February 28, 2017.

The Chair announced that the Minutes of the Board Meeting held February 28, 2017 had been circulated to all Board Members and requested that any errors or omissions be stated.

There being no errors or omissions, a motion was moved by I. Anderson and seconded by R. Stephens that the Minutes be adopted as circulated. - Carried.

BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING
- February 28, 2017

There was none.

3. VARIABLE EXPENDITURES

K. Noland inquired about the consent refund in the amount of \$650.00. It was explained that the applicants did not wish to proceed with their application.

R. Stephens inquired about the payment to the Minister of Finance in the amount of \$6,261.28. It was explained that this was the final payment owing for the Central Ontario Orthophotography Project (COOP) 2016 project.

There were no other questions of the variable expenditures as circulated.

MOTION

It was moved by P. Moffatt and seconded by L. Hayden that the variable expenditures be accepted as presented. - Carried.

4. GENERAL, REGULAR AND NEW BUSINESS

a) General Up-date by Secretary-Treasurer

i) Central Ontario Orthophotography Project (COOP) 2016

The Board were informed that the new imagery was received on March 14, 2017 and Jake Diebolt, GIS Technician, is reviewing it. There were two tiles missing, which are to be sent to the Planning Board office shortly. The final invoice has been paid. It is anticipated that the Municipalities will have their GIS program updated and working with the new imagery by the end of April 2017. It was suggested that thumb drives be purchased to download the imagery data for each of the Municipalities.

The general consensus of the Board was that purchasing thumb drives is a good idea providing the licencing agreement is not compromised.

ii) Special Case Funding

The Deputy Secretary-Treasurer informed the Board that a request to use the reallocation of funds for a By-law Enforcement Course has been submitted to the Ministry of Municipal Affairs (MMA). However, there has been no formal answer received back from MMA.

iii) Association of Municipal Managers & Clerks & Treasurers of Ontario -AMCTO

The Deputy Secretary-Treasurer explained to the Board Members that she had been invited to a AMCTO Spring Workshop to sit on a panel to answer questions and discuss processes and concerns between the Land Registry System and Planning proposals. This workshop is being held in Little Current on Thursday, May 4th, 2017. It was felt that this may be beneficial to the Planning Board Office and the Board's support was requested.

MOTION

It was moved by I. Anderson and seconded by R. Stephens that T. Carlisle attend the AMCTO Workshop on May 4th, 2017 and that her mileage be paid to and from the Workshop. - Carried

b) In Camera - February 28th, 2017

The Chair requested the Board to go In Camera to review the Minutes of the In Camera Session held during the Board Meeting of February 28, 2017.

MOTION

It was moved by R. Stephens and seconded by D. Osborne that the Board go In Camera at 7:45 p.m. to review the Minutes of the in Camera Session held on February 28, 2017 - Carried

MOTION

It was moved by A. Hunt and seconded by L. Addison that the Board rise from the In Camera session at 7:55 p.m. - Carried

MOTION

It was moved by P. Moffatt and seconded by L. Hayden that the Minutes of the In Camera Session held on February 28, 2017 be adopted as circulated. - Carried

c) Job Descriptions

MOTION

It was moved by A. Hunt and seconded by D. Head that Theresa Carlisle be appointed to the position of Secretary-Treasurer for the Manitoulin Planning Board, and Jake Diebolt, GIS Technician, be appointed to the position of Deputy Secretary-Treasurer, to assist and act in the capacity of the Secretary-Treasurer during her absence.

d) Town of Northeastern Manitoulin and the Islands - Reserves

The Chair, K. Noland, explained that an error may have been made in calling the recorded vote on November 29th, 2016, under 5.b)-Transition of Planning Authority-Town of Northeastern Manitoulin and the Islands.

Procedural By-law No. 2002-01,
Section X - VOTING - 3.b) states:

'any member who refuses to vote shall be recorded as voting in the negative.'

Section II - Application - 2. states:

'Roberts' Rules of order shall prevail where applicable in all circumstances not covered by this By-law.'

Roberts' Rules of Order refers to abstentions as being a refusal to vote; not counted as a vote; and having no effect on the outcome of the votes.

The Chair explained to the Board Members that four members had abstained from the vote which actually did not result in a vote to the negative, but rather a neutral/non-vote, resulting in the previous motion being carried.

The Chair asked the Board Members for clarification and their thoughts on this matter as it was unclear what to do to resolve this error. During discussion, three suggestions were considered:

1. Leave the vote as it stands;
2. Have a motion to rescind the previous Motion, or
3. Call for a new vote.

The general consensus of the Board was to rescind the previous Motion and Vote again on the issue and that the Procedural By-law be amended to clarify a neutral/non-vote (abstain from a vote).

