



September 18, 2024

MINUTES OF PLANNING BOARD MEETING - September 24th, 2024

At a Meeting of the Manitoulin Planning Board held at the Planning Board Office, in Gore Bay, Ontario, on Tuesday, September 24th, 2024, the following Members of Planning Board were present:

- | | | | |
|----|------------|----|-------------|
| 1. | L. Hayden | 4. | B. Barker |
| 2. | D. Osborne | 5. | J. DeForge |
| 3. | K. Noland | 6. | D. McDowell |

Regrets: T. Mackinlay, D. Head, R. Stephens and L. Chappell

Also in attendance for the meeting were:

- D. McCann and D. Noble, Amendment File No. 2022-05ZBL-24-004
- R. Gagnon - Request to be Heard

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 L. Hayden 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 27th, 2024

The following were declared:

- J. DeForge for File 2022-05ZBL-24-004 - August 27th, 2024
- D. Osborne for Item 9. - Request to be Heard - September 24th, 2024
- L. Hayden, for Consent to Sever, File No's. B17-24 and B18-24 - September 24th, 2024

There were no other conflicts declared.

1. ORDER OF BUSINESS

The Chair requested the adoption of the Order of Business.

The Secretary-Treasurer requested the addition of two items be added to the Board Meeting agenda:

- Request to Be Heard - J. Addison - under item 9. ii); and
- Planning Administration Grant 2024-2025 - under item 18.

MOTION

It was moved by K. Noland and seconded by B. Barker that the Order of Business be adopted, as amended, with the addition of two items; under 9. ii) Request to Be Heard - J. Addison and under item 18. Planning Administration Grant 2024-2025,
- Carried.

2. MINUTES OF PREVIOUS BOARD MEETING - HELD ON AUGUST 27TH, 2024

- a) Motion to Adopt Minutes as Circulated

The Secretary-Treasurer informed the Board that Board Member, D. Osborne, had advised her that the motion he made for Amendment Application File No. 2022-05ZBL-24-004 and By-law No. 2024-005 were not to include a time limit and are considered to be incorrect.

MOTION

It was moved by D. Osborne and seconded by B. Barker to adopt Minutes as circulated with the exception of Motion and By-law for Meeting Agenda item 4. ii) of August 27th, 2024, for Amendment Application File No. 2022-05ZBL-24-004,
- Carried

Board Minutes
September 24th, 2024

2. b) Business Arising from the Minutes

For clarification, the Secretary-Treasurer requested that the Motion and By-law for Meeting Agenda item 4. ii) of August 27th, 2024, for Amendment Application File No. 2022-05ZBL-24-004 and By-law No. 2024-005 be re-visited under item 7. of the September 24th, 2024 Meeting Agenda.

The Board was in agreement.

3. VARIABLE EXPENDITURES

MOTION

It was moved by D. McDowell and seconded by K. Noland that the variable expenditures be accepted as presented,
- Carried.

4. PRESENTATION OF APPLICATIONS FOR CONSENT TO SEVER

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 recorded in the usual fashion toward the end of the Minutes.

5. MUNICIPAL PROPERTY ASSESSMENT CORPORATION (MPAC)

The Secretary-Treasurer reported that a list/spread sheet had been prepared for Zoning Conformity permits issued in 2019, 2020, 2021, 2022 and 2023 for comparison. Some of these permits are for new structures, some are for increased sizes of existing structures, and some are to acknowledge structures placed on the property without permit. There have been a total of 76 permits issued in this 5 year span. It appears that very few (about 10) new structures have been assessed by MPAC for these 5 years. In some cases the MPAC assessment has not picked up on all the existing structures and only a partial re-assessment has been done. The non-assessed structures should have been picked up during a site visit.

One example is for a property in Dawson Township. A Zoning Conformity Permit was issued in 2019 for two portable storage containers and a shed; another in 2021 for a maple sugar shack; and another in 2024 for a sauna and implement shed. There is also a dwelling and garage located within the property. As of today, only the dwelling, garage, and one shed have been listed on the MPAC assessment report.

In discussion with MPAC recently, they have advised that generally assessments catch up in the next taxation year. However, it appears that there have been very few changes to property assessments in the past 5 years. MPAC has agreed to review the spread sheet to try and add missing assessments.

Staff Member, J. Diebolt, usually sends MPAC 3 or 4 times a year a list with the Zoning Conformity permits that have been issued within that year. No report has been sent to MPAC for 2024 yet, however, the list has been prepared and will be sent to MPAC shortly. The list/spread sheet for the Zoning Conformity permits issued since 2019 will be shared with MPAC, the Robinson Township Local Roads Board (RLRB) and the Dawson Township Local Roads Board in the hope that missed assessments will be updated.

MOTION

It was moved by K. Noland and seconded by B. Barker that the list/spread sheet for the Zoning Conformity permits issued between 2019 and 2024 be updated indicating those structures that are 'existing', those that are 'under construction', and those that have 'not started construction' yet. And once this list has been updated Planning Board Staff will send it to the Municipal Property Assessment Corporation (MPAC) and copy it to the Robinson Township Local Roads Board (RLRB) the Dawson Township Local Roads Board, and to the Ontario Ombudsman, explaining the concerns for the missing assessments,
- Carried Unanimously.

