



March 03, 2017

MINUTES OF PLANNING BOARD MEETING - February 28, 2017

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

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|----|------------|----|-------------|
| 1. | D. Osborne | 5. | R. Stephens |
| 2. | L. Hayden | 6. | K. Noland |
| 3. | L. Addison | | |
| 4. | A. Hunt | | |

Regrets: I. Anderson, E. Russell, D. Head
Absent: P. Moffatt

Also in attendance were:

T. Sasvari, reporter, Manitoulin West Recorder; and
D. Burke, Applicant for Consent File No.'s. B03-17, B04-17 and B05-17.

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

The Meeting was called to Order at 7:01 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 November 29, 2016. A. Hunt declared that he had a conflict with Application for Consent, File No. B01-17. D. Osborne declared that he had a conflict with item 4.b) Request for Preview of Consent Proposal. There were no other conflicts declared.

1. ORDER OF BUSINESS

MOTION

It was moved by L. Hayden and seconded by R. Stephens that the Order of Business be adopted - Carried.

2. MINUTES OF PREVIOUS BOARD MEETING - November 29, 2016

The Chair announced that the Minutes of the Board Meeting held November 29, 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 D, Osborne and seconded by A. Hunt that the Minutes be adopted as circulated. - Carried.

BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING
- November 29, 2016

There was none.

3. VARIABLE EXPENDITURES

There were no questions of the variable expenditures as circulated.

MOTION

It was moved by L. Addison and seconded by D. Osborne that the variable expenditures be accepted as presented. - Carried.

4.a) 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.

4.b) REQUEST FOR PREVIEW OF CONSENT PROPOSAL

Location: Part Lots 18 and 19, Conc. IX, Township of Gordon

D. Osborne, Board Member, declared a Conflict of Interest with this item and excused himself from the board room table.

A letter from Mr. and Mrs. Gagnon has been received requesting a waiver of fees for two consent applications, which was attached to the Notice. The Deputy-Secretary explained that there is a Contravention to the Planning Act and that Mrs. Gagnon does not have clear title to land transferred to her from Mr. and Mrs. Rentrop. Consent Application, File No. B24-03, had been approved by Planning Board, the transfer had been stamped, registered at the Land Registry Office, and the file had been completed. Planning Board did not create the Contravention to the Planning Act. The Contravention occurred when Mr. and Mrs. Rentrop conveyed the retained parcel of land (by Consent Application File No. B24-03) to Mrs. Gagnon while still having an interest in/owning abutting land (the severed land from Consent File No. B24-03), which did not give clear title/an interest in land to Mrs. Gagnon. In order to correct this contravention and for Mrs. Gagnon to have title to the land she thought she owned, two new applications for consent are required. Mr. and Mrs. Gagnon have requested that Planning Board waive the two consent fees (\$650.00 X 2).

Discussion of this request resulted in the following motion:

MOTION

It was moved by L. Addison and seconded by L. Hayden that the Manitoulin Planning Board inform Rick and Georgia Gagnon that the application fees for the two new proposed consent applications be paid for by the applicants. However as an act of good faith the two certification fees will be waived by the Planning Board - carried.

5. GENERAL, REGULAR AND NEW BUSINESS

a) General Up-date by Secretary-Treasurer

i) Central Ontario Orthophotography Project (COOP) 2016 - Update

The Board were informed that an invoice for the COOP Project in the amount of \$6,261.30 received from the Ministry of Natural Resources and Forestry (MNRF) had been paid on November 29, 2016. The balance of ±\$6,261.00 is to be paid upon delivery of the digital orthophotography project, which is expected by the end of March. All townships have paid their shares for this project except for the Township of Tehkummah.

ii) Special Case Funding

The Deputy Secretary-Treasurer informed the Board that Planning Board did not make an application for Special Business Case Funding for 2017 to the Ministry of Municipal Affairs (MMA), which had to have been done by December 2016.

