



May 27, 2015

MINUTES OF PLANNING BOARD MEETING - May 26, 2015

At a Meeting of the Manitoulin Planning Board, held in the Board Room at the Planning Board Office, Gore Bay, Ontario, on May 26, 2015, the following Members of Planning Board were present:

- | | | | |
|----|------------|-----|--------------|
| 1. | D. Osborne | 6. | R. Stephens |
| 2. | M. Peters | 7. | B. St. Denis |
| 3. | P. Moffatt | 8. | L. Hayden |
| 4. | A. H. Hunt | 9. | E. Russell |
| 5. | K. Noland | 10. | L. Addison |

Regrets: D. Head

Also in attendance were:

T. Sasvari, reporter, Manitoulin West Recorder; and
G. Keatley, O.L.S, agent, on behalf of Applications for Consent File No's. B20-15,
B21-15, B22-15, B23-15 and B24-15.

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 April 28, 2015. There were no conflicts declared.

1. ORDER OF BUSINESS

The Chair requested that the agenda as circulated be adopted. Board Member M. Peters advised she had provided a letter to the Secretary-Treasurer to be added to the agenda. The Secretary-Treasurer confirmed that this letter could be addressed under Business Arising from the April Board Minutes.

MOTION

It was moved by D. Osborne and seconded by R. Stephens that the Order of Business be adopted as circulated. - Carried.

2. MINUTES OF PREVIOUS BOARD MEETING - April 28, 2015

The Chair announced that the Minutes of the Board Meeting held April 28, 2015 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 A. H. Hunt and seconded by B. St. Denis that the Minutes be adopted as circulated. - Carried -

BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING
- April 28, 2015

i) Request for Weighted Vote

Board Member M. Peters submitted the following letter, signed by Al MacNevin, Mayor, Town of Northeastern Manitoulin and the Islands, which was read and tabled:

*Manitoulin Planning Board
Attn: Ken Noland, Chairperson
40 Water St., P.O. Box 240
Gore Bay, On, POP 1H0*

Dear Ken:

At our last NEMI Council meeting on May 5th, 2015 our Planning Board representative, Melissa Peters, advised our Council that the Manitoulin Planning Board made a decision to not reconsider our request to change the Board's recently adopted weighted voting model. It is unfortunate that the Board has chosen not to recognize the need for a model that fairly represents both the financial contribution and population represented by its member municipalities. Let me also express my continued disappointment regarding the document that was circulated by Mr. Head. In my opinion he continues to embody all that is not well at the Manitoulin Planning Board in serving the needs of its members.

I met with Lynn Buckham (Regional Director for the Northeast office of MMAH) on May 6th, 2015 following the Planning Board's rejection of my request to amend the weighted vote procedure. I advised her that our Council wishes to have the Minister grant us approval to create our own Planning Authority and withdraw from the Manitoulin Planning Board as we asked over a year ago. Director Buckham asked us to prepare a formal submission for her to present to the Minister for review on this matter. We are preparing it now and I am confident that the Minister will see that we have the ability to move ahead and take control of our own planning matters.

My Council has requested that Melissa Peters put a motion forward at the next Planning Board meeting asking for the Board's support for NEMI's effort to form their own Planning Authority. I hope that the Board will recognize that it would be in the best interest of all the parties to support our request.

*Sincerely,
Al MacNevin, Mayor
Town of Northeastern Manitoulin and the Islands*

MOTION

It was moved by M. Peters and seconded by L. Addison that the Manitoulin Planning Board support the Town of Northeastern Manitoulin and the Island's effort to form their own Planning Authority.

Board Member M. Peters requested a Recorded Vote.

The Chair provided each Board Member an opportunity to speak to the motion. Following discussion and input from each Board Member the Chair called for a recorded vote:

	<u>In Favour</u>	<u>Opposed</u>
1. D. Osborne		X
2. M. Peters	X	
3. P. Moffatt		X
4. A. H. Hunt		X
5. K. Noland		X
6. R. Stephens		X
7. B. St. Denis		X
8. L. Hayden		X
9. E. Russell		X
10. L. Addison		X

Motion Defeated.

The Chair requested the Board's input regarding if the Planning Board should pursue any additional action in regard to this subject. Discussion resulted in the following motion:

BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING
- April 28, 2015

- i) Request for Weighted Vote - Continued

MOTION

It was moved by B. St. Denis and seconded by P. Moffatt that the Ministry of Municipal Affairs and Housing be asked to confirm that the Manitoulin Planning Board will have an opportunity to respond to a Town of Northeastern Manitoulin and the Islands request for its own planning authority and if not then the Manitoulin Planning Board shall proactively make a submission.