Comments consisted of:

- PB remains open to reconsideration of 33% of the reserves since November 2016;
- no reconsideration/compromise received/NEMI still wants 33% of the reserves;
- NEMI has been a sister Municipality for plus 40 years;
- no obligation to divvy up the reserve funds;
- NEMI unilaterally withdrew from PB;
- olive branch has been extended to NEMI for support & maintenance of their mapping;
- could consider providing assistance with their COOP mapping at a reduced cost;
- a donation of some sort to assist NEMI with their Planning could be considered;
- would NEMI be happy with a donation?;
- separate motion required if the Board was to consider a donation to NEMI;
- PB has been providing assistance to NEMI Clerk during the transition;
- black & white - the reserves belong to PB;
- NEMI instigated the divorce;
- it behooves us to do what we can/should try to work this out;
- legal issues would cost both parties money;
- funds from the reserves would be used for legal issues;
- if PB should dissolve the reserves would be divided up then.

The previous motion, from November 29, 2016, was put forth.

MOTION

It was moved by P. Moffatt and seconded by D. Head that the reserves of the Manitoulin Planning Board will remain property of the Board being a Body Corporate under the Planning Act.
- Carried unanimously

5. Procedural By-law No. 2002-01

The Board Members had been provided with a copy of the Procedural By-law at the previous Board Meeting, held on February 28th, 2017, to be reviewed for modifications/updates.

At this time, being 8:35 p.m., the Chair asked the Board if anyone objected to a five minute recess for the Secretary-Treasurer to make additional copies of Procedural By-law No. 2002-01 for the Board Members. No objections were received.

The Procedural By-law No. 2002-01 was reviewed and changes were recommended to:

- Section III - 1.;
- Section IV - 1., 2. 11. and 12.;
- Section V - 1.a) and b);
- Section VIII - 2. and 14.;
- Section X - 3.;
- Section XII - 1.;
- Section XIII 1. I); and
- Section XVII - 4.

MOTION

It was moved by D. Osborne and seconded by D. Head that Procedural By-law No. 2002-01, as amended by By-law No's. 2003-01, 2010-01 and 2014-03, be rescinded in favour of a New Procedural By-law No. 2017-01 with the discussed changes.
- Carried.

6. Official Plan

The two letters between the Ministry of Municipal Affairs (MMA) and the United Chiefs & Councils of Mnídoo Mnising (UCCM), attached to the Notice, were tabled for information purposes.

Thirty-six (36) modifications to the Draft Official Plan, received from the Ministry of Municipal Affairs (MMA), were provided to the Board Members on February 28th, 2017, for their comments. Planning Board's comments on the modifications are requested by MMA no later than April 7th, 2017.

Discussion of the modifications included:

- suggest a change from 2036 to 2037 (20 year planning horizon);
- to ensure applications are processed in a timely manner would like to add:
'Public consultation regarding proposed official plan amendments, proposed zoning by-law amendments, proposed plans of subdivision and proposed consents will be undertaken as directed by the Planning Act and all relevant regulations.'
- stronger policies can be implemented when the Zoning By-law is updated for Robinson and Dawson to ensure that uses are compatible with the areas;
- would like to add *'and conform to the building permit process'*, under Second Residential Units;
- have not received any data, studies, or information indicating that Lake Kagawong is *'approaching capacity'* as listed; waiting for any supporting information from MMA; if there is no solid data or information, Lake Kagawong should not be specifically mentioned in the text.
- no accurate elevation data below the 180m contour; may not be visible on the Schedule E due to scale limitations; waiting on a response back with MMA and clarification from MNRF;
- our planning jurisdiction has Islands and lots that only accessible by water; keep the wording *'or for water access lots provided that the Planning Board and/or municipality is satisfied that appropriate facilities for car parking and docking are available for the proposed water access lot(s)'*.

The general consensus of the Board was that the comments provided for the modifications be compiled by the Secretary-Treasurer and forwarded to MMA for response.

7. Budget Review

The Secretary-Treasurer announced that the 2017 interim requisitions have been received from all of the Municipalities.

The Secretary-Treasurer also informed the Board that the Financial Statement for 2016 had been received to the office on Monday, March 27th, 2017. Copies were provided to each of the ten Board Members, for review.

It was the general consensus of the Board that additional time was required to review the Financial Statements for 2016 and that they will be discussed at the next Board Meeting.

The time now being 9:27 p.m. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by P. Moffatt.

K.E. NOLAND, CHAIR

T.A. CARLISLE,
SECRETARY-TREASURER