



# MANITOULIN PLANNING BOARD

40 WATER STREET - UNIT 1 - P.O. BOX 240 - GORE BAY - ONTARIO - P0P 1H0

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January 26, 2022

## MINUTES OF PLANNING BOARD MEETING - January 25, 2022

At a Meeting of the Manitoulin Planning Board held electronically at the Planning Board Office, Gore Bay, Ontario, on January 25, 2022, the following Members of Planning Board were present:

- |    |             |     |              |
|----|-------------|-----|--------------|
| 1. | L. Hayden   | 6.  | I. Anderson  |
| 2. | D. Osborne  | 7.  | R. Stephens  |
| 3. | E. Russell  | 8.  | R. Brown     |
| 4. | D. McDowell | 9.  | T. Mackinlay |
| 5. | D. Head     | 10. | K. Noland    |

Also in attendance for the electronic meeting were:

- L. Tyler, applicant, Consent File No. B02-22;
- E. Legge and J. Wilson, applicants for Consent File No. B03-22;
- B. Bainborough, applicant for Consent File No. B04-22;
- K. Jarus, agent and D. Nadeau, applicant for Subdivision File No. SUB2022-01;
- D. Watts, interested party; 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 7:04 P.M. by Chair R. Stephens, who welcomed all present.

The Chair asked if there were any Board Members who wished to declare a conflict of interest with any of the items listed on the agenda or having to do with the previous Board Meeting/Special Meeting of December 23, 2021.

There were no conflicts declared.

### 1. ORDER OF BUSINESS

The Chair requested the adoption of the order of business.

#### MOTION

It was moved by T. Mackinlay and seconded by D. Osborne that the Order of Business be adopted  
- Carried.

### 2. MINUTES OF PREVIOUS BOARD MEETING - Special Meeting - December 23, 2021

The Chair announced that the Minutes of the electronic Board Meeting held on December 23, 2021 had been circulated to the Board Members and requested that any errors or omissions be stated.

A motion was moved by I. Anderson and seconded by R. Brown that the Minutes be adopted,  
- Carried.

### BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING - December 23, 2021

There was none.

### 3. VARIABLE EXPENDITURES

Board Member, T. Mackinlay requested an explanation of the purchase of a range finder. The Secretary-Treasurer explained that it was to assist with determining distances of buildings/structures within properties and that the cost of the item will be submitted as part of the funding received from the Ministry of Municipal Affairs and Housing (MMAH).

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

#### MOTION

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

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#### 4. PRESENTATION OF APPLICATION FOR AMENDMENT

Following the Public Meeting which was closed by Chair, R. Stephens, the Secretary-Treasurer presented Amendment Application File No. 96ZBL-22-001.

|                       |   |
|-----------------------|---|
| File No.:             | <b>96ZBL-22-001</b>   |
| Related File:         | 51Z-054-80  |
| Applicant/Owners:     | Gary and Gail Hunter  |
| Property Description: | Part Lot 1, Conc. IV<br>Surveyed as Part 3, Plan 31R-458<br>(#259 Elizabeth Bay Beach Road)<br>Township of Robinson, District of Manitoulin |

A Zoning Amendment Application has been received from Gary and Gail Hunter to permit a storage building ( $\pm 15.25$  m. X  $\pm 9.1$  m.), accessory to an existing seasonal dwelling, having an increased height of nine and one quarter (9.25) m. in a Shoreline Residential (SR) Zone.

Zoning By-law No. 96-01, under Section 5. Accessory Building and Structures states:

*'(4) (f) Unless otherwise provided in this Order, accessory buildings and structures shall not exceed 5 metres in height.'*

Therefore an amendment to Zoning By-law No. 96-01 is required.

This  $\pm 0.8$  Hec. shoreline lot, which has been in the owners' possession since July 1995, was created by the Consent to Sever process by the Ministry of Housing in March 1975, and registered as Instrument No. T-23596. There is presently a seasonal dwelling and two sheds located within the property.

By Amendment File No. 51Z-054-80, approved by the Ministry of Housing in 1980, a seasonal dwelling was permitted to be located within the subject land, having a minimum front yard setback of sixteen (16) metres. From information provided by the applicants, when they purchased the property in 1995 the seasonal dwelling already existed and the front yard setback is only  $\pm 9.85$  metres. The current Zoning By-law, No. 96-01, requires a minimum front yard setback of 7.5 metres in a SR Zone.