- Carried

3. VARIABLE EXPENDITURES

There were no questions of the variable expenditures as circulated.

MOTION

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

4. PRESENTATION OF APPLICATION FOR CONSENT

The Chair announced that the applications 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) General Up-date by Secretary-Treasurer

- i) Annual Deer Management Meeting - April 29, 2015

Lyle Addison reported that he had attended the Deer Management Meeting and found that the Ministry of Natural Resources and Forestry (MNR) were very receptive of the input they received from the +60 people in attendance. The MNR provided statistics and advised of the increase to deer tags. There was no discussion regarding deer yards. There was concern stated for the farmers having a deer population problems with their crops.

- ii) Board Appointments

The Secretary-Treasurer advised that she had received copies of the reappointment letters sent to L. Addison and D. Head extending their term on Planning Board to November 30, 2018.

- b) Official Plan Review

- Right-of-way/Private Road Policies

The Secretary-Treasurer advised that the Ministry of Municipal Affairs and Housing has not provided a new version of the Private Road Policies for consideration.

6. OFFICIAL PLAN AMENDMENT NO. 92

Applicant/Owner: Town of Northeastern Manitoulin and the Islands
File No.: OPA No. 92
Ministry File No.: 51-OP-157288
Property Description: Part Park Lots 9 and 10
Surveyed as Part 1, Plan 31R-3973
(67 Meredith Street East - Part PIN 47122-0304
Townplot of Shaftsbury Plan No. 2
Town of Northeastern Manitoulin and the Islands

The purpose of the Official Plan Amendment Application, requested by the Town of Northeastern Manitoulin and the Islands (NEMI), is to redesignate the subject lands, within the Official Plan of the District of Manitoulin/the Secondary Plan for the Town of Little Current, from Industrial Policy Area to Commercial Policy Area.

6. OFFICIAL PLAN AMENDMENT NO. 92 - Continued

The Municipality proposes to offer the subject land for sale, being Part 1, Plan 31R-3973, for commercial development.

The subject property was originally designated Industrial Policy Area under the Secondary Plan for the Town of Little Current and zoned Development and General Industrial.

This development is considered to be in a good location for future commercial uses and has been tentatively identified to be designated as an Arterial Commercial Area in the draft Official Plan. The location is in proximity to existing commercial uses, including a hotel, information centre and a car dealership.

This land is currently a vacant ±1.03 Hec. parcel having frontages of ±10 M. on Hwy 6/Meredith Street and ±15 M. on Vankoughnet Street and is, at this time, part of a larger parcel of land described by PIN 47122-0304. This land has been owned by the Town of Northeastern Manitoulin and the Islands for many years and contains the Municipal Water Treatment Plant.

Past uses of this property included railway related uses with neighbouring petroleum storage uses. A Phase One and Phase two Environmental Site Assessment have been completed.

Recommendations from the Phase Two report state:

'Based on the results and conclusions of the Phase Two ESA completed in November of 2014, AMEC makes the following recommendations for the Site:

- Although, currently, none of the laboratory results obtained have indicated any soil or ground water contamination, it is recommended that the ground water monitoring wells be preserved for potential future monitoring, should it be required.
- The ongoing use of the neighbouring property beyond Vankoughnet Street to the south (McDougall Fuels) suggests that an ongoing risk of potential contamination to ground water is present for the Site; AMEC suggests that the owner of the Site may wish to conduct a supplemental round of ground water monitoring, ideally in summer (drier) conditions, as additional due diligence.

AMEC would be pleased to provide a detailed workplan and detailed cost estimate at the request of NEMI if they wish to proceed with a summer time ground water sampling event.'

The Ministry of Transportation advised that, since the subject lands are located within the "connecting link", they have no concerns

Servicing: Municipal water and sewer

Keith Stringer, Senior Operations Manager (A), for the Ontario Clean Water Agency, has confirmed, by e-mails dated April 8 and 10, 2015, that the Little Current Lagoon System does have the capacity to handle additional commercial/industrial and residential expansion and the Water Treatment Plant is more than capable of handling moderate growth in the community.

Fire Protection: Volunteer Fire Department

Garbage Collection/
Disposal: Disposal available at Municipal Waste Disposal Site

There is a simultaneous zoning application to rezone from Development (D) and General Industrial (M) Zones to General Commercial (C2) Zone.

The land to the north and east, are vacant and zoned Development (D). The land to the south is also vacant and zoned General Industrial (M) The Town owns property to the west which contains the Town's water treatment plant and is zoned Institutional (I).