She also explained that the 2016 Special Case Funding allotment of \$4,300.00 had not all been used as a result of the COOP 2016 costs coming in lower than expected. The Ministry of Municipal Affairs (MMA) may not request a refund for the balance, if before March 31, 2017, costs are submitted for a By-law Enforcement Course to be taken by staff member(s). She presented two options available for this course.

Discussion of this request resulted in the following motion:

MOTION

It was moved by L. Hayden and seconded by A. Hunt that the Deputy Secretary-Treasurer submit to MMA a proposal for the two staff members to take an online By-law Enforcement Course; and if approved by MMA to be paid from the 2016 Special Case Funding, that the two staff members register for the course. - Carried.

iii) Planning Administration Funding - Update

The Board were informed that the Planning Administration Funding for 2017 for the Unincorporated Townships of Dawson and Robinson from the Ministry of Municipal Affairs, appears will be the same as received in previous years of \$16,073.00.

5.a) iv) Ministry of Agriculture and Rural Affairs

For information, the Deputy Secretary-Treasurer informed the Board that mapping has been provided to several people showing soil classifications of their property obtained from Land Information Ontario (LIO) which was provided by the Ministry of Agriculture, Forestry and Rural Affairs (OMAFRA) to assist them in submitting a request for reconsideration of their farm assessments. Mr. Noland commented that the Municipal Property Assessment Corporation (MPAC) have increased farmland value assessments for Class 1 farmland soils to about \$3,000.00 per acre and that a meeting had been held and he had assisted with applying for the reassessments.

4.b) i) Transition of Planning Authority - Town of Northeastern Manitoulin and the Islands (NEMI)

Update: Six consent applications and one Plan of Subdivision application were sent to the Clerk for NEMI on January 4th, 2017, for their completion. Assistance during the transition process is being provided to P. Cress, Clerk for NEMI.

ii) Request for Continued GIS Maintenance

Update: There has been no response to Planning Board's letter to Pam Cress, Clerk, for the Town of Northeastern Manitoulin and the Islands, dated November 30th, 2016.

iii) Reserves

A letter has been received from D. Williamson, CAO, for NEMI, dated December 02, 2016, and was attached to the notice.

It was the general consensus of the Board, during their discussion that this item be put on the agenda for the next Board Meeting when more Board Members may be present.

4.c) Business Credit Card and Debit Card

MOTION

It was moved by R. Stephens and seconded by D. Osborne that Theresa Carlisle be authorized to obtain a debit card for viewing and conducting online business banking for the Manitoulin Planning Board's, Bank of Montreal Account. - Carried.

MOTION

It was moved by R. Stephens and seconded by L. Addison that Theresa Carlisle be authorized to obtain a credit card, having a maximum credit limit of \$2,000.00, to be used for Planning Board business.
- Carried.

d) Board Room

The Deputy-Secretary-Treasurer informed the Board that there has been a request to the office to rent the Board Room.

It was the general consensus of the Board that due to the layout of the Board Room and privacy issues, it would not be appropriate to rent the Board Room space at this time.

e) Canada Revenue Agency (CRA)

MOTION

It was moved by L. Hayden and seconded by A. Hunt that Theresa Carlisle be authorized to apply and obtain information from the CRA, pertaining to the Manitoulin Planning Board. - Carried.

f) Procedural By-law No. 2001-01

For information purposes, the Deputy Secretary-Treasurer provided the Board Members with a copy of the Procedural By-law and explained that were sections within this By-law that are required to be updated. It was requested that the Board Members review this document and provide their comments at the next Board Meeting.

6. Official Plan - Teleconference

The Deputy Secretary-Treasurer explained that a telephone conference had taken place on December 13, 2016 with the Ministry of Municipal Affairs, the Escarpment Biosphere Conservancy, and Elva Carter and Jake Diebolt, Manitoulin Planning Board. One of the issues resulting was that the Draft Official Plan is not consistent with the 2014 Provincial Policy Statement because it does not contain a natural heritage system and there may be additional mapping which identifies potential protected areas. These concerns have been addressed in the Draft OP modifications received from the Ministry of Municipal Affairs on February 10, 2017.

