



October 24, 2018

MINUTES OF PLANNING BOARD MEETING - OCTOBER 23, 2018

At a Meeting of the Manitoulin Planning Board, held in the Board Room at the Planning Board Office, Gore Bay, Ontario, on Tuesday, October 23, 2018, the following Members of Planning Board were present:

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|----|-------------|----|-------------|
| 1. | I. Anderson | 4. | R. Stephens |
| 2. | K. Noland | 5. | D. Osborne |
| 3. | E. Russell | 6. | D. Head |

Regrets: L. Hayden, A. Hunt and L. Addison
Absent: P. Moffatt

Also in attendance were:

T. Sasvari, reporter, Manitoulin West Recorder;
Gordon Keatley, OLS, interested party for Consent File No's B07-18 and B08-18.

The Meeting was called to Order at 7:00 p.m. by Chair R. Stephens, 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 August 22, 2018.

There were no conflicts declared.

1. ORDER OF BUSINESS

The Chair requested the adoption of the order of business and the following motion resulted:

MOTION

It was moved by K. Noland and seconded by D. Head that the Order of Business be adopted,
- Carried.

2. MINUTES OF PREVIOUS BOARD MEETING - August 22, 2018

The Chair announced that the Minutes of the Board Meeting held on August 22, 2018 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 D. Osborne that the Minutes be adopted as circulated. - Carried.

BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING
- August 22, 2018

There was none.

3. VARIABLE EXPENDITURES

There were no questions of the variable expenditures as circulated.

MOTION

It was moved by D. Head and seconded by E. Russell that the variable expenditures be accepted as presented. - Carried.

4. PRESENTATION OF APPLICATIONS FOR CONSENT
a) Consent File No's. B07-18 and B08-18

The Secretary-Treasurer reported to the Board that Consent File No's. B07-18 and B08-18 had been approved by the Board during the regular Board Meeting of June 26, 2018 with a standard condition of consent approval as follows:

- 'Accompanying the transfer documents shall be:
- i) *a reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the right-of-way having a minimum width of 20 M;*

4. PRESENTATION OF APPLICATIONS FOR CONSENT
a) Consent File No's. B07-18 and B08-18 - continued

She had received a copy of registered survey plan 31R-4112, by mail, on October 10, 2018. It was discovered that the right-of-way surveyed as Part 1, 31R-4112 does not have a width of 20 metres for the entire length. There is ± 359 metres of the access that traverses east/west, north of the unopened road allowance between the Townships of Sheguiandah and Assiginack that is only ± 10 metres in width. The condition of consent approval had not been satisfied.

She contacted Gordon Keatley, Ontario Land Surveyor, to explain the situation and suggested two solutions.

1. That the survey be redone to have the entire right-of-way surveyed a minimum of 20 metres to fulfill the condition of consent, or
2. Request a change to the conditions of the consent approval to have the right-of-way accepted as surveyed on Plan 31R-4112.

Under the Planning Act conditions of a provisional consent may be amended as a minor or major change.

Mr. Keatley, surveyor, has requested the Board's support for a "Change of Conditions" to determine if a new survey would be required or not.

A copy of survey plan 31R-4112 was sent to the Clerk for the Municipality of Assiginack on October 15, 2018 requesting additional comments as their previous comments had not taken into consideration that the access would be partly within the unopened road allowance.

The following Resolution No. 277-19-18 was passed on October 16th, 2018 by the Municipality of Assiginack:

*'WHEREAS Consent Applications B07-18 and B08-18 were approved by the Manitoulin Planning Board on June 26, 2018 with a condition that a 20 metre right-of-way be surveyed and registered on title;
AND WHEREAS a portion of this right-of-way abuts, crosses, and runs along a section of unopened road allowance immediately adjacent to the right-of-way and the Planning Board now seeks the Township's comments;
NOW THEREFORE THAT we advise the Planning Board that we have no objection to the right-of-way being less than 20 metres in the places where the right-of-way meets the unopened road allowance;
AND THAT this does not effect the unopened status of the road allowance, does not grant any municipal work on the road allowance or mean that there will be any municipal maintenance on this road allowance;
AND FURTHER THAT the applicants be required to draft and complete a hold harmless agreement acknowledging that the Municipality assumes no liability for vehicular movement on this road allowance/right-of-way until such time as it is opened and assumed by the Municipality.....CARRIED'*

In addition to Resolution No. 277-19-18, Jeremy Rody, Clerk, for the Municipality advised via email on October 23rd as follows:

'We are not in favour of legally opening the road allowance but the applicants are welcome to maintain the road allowance so that it is travelable by emergency vehicles.'