This proposal to amend the Official Plan/Secondary Plan for the Town of Little Current to redesignate specific lands from Industrial Policy Area to Commercial Policy Area appears to conform to all planning policies with the exception of confirmation regarding the presence or absence of habitat of endangered or threatened species. M. Peters, Board Member for NEMI advised that the Municipality are in the process of responding to this issue.

MOTION

It was moved by P. Moffatt and seconded by L. Hayden that the Manitoulin Planning Board recommend approval of Official Plan Amendment No. 92 conditional on any concerns regarding the habitat of endangered or threatened species being satisfied. - Carried.

PRESENTATION OF APPLICATIONS FOR CONSENT TO SEVER

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

- (a) to consider a applications for consent under Section 52 of the Planning Act,
- (b) to make decision in regard to the applications 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 no conflicts declared.

Following is the application for Consent considered at this meeting.

		<u>Moved By</u>	<u>Seconded By</u>
1.	B18-15 S. Blair	L. Addison	M. Peters
2.	B19-15 J. Moulton	R. Stephens	P. Moffatt
3.	B20-15 P. Dryden	B. St. Denis	L. Hayden
4.	B21-15 M. Bailey	M. Peters	A. H. Hunt
5.	B22-15, B23-15 & B24-15 W. Cosby	P. Moffatt	E. Russell

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

Application File No.: B18-15 **No. of Members Present:** 10

Date of Decision: [April 28, 2015 - deferred] May 26, 2015

Location of Property: Part Lot 30, Conc. III, being Parts 1, 2 and 3, Plan 31R3229,
 Township of Burpee, Municipality of Burpee-Mills, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Simon Blair is to provide for a right-of-way, surveyed as Part 2, Plan 31R-3229, having a frontage (width) of ± 6 M. on Bailey Line Road, and an average length of 193 M., thereby containing an area of $\pm 1,179$ Sq. M. (± 0.1 Hec.) This easement is proposed to be used for access in favour of the abutting property owner of Lot 30, Conc. III.

The land to be retained, has a frontage of ± 84 M. on Bailey Line Road and an average depth of ± 173 M., thereby containing an area of ± 3.8 Hec. This land is subject to right-of-way in favour five (5) lots created by Consent File No. B77-80, surveyed as Parts 1 to 10, Plan 31R-1228 and will be subject to right-of-way in favour of Lot 30, Conc. III. The applicant's dwelling is located on this land.

Access is from Bailey Line Road, a maintained municipal road and via right-of-way, surveyed as Part 2, Plan 31R-3229. (previously surveyed as Part 14, Plan 31R-1228)

Services consist of private well and private individual septic system. No new services are required as a result of this application for right-of-way.

The subject land has been designated Agricultural District and zoned Agricultural (A). This land is not identified as Prime Agricultural Land by the Ministry of Agriculture, Food and Rural Affairs. Residential uses are proposed to continue.

This proposal is considered to be in conformity with the Provincial Policy Statement 2014.

The subject land is located within a Deer Wintering Yard. The proposal to grant right-of-way over an existing access may be considered to have little or no impact.

From information available the subject proposal does not appear to have any effect on natural heritage features or species at risk (SAR).

This application was circulated on April 9th, 2015 to the Municipality of Burpee-Mills, and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

Mr. Maxwell, agent for the application, advised that he did not receive his package, including the orange signs, until Thursday, April 16th, 2015. He posted the signs that day. They were to be posted by April 14th, 2015 in accordance with Ontario Regulation 197/96.

The Municipality of Burpee-Mills advised they have no concerns with this application for right-of-way.

There were no inquiries or concerns received to the Planning Board Office, as a result of circulation to property owners within 60 metres and/or the posting of notice.

During discussion of the application, Ken Noland, Board Member and Reeve for the Municipality of Burpee-Mills advised he had received an inquiry from Michael Wright about what could be done to share maintenance costs of the right-of-way with the new user. It was the general consensus of the Board that maintenance issues on private roads was between those using the private road.

There was no one in attendance who wished to speak in support or opposition to the application.

Following discussion regarding the late sign posting and Ontario Regulation 197/96, a motion was moved duly seconded and carried that this application be deferred in order to provide proper notification of the application.

Application File No: B18-15 - continued
May 26th, 2015

May 26, 2015

Mr. Maxwell, agent for the application, posted new signs on the property and delivered the affidavit, confirming the signs were posted, to the Planning Board Office on May 6th, 2015.

