

# MANITOULIN PLANNING BOARD

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August 04, 2020

## MINUTES OF PLANNING BOARD MEETING - July 28, 2020

At a Meeting of the Manitoulin Planning Board, held in the Board Room at the Planning Board Office, Gore Bay, Ontario, on Tuesday, July 28<sup>th</sup>, 2020, the following Members of Planning Board were present:

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

Regrets: R. Stephens and L. Addison

Also in attendance was:

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 Vice Chair L. Hayden, who welcomed all present.

The Vice 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 March 26<sup>th</sup>, 2020. L. Hayden declared a conflict of interest with Consent File No's. B07-16 and B08-16. There were no other conflicts declared.

### 1. ORDER OF BUSINESS

The Vice Chair, L. Hayden, requested the adoption of the order of business.

#### MOTION

It was moved by D. Osborne and seconded by I. Anderson that the Order of Business be adopted, as amended, with item 6 a) being moved after item 7.a)  
- Carried.

### 2. MINUTES OF PREVIOUS BOARD MEETING - March 26<sup>th</sup>, 2020

The Vice Chair announced that the Minutes of the Board Meeting held via teleconference on March 26<sup>th</sup>, 2020 at 6:55 p.m. had been circulated to the Board Members and requested that any errors or omissions be stated.

A MOTION was moved by K. Noland and seconded by R. Brown that the Minutes be adopted, as circulated - Carried.

### 3. MINUTES OF PREVIOUS BOARD MEETING - March 26<sup>th</sup>, 2020

The Vice Chair announced that the Minutes of the Board Meeting held via teleconference on March 26<sup>th</sup>, 2020 at 7:04 p.m. had been circulated to the Board Members and requested that any errors or omissions be stated.

A MOTION was moved by D. McDowell and seconded by E. Russell that the Minutes be adopted, as circulated - Carried.

### BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETINGS - March 26<sup>th</sup>, 2020.

There was none.

### 4. VARIABLE EXPENDITURES

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

#### MOTION

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

MINUTES OF BOARD MEETING  
JULY 28, 2020

5. 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.

6. GENERAL, REGULAR AND NEW BUSINESS

a) File No. SUB2014-01

The Secretary-Treasurer reported that a request has been received for another one year extension. Previous requests for a one year extension were approved by motion on July 25<sup>th</sup>, 2017, giving an extension until August 27<sup>th</sup>, 2018, and by motion on August 22<sup>nd</sup>, 2018, giving an extension until August 22<sup>nd</sup>, 2019 and by motion on July 30<sup>th</sup>, 2019, giving an extension until August 22<sup>nd</sup>, 2020.

MOTION:

*'It was moved by K. Noland and seconded by D. Mcdowell that File No. SUB2014-01 be given an extension of another additional one year as requested, until August 22<sup>nd</sup>, 2021, to be completed - Carried.'*

b) File No: V01-2020

The Secretary-Treasurer reported that the Planning Board granted approval for the Validation of Title conditional on the following documentation being submitted:

- i) a copy of the Plan of Survey of the lot line between Lot 1 and Lot 2, Concession 5, Township of Billings, to which the validation of title relates, signed by D.S. Dorland, Ontario Land Surveyor and dated July 31, 2018; and
- ii) a written confirmation from the Municipality that all outstanding property/education taxes have been paid.

A request has been received for a 'change to conditions' for condition i)

MOTION:

*'It was moved by R. Brown and seconded by D. Head that condition i) is hereby deleted and replaced with:*

- 'i) payment from the agent has been received by the Manitoulin Planning Board for the invoiced amount of a local graphics company to produce a copy of the Plan of Survey of the lot line between Lot 1 and Lot 2, Concession 5, Township of Billings, to which the validation of title relates, signed by D.S. Dorland, Ontario Land Surveyor and dated July 31, 2018; - Carried.'*

c) Proposed Official Plan Amendment (OPA) - MMAH File No. 51-OP-192006

The Secretary-Treasurer provided the Board with an update on the proposed OPA, which had been withdrawn by the applicant. She explained that the Ministry of Municipal Affairs and Housing (MMAH) had provided a letter to the Planning Board, dated April 20<sup>th</sup>, 2020, (which was also sent to the applicant and to the Clerk for the Town of Gore Bay) requesting the proponent provide appropriate studies to support the application based on the Ministry's D-series Guidelines, i.e. Noise, Dust, Vibration Study. She read the following email received from the applicant, T. Moran, on April 22, 2020:

*'Further to our telephone discussion yesterday regarding the consultation letter, thank you for all of your work and efforts on this file. It's unfortunate that after so much time and effort that we didn't get the desired outcome. That said, we are pursuing another option and hope to be up and running in new premises later this year. As discussed, can you please return the money orders to at your earliest convenience.'*