Official Plan - Modifications

The Ministry of Municipal Affairs provided Planning Board with 36 Modifications to the Draft OP on February 10, 2017, which were attached to the Notice. MMA would like Planning Board to comment on these modifications no later than April 7th, 2017.

Discussion of the modifications included:

- Silver Water and Meldrum Bay no longer identified as Settlement areas,
- Lake Kagawong being listed under the Sensitive or At-Capacity Lakes
- wildfire mapping,
- flood hazard mapping,
- monitoring growth that 60% or more of residential lot creation will occur within Settlement Areas
- First Nation Preconsulting
- Water access

The general consensus of the Board was that the information and modifications supplied to the Board required additional time to review. Not all Board Members were present for this discussion, and as a result Chair K. Noland requested that all Board Members provide their written comments regarding the 36 Modifications to the Planning Board Office before March 21st, 2017 to compile for review and further discussion at the next Board Meeting.

7. Closed Session

- in camera to discuss personnel matters about identifiable individuals

MOTION

It was moved by D. Osborne and seconded by R. Stephens that the Board go In Camera at 9:45 p.m. to discuss personnel matters about identifiable individuals

Theresa Carlisle, Deputy Secretary-Treasurer, expressed that she would not like to participate in the in closed camera session and vacated the Board Room.

MOTION

It was moved by A. Hunt and seconded by L. Addison that the Board rise from the In Camera session at 10:00 p.m.

It was reported that items were discussed during the In Camera component of the Board Meeting and the following motion resulted:

MOTION

It was moved by R. Stephens and seconded by L. Addison that the Planning Board will:

1. Transition to two employees in 2017; and
2. salaries will be determined as in camera with a 2% salary increase. - Carried

After the in camera session, there was discussion regarding the monthly car allowance that have previously been offered and the following motion resulted:

MOTION

It was moved by R. Stephens and seconded by L. Addison that the monthly car allowance previously offered be discontinued. However, a site inspection mileage allowance be offered at 0.75cents/klm and the Notice of Tariff of Fees be amended to increase the regular mileage allowance from 0.50 cents/klm to 0.55cents/klm. - Carried.

8. Budget Review

The Deputy Secretary-Treasurer announced that Mr. Noland had delivered the Planning Board documentation, etc. to Freelandt Caldwell and Reilly Chartered Accountants in Espanola on February 16th, 2017 and that the auditor has indicated that the audit could be completed and the Financial Statements could be delivered before the March Board Meeting.

She also informed the Board that the 2017 interim requisitions have been sent out to the Municipalities and four have been received so far.

The Comparison of Revenue and Expenditures & 2017 Draft Budget were attached to the notice. All questions and resulting discussion having been dealt with, a request from the Chair for the adoption of the 2017 Draft Budget was made which resulted in the following motion.

MOTION

It was moved by L. Hayden and seconded by R. Stephens that the 2017 Budget be approved, as presented, in the amount of \$172,678.40 with a 2% increase in salaries. - Carried.

9. Election of Officers for 2017

The Chair, K. Noland, announced that the election of Chair and Vice Chair for the year 2017, as required annually by Sec. 11(2) of the Planning Act and Sec. XII(2) of the Procedural By-law, will be held.

Following his announcement, Mr. Noland vacated the Chair and requested the Deputy Secretary-Treasurer to conduct the elections at hand.

The Deputy Secretary-Treasurer, advised the Board Members that Procedural By-law, Sec. III(4) states that the maximum term to be served by any Chair is to be four consecutive years, which makes all Board Members eligible to be nominated.

The Deputy Secretary-Treasurer then called for nominations for Chair for 2017.

Following a request for nominations for Chair, D. Osborne nominated K. Noland and L. Hayden seconded this nomination.