The applicants propose to construct a storage building ( $\pm 15.25$  m. X  $\pm 9.14$  m.) and an addition ( $\pm 9.14$  m. X  $\pm 7.3$  M.) onto the existing ( $\pm 9.9$  m. X  $\pm 7.5$  m.) seasonal dwelling.

The application was circulated on October 11<sup>th</sup>, 2021 to the United Chiefs and Councils of Mnidoo Mnising (UCCMM), and to the Wiikwemkoong Unceded Territory as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email that the UCCMM have no comments at this time.

The Wiikwemkoong Unceded Territory have no advised of any concerns or requested additional time to do so.

The applicants access their property from an existing entrance, #259 Elizabeth Bay Beach Road, a maintained year-round public road.

Fire Protection is available via the Robinson Township Volunteers.

Garbage collection is available via the Local Services Board for Robinson Township.

Services consist of private individual septic tank and private well.

The Public Health Sudbury and District have advised they have no concerns as a Class 4 or Class 5 sewage system may be approved, based on the Sewage System Application for the existing single family dwelling.

There is a Hydro Line traversing the subject land. As part of the preliminary review Hydro One was requested to provide comments and/or any concerns with the application. Angie Coombs, Hydro One, Algoma Manitoulin, advised that they have an unregistered easement over the subject land; that they own the poles; that should any new poles/anchors be required or the line moved then they will require a registered easement and survey; that the applicants are to follow the safety requirements of building near the Hydro line; and that if the line needs to be relocated to accommodate the build there are fees attached and time lines may be longer. The applicants were provided with the comments received from Hydro One.

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Application for Amendment - 96ZBL-22-001 - Continued

The lands subject to this proposal will remain designated as being within a Shoreline Area and all Official Plan Policies applicable thereto will continue to apply.

The subject land is to remain as presently zoned as Shoreline Residential (SR). This proposal to amend Zoning By-law No. 96-01, if approved, will permit a storage building, accessory to an existing seasonal dwelling, to have a height of 9.25 metres which is more than the permitted height of 5 metres.

There does not appear to be any conflict or adverse impacts to policies expressed by the Provincial Policy Statement (PPS) 2020. This proposal appears to be consistent with the Provincial Policy Statement in general and to Section 1.1.5.1 in particular, which states:

*'In rural areas located in a territory without municipal organization, the focus of development activity shall be activities and land uses related to the management or use of resources and resource-based recreational activities.'*

The application to amend Zoning By-law No. 96-01 was circulated on January 04, 2022 to the Township of Robinson Local Roads Board, Ontario Power Generation, Metis Nation of Ontario, the Rainbow and District School Board, Bell Canada, and to all property owners within 120 metres as required by Ontario Regulation 545/06.

Lori Mastelko, Secretary-Treasurer for the Township of Robinson Local Roads Board (RLRB), advised via email:

*'The LRB has no concerns with the access since this is an existing seasonal residence on a maintained year-round public road. The LRB would ask that the owner be advised to contact the LRB to discuss any future modifications to any existing or proposed entrances off Beach Road, as well as the positioning of additional culverts (if required).'*

The application seeks approval to increase the height requirement for an accessory structure. There is a buffer of trees along the westerly side yard and along the easterly side yard of the subject property. The neighbours to the east have not advised of any concerns or objections.

The neighbours to the west, Mr. and Mrs. Nadeau advised via email:

*'I spoke with Gary and Gail Hunter on the weekend about their application for a building permit to build their garage. We are direct neighbours to the west. I understand that the building will be higher than the current By-law allows. We are totally fine and have no objections to the height of the garage, or any objections in regards to the garage for that matter.'*

There have been no concerns or objections received from the property owners or the agencies circulated.

The required Public Meeting was held by the Manitoulin Planning Board on Tuesday, January 25<sup>th</sup>, 2022 at 7:00 p.m. via teleconference, prior to the presentation of the application. There was no one in attendance at the Public Meeting to speak on behalf of or opposition to the application.

During discussion of the application it was asked if the type of construction would conform to the Building Code? It was explained that it is the property owner's responsibility to do so, as the Planning Board has no mandate to enforce the Building Code Act. It was asked if the existing dwelling, not located where approved by the Ministry of Housing, was considered a non-complying use? It was explained that the seasonal dwelling was built prior to Zoning By-law No. 96-01 and prior to the applicants purchasing the property.