There was a telephone call to the office from Eleanor Both, Lot 29, Conc. IV inquiring if the purpose of the application for right-of-way was for the cabin that had been build on Lot 30, Conc. III. She was concerned that the cabin already having hydro and well could become a permanent residence on a right-of-way without becoming a separate lot, which she felt would deny the Township assessment.

Zoning By-law No. 80-9, Municipality of Burpee, under Section 6.18 - NUMBER OF DWELLING UNITS ON ONE LOT, states:

'Not more than one (1) single family detached dwelling shall be erected on one lot except in the Agricultural (A) Zone or Rural (R) Zone where a second residence may be erected to provide accommodation for a farm labouror and his or her family.'

The Provincial Policy Statement 2014, under Section 6.0 - Definitions states:

'Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture, apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, value retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.'

There was no one in attendance who wished to speak in support or opposition to the application.

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within one year from the date of the notice of decision for certification:

- a) the Transfer of Land form(s) prepared by a solicitor/lawyer, and
- b) a Schedule to the Transfer of Land form on which is set out the entire legal description of the right-of-way given conditional approval. This Schedule must also contain the names of the parties indicated on the Transfer of Land form.

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 6.0 metres, to which the consent approval relates;
- ii) proof that any portion of a travelled road, which is maintained by the municipality, encroaching on the subject land, has been surveyed and conveyed to the Municipality satisfactory to the Municipality;
- iii) written verification from the municipality that access over Part 2, Plan 31R-3229 to Bailey line Road has been constructed to a standard for travel by emergency vehicles satisfactory to the Municipality;
- iv) a fee of \$100.00 for each Transfer of Land submitted for Certification; and
- v) proof satisfactory to Planning Board, that any outstanding municipal taxes have been paid.

Note: Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall not apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Application File No.: B19-15 **No. of Members Present:** 10

Date of Decision: May 26, 2015

Location of Property: Part Lot 5, Conc. III, Being Part 1, Plan 31R-2602 excepting Part 1, Plan 31R-2711, Township of Carnarvon, Municipality of Central Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by James Moulton is to provide for a lot addition, being Pt. Part 1, Plan 31R-2602, having frontages of ± 48.8 M. and ± 91.4 M. on Monument Road, a maintained municipal road, and an irregular depth of ± 403 M., thereby containing an area of ± 12.2 Hec., which is to be added to an existing lot owned by Diane and Neil Chmielak, being the southerly part of Lot 4, Conc. III, identified by PIN 47116-0269, having a width of ± 402 M., and a depth of ± 200 M., and containing an area of ± 8.0 Hec. This lot addition will result in a lot, having frontages of ± 48.8 M. and ± 91.4 M. on Monument Road, and an average depth of ± 603 M., thereby containing a total area of ± 20 Hec. The severed land and the land receiving the lot addition are vacant.

The land to be retained, being the remainder of Part 1, Plan 31R-2602, has a frontage of ± 45.7 M. on Monument Road, a maintained municipal road, and a depth of ± 96 M., thereby containing a minimum area of 0.4 Hec. The applicant's dwelling and garage are located on this land.

There have been four (4) previous applications for consent, involving Lot 5, Conc. III, made by Mr. Moulton and Mr. & Mrs. Chmielak.

File No. B30-81 provided for the creation of three (3) new lots surveyed as Parts 1, 2 & 3, Plan 31R-1120;

File No. B30-86 provided for the creation of a new lot surveyed as Part 1, Plan 31R-1587;

File No. B21-95, which proposed to create a new lot surveyed as Part 1, Plan 31R-2711, lapsed when conditions of consent approval were not fulfilled within one year as required under the Planning Act and;

File No. B19-97 provided for the creation of the subject lands, which was conveyed to Mr. Moulton, and retained a lot, surveyed as Part 1, Plan 31R-2711.

Access is via Monument Road, a maintained municipal road.

The dwelling is serviced by a private sewage disposal system and private well. There are no new services required as a result of the application for lot addition.

The Sudbury and District Health Unit advised they have no concerns and that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system.

From information available there are no natural heritage features or species at risk (SAR) identified that require further consideration.

The subject land has been designated Shoreline Development and Agriculture District and zoned Shoreline Residential (SR) and Agriculture (A). There are no land use changes proposed.

This land is not identified as Prime Agricultural Land by the Ministry of Agriculture, Food and Rural Affairs. Agricultural uses are proposed to continue, i.e. pasture. The proposed lot addition is considered to have no impact on existing agricultural uses.

This proposal is considered to be in conformity with the Provincial Policy Statement 2014.

This application was circulated on May 8th, 2015 to the Municipality of Central Manitoulin and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

The Municipality of Central Manitoulin advised they have no concerns.

