



October 3, 2016

MINUTES OF PLANNING BOARD MEETING - September 27, 2016

At a Meeting of the Manitoulin Planning Board, held in the Board Room at the Planning Board Office, Gore Bay, Ontario, on September 27, 2016, the following Members of Planning Board were present:

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|----|------------|----|-------------|
| 1. | D. Osborne | 5. | R. Stephens |
| 2. | P. Moffatt | 6. | I. Anderson |
| 3. | M. Peters | 7. | L. Hayden |
| 4. | K. Noland | 8. | D. Head |

Regrets: A. H. Hunt, E. Russel and L. Addison

Also in attendance were:

Peter Favot, agent, Applications for Consent, File No's. B15-16 and B16-16;
Peter and Janet Fathers, applicant, Application for Consent, File No. B16-16;
John and Allison Dwyer and Sam and Yvonne Bondi, interested parties,
Applications for Consent, File No's. B15-16 and B16-16; and
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 August 30, 2016. There were no conflicts declared.

1. ORDER OF BUSINESS

The Chair requested the adoption of the order of business with the addition of Item 5 a) iv) OMB Appeal. The following motion resulted:

MOTION

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

2. MINUTES OF PREVIOUS BOARD MEETING - August 30, 2016.

The Chair announced that the Minutes of the Board Meeting held August 30, 2016 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
- August 30, 2016

There was none.

3. VARIABLE EXPENDITURES

There were no questions of the variable expenditures as circulated.

MOTION

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

4. PRESENTATION OF APPLICATIONS 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.

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5. GENERAL, REGULAR AND NEW BUSINESS

a) General Up-date by Secretary-Treasurer

i) Ontario Association of Committees of Adjustment Fall Seminar

Deputy Secretary-Treasurer Theresa Carlisle thanked the Board for the opportunity to attend this seminar held on September 22 and 23, 2016 in Orangeville and confirmed that this seminar had many excellent presentations and provided for great networking.

ii) Central Ontario Orthophotography Project (COOP) 2016

The Secretary-Treasurer provided the Board Members with copies of the draft Participant and Sub-Licence Agreements for the COOP 2016 Project. The final cost for the Planning Area is \$11,081.93 plus HST, which is approximately \$3.49 + HST per sq. km.

The Secretary-Treasurer reminded the Board that during the Board Meeting of April 26, 2016 a motion had been moved, duly seconded and carried authorizing the Chair and the Secretary-Treasurer to sign the contract with the MNR for the COOP 2016 Project within the estimated costs, which at that time were estimated to be in the range of \$5.00 to \$6.00 per tile/sq. km. The Board were requested to consider it may be more appropriate to permit Jake Diebolt to be authorized to sign this contract and be the contact with the Ministry.

MOTION

It was moved by L. Hayden and seconded by D. Head that Jake Diebolt be authorized to sign the Participant and Sub-licence Agreements for the COOP 2016 Project on behalf of the Manitoulin Planning Board. - Carried.

iii) Transition of Planning Authority
- Town of Northeastern Manitoulin and the Islands

The Chair advised the Board that he had received a request from Mayor Al MacNevin to meet with the Board Executive and he had provided a list of items to be discussed regarding the transition plan. Following is the list provided with additional comments provided by the Secretary-Treasurer (bold and underlined) for the information of the Board.

Transition Plan

Date of Transition

The date of transition will be the date determined in the Minister's Letter granting planning authority. It would be preferable if this date was January 1, 2017.

To be determined by the Ministry.

Applications in Process

Any application for which a fee is received prior to December 31, 2016, will be processed by the Planning Board, with the decision being made by NEMI as the planning authority.

At the present time there are only 2 applications that have been conditionally approved and not given final approval, i.e. certified, and one of them will lapse in December.

An application for a Plan of Subdivision, File SUB2014-02, Ireson Island, has been deferred waiting for the completion of an Environmental Impact Assessment which the consultants do not anticipate the EIA will be complete before January 2017, this file would be transferred to NEMI for further consideration.

GIS Data

All GIS data (including COOP) to be provided to NEMI in the appropriate format (ESRI).

The GIS data is regularly updated and provided to all Municipalities. It is unclear whether the Teranet Parcels can be continued to be used by a Municipality no longer part of the Planning Board. NEMI may need to secure a licence from Teranet to use these parcels.

There will be a sublicense agreement with all Municipalities for the COOP2016 project and will form part of the GIS data transfer.

There will be no further updates of the GIS data performed by the Board office after the date of transition.