Imagery and survey Plan 31R-4112 were provided for the Board's consideration, identifying the portion of the right-of-way that was not within the applicants property but within the unopened road allowance (± 839 metres in length).

Mr. Keatley spoke to the application and the request for a change of conditions and answered questions of the Board Members.

During consideration of the request for a change of conditions the Board Members became aware that the portion of the right-of-way being ± 10 metres wide would also have ± 20 metres on the unopened road allowance, resulting in ± 30 metres in total width. As the Municipality had no objections to the right-of-way, as surveyed, the general consensus of the Board was to support the change of conditions with the right-of-way to be as surveyed on Plan 31R-4112, with the additional notes as in Resolution No. 277-19-18, i.e. a hold harmless agreement and that the access including the road allowance is travelable by emergency vehicles, satisfactory to the municipality. The Board agreed that the Secretary-Treasurer would draft wording for the change of conditions and that the change would be considered minor. The following motion resulted:

MOTION

It was moved by D. Head and seconded by I. Anderson that the requested change of conditions be supported and be considered a minor change.

4. PRESENTATION OF APPLICATIONS FOR CONSENT

- b) Consent File No's. B07-16 & B08-16

The Secretary-Treasurer, to give the Board an update on consent application File No's. B07-16 and B08-16, read the following email received on October 16, 2018 from Jane Austin:

'Hi Theresa,

The application was sent in and all the pertinent information was sent to neighbours, the township, and anyone else involved. The final date for formal objections to the government is October 26th. I'll let you know what happens after I hear what the results are. Thanks for your inquiry.'

- c) Application for Consent - File No. B14-18

The Chair announced that the application for consent to sever would now be heard.

NOTE: For the Sake of continuity the details and decisions of the presentations will be so recorded in the usual fashion toward the end of the Minutes.

5. GENERAL, REGULAR AND NEW BUSINESS

- a) NORTHEASTERN ONTARIO PLANNING AUTHORITIES TECHNICAL WORKSHOP - SEPTEMBER 2018 - SUDBURY, ONTARIO

The Secretary-Treasurer had not attended this Workshop as it had been postponed by the Ministry of Municipal Affairs and Housing.

- b) ONTARIO ASSOCIATION OF COMMITTEE AND ADJUSTMENTS (OACA)
- OCTOBER 16, 2018 - GUELPH, ONTARIO

The Secretary-Treasurer, for information purposes, informed the Board that although she was considering attending this Conference the cost would have been ±\$1,000.00 and the budget did not warrant attending. There were some interesting topics on the agenda and that she is trying to obtain the information from the Association about the workshops.

As an additional note, that with not attending the Sudbury Workshop or the Guelph OACA Conference, there would be a surplus of about \$300.00 to carry over to 2019 budget.

- c) MINISTRY OF TOURISM, CULTURE AND SPORT (MTCS)
- PROJECT INFORMATION FORM (PIF)

The Secretary-Treasurer explained to the Board that under the Ontario Heritage Act, archaeology in Ontario is carried out by archaeologists who are licensed by the Minister of Tourism, Culture and Sport (MTCS). Archaeologists are required to notify MTCS and provide specific information about the proposed project using what is known as a Project Information Form (PIF). The information is provided monthly as an Excel spreadsheet and includes: the name and licence number of the archaeologist undertaking the project, the project title, the stage of fieldwork (1-4), the estimated fieldwork start date, and the municipality. She had contacted MTCS to see if the Planning Board Office could have access to this information, that may be beneficial to planning applications and they have added the Planning Board to the list to receive the monthly PIF list.

- d) www.swingbridgestudy.ca

This website was attached to the Board Member's agenda for information purposes, so that they could keep apprised of information regarding the plan for future transportation needs at the bridge crossing in Little Current, Ontario. Stantec Consulting Ltd. has been retained by the Ontario Ministry of Transportation (MTO) to undertake a Planning, Preliminary Design and Class Environmental Assessment (Class EA) Study for the Highway 6 Little Current Swing Bridge. There had been one meeting in August 2018 and it is expected there will be at least two more. She requested direction from the Board if they would like her to provide comments on behalf of the Planning Board. The general consensus of the Board was that the Municipalities have received notifications and it would be up to each individual municipality to contact Stantec Consulting Ltd. if they so wished to.