There was a telephone call to the office from Mrs. Bull, abutting land owner of Part 2, Plan 31R-1120 requesting further explanation of the application. She had no concerns.

There have been no other inquiries or concerns received as a result of circulation to property owners and/or the posting of a notice.

Application File No.: B19-15 - continued
May 26th, 2015

There was no one in attendance who wished to speak in support or opposition to the application.

During consideration of this application there was discussion regarding the number of lots that have been created by consent on this property. This application is to permit a lot addition to lands that currently have no frontage or access to a maintained road. There will not be a new lot resulting.

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within one year from the date of the notice of decision for certification:

- a) the Transfer of Land form(s) prepared by a solicitor/lawyer; and
- b) a Schedule to the Transfer of Land form on which is set out the entire legal description of the parcel(s). This Schedule must also:
 - i) contain the names of the parties indicated on the Transfer of Land form; and
 - ii) state this conveyance is a consolidation of the severed lands with lands identified by the property identification number (PIN) and confirmed by a copy of the Parcel Register.

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 parcel(s) to which the consent approval relates;
- ii) an undertaking from a Solicitor stating that the severed parcel will be consolidated on title with the benefiting lands, PIN 47116-0269, at the time of registration of the Transfer and a copy of the resulting Transfer will be provided to the Manitoulin Planning Board;
- iii) proof satisfactory to Planning Board that the minimum yard requirements resulting from the new lot line conform to Zoning By-law No. 2002-07, i.e. written verification from the Ontario Land Surveyor;
- iv) proof that any portion of a travelled road, which is maintained by the Municipality, encroaching on the subject land, has been surveyed and conveyed to the Municipality satisfactory to the Municipality;
- v) a fee of \$100.00 for each Transfer of Land submitted for Certification; and
- vi) a written confirmation from the municipality that all outstanding municipal taxes have been paid.

Note: Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Note: Any shoreline improvements shall be done only with the consultation of The Ministry of Natural Resources and Forestry (MNRF) and the Municipality.

Note: Planning Board considers the maximum development by consent on the subject lands has been reached.

Application File No.: B20-15 No. of Members Present: 10

Date of Decision: May 26, 2015

Location of Property: Part Lot 23, Conc. IX, (#4364 Hwy No 542), Township of Sandfield,
Municipality of Central Manitoulin, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Patricia Dryden is to provide for a lot addition having an average width of ± 33 M. and an average length of ± 41 M., thereby containing an area of ± 0.13 Hec., which is to be added to a vacant undersized lot, surveyed as Part 1, Plan 31R-1553, having a frontage of ± 45 M. on Lake Manitou and an average depth of ± 32 M., thereby containing an area of ± 0.13 Hec. This lot addition will result in a lot having a frontage of ± 45 M. on Lake Manitou and an average depth of ± 82 M., thereby resulting in a total area of ± 0.26 Hec. (± 0.6 Acres).

The land to be retained, being Part Lot 23, Conc. IX, has frontages of ± 302 M. on Hwy No. 542 and ± 113 M. on Lake Manitou and an average depth of ± 620 M., thereby containing an area of ± 25.4 Hec. The applicant's dwelling and garage are located on this land. This land is subject to right-of-way over a private access known as Cannard's Lane.

There have been three (3) previous applications for Consent.

File No. B19-94 provided for legal right-of-way surveyed as Parts 1, 3 & 4, Plan 31R-2591 in favour of Parts 1, 2 & 3, Plan 31R-0959 and Part 1, Plan 31R-2394 and Parts 1 to 10, Plan 31R-2590, to provide access to Highway 542;

File No. B19-11 relocated the right-of-way previously approved by File No. B19-94 and provided for legal right-of-way surveyed as Part 2, Plan 31R-3852, in favour of Parts 1, 2 & 3, Plan 31R-0959, Part 1, Plan 31R-2394 and Parts 1 to 10, Plan 31R-2590; and

File No. B23-12 provided for a lot addition of part Lots 24 & 25, Conc. IX to Parts 3, 6 & 11, Plan 31R-1319.

There have also been four previous applications for Consent, File No's B17-79, B14-80, B98-81 and B30-83 that provided for lot additions to lots, created prior to subdivision control, fronting on Lake Manitou, within Lots 23 and 24, Conc. IX, by a previous owner.

Services consist of private well and private individual sewage disposal system. There are no new services required as a result of this application for a lot addition.

Access for the retained land is via Hwy No. 542. Access for the severed land is via private right-of-way, known as Cannard's Lane.