A call for further nominations was met with no response. At this time a Motion to close nominations was made by L. Addison, which was carried unanimously.

K. Noland accepted the nomination and was therefore acclaimed as Chair for 2017.

Next, nominations for Vice Chair were requested from the floor. In response, L. Hayden nominated R. Stephens and D. Osborne seconded this nomination.

A call for further nominations for Vice Chair was met with no response. At this time a Motion to close nominations was made by L. Addison, which was carried unanimously.

R. Stephens accepted the nomination and was therefore acclaimed as Vice Chair for 2017.

With the completion of the election of officers for 2017, K. Noland assumed the Chair and continued with the agenda.

COMMITTEE APPOINTMENTS

i) Executive Committee

The Deputy Secretary-Treasurer advised that the Executive Committee, in accordance with the Procedural By-law, Subsection XII(10), shall consist of the Past Chair, the Chair and the Vice Chair.

The Executive Committee in accordance with committee appointments for 2016 consisted of E. Russell, Acting Vice Chair, K. Noland, Chair, and R. Stephens, Vice Chair.

Due to the absence of E. Russell, Acting Past Chair, the Deputy Secretary-Treasurer then called for nominations for Acting Past Chair for 2017. In response, L. Hayden nominated D. Osborne and R. Stephens seconded this nomination.

Therefore the executive committee will consist of D. Osborne, Acting Past Chair, K. Noland, Chair, and R. Stephens, Vice Chair.

ii) Budget Committee

As a result of the Town of Northeastern and Manitoulin not being part of the Manitoulin Planning Board and M. Peters no longer being a Board Member, it was the general consensus of the Board Members that the Budget Committee remain the same as 2016 with the exception of M. Peters.

COMMITTEE APPOINTMENTS - Continued

iii) Signing Authorities

The Deputy Secretary-Treasurer advised the Board that she has been added as a signing authority and E. Carter has been removed as a signing authority, effective January 01, 2017. Therefore the current signing authorities for 2017 will consist of any two of K. Noland, Chair, T. Carlisle, Deputy Secretary-Treasurer, D. Osborne, Board Member and L. Hayden, Board Member.

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 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. A. Hunt declared a conflict of interest with Application for Consent, File No. B01-17 and vacated the meeting room during the consideration and decision.

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

	<u>Moved By</u>	<u>Seconded By</u>
1. B01-17	L. Addison	D. Osborne
2. B02-17	A. Hunt	L. Hayden
3. B03-17, B04-17 & B05-17	L. Hayden	R. Stephens
4. B06-17	D. Osborne	A. Hunt

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

Application File No.: B01-17 No. of Members Present: 6
Date of Decision: February 28, 2017
Location of Property: Part Lot 28, Conc. XVI, Township of Billings, Municipality of Billings and Allan East, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Austin Hunt is to provide for the creation of a new lot having frontages of ± 58.5 M. on Main Street and ± 52.5 M. on Upper Street, both maintained municipal streets, and an average depth of ± 46 M., thereby containing an area of ± 0.26 Hec. The applicant proposes to convey this lot to his son. There is an old hotel building located within this land, at #177 Main Street.

The land to be retained has frontages of ± 81.9 M. on Main Street and ± 65 M. on Upper Street, both maintained municipal streets, and an average depth of ± 34.5 M., thereby containing an area of ± 0.28 Hec. The applicant's cottage, commercial business known as Hunt's Store and Post Office, and accessory shed are located within this land, at #183 Main Street.

According to the application, services consist of municipal water and two individual private septic systems.

The Sudbury and District Health Unit advised, on December 19, 2016, they have no concerns and that it appears that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system.

Access is via Main Street, a maintained municipal street.

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

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

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

The application was circulated on December 19, 2016 to the Municipality of Billings and Allan East 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 Billings and Allan East have no concerns and advised by Resolution No. 2017-034:

'BE IT RESOLVED THAT Council has no suggestions, information or conditions to add to the application for consent, File No. B01-17.....carried.'