The Secretary-Treasurer then read the following By-law for the Board's consideration:

**BY-LAW NO. 2022- 001**

Being a By-law of the Manitoulin Planning Board to amend By-law 96-01, the comprehensive Zoning By-law for the Townships of Dawson, Robinson, and Mills.

**Whereas** the Manitoulin Planning Board has been granted the authority by Ontario Regulation 159/96 deeming Ontario Regulation 672/81, a Minister's Zoning Order, to be and to always have been a By-law of the Manitoulin Planning Board under Section 34 of the Planning Act.

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Application for Amendment - 96ZBL-22-001  
By-law No. 2022-001 - continued

**And Whereas** the Manitoulin Planning Board has ensured that adequate information has been made available to the public and has held at least one (1) public meeting after due notice for the purpose of informing the public of this By-law.

**And Whereas** the Manitoulin Planning Board deems it desirable to amend By-law No 96-01 as amended.

**Now Therefore**, the Manitoulin Planning Board enacts the following:

- (1) Despite Section 5.(4)(f) the maximum height of the storage building (15.25 m. X 9.14 m.), accessory to the seasonal dwelling, shall be nine and one quarter (9.25) metres within land described in Subsection (2);
- (2) Subsection (1) applies to that parcel of land in the geographic Township of Robinson, in the District of Manitoulin, described as Part Lot 1, Conc. IV, surveyed as part 3, Plan 31R-458, located at #259 Elizabeth Bay Beach Road, as registered in the Land Registry Office for the Registry Division of Manitoulin (31).
- (3) That it is hereby certified that this amending By-law is in conformity with the Official Plan for the District of Manitoulin.
- (4) Schedule "A" hereto attached shall be considered to be part of this By-law.4
- (5) This By-law shall come into force and take effect on the date of its final reading subject to the expiration of the 20 day appeal period, provided in Section 34(19) of the Planning Act and subject to the approval of the Ontario Land Tribunal (OLT) where objections to this by-law are filed with the Secretary-Treasurer of Planning Board.

#### MOTION

It was moved by L. Hayden and seconded by T. Mackinlay that By-law No. 2022-001 be approved, as read,  
- Carried.

#### 5. PRESENTATION OF APPLICATIONS FOR CONSENT

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

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

#### 6. PRESENTATION OF APPLICATION FOR PLAN OF SUBDIVISION

**File No.:** SUB2022-01

Related Files: 343OPA-210001 and 343ZBL-21-001

Owner: 1927402 Ontario Inc

Location: Lots 24, 25 and 26, Conc. VIII, and  
Lots 26 and 27, Conc. VII and  
Lot 25, Conc. VI including part of the Municipal Road Allowance  
Township of Barrie Island  
Municipality of Gordon/Barrie Island, District of Manitoulin

The subject application proposes the development of a phased Plan of Subdivision for 1927402 Ontario Inc. prepared by Tulloch Geomatics Inc., dated April 21, 2021, which shows a total of thirty-five (35) lots to be developed for seasonal residential uses in two phases (Phase 1 - (15 Lots) being Subdivision Lots #22 - #35 and Phase 2 - (20 Lots) being Subdivision Lots #1 - #21). Phase 1 will consist of ±25 Hec. and Phase 2 will consist of ±21 Hec. The average lot size is proposed to be ±1.3 Hec.

The plan also proposes four (4) Blocks which will not be part of the proposed Subdivision Lots #1 - #35, due to natural heritage features/environmental concerns. Block 1 will consist of ±0.5 Hec.; Block 2 of ±4.5 Hec.; Block 3 of ±2.3 Hec.; and Block 4 of ±29 Hec.

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File No: SUB2022-01 - continued

The vacant land consists of well treed forested terrain and open fields and numerous rock outcrops and escarpment features, as well as some low lying areas and consists of three parcels, being:

Lots 24, 25 Conc. VIII also described by PIN 47146-0171; Lot 26, Conc. VIII also described by PIN 47146-0170; and Lots 26 and 27, Conc. VII also described by PIN 47146-0172. Lot 25, Conc. VI also described by PIN 47146-0173 may also be part of the Subdivision as a cul de sac is proposed from the 25<sup>th</sup> municipal road allowance.