An unevaluated wetland is identified to the north east of the subject land. It appears there would be a building envelope on the resulting lot that would conform to the Natural Heritage Policies of the Provincial Policy Statement 2014.

The subject land has been designated Agricultural, Rural and Shoreline Development Districts and zoned Agricultural (A), Rural (R) and Shoreline Residential (SR). Farm related residential uses are proposed to continue for the retained land.

From information available there are no natural heritage features or species at risk (SAR) identified that require further consideration.

This proposal is considered to be in conformity with the Provincial Policy Statement (PPS) 2014.

This application was circulated on May 8th, 2015 to the Municipality of Central Manitoulin and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

There have been no inquiries or concerns received as a result of circulation to property owners within 60 metres.

The Municipality advised they have no concerns.

Prior to accepting this application there was discussion with the agent recommending that the lot addition be squared off along the existing travelled right-of-way, being Part 2, Plan 31R-3852, subject to right-of-way in favour of Plan 31R-303, i.e. extending from the southerly points of 31R-902 and 31R-303. The existing lot is extremely undersized and it would be considered better planning to increase this lot as much as possible.

Application File No. B20-15 - continued
May 26th, 2015

Mr. Keatley advised that Pat Dryden would prefer to proceed as originally proposed and that her sale agreement had been made.

Gordon Keatley, agent for the application, was in attendance during consideration of this application.

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within one year from the date of the notice of decision for certification:

- a) the Transfer of Land form(s) prepared by a solicitor/lawyer; and
- b) a Schedule to the Transfer of Land form on which is set out the entire legal description of the parcel(s). This Schedule must also:
 - i) contain the names of the parties indicated on the Transfer of Land form; and
 - ii) state this conveyance is a consolidation of the severed lands with lands identified by the property identification number (PIN) and confirmed by a copy of the Parcel Register.

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 parcel(s) to which the consent approval relates;
- ii) an undertaking from a Solicitor stating that the severed parcel will be consolidated on title with the benefiting lands, Part 1, Plan 31R-1553, at the time of registration of the Transfer and a copy of the resulting Transfer will be provided to the Manitoulin Planning Board;
- iii) a fee of \$100.00 for each Transfer of Land submitted for Certification; and
- iv) a written confirmation from the municipality that all outstanding municipal taxes have been paid.

Note: Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Note: Any shoreline improvements shall be done only with the consultation of The Ministry of Natural Resources and Forestry (MNR) and the Municipality.

Application File No.: B21-15 **No. of Members Present:** 10

Date of Decision: May 26, 2015

Location of Property: Part Lot 22, Conc. XI, Being Lots 192 to 195 and Lots 213 to 220, Plan 50 and Part 1, Plan 31R-3971, Township of Howland, Town of Northeastern Manitoulin and the Islands, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Michael Bailey is to provide for a lot addition, to correct an encroachment, being Part of Lot 192, Plan 50, having a frontage of ± 5.5 M. on Hwy No. 540, and an average depth of ± 41 M., thereby containing an area of ± 111 Sq. M., which is to be added to Lots 189 to 191, Plan 50, identified by PIN 47122-9157, owned by Ms. Eadie, having a frontage of ± 32.5 M. on Hwy No. 540, and an average depth of ± 27.6 M., thereby containing an area of ± 1.0 Hec. This lot addition will result in a lot having a frontage of ± 38 M. on Hwy No. 540, and an average depth of ± 35 M., thereby containing a total area of ± 1.01 Hec. There is a dwelling on the land receiving the addition which appears to be partly located within the unopened laneway which is owned by the Town of Northeastern Manitoulin and the Islands and partly within Lots 210 to 212, Plan 50 to the south, also owned by Ms. Eadie.

The land to be retained, has frontages of ± 38.5 M. on Hwy No. 540, and an irregular depth of ± 80 M., thereby containing an area of ± 0.54 Hec. The applicant's dwelling is located on this land. By-law No. 2014-18, (Being a By-law to Stop-up, Close and Sell a portion of public road not travelled), closed a portion of the laneway, surveyed as Part 1, Plan 31R-3971, and conveyed it to Mr. Bailey, which is part of the retained land.

Access to the subject lands is from Hwy No. 540, a provincially maintained highway.

Services consist of municipal water and private septic system. There are no new services required as a result of the application for lot addition.

From information available there are no natural heritage features or species at risk (SAR) identified that require further consideration.

The subject land has been designated Rural District and zoned Rural (R). Rural residential uses are proposed to continue.

This proposal is considered to be in conformity with the Provincial Policy Statement (PPS) 2014.