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

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

Mr. Hunt, Applicant and Board Member, declared a conflict of interest during consideration of this application and vacated the Board Room.

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) 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 parcel(s) to which the consent approval relates;
- ii) a written confirmation from the municipality that there are no outstanding water capital charges, for the severed and retained lands;

Application File No. B01-17 - continued
February 28, 2017

- iii) written confirmation from the municipality that satisfactory arrangements for municipal water connection for the severed land have been made, satisfactory to the municipality;
- iv) should any portion of a travelled road, which is maintained by the township, encroach on the subject land, that portion shall be 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 not apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Application File No.: B02-17 No. of Members Present: 6
Date of Decision: February 28, 2017
Location of Property: Part Lot 1, Conc. V, Being Part 2, Plan 31R-958, excepting Part 7, Plan 31R-4002, and Parts 1 to 4, Plan 31R-4002, Township of Allan, Municipality of Billings and Allan East, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Ria Mack, is to provide for a lot addition consisting of Part 2, Plan 31R-958 excepting Part 7, Plan 31R-4002 containing a cottage, and Parts 1 to 4, Plan 31R-4002 containing a house, a garage with a loft above, and a metal storage building, having frontages of ± 57.9 M. on Lake Kagawong and ± 121.5 M. on Lakeshore Road, a maintained municipal road, and an average depth of ± 150 M., thereby containing an area of ± 1.79 Hec. This property is to be added to land surveyed as Parts 5 and 6, Plan 31R-4002, containing three cottages, a garage with lean-to, and a shed, having frontages of ± 45.9 M. on Lake Kagawong and ± 30.5 M. on Lakeshore Road, and an average depth of ± 192 M., and containing an area of ± 0.44 Hec. This lot addition will result in a lot having frontages of ± 103.8 M. on Lake Kagawong and ± 152 M. on Lakeshore Road, and an average depth of ± 170 M., and containing a total area of ± 2.23 Hec. The sketch which accompanied the application identifies that two of the cottages may be located partly on the marine road allowance.

There is no retained land. The applicant proposes to consolidate her holdings into one larger parcel of land.

There have been two (2) previous application for Consent.

File No.: 04-51C-79-965, approved by the Ministry of Housing, created two (2) new lots, surveyed as Part 2 and Part 3, Plan 31R-958.

File No. B09-14 provided for a lot addition of Pt. Part 1, Plan 31R-958 to Part 2, Plan 31R-958 and retained the balance of Part 1, Plan 31R-958. Part 2, the previously created lot, was nullified by conveying land, surveyed as Part 7, Plan 31R-4002 to the Municipality.

The subject land has been designated Shoreline Development and Rural Districts and is zoned Shoreline Residential (SR) by By-Law No. 2015-08.

An approved zoning amendment, File No. 8011ZBL-15-001, rezoned the subject land from Commercial Recreation (CR) Zone to Shoreline Residential (SR) Zone and permits two of the existing cottages to have reduced setback requirements.

The applicant has made an application for amendment, File No. 8011ZBL-17-001, to rezone the subject lands from SR Zone back to CR Zone.

Approval of the consent application as proposed would meet the minimum frontage requirement of 76 M. (250 ft) of Schedule A, Zoning By-law No. 80-11, for the CR Zone.

Services consist of private individual septic systems and water from Lake Kagawong. Accompanied the application was a completion notice/readiness to use, No. 402-15-SP030, dated July 27, 2016, for a new installed septic system. No new services are required as a result of this application for lot addition.

Access is via a private driveway to Lakeshore Road, a maintained municipal road.

The subject proposal is deemed to have little or no impact to Natural Heritage Policies or to Species at Risk (SAR) on or near the subject lands.

This application was circulated on January 20, 2017 to the Municipality of Billings and Allan East 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 have no concerns and advised by Resolution No. 2017-035 as follows:

'BE IT RESOLVED THAT Council has no suggestions, information or conditions to add to the application for Consent, File B02-17.....carried.'