The applicant proposes to obtain ownership of part of some municipal road allowances. The allowance between Lots 25 and 26, Conc. VIII which traverses subdivision lots 18-22; the allowance that transects subdivision lot 35 and includes a cul de sac; and the allowance between Conc. VII and VIII which transects subdivision lot 24 and Block 3. The applicant will consolidate the parts of the allowances as proposed with the three parcels of land. This will require a 'stop up and Close" by-law approved by the Municipality.

By approved Official Plan Amendment, File No. 343OPA-21-001 the land subject to the Plan of Subdivision has been re-designated from Rural Area to Shoreline Area and By approved Zoning By-law Amendment, File No. 343ZBL-21-001 the proposed subdivision lots have been rezoned from Rural Zone to Shoreline Residential Zone. Blocks 1 to 4 have been rezoned from Rural Zone to Conservation Zone.

Several technical reports have been completed and were provided to the Municipality together with the large DRAFT Subdivision Plan, (dated April 12, 2021), on October 05, 2021 during consideration of the approval of the Official Plan Amendment and the Municipal Zoning By-law Amendment Applications. These reports included a Natural Heritage Environmental Impact Study (EIS), a Stage 1 and Stage 2 Archeology Assessment, a Slope Stability Analysis, a Municipal Fiscal Impact Analysis, a preliminary Stormwater Management Report, a Road Needs Study, a Tree Retention Report, and a Planning Justification Report.

The Environmental Impact Statement (EIS) has recommended mitigation and avoidance strategies for the features identified within the subject land. This development proposal is considered to be in conformity with the Provincial Policy Statement 2020.

Access is proposed via a new municipal road (Big Buck Boulevard) within the Plan of Subdivision that will connect to road known as Long Prairie Road within Lot 24, Conc. VI, and then connect to East Line Road, a maintained Municipal Road.

Fire Protection will be provided by a municipal volunteer fire department.

Garbage Collection/Disposal is available at the Municipal Waste Disposal Site.

School Bussing is not required as the development proposal is for seasonal residential uses. Servicing is proposed via individual private septic systems and water from Lake Huron or private shore wells.

The Subdivision Application was circulated to the United Chiefs and Councils of Mnidoo Mnising (UCCMM) and to the Wiikwemkoong Unceded Territory as Per Official Plan Policy F.5 - Consultation and Engagement.

The application was also circulated to the Municipality of Gordon/Barrie Island, the Rainbow and District School Board, Ontario Power Generation, The Metis Nation of Ontario, Hydro One, Bell Canada, Xplornet, Rogers Communications Inc., Eastlink and MMAH, and to all property owners within 120 metres as required by Ontario Regulation 544/06

Ryan Courville, Access Network Provisioning Manager, Bell Canada advised by letter, dated January 12<sup>th</sup>, 2022, that the following paragraph is to be included as a condition of approval:

*“ The owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada;*

*The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the owner shall be responsible for the relocation of any facilities and/or easements at their cost”*

The letter was copied to K. Jarus, agent for the application.

There have been no other comments, concerns or objections received as a result of the circulation.

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A copy of the '*Planning Justification Report*' dated March 2021, prepared by Tulloch Engineering, satellite imagery, and a digital sketch were provided to the Board Members prior to the Board Meeting. These will be attached to the Board Minutes.

A copy of DRAFT conditions for the proposed plan of subdivision, prepared by the Secretary-Treasurer was provided to Mr. Jarus, agent for the application, to the Municipality and to all Planning Board Members.

The Secretary-Treasurer was not requested to read the DRAFT conditions.