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5. GENERAL, REGULAR AND NEW BUSINESS

- a) General Up-date by Secretary-Treasurer
iii) Transition of Planning Authority
- Town of Northeastern Manitoulin and the Islands - Continued

Transition Plan Continued:

Historical Information and Files

Copies of all files relating to NEMI applications subsequent to amalgamation to be provided to NEMI

All Municipalities are provided with every application and decision as part of the process. The GIS has reference to all planning file numbers.

Should copies of any files be required it will be at a cost for time and copies.

Future Communications

Notice of all planning applications to be provided by NEMI to the Planning Board and notice of all planning applications to the Planning Board are to be provided to NEMI.

Do not consider it necessary to circulate all planning applications between planning authorities with exceptions as required under the Planning Act. As a courtesy, it would be considered appropriate to circulate any applications within 1 km of the boundaries between authorities.

Financial

Annual Fees

No annual allocation paid by NEMI beyond 2016.

This is assuming that the transition is complete by January 1, 2017. There would be no requisition to a Municipality that is not part of the Planning Board.

Assets

Planning Board Assets

All assets not specifically identified in the Transition Plan remain the property of the Planning Board.

Reserve Funds

33% of all unallocated reserves to be paid to NEMI by the Planning Board by January 1, 2017

Planning Board is a Body Corporate therefore owns its assets and reserve funds. Under the Planning Act the Board are permitted to requisition from the Municipalities the financial requirements for the year and to establish a tariff of fees for processing of applications for planning matters.

The reserve funds have been built from years of higher than anticipated applications and in turn the reserves have been used to cover years when applications have been lower than anticipated.

The general discussion regarding the proposed transition items did not result in additional comments. Board Member R. Stephens confirmed that he agreed with the comments regarding the reserve funds belonging to the Corporation.

The Chair confirmed that he would offer for the Executive Committee and staff to meet with Mr. MacNevin at a mutually agreeable time.

- iv) OMB Appeal - Application for Consent
File No's.: B09-16, B10-16 and B11-16
Owners: F. Tann and 1662201 Ontario Limited
Location: Part Lots 22 and 23, Conc. VII
Being Parts 1 and 2, Plan 31R-3131
Township of Sandfield
Municipality of Central Manitoulin
District of Manitoulin

The Secretary-Treasurer advised that an appeal for the subject applications had been received on September 16, 2016 from Richard James supported by the Big Lake Association. The appeal states there is concern for the protection of the wetland area and that the Council for Central Manitoulin did not comment on the application.

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5. GENERAL, REGULAR AND NEW BUSINESS

- a) General Up-date by Secretary-Treasurer
 - iv) OMB Appeal - Application for Consent - Continued

The Secretary-Treasurer advised that she had invited Mr. James and any other interested members of the Big Lake Association to meet with her to discuss the appeal as submitted, which resulted in a meeting with Mr. James and Sue and Bill Rumball on the morning of September 27, 2016.

This meeting consisted of discussion of the following:

- circulation and public notice of applications;
- advising that any person or group can request to be circulated planning related applications, which would go beyond the requirements of the Planning Act and would have given the Association notice of the application;
- the concerns of shoreline improvements destroying the wetlands are protected by the Conservation Zoning;
- the requirement for permission from the Municipality for all shoreline improvements;
- requesting the Municipality to circulate any requests for shoreline improvements on Big Lake to the Big Lake Association;
- the request for the shoreline area within the conservation zone to not be included within the lots proposed was not feasible as the lots would then not have a frontage as required;
- the Board could not deny an application for reasons of concern that future owners will destroy the conservation zone but need to rely on other enforcement measures;
- the Natural Heritage Features Assessment Report, prepared by Tulloch Environmental, did not identify any need for additional assessment to be completed; and
- review of previous approvals granted, i.e. the Young Subdivision and the Ministry of Natural Resources confirming that the flow of water from Dace Lake to Big Lake does not fall within the Public Lands Act or the Lakes River Improvement Act.

This meeting ended with the appellant advising he would review the information and advise if he wished to proceed with the appeal by October 3, 2016.

PRESENTATION OF APPLICATIONS 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 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.