John Hoekstra, husband of Joan Hoekstra abutting land owner to the north, visited the office and requested further explanation of the application. He advised of no written concerns via mail or email.

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

Application File No.: B02-17 - continued
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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); and
- b) a Schedule to the Transfer of Land form on which is set out the entire legal description of the parcel(s), given conditional approval. 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) 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;
- iii) a copy of an approved amendment to Comprehensive Zoning By-law 80-11 to rezone the subject lands, being Part 2, Plan 31R-958, excepting Part 7, Plan 31R-4002 and Parts 1 to 6, Plan 31R-4002, from Shoreline Residential (SR) Zone to Commercial Recreational (CR) Zone;
- 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: 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's.: B03-17, B04-17 and B05-17 No. of Members Present: 6
Date of Decision: February 28, 2017
Location of Property: Part Lot 6, Conc. I, Being Part 1, Plan 31R-912, 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 Douglas Burke and Irma Bazzul is to provide for the creation of three (3) new lots for residential uses.

File No. B03-17 proposes a new lot, having frontages of ± 45.7 M. on Lake Mindemoya and ± 41.3 M. on a maintained given municipal road, known as Monument Road, and an average depth of ± 99.0 M., thereby containing a minimum area of ± 0.4 Hec.

File No. B04-17 proposes a new lot, having frontages of ± 89.6 M. on Lake Mindemoya and ± 150.6 M. on a maintained given municipal road, known as Monument Road, and a depth of ± 79.6 M., thereby containing an area of ± 0.87 Hec.

File No. B05-17 proposes a new lot, having frontages of ± 94.5 M. on Lake Mindemoya and ± 95.5 M. on a maintained given municipal road, known as Monument Road, and an average depth of ± 74 M., thereby containing an area of ± 0.7 Hec.

There are no structures on the three (3) new proposed lots.

The land to be retained has frontages of ± 72.5 M. on Lake Mindemoya and ± 16.15 M. on Monument Road, a maintained municipal road, and a depth of ± 98.5 M., thereby containing an area of ± 0.64 Hec. The applicants' cottage and garage are located within this land.

The sketch which accompanied the application identifies that a shed and a pump house may be located on the marine road allowance.

The subject land has been designated Shoreline Development District and zoned Shoreline Residential (SR). Residential uses are proposed to continue.

Access is via a maintained given municipal road, known as Monument Road, which has shared maintenance between the Township of Central Manitoulin and the Township of Billings and Allan East. Parts of Monument Road have been transferred to the Municipality, having a minimum width of 20 metres.

As part of the preliminary review it was explained to Mr. Burke that, due to the elevation in this area, safe entrances from Monument Road must be confirmed by the Municipality or it would be necessary to create the new lots together with right-of-way over the proposed retained land.

The Municipality of Central Manitoulin provided confirmation of safe entrances, as proposed, for the three proposed new lots, via email, on January 17, 2017.

Services consist of private individual septic system and water from Lake Mindemoya. The Sudbury and District Health Unit advised they have no concerns and that it appears that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system.

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

There does not appear to be any adverse impacts to policies expressed by the Provincial Policy Statement 2014.

This application was circulated on January 20th, 2017 to the Municipality of Central Manitoulin, abutting Municipality of Billings and Allan East, 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 and recommended that consent be given.

The Municipality of Billings and Allan East have no concerns and advised by Resolution No. 2017-036 as follows:

'BE IT RESOLVED THAT the Township of Billings has no comments or concerns regarding Application for consent, File No. B03-17, B04-17 and B05-17.....carried.'

Application File No's. B03-17, B04-17 and B05-17 - continued
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There have been no inquiries or concerns received as a result of circulation to property owners within 60 metres or the posting of the notice.

Mr. Burke, applicant, was in attendance during consideration of the application. He explained that due to the elevation of the subject land the configuration of the lots as proposed would require less construction and cost to build new driveways.