MINUTES OF BOARD MEETING  
JULY 28, 2020

6. d) Proposed Temporary Use By-law - Township of Dawson

The Secretary-Treasurer reported that the application had been withdrawn by the applicants. The temporary use of their trailer is no longer needed as they have removed the trailer and have sold their property on Loon Lake, in the Township of Dawson.

e) Lake Kagawong

The Secretary-Treasurer reported that there has been no update or any new information received from the Ministry of Municipal Affairs and Housing (MMAH) or from the Ministry of Environment, Conservation and Parks (MECP) regarding the status of Lake Kagawong.

f) Provincial Appointments to the Manitoulin Planning Board

The Secretary-Treasurer reported that Board Member, D. Head, had received a letter from the Ministry of Municipal Affairs and Housing (MMAH) on May 11<sup>th</sup>, 2020 informing him that his appointment had been confirmed as a provincial representative for the (MPB) until November 30<sup>th</sup>, 2022. She also reported that the Minister has not yet made a decision on the selection of the 2<sup>nd</sup> provincial appointee to the MPB for Board Member, L. Addison.

g) OACA Conference - Niagara falls, Ontario - May 2020

The Secretary-Treasurer reported that due to the Covid-19 Pandemic, the 2020 Conference of the Ontario Association of Committee of Adjustments and Consent Granting Authorities (OACA) had been cancelled.

h) Official Plan Amendmenst Exempt from MMAH Approval

The Secretary-Treasurer reported that a letter, dated July 15<sup>th</sup>, 2020, from the Ministry of Municipal Affairs and Housing (MMAH) had been sent to the local municipalities (except Robinson and Dawson) and copied to the Planning Board, which grants an exemption from MMAH approval for all amendments to the Official Plan. This had come into effect on July 1<sup>st</sup>, 2020. The Secretary-Treasurer had copied the information to the Board Members on July 17<sup>th</sup>, 2020 and it was also attached to the Board Agenda. She explained that the municipalities and the Planning Board staff will be receiving some formal training sessions at a later date. The MMAH is still the approval authority for OPAs in the Unincorporated Townships of Robinson and Dawson.

The question was asked if the Noise, Dust, Vibration Study would still have been required if the proposed OPA, MMAH File No. 51-OP-192006 (6.c. above), had been submitted to the Municipality (who is now the approval authority for OPAs effective July 1<sup>st</sup>, 2020)? The Secretary-Treasurer explained the Ministries are still circulated as part of the process and they would more than likely have requested the Study.

i) August Board Meeting

The Secretary-Treasurer informed the Board that presently, the Planning Board does not have any planning applications for an August Board Meeting. The general consensus of the Board was that unless there is urgent Planning Board business that warrants having an August 25<sup>th</sup>, 2020 Board Meeting, that the Regular Meeting of Planning Board may be cancelled. There was discussion if the next Board Meeting would be held 'in person' at the Planning Board Office or 'via teleconference' and it was decided that this would be determined, depending on Board Business and the number of Board Members who could participate.

7. BUDGET REVIEW

a) Final Municipal Requisitions 2020

The Secretary-Treasurer reported that all final municipal requisitions have been received.

MINUTES OF BOARD MEETING  
JULY 28, 2020

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

Board Member, L. Hayden declared a conflict of interest for the two Consent Applications and requested that a Temporary Chair be appointed to finish the Board Meeting.

MOTION

It was moved by D. Osborne and seconded by I. Anderson that K. Noland be appointed as Temporary Chair to finish the Board Meeting - Carried Unanimously.

The Secretary-Treasurer provided an update on the two files, which had been deferred on November 29<sup>th</sup>, 2016 in order for the applicants to proceed with an application to the Boundaries Act, to settle a boundary dispute. Copies of the two deferred Decisions were provided to the Board Members with their Agenda. She explained that the boundary line had been finalized and confirmed by R. Niculea, Deputy Director of Titles of Ontario, and that a Plan of Survey of the Boundary Line between Lots 21 and 22, Conc. VI, Township of Sandfield, had been registered as Plan MD20509 on April 22, 2020.

Discussion resulted in the Board granting conditional approval for File No's. B07-16 and B08-16.

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.

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. L. Hayden declared a conflict of interest with Consent File No's. B07-16 and B08-16. There were no other conflicts declared.

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


	<u>Moved By</u>	<u>Seconded By</u>
1. B08-20	R. Brown	E. Russell
2. B09-20	I. Anderson	D. Head
3. B10-20	R. Brown	K. Noland
4. B07-16	I. Anderson	D. Osborne
5. B08-16	D. Head	D. McDowell

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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The time now being 8:24 p.m. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by K. Noland.

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L. HAYDEN  
VICE CHAIR

  
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T. A. CARLISLE,  
SECRETARY-TREASURER