PRESENTATION OF APPLICATIONS FOR CONSENT TO SEVER - Continued

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

		<u>Moved By</u>	<u>Seconded By</u>
1.	B15-16 A. & S. LeBlanc	D. Head	D. Osborne
2.	B16-16 P. & J. Fathers	M. Peters	I. Anderson

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

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Application File No.: B15-16 **No. of Members Present:** 8

Date of Decision: September 27, 2016

Location of Property: Part Lot 1, Conc. XI, Being Lots 21 & 22 and Part Lot 23, West Side
McNevin Street, Townplot 6 – Providence Bay, Township of Carnarvon,
Municipality of Central Manitoulin, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Andre and Susan LeBlanc is to provide for a lot addition, being Part Lot 23, W/S McNevin Street, having an irregular width of ± 7.1 M., an average length of ± 11 M., and an area of ± 78 Sq. M., which is to be added to lands owned by Peter and Janet Fathers being Part Lot 23 and Lot 24, W/S McNevin Street, having a frontage of ± 30.9 M. on McNevin Street, a maintained township road, a depth of 40.5 M. and containing an area of ± 947 Sq. M. This lot addition is necessary to correct an encroachment of the neighbour's dwelling and will result in a lot having a frontage of ± 30.9 M. on McNevin Street, a maintained township road, an irregular depth of ± 40.5 M., thereby containing a total area of $\pm 1,025$ Sq. M. This land is the former site of the Bayside Inn/Restaurant which is now vacant.

The land to be retained, being Lots 21 & 22 and Part Lot 23, W/S McNevin Street, has frontages of ± 40.4 M on Highway No. 551/Mira Street, a provincially maintained highway, and ± 49.5 M. on McNevin Street, a maintained township road, and an irregular depth of ± 40.4 M., thereby containing an area of $\pm 2,200$ Sq. M. There are no structures on this land.

There is a simultaneous Application for Consent, File No. B16-16, which proposes a lot addition, from Peter and Janet Fathers to Andre and Susan LeBlanc. The approval of Consent File No's. B15-16 and B16-16 will result in an exchange of land between neighbours and provide for a property boundary adjustment which will correct an encroachment of the dwelling.

There is also a Zoning Amendment Application, File No. 2-07ZBL-16-009, which proposes to rezone Lots 21 & 22 and Part of Lot 23, from Core Commercial (C1) Zone to Hamlet Residential (RH) Zone.

Services for the retained land will consist of private well and private individual sewage disposal system when required. The Sudbury and District Health Unit have advised they have no concerns as the retained portion would appear capable of development for installation of a septic tank and leaching bed system.

Access is via Highway No. 551/Mira Street, a provincially maintained highway, and McNevin Street, a maintained township road.

From information available the subject proposal does not appear to have any species at risk (SAR) concerns.

The proposal is considered to be consistent with the Provincial Policy Statement (PPS) 2014.

The subject land has been designated Hamlet District and zoned Core Commercial (C1) and Hamlet Residential (RH). A By-law Amendment Application, File No. 2-07ZBL-16-009, proposes to rezone from Core Commercial (C1) Zone to Hamlet Residential (RH) Zone which will permit residential uses within the subject land.

Official Plan Policy 15.6, states under ii) n):

'Favourable consideration should be given for consents which have the effect of adding on to or enlarging existing residential lots which are substandard in respect to the minimum standards established by any Local Restricted Area (Zoning) By-law or Minister's Order.'

During discussion of the application with Mr. Favot, agent, an explanation was requested why the applicant is proposing an angled line and it was explained that the Board favours straight lot lines rather than angled lot lines when possible.

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Application File No. B15-16 - continued
September 27, 2016

The following letter from Peter Favot, agent for the application, resulted:

'The Manitouslin Planning Board has asked for an explanation of why the proposed boundary line is slanted and if we can further enlarge the Fathers property to provide 3M setbacks at the rear yard and side yard of their addition.

It can also be quickly appreciated by viewing the land survey that the proposed angled lot boundary creates a more useable property for both land owners, than the existing 90 degree awkward unusable lot shape.

My client John & Allison Dwyer have spent considerable time and sums of money for legal and Architecture/Urban Planning Consultants and have also given the Fathers property, 31 M2 of land free of charge, all in an effort to provide a solution to the sizeable lot encumbrance by the Fathers property that John Dwyer wishes to purchase. We have done all that we can and cannot donate additional property.

The present lot line setbacks are 1.83 M. from the NE corner of the Fathers addition and 2.04 M. from the NW corner and 1.47 M. from the NW corner if taken at a 45 degree angle. First it can be quickly seen in the land survey that not only is the building addition encumbering onto the LeBlanc property by 5.27M plus the required setback of 3M., but the existing residence has not been setback from the property line and is in fact located approximately 0.5M. plus the 3M required setback on the LeBlanc property. We cannot be expected to correct all of someone else's errors.

If my client John and Allison Dwyer had not spent time, effort and considerable consultant costs to devise an alternative solution, the only remaining alternative would be for the Father's and the LeBlanc's to bring legal action against the Municipality and the Provincial Land Titles for their unsaleable properties. My client the Dwyers have done and given all that they can to create and implement a solution to a sizeable property encumbrance. All the Dwyers wanted was to purchase an unencumbered piece of land and enjoy living in Providence Bay.'