The application was circulated on May 22nd, 2015 to the Town of Northeastern Manitoulin and the Islands and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

The Clerk for the Municipality advised that the subject land is currently being assessed for a Municipal Drain and that the Town will be accepting the drainage report in June.

There have been no inquiries or concerns received as a result of circulation to property owners within 60 metres or posting of the Notice.

Gordon Keatley, agent for the application, was in attendance during consideration of this application.

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within one year from the date of the notice of decision for certification:

- a) the Transfer of Land form(s) prepared by a solicitor/lawyer; and
- b) a Schedule to the Transfer of Land form on which is set out the entire legal description of the parcel(s). This Schedule must also:
 - i) contain the names of the parties indicated on the Transfer of Land form; and
 - ii) state this conveyance is a consolidation of the severed lands with lands identified by the property identification number (PIN) and confirmed by a copy of the Parcel Register.

Application File No.: B21-15 - continued
May 26, 2015

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 parcel(s) to which the consent approval relates;
- ii) an undertaking from a Solicitor stating that the severed parcel will be consolidated on title with the benefiting lands, PIN 47122-9157, at the time of registration of the Transfer and a copy of the resulting Transfer will be provided to the Manitoulin Planning Board;
- iii) a fee of \$100.00 for each Transfer of Land submitted for Certification; and
- iv) a written confirmation from the municipality that all outstanding municipal taxes have been paid.

Note: Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Application File No's.: B22-15, B23-15 and B24-15 **No. of Members Present:** 10

Date of Decision: May 26, 2015

Location of Property: Part Lot 20, Conc. VII and Part Lot 20, Conc. VIII, Parts 1 through 26, Plan 31R-3932, Township of Bidwell, Town of Northeastern Manitoulin and the Islands, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Wayne Cosby is to provide for three lot additions, which are resubmissions of three (3) previous applications for Consent that lapsed when conditions of consent approval were not fulfilled within one year as required under the Planning Act.

File No. B22-15, a resubmission of File No. B16-12, proposes a lot addition, surveyed as Parts 2 & 3, Plan 31R-3932, having a frontage of ± 84 M. on the non-maintained 8th concession road allowance and an average depth of ± 45 M., thereby containing an area of ± 0.3 Hec., which is to be added to land identified by PIN 47125-0290, owned by Anthony and Carol Yaroshak, having frontages of ± 56 M. on Green Bay of Lake Manitou and ± 30 M. on the non-maintained 8th concession road allowance, and an average depth of ± 25 M., thereby containing an area of ± 0.12 Hec. This lot addition will result in a lot containing a cottage and garage, having frontages of ± 56 M. on Green Bay of Lake Manitou and ± 114 M. on the non-maintained 8th concession road an average depth of ± 102 M., thereby containing a total area of ± 0.42 Hec. This lot addition is subject to right-of-way over the existing travelled access, known as Parkinson Lane North, having a width of ± 9 metres.

File No. B23-15, a resubmission of File No. B17-12, proposes a lot addition, surveyed as Parts 6, 8 & 9, Plan 31R-3932, having an average width of ± 130 M., and an average depth of ± 155 M., thereby containing an area of ± 1.4 Hec., which is to be added to land identified by PIN 47125-0733, owned by Marjorie Collie, having a frontage of ± 30 M. on Green Bay of Lake Manitou an average width of ± 27 M., thereby containing an area of ± 810 Sq. M. This lot addition will result in a lot, having frontages of ± 30 M. on Green Bay of Lake Manitou and an average depth of ± 155 M., thereby containing a total area of ± 1.49 Hec. This lot addition is subject to right-of-way over the existing travelled access, known as Parkinson Lane North, having a width of ± 9 metres.

File No. B24-15, a resubmission of File No. B20-12, proposes a lot addition, triangular in shape, surveyed as Parts 10 & 11, Plan 31R-3932, having an irregular width of ± 27 M., and an average depth of ± 107 M., thereby containing an area of ± 0.13 Hec., which is to be added to land surveyed as Parts 1, 2 & 3, Plan 31R-1079, identified by PINs 47125-0300 and 47125-0301, owned by Natalie Cosby, having a frontage of ± 32 M. on Green Bay of Lake Manitou an average depth of ± 116 M., thereby containing an area of ± 0.37 Hec. This lot addition will result in a lot, containing a cottage, having a frontage of ± 32 M. on Green Bay of Lake Manitou and an average depth of ± 128 M., thereby containing a total area of ± 0.5 Hec. This lot addition is subject to right-of-way over the existing travelled access, known as Parkinson Lane North, having a width of ± 9 metres.