During discussion of the application, the Board questioned if Monument Road was 20 metres wide in this area and if Mr. Burke would consider conveying land to the Municipality, if necessary, to make it 20 metres in width. Mr. Burke was willing to do so.

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) 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 parcel(s) to which the consent approval relates;
- ii) proof that any portion of the travelled road which is maintained by the Municipality that encroaches on the subject land, has been surveyed and conveyed to the Municipality satisfactory to the Municipality;
- iii) proof that any portion of the travelled road to the west of the subject land has a minimum width of 20 metres, 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 not 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 (MMNRF) and the Municipality.

Note: Further development by the consent procedure for the subject lands may not be considered.

Application File No.: B06-17 No. of Members Present: 6
Date of Decision: February 28, 2017
Location of Property: Part Lots 13 and 14, Conc. IV, including Part 1, Plan 31R-3891, Township of Campbell, Municipality of Central Manitoulin, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by John and Debra Kada is to provide for the creation of a new lot, surveyed as Part 1, Plan 31R-3891, having a frontage of ±86.3 M. on Perivale Road West, a maintained municipal road, and an average depth ±509 M., thereby containing an area of ±9.6 Hec. The applicants propose to construct a dwelling on this land to be used by family members.

The land to be retained, being Part of Lot 13, Conc. IV south of Perivale Road, has a frontage of ±366.5 M. on Perivale Road West, a maintained municipal road, and an average depth ±415.8 M., thereby containing an area of ±14.4 Hec. The applicants' dwelling and garage are located within this land.

There was a previous Consent, File No. B34-11, which provided for a lot addition of Part 1, Plan 31R-3891 to Part Lot 13, Conc. IV, being the land subject to this application. The applicants now wish to sever Part 1, Plan 31R-3891 as a separate lot.

Access is via Perivale Road West, a maintained municipal road. Parts of the Perivale Road are considered to be a given road. By transfer No. MD6320 dated September 20, 2012 Part 2, Plan 31R-3891, being part of Perivale Road West, has been transferred to the Municipality of Central Manitoulin. According to the applicants Part 1, Plan 31R-3560, has also been conveyed to the Municipality.

Services consist of private well and private individual septic system for the retained land and the same are proposed for the severed land when required.

The subject land has been designated Rural and Agriculture Districts and zoned Rural (R) and Agricultural (A). Rural residential uses are proposed to continue.

Escarpment lands are identified within the subject land.

Official Plan Policy D-3.8 states:

'Notwithstanding the foregoing, it is recognized that in some instances, Escarpment occurrences are located in close proximity to water bodies where development could take place. The escarpment designation shall not preclude the development of adjacent lands but where such development is proposed, the Planning Board and Local Council shall be satisfied that:

- i) *the development does not detract from the unique visual and scenic qualities of the brow, face or base of these Escarpment lands and any development located within two hundred (200) feet of the brow or base of these escarpment lands must have an impact study prepared which will clearly indicate the layout of the development, the location of roads, the vegetation to be removed and the techniques used to provide screening or buffering in order to reduce the visual impact of the proposed development.'*

From the sketch provided with the application and the satellite imagery it appears that there would be a building site 200 feet outside of the escarpment land. However an Impact Study may be required by the Municipal Chief Building Official to confirm this, at the time of the building permit application.

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

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

The application was circulated on January 30th, 2017 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 advised they have no concerns and recommend consent be given.

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

Application File No. B06-17 - continued
February 28, 2017

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 parcel(s), 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 parcel(s) to which the consent approval relates;
- ii) proof that any portion of a travelled road, which is maintained by the Municipality, that encroaches on the subject land, has been surveyed and conveyed to the Municipality satisfactory to the Municipality and copy of the transfer, duly registered in the Land Registry Office;
- 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 not apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

The time now being 10:16 p.m. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by A. H. Hunt.

K. E. NOLAND, CHAIR

T. A. CARLISLE,
DEPUTY SECRETARY-TREASURER