The application was circulated on September 12th, 2016 to the Municipality of Central Manitouslin 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 has advised that the subject land does not conform to Zoning By-law No. 2002-07. However, they do recommend consent be granted and did not request any specific conditions of Consent Approval.

Requirements for a Record of Site Condition (RSC), i.e. change of use to a more sensitive use, were discussed with the Clerk and CBO for the Municipality and the following email resulted:

*'Theresa,
The info you cited to Raymond was in regard to contaminated sites and Brownfield sites. I would consider this site neither of those. It was an old residence with a restaurant is all. From the pictures one can see that the old oil tanks were removed. I am of the opinion that an RSC is unnecessary in this case.....Ruth'*

The following email was received from Trevor and Ingrid Blay on September 26th, 2016.

'I wish to state a few concerns as a business owner of a Bed & Breakfast on the adjacent properties. (12 Mutchor Street our backyards abut) Primarily File No: B15-16 Subject land 5283 Highway 551/Mira Street.

When the Bayside Restaurant was in business and after it closed, (File No: B15-16) there was always a foul septic smell emanating from the property. We were not present when the demolition of the restaurant took place so we're not 100% comfortable about how it was performed. Our concerns are as follows:

- 1) Was the basement structure completely removed?*
- 2) Was the septic tank removed?*
- 3) Was the field bed removed?*

This also raises concern if there's any possibility of there being asbestos or any other contaminants buried.

Will the new owners be making any changes to the grade of the property that could cause possible contamination of our existing well water?

We would like to be assured by the Planning Board that these issues have been addressed in a proper manner prior to the future construction on this site.'

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Application File No. B15-16 - continued
September 27, 2016

This email was forwarded to the agent, Mr. Favot, and to the Municipality of Central Manitoulin.

There were no other 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.

It was explained to the Board that a Record of Site Condition (RSC), which may be required if the change of land use was to a more sensitive use, i.e. Commercial use to a Residential use, could be considered during consideration of the rezoning application, File No. 2-07ZBL-16-009, or when a building permit is to be issued.

For the Board's consideration a sketch was provided showing the ±78 Sq. M. lot addition with an angled line (as submitted) and also a comparison showing the same area of 78 Sq. M. with straight lot lines with a 3 M. back yard setback which would conform to the Zoning By-law.

Peter Favot, agent on behalf of Susan and Andre LeBlanc, gave a review of the application and explained the connection between Consent File No's. B15-15 and B16-16 and Amendment Application File No. 2-07ZBL-16-009.

John and Allison Dwyer, proposed purchasers, Sam and Yvonne Bondi, interested parties, and Janet and Peter Fathers, owners of land benefiting from the lot addition, were also in attendance during consideration of the application.

There was discussion regarding requirements for a Record of Site Condition (RSC), the lot addition with angled lines vs the lot addition with straight lines, and what impact these would have on the application.

The general consensus of the Board was that the RSC is at the discretion of the Municipality during the zoning amendment and building application process.

Mr. Noland, Chair, asked Mr. Favot, Mr. & Mrs. Fathers and Mr. & Mrs. Dwyer if they had any concerns with amending the application to permit the lot addition having the same area of ± 78 Sq. M. with straight lines rather than having an angled line. All parties were satisfied that approval of the application, as revised, would not result in any concerns.

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

Consent is tentatively granted to approve the addition as amended 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 at the time of registration of the Transfer, and a copy of the resulting Transfer, and the new resulting Property Identification Number (PIN) will be provided to the Manitoulin Planning Board;

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Application File No. B15-16 - continued
September 27, 2016

- iii) confirmation 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;
- iv) a fee of \$100.00 for each Transfer of Land submitted for Certification; and
- v) 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: The subject property, previously owned by the Municipality, was formerly the Commercial Business known as the Bayside Inn/Restaurant which was demolished by the Municipality in 2002.

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Application File No.: B16-16 **No. of Members Present:** 8

Date of Decision: September 27, 2016

Location of Property: Part Lot 1, Conc. XI, Being Lot 24 and Part Lot 23, West Side
McNevin Street, Townplot 6 – Providence Bay, Township of
Carnarvon, Municipality of Central Manitoulin, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Janet and Peter Fathers is to provide for a lot addition, being Part of Lot 23, W/S McNevin Street, having a frontage of ±3.7 M. on McNevin Street, a depth of ±12.7 M., and an area of ±47 Sq. M., which is to be added to lands owned by Andre and Susan LeBlanc being Lots 21 & 22 and Part Lot 23, W/S McNevin Street, having frontages of ±40.4 M. on Highway 551/Mira Street, a provincially maintained highway, and ±49.5 M. on McNevin Street, a maintained township road, and depth of ±40.5 M. and containing an area of ±2,200 Sq. M. This lot addition will result in a lot having frontages of ±40.4 M. on Highway 551/Mira Street, and ±49.5 M. on McNevin Street, and a depth of ±40.4 M., thereby containing a total area of ±2,247 Sq. M.