The land to be retained, being Part of Lot 20, Conc's. VII and VIII, surveyed as Parts 1, 4, 5, 7, and 12 through 26, Plan 31R-3932, has frontages of ± 306 M. on the non-maintained 8th concession road allowance, $\pm 1,229$ M. on the non-maintained 20th side road allowance, and ± 39 M. & ± 503 M. on Green Bay of Lake Manitou, thereby containing an area of ± 29.5 Hec. There are no structures on this land. This land is subject to right-of-way for all development in this area.

Most development was done prior to Subdivision Control in this area. There have been eleven (11) previous applications for Consent, involving the subject land.

File No. 04-51C-75-178, approved by the Ministry of Housing, provided for the creation of a new lot surveyed as Part 1, Plan 31R-479, being Part of Lot 20, Conc. VII;

File No. B92-87 provided for a lot addition of Parts 2 and 3, Plan 31R-1079 to Part 1, Plan 31R-1079;

File No. B93-87 provided for a lot addition of Parts 1 and 2, Plan 31R-1778 which was added to lands described in Inst. No. T-11992;

File No. B71-88 provided for a lot addition of Parts 1 and 2, Plan 31R-1952 which was added to lands described in Inst. No. T-30142;

File No. B72-88 provided for a lot addition of Part 3, Plan 31R-1952 which was added to lands described in Inst. No. T-10521; subsequent to this approved application File No. B130-89 provided for Part 3, Plan 31R-1952 to be added to Inst. No. T-30142;

File No. B93-89 provided for the creation of a new lot, surveyed as Part 1, Plan 31R-2021;

Application File No's: B22-15, B23-15 and B24-15 - continued
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File No's. B16-12, B17-12 and B18-12 proposed three lot additions to lands identified as PINS 47125-0290, 47125-0298 and 47125-0302. These files lapsed when conditions of consent approval were not fulfilled within one year as required under the Planning Act;

File No. B20-12 proposed a lot addition to lands identified by PINs 47125-0300 & 47125-0301, which also lapsed; and

File No. B15-14, a resubmission of Consent File No. B18-12, proposes a lot addition to lands identified by PIN 47125-0302, which has not been completed.

Access to the subject lands is from the Rockville Road, a maintained township road and the existing travelled private road known as Cosby Subdivision Road, and Parkinson Lane North.

There are no new services required as a result of the applications for lot additions. The proposed lot additions will provide for an increased area of under sized lots allowing installation of septic systems with greater setbacks from Lake Manitou.

From information available there are no natural heritage features or species at risk (SAR) identified that require further consideration.

The subject land has been designated Rural and Shoreline Development Districts and zoned Rural (R) and Shoreline Residential (SR). Continued seasonal residential uses are proposed.

This proposal is considered to be in conformity with the Provincial Policy Statement 2014.

The application was circulated on May 11th, 2015 to the Town of Northeastern Manitoulin and the Islands and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

The Municipality advised they have no concerns.

There have been no inquiries or concerns received as a result of circulation to property owners within 60 metres or posting of the Notice.

Gordon Keatley, agent for the application, was in attendance during discussion of this application.

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within one year from the date of the notice of decision for certification:

- a) the Transfer of Land form(s) prepared by a solicitor/lawyer; and
- b) a Schedule to the Transfer of Land form on which is set out the entire legal description of the parcel(s) and right-of-way. This Schedule must also:
 - i) contain the names of the parties indicated on the Transfer of Land form; and
 - ii) state this conveyance is a consolidation of the severed lands with lands identified by the property identification number (PIN) and confirmed by a copy of the Parcel Register.

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 parcel(s) to which the consent approval relates;
- ii) an undertaking from a Solicitor stating that the severed parcel will be consolidated on title with the benefiting lands at the time of registration of the Transfer and a copy of the resulting Transfer will be provided to the Manitoulin Planning Board;

Application File No's: B22-15, B23-15 and B24-15 - continued
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- iii) written confirmation from the Municipality, that access to Rockville Road, the maintained municipal road, has been constructed to a standard for travel by emergency vehicles satisfactory to the Municipality;
- iv) proof that any portion of a travelled road, which is maintained by the Municipality, encroaching on the subject land, has been surveyed and conveyed to the Municipality satisfactory to the Municipality;
- v) a fee of \$100.00 for each Transfer of Land submitted for Certification; and
- vi) a written confirmation from the municipality that all outstanding municipal taxes have been paid.

Note: Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Note: Any shoreline improvements shall be done only with the consultation of The Ministry of Natural Resources and Forestry (MNRF) and the Municipality.

The time now being 8:25 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

E. L. CARTER, SECRETARY-TREASURER