No. Conditions of Draft Approval

1. That this approval applies to the phased Plan of Subdivision for 1927402 Ontario Inc. prepared by Tulloch Geomatics Inc., dated April 21, 2021, on Lots 24, 25 and 26, Conc. VIII, and Lots 26 and 27, Conc. VII and Lot 25, Conc. VI including part of the Municipal Road Allowance, Township of Barrie Island, Municipality of Gordon/Barrie Island, which shows a total of thirty-five (35) lots to be developed for seasonal residential uses in two phases (Phase 1 - Lots 22 - 35 and Phase 2 - Lots 1 - 21). The approval also applies to four (4) Blocks
2. That the owner acknowledges and agrees that until such time as the second phase is approved, the Phase 2 block of land shall not be developed unless otherwise stated.
3. That the owner acknowledges and agrees that second phase shall be registered only upon completion of a letter from the Municipality that Phase 1 has been completed, satisfactory to the Municipality.
4. That the road allowance(s) included within this draft plan of subdivision shall be stopped up and closed by a municipal By-law and are conveyed to the land owner satisfactory to the Municipality and a copy of the signed By-law and a copy of the registered transfer(s) of land/deed is provided to the Planning Board.
5. That the subject lands, as described in condition 1. (above) and also identified by PINs 47146-0170, 47146-0171, 47146-0172 and 47146-0425 and any new PIN(s) generated from the conveyance of the municipal road allowance(s), have been consolidated into the same ownership prior to final approval of Phase 1., satisfactory to Planning Board.
6. That all roads shall be named to the satisfaction of the Municipality
7. That written verification from the Municipality of Gordon/Barrie Island is received by the Planning Board confirming that the standard of the Municipal Road, known as East Line Road, is considered to be satisfactory to support the additional development of thirty-five (35) seasonal residential lots as proposed.
8. That prior to final approval of Phase 2, written verification from the Municipality of Gordon/Barrie Island is received by the Planning Board confirming that the standard of the Municipal Road, known as East Line Road, is considered to be satisfactory to support the additional development of twenty-one seasonal residential lots as proposed.
9. That the plan may be registered in phases and prior to an application for registration of any phase or portion thereof, the owner shall enter into one or more subdivision agreements with the Municipality of Gordon/Barrie Island with terms and conditions satisfactory to the Municipality in order to satisfy the financial, servicing, and other requirements of the Municipality i.e.
  - i) minimizing storm drainage/runoff within a Stormwater Management Plan
  - ii) planned road works/engineering drawings; standard of road construction; transfer of the road(s); road(s) accepted in road inventory; cul de sac;
  - iii) connect to East Line Road/culverts;ditching;
  - iv) tree removal/tree planting;
  - v) streetlighting;
  - vi) no outstanding taxes;
  - vii) numbering system assigned to the lots/911/municipal address location/signage;

(these other requirements are to be discussed with the Municipality and the agent to prepare this condition(s

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10. That the subdivision agreement(s) between the owner and the Municipality shall be registered against the lands to which it/they apply once the plan of subdivision has been registered, which may be done in two phases, satisfactory to the Municipality
11. That the owner acknowledges and agrees that no development, site alteration or works shall occur within the subject land until the owner has entered into a Subdivision Agreement(s) with the Municipality of Gordon/Barrie Island, unless otherwise stated.
12. That any blocks or easements required for utility or drainage purposes shall have a minimum width of 7.62 metres and shall be shown on the final plan and dedicated/granted to the Municipality without monetary consideration and free of all encumbrances, satisfactory to the Municipality.
13. That the owner acknowledges and agrees to convey any easements(s) as deemed necessary by Bell Canada to service this new development. The owner further agrees and acknowledges to convey such easements(s) at no cost to Bell Canada. The owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities and/or easements at their cost and copies of the registered easements will be provided to the Manitoulin Planning Board. The Owner shall enter into an agreement (Letter of Understanding) with Bell Canada and a copy shall be provided to the Planning Board.
14. That any dead ends and open sides of road allowances created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to the Municipality, satisfactory to the Municipality.
15. That the owner shall dedicate to the Municipality up to five percent (5%) of the land included in the plan for park or public recreational purposes. The frontage and area of each parcel that comprises the parkland dedication shall satisfy the minimum lot frontage and area requirements of the appropriate zoning by-law. Alternatively, the Municipality may require cash-in-lieu of all or a portion of the conveyance.
16. That a sum of money, in an amount determined by the Municipality of Gordon/Barrie Island shall be deposited with the Municipality in equal portions upon the sale of each lot for the treatment of the road(s).
17. Written confirmation from the Municipality that all outstanding taxes have been paid for the subject land.
18. B1HQ-1 This archaeological assessment report shall be accompanied by a letter of clearance from the Ministry of Heritage, Sport, Tourism and Culture Industries advising they are satisfied with the assessment report. **May** not need this condition - will review the report in further detail.
19. That the Owner(s) shall acknowledge and agree that it is solely responsible for obtaining all permits and authorizations that may be necessary and/or advisable relating to the development and site alteration proposed on the subject lands, from all authorities having jurisdiction, (Ministry of Natural Resources and Forestry, Ministry of the Environment Conservation and Parks, Department of Fisheries and Oceans, Municipality of Gordon/Barrie Island), as may be required in order to protect natural heritage features and areas, fish habitat, Species at Risk, and shall provide any such permits and authorizations to the Manitoulin Planning Board on an ongoing basis.
20. That the owner agrees to include on all offers of purchase and sale, a statement that Hydro service is not available to the subject lots and of any conditions that Hydro One may impose to provide electrical service.
21. That prior to the final approval by the Planning Board, the Board is advised in writing by the Municipality of Gordon/Barrie Island that **Conditions NO's. -----** have been satisfied.
22. That prior to the final approval by the Planning Board, the Board is advised in writing by Bell Canada how condition No. 12. has been satisfied, satisfactory to Bell Canada.
23. That the final subdivision plan approved by the Manitoulin Planning Board must be registered within 30 days or the Planning Board may withdraw its approval under subsection 51(59) of the Planning Act, R.S.O 1990
24. Pursuant to Subsection 51(32) of the Planning Act, the approval of this plan will lapse as of \_\_\_\_\_, **2022**