The land to be retained, being Lot 24 and Part Lot 23, W/S McNevin Street, has a frontage of ±27.2 M on McNevin Street, a maintained township road, and a depth of ±40.5 M., thereby containing an area of ±900 Sq. M. The applicant's dwelling and accessory shed are located on this land. An addition to the dwelling, in 2010, resulted in an encroachment into land to the north, owned by the LeBlancs.

There is a simultaneous Application for Consent, File No. B15-16, which proposes a lot addition, from Andre and Susan LeBlanc to Peter and Janet Fathers. The approval of Consent File No's B15-16 and B16-16 will result in an exchange of lands between neighbours and provide for a property boundary adjustment which will correct an encroachment of the Father's dwelling.

There is also a Zoning Amendment Application, File No. 2-07ZBL-16-009, which proposes to rezone Lots 21 & 22 and Part of Lot 23, land owned by Mr. and Mrs. LeBlanc, from Core Commercial (C1) Zone to Hamlet Residential (RH) Zone.

Services for the retained land consist of private well and private individual sewage disposal system. Accompanying the application was a letter, dated June 14, 2010, to Mr. and Mrs. Fathers from The Sudbury and District Health Unit, with regard to the Renovation Permit to add 770 sq. Ft. of living space to their dwelling, File No. 402-10-RE001, as follows:

'Further to your application received on June 10, 2010, the proposal as submitted would not appear to contravene the Ontario Building Code respecting sewage systems.

Therefore, the Sudbury and District health Unit has no objection at this time. We recommend, however, that the existing sewage system be protected from damage during the new construction.'

Access is via McNevin Street, a maintained township road.

From information available the subject proposal does not appear to have any species at risk (SAR) concerns.

The proposal is considered to be consistent with the Provincial Policy Statement (PPS) 2014.

The subject land has been designated Hamlet District and zoned Hamlet Residential (RH).

Official Plan Policy 15.6, states under ii) n):

'Favourable consideration should be given for consents which have the effect of adding on to or enlarging existing residential lots which are substandard in respect to the minimum standards established by any Local Restricted Area (Zoning) By-law or Minister's Order.'

The application was circulated on September 12th, 2016 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.

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Application File No. B16-16 - continued
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The Municipality has advised that the subject land does not conform to Zoning By-law No. 2002-07. However, they do recommend consent be granted and did not request any specific conditions of Consent Approval.

This email was forwarded to Mr. Favot, agent for the application, and to the Municipality of Central Manitoulin.

There were no other 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.

It was explained to the Board that a standard condition of consent is:

'proof satisfactory to Planning Board that all minimum yard requirements, resulting from the new lot line(s), conform to the Zoning By-law.'

For the Board's consideration it was explained that the minimum side yard and rear setback requirements, in a Hamlet Residential (RH) Zone, is 3.0 M. Due to a resulting north east lot line being reduced from ± 5.5 M. to ± 1.83 M. it may be considered that an amendment application, approving reduced yard setbacks, be required as a condition of Consent Approval.

Peter Favot, agent on behalf of Janet and Peter Fathers, gave a review of the application and explained the connection between Consent File No's. B15-15 and B16-16 and Amendment Application File No. 2-07ZBL-16-009.

Janet and Peter Fathers, applicants, Sam and Yvonne Bondi, interested parties, and John and Allison Dwyer, proposed owners of land benefiting from the lot addition, were also in attendance during consideration of the application.

Further to the discussion of the application, the general consensus of the Board was that an amendment application permitting a reduced north side lot line would be considered appropriate, which would bring Mr. and Mrs. Father's property into conformity with Zoning By-law No. 2002-07 for the Municipality of Central Manitoulin.

There was no one else 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 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 ± 47 Sq. M. 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, and the new resulting Property Identification Number (PIN) will be provided to the Manitoulin Planning Board;
- iii) confirmation 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;
- iv) a copy of an approved amendment to Zoning By-law No. 2002-07, permitting a reduced north side yard, in a Hamlet Residential (RM) Zone;

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- 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.

The time now being 8:47 p.m. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by D. Head.

K. E. NOLAND, CHAIR

E. L. CARTER, SECRETARY-TREASURER