5. GENERAL, REGULAR AND NEW BUSINESS - continued
e) EMAIL CORRESPONDENCE

The following E-mail correspondence was attached to the Board Agenda:

'Hello Theresa

Thanks for talking with me yesterday about ways to connect the Great Lakes Islands Alliance (GLIA) with Manitoulin, especially its planning and governance functions.

One of the main purposes of GLIA is the exchange of ideas and information among the Great Lakes Islands, working toward "island solutions to island challenges." The task of our Manitoulin Team is to bring ideas from Manitoulin to GLIA and to bring ideas from GLIA to Manitoulin. Our team is looking for ways to enhance this function.

I would, therefore, appreciate your thinking about how to improve the two-way flow of information. Please send me ideas and suggestions any time.

One way I can think of is for you to join our little Manitoulin GLIA team. You are ideally positioned and could contribute a lot. It's a very small time commitment.

If you'd be willing to consider joining this, please let me know and I will send you some background on the Alliance.

And, again, please send thoughts any time. Thanks, Jim Nies'

During discussion of the email the Secretary-Treasurer was directed to reply to Mr. Nies and recommend that he contact the individual municipalities as it is not the mandate of the Planning Board for the Staff to join/become members of a private organization. Also, that the Board would welcome a presentation from Mr. Nies, at a Board Meeting, should he wish to provide one.

f) ACCOUNTING SOFTWARE PROGRAMS

During the June Board Meeting J. Diebolt was requested to explore different accounting software programs and the costs involved and report back to the Board. Attached to the Notice was a comparison between two Accounting Programs, Sage 50 and Quickbooks, that the current Auditor, KPMG, uses.

Discussion among the Board and Planning Board Staff resulted in the following motion:

MOTION

It was moved by I. Anderson and seconded by D. Osborne that the Secretary-Treasurer order one of the two accounting software programs at her discretion.

g) GIS MAPPING VS REGISTERED PLAN OF SURVEY

For information purposes it was explained that over the years the Planning Board has provided mapping and imagery to the Municipalities, the Building Inspectors and the general public, which under the licensing agreement are entitled to provide. There have been a few times when although the mapping is considered a guide with estimated measurements, location of structures, roads, etc, it has been misinterpreted to be 100% accurate or a survey.

In order to clarify that the mapping/imagery provided by Planning Board Office is not mistaken as a Plan of Survey, the GIS Technician is now adding a note on the mapping/imagery that "*this is not a Plan of Survey*", which hopefully will avoid any misinterpretations.

h) COCKBURN ISLAND IMAGERY

J. Diebolt reported to the Board that he had made an inquiry to the Ministry of Natural Resources and Forestry (MNR) to try and obtain imagery for Cockburn Island. The Planning Board has a pending development application and the 2016 COOP imagery was not obtained/purchased for Cockburn Island.

B. Matthews, MNR, provided the following information, via email, on September 26, 2018:

- the 2016 imagery was obtained by MNR for Cockburn Island;
- the imagery is available to view, but is not available to download;
- the website link was provided;
- the cost for the Planning Board to obtain the imagery from MNR would be at a cost of \$50.00 per sq. km plus HST;
- the MNR anticipate another COOP program again in 2021; and
- a website link was provided to obtain elevation data.

Mr Diebolt noted that he is working on the elevation data and is implementing it into the Planning Board's mapping program.

5. GENERAL, REGULAR AND NEW BUSINESS
i) BY-LAW ENFORCEMENT OFFICER APPOINTMENTS

T. Carlisle, Secretary Treasurer, reported that the two staff members are still waiting for the Ministry of Municipal Affairs (MMA) to appoint them as By-law Enforcement Officers for the Unincorporated Townships of Robinson and Dawson, as requested by a Board Motion on January 23rd, 2018.

She read the following email, received from Kay Grant, Ministry of Municipal Affairs, on September 19, 2018:

*'Hello Theresa
I appreciate that this has taken more time than we anticipated and that you are wanting to proceed. Please accept my apologies, but we are still working on this file. In the interim, is there any way that I can be of assistance to you in this matter?'*

6. DRAFT ADOPTED OFFICIAL PLAN

a) Letter from MMA

The Secretary-Treasurer reported to the Board that a request had been made to the Ministry of Municipal Affairs (MMA) for an updated status of the adopted Official Plan, MMA File Number 51-OP-161666. Attached to the Board Notice was the following letter, dated September 27, 2018 from Kay Grant, Planner, MMA:

'Further to your letter of September 25, 2018, kindly be advised that the Ministry is still reviewing the adopted official Plan, and that no decision has yet been made. Going forward, once a decision has been made, the Board will be notified and the decision will be posted on the Environmental Registry of Ontario for additional public information. We appreciate the Board's cooperation and the positive working relationship with ministry staff. If you have any additional questions or concerns, please don't hesitate to contact me at 705-564-6860 or toll free 1-800-461-1193 ext. 46860 or by email at kaygrant@ontario.ca.'

b) Email Correspondence from MMA

The Secretary-Treasurer informed the Board that she had received an email from Wendy Kaufman, Manager, Community Planning & Development, Municipal Services Office North (Sudbury), Ministry of Municipal Affairs and Housing (MMA) on October 23rd, 2018 and she read the following email:

'Good Evening Theresa,

Further to our call this afternoon this is to confirm that we would like to set up a teleconference between the Chair of the Planning Board and our Minister's staff. Given the Minister's staff is new to the file, they wish to get a read on the Planning Board's perspective on where we are, including the modifications the province is proposing. It would be an opportunity to discuss the draft decision, including for example, the proposed Indigenous engagement. It would allow them to understand the Board's position.

Possible times are tomorrow (Wednesday) at 4:14 p.m. or Friday morning at 11:00 a.m.

Thank you for your assistance in setting this up and I look forward to hearing back from you early tomorrow.

As discussed I'll be sending you an email tomorrow tht highlights some of the milestones or background information. -Wendy'

During consideration of the email and the request for a teleconference between the Chair of the Planning Board and the Ministry Staff, the Board Members discussed that:

- the Official Plan (OP) process is taking far too long,
- has been ongoing since hiring consultants in January 2012,
- modifications have been made,
- the adopted OP was sent to the Ministry in August 2016,
- the last discussion had been in August 2017, and
- there have been at least three planners during the process.

The general consensus of the Board Members was that they would prefer if the Ministry met with the Chair and all Board Members as a whole at a regular meeting of Planning Board.

The Board directed the Secretary-Treasurer to contact Ms. Kaufman and invite the Ministry Staff to the next regular Board Meeting to be held on Tuesday, November 27th, 2018 at 7:00 p.m. to meet with the Chair and the Planning Board Members as a whole, as they have been involved in the Official Plan process to date.

6. DRAFT ADOPTED OFFICIAL PLAN

c) Draft Official Plan Site Specific Policy Area 6.3.2

The Secretary-Treasurer explained to the Board that in September 2018 an error was discovered by Staff in the Draft Official Plan with text and mapping. The lot descriptions do not match the licensed areas shown on the aggregate mapping.

The text refers to Lots 17 and 18, Concession IX (which matches part of the licensed area) but also refers to Lots 17 to 19, Concession VIII. Lots 17 to 19, Concession VIII are not licensed for aggregate. Lots 17 to 19, Concession X, however are licensed for aggregate.

The map identifies the Site Specific Area, SSPA 6.3.2, as only being Lots 6 to 10, Concession IX and Lots 6 to 9, Concession VIII, when it should also include the lots reference above.

Kay Grant, MMA, was contacted for direction on how to correct this error in the Draft Official Plan.

She informed the Planning Board Staff that:

- After the Draft Official Plan is approved, this correction could be done as a technical amendment as per Section G1, if the Board is satisfied that the changes are minor and technical; or

- Before the Draft Official Plan is approved, this correction could be done as an (additional) modification which would result in additional approval delays and would require a resolution from the Board.

During discussion among the Board Members it was the general consensus of the Board that the correction would be done after the approval of the Draft Official Plan, to avoid further delay.

PRESENTATION OF APPLICATION FOR CONSENT TO SEVER

The Chair announced that the purpose of this phase of the meeting is:

- (a) to consider applications for consent under Section 52 of the Planning Act,
- (b) to make decision in regard to the application scheduled to be heard, and, explained that this phase is open to the public and any interested parties will be given the opportunity to speak in support or oppose an application.

The Chair then asked if any Board Members have or wish to declare a "Conflict of Interest", at this meeting or previous meeting. There were none.

Following is the list of Applications for Consent considered at this meeting.

	<u>Moved By</u>	<u>Seconded By</u>
1. B14-18	K. Noland	D. Osborne

It was moved and seconded that the above application be conditionally approved, subject to all conditions being fulfilled as stated in the Decision. - Carried.

The time now being 8:31 p.m. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by E. Russell.

R. STEPHENS, CHAIR



T. A. CARLISLE, SECRETARY-TREASURER