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Note:

It is the applicant's responsibility to fulfill the conditions of draft approval within the appropriate time frame.

The approval may be extended pursuant to subsection 51(33) of the Act, but no extension can be granted once the approval has lapsed.

Extensions to Draft approval may be considered provided that existing technical reports remain applicable or updates are provided, and the provisions of the Draft conditions, if amended, are met. An updated review of the plan, and revision of the conditions of approval, may be necessary if an extension is to be granted.

A request for extension must be made at least 60 days before the approval lapses. The request shall include the reasons why an extension is needed and be accompanied by a resolution from the Municipality in support of the extension.

Chair Stephens addressed those in attendance and gave them the opportunity to speak.

Discussion included:

- seasonal vs permanent and how to enforce seasonal residential uses as proposed; building code has different policies for seasonal vs permanent structures; seasonal access proposed; Bell Canada has requested the condition of approval, is a Bell Canada easement required when the majority of people use cell phones?

L. Hayden, Board Member and Reeve of the Municipality of Gordon/Barrie Island spoke to the application and advised that the Township is ready to proceed with a 'stop up and close' process but need to have a discussion with the applicants; Municipal Council will discuss and decide if they want cash in lieu or dedication of Parkland, possibly part of Block 3; Township requires additional time to work out the details of the Subdivision Agreement and to review the Draft conditions prepared so far.

Mr. Jarus, agent and Mr. Nadeau, applicant spoke to the application and were in agreement that additional time was required to have a discussion with the Municipality and the Secretary-Treasurer of the Planning Board.

**MOTION**

It was moved by L. Hayden and seconded by R. Brown that Subdivision File No. SUB2022-01 be supported in principle and that decision be deferred to provide additional time for the Applicant, the Municipality, and the Planning Board to consider the information provided, and the DRAFT conditions,

- Carried Unanimously.

**7.a) NATURAL HERITAGE SYSTEM**

The Secretary-Treasurer reported that the Ministry of Municipal Affairs and Housing (MMAH) have extended the reporting deadline until March 30<sup>th</sup>, 2022 for the Natural Heritage System (NHS) for the Manitoulin District, for the allocated amount of \$9,817.00. A contract from North South Environmental was attached to the Board Agenda and she requested a motion from the Board to execute the contract with the Firm to review the mapping and policy/text generated so far for a NHS, in the amount of \$16,402.52 (including HST).

The following motion resulted:

MOTION

It was moved by T. Mackinlay and seconded by D. Osborne that the Secretary-Treasurer sign the Contract/Agreement on behalf of the Manitoulin Planning Board with North South Environmental, for a professional review of draft mapping and policies for the Natural Heritage System (NHS), in the amount of \$16,402.52,

-Carried.



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7. b) UPDATING OF ZONING BY-LAW NO. 96-01

The Secretary-Treasurer reported that the a contract had been received from J.L. Richards & Associates Limited, which was attached to the Board Agenda, to update Zoning By-law No. 96-01 for the Unincorporated Townships of Robinson and Dawson. She requested a motion from the Board to execute the contract with the Firm in the amount of \$14,140.00 including HST.

The following motion resulted:

MOTION

It was moved by L. Hayden and seconded by R. Brown that the Secretary-Treasurer sign the Contract/Agreement on behalf of the Manitoulin Planning Board with J.L. Richards & Associates Limited for the updating of zoning By-law No. 96-01 for the Unincorporated Townships of Robinson and Dawson, in the amount of \$14,140.00,  
-Carried.

c) 2021 PRELIMINARY BUDGET REVIEW

The Secretary-Treasurer reported that the Revenue vs Expenditures for 2021, as attached to the Board Agenda, has been updated to reflect the end of the year and as of December 31<sup>st</sup>, 2021, the "Excess Revenue over Expenditures" (increased budget) was \$45,523.19. A Draft Budget for 2022 will be forthcoming for the Boards' consideration.

d) PLANNING ACT CHANGES - Re: Bill 276

Attached to the Board Agenda was a letter from S. Clark, Minister of the Ministry of Municipal Affairs and Housing (MMAH) regarding changes to the Planning Act and Bill 276, which came into effect on January 1<sup>st</sup>, 2022. The information can be found on the Environmental Registry of Ontario as indicated within the letter. A copy of his letter will be attached to the Planning Board Minutes.

e) PLANNING ACT CHANGES - Re: BILL 13

Attached to the Board Agenda was a summary of Bill 13 which received Royal Assent on December 2<sup>nd</sup>, 2021. If and when the Bill is proclaimed, it will allow a local municipality, by By-law, to delegate the authority to pass 'minor' by-laws to an officer, employee or agent of the municipality. It is not clear, at this point, what is considered minor. The information can be found on the Environmental Registry of Ontario and she provided a link to review the changes.

8. ELECTION OF OFFICERS FOR 2022

a) CHAIR AND VICE CHAIR

The Chair, R. Stephens, announced that the election of Chair and Vice Chair for the year 2022, as required annually by Section 11(2) of the Planning Act and in accordance with the Procedural By-law for the Manitoulin Planning Board will be held.

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

The Secretary-Treasurer advised the Board Members that Procedural By-law, Section 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, excepting R. Stephens.

The Secretary-Treasurer then called for nominations for Chair for 2022.

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

The Secretary-Treasurer then called for further nominations for Chair for 2022.

T. Mackinlay nominated K. Noland and L. Hayden seconded the motion for Chair.

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#### ELECTION OF OFFICERS FOR 2022 - Continued

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

L. Hayden accepted the nomination and was therefore acclaimed as Chair for 2022.

Next, the Secretary-Treasurer called for nominations for Vice Chair for 2022.

In response, L. Hayden nominated D. Osborne and R. Stephens seconded the nomination.

The Secretary-Treasurer then called for further nominations for Vice Chair for 2022.

In response, T. Mackinlay nominated K. Noland and R. Brown seconded the nomination.

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

D. Osborne declined the nomination for Vice Chair for 2022.

K. Noland accepted the nomination and was therefore acclaimed as Vice Chair for 2022.

#### 8. b) COMMITTEE APPOINTMENTS

##### i) Executive Committee

The Secretary-Treasurer advised that the Executive Committee, in accordance with the Procedural By-law, shall consist of the Chair, the Vice Chair, and the Past Chair, and the Board Member representing the largest contributing Municipality shall be one of the elected officers.

Therefore the Executive Committee for 2022 will consist of L. Hayden, Chair, and K. Noland, Vice Chair, and R. Stephens, Past Chair.

##### ii) Budget Committee

The Secretary-Treasurer advised that the Budget Committee for 2021 consisted of, R. Stephens, I. Anderson, and K. Noland.

The Secretary-Treasurer called for nominations for the Budget Committee for 2022.

A call for nominations was met with no response. At this time a Motion to close nominations was made by R. Brown which was carried unanimously.

Following a request to R. Stephens and I. Anderson and K. Noland if they would remain on the Budget Committee, they all accepted to remain on the Budget Committee for 2022.

Therefore the Budget Committee for 2022 will consist of, R. Stephens, I. Anderson and K. Noland.

#### 8.c) SIGNING AUTHORITIES

The Secretary-Treasurer advised the Board that the current signing authorities for 2021 consisted of any two of K. Noland, D. Osborne, and L. Hayden, (Board Members) and T. Carlisle, Secretary-Treasurer and requested that they remain the same for 2022 as this was working well.

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

D. Osborne and L. Hayden and K. Noland agreed to remain as signing authorities for 2022.

Therefore the Signing Authorities for 2022 will consist of any two of, D. Osborne, Board Member, L. Hayden, Board Member, K. Noland, Board Member, and T. Carlisle, Secretary-Treasurer.

With the completion of the Election of Officers for 2022, Chair L. Hayden continued with the agenda.