5. ROBINSON LOCAL ROADS BOARD (RLRB)

The Secretary-Treasurer informed the Board that a letter/email was received from the Secretary-Treasurer of the Robinson Township Local Roads Board (RLRB) regarding two Amendment Applications, No. 2022-05ZBL-24-003 and No. 2022-05ZBL-24-004 that had been on the August 27th, 2024 Board Meeting Agenda. A copy of her letter was provided to the Planning Board Members.

Board Minutes
September 24th, 2024

5. ROBINSON LOCAL ROADS BOARD (RLRB) - Continued

In summary comments/concerns were:

1. Amendment Application File No. 2022-05ZBL-24-003

- the RLRB has only ever consented to "temporary" use up to a maximum of three years while a dwelling is being built. There are existing dwellings, so the LRB did not support approval for permanent or temporary use.

- Why did MPB approve two guest cabins when this is not permitted?

- Section 14.0 of the Zoning By-Law states that single detached dwellings are permitted in Rural Zones. Are single-detached dwellings permitted when access is via a seasonally maintained road? Mason Line East is an approved seasonal road within our LRB area.

- Our township is slowly becoming a trailer park; it is far from attractive; trailers are parked on numerous properties; People are living in them, some seasonally and some permanently.

- many of their questions to your Board remain unanswered and they request clarification from the Planning Board specifically on:

i) what is MPB's process for follow-up to ensure removal of the 3 temporary PSCs, the derelict mobile home and shed? Please identify MPB's plan of action should the owner(s) not remove the PSCs and derelict buildings?

ii) what is MPB's plan of action should these owners build additional dwellings or convert existing guest cabins into dwellings, without permit, without an approved Plan of Subdivision, and in contravention of the Zoning By-Law?

2. Amendment Application 2022-05ZBL-24-004

- these owners have also located structures on their property without permit, both before and after being in contact with MPB.

- Robinson LRB will again reiterate that we have only ever supported a "temporary" use of PSC during construction of a dwelling. This property already has a dwelling and guest cottage, so our Board was not supportive of a "temporary" use let alone permanent placement.

- There needs to be clear direction going forward for all involved parties. A statement should have been included in the Notice of Passing, outlining next steps or what is to be expected of the landowner and MPB should MPAC not provide an assessment within 3 years OR not be willing to provide assessment of PSC at all. We feel this must be well documented to avoid issues and provide guidance to all parties.

- Our Board always appreciates the opportunity to provide comments for MPB's consideration and we hope that your Board and staff continue to advocate for our township's best interests.

- We look forward to your response to our questions.

Discussion among the Board included:

- if the Decision of Planning Board is not acceptable there is an appeal process to appeal the Decision of the Manitoulin Planning Board to the Ontario Land Tribunal; some of the concerns noted will be taken care of if the applicants do what they say they would do;

The following motions resulted:

MOTION

It was moved by K. Noland and seconded by D. Osborne that the comments received from The Robinson Township Local Roads Board, regarding Amendment Application File No. 2022-05ZBL-24-004 be tabled for information,

- Carried Unanimously.

MOTION

It was moved by D. McDowell and seconded by B. Barker that the part of the letter received from the Robinson Township Local Roads Board regarding Amendment Application File No. 2022-05ZBL-24-004 be further discussed under item No. 7. of the Agenda,

- Carried Unanimously.

Board Minutes
September 24th, 2024

7. ZONING BY-LAW AMENDMENT APPLICATION NO. 2022-05ZBL-24-004
Location: Part Lot 2, Conc. VI (#59 Beach Road North), Township of Robinson

The Secretary-Treasurer reported that, as recorded in the August 27th, 2024 Board Meeting Minutes the motion was:

It was moved by D. Osborne and seconded by T. Mackinlay that the Planning Board allows the Portable Storage Container for three years and if taxed that a Zoning Conformity permit be issued allowing the PSC as a permanent accessory structure as defined by the By-law, the motion was carried.

And as recorded By-law No. 2024-005, states in part:

- (1) *Despite Section 6.0 - Shoreline Residential (SR) Zone and Section 4.1.6.1, one portable storage container (± 12.2 m. X ± 2.4 m.) placed on property without permit, is permitted to remain as located on the attached Schedule 'A', and used for storage of non-hazardous items/materials, and conforming to provisions of Section 4.1.6.2, of the Zoning By-law, and fixed to the ground to become a permanent structure, may be located and used as a temporary use until the 27th Day of August, 2027 in accordance with Section 39 of the Planning Act, on lands described in Subsection (2)*
- (2) *Subsection (1) applies to that parcel of land described as being Part of Lot 2, Conc. VI, (Located at #59 Beach Road North), Township of Robinson, District of Manitoulin, as deposited/registered in the Land Registry Office for the Registry Division of Manitoulin (31).*

However, Board Member, D. Osborne, advised that his motion was to allow the storage container with a letter of conformity and it be treated as a structure as in the Robinson/Dawson zoning By-law; there was no other stipulations on time. There was discussion that MPAC takes up to 3 years to assess and we would know then if they assessed it as a structure but that was not part of his motion.

Board Member, T. Mackinlay, had seconded the motion and he advised that his recollection was that the intention was to issue a letter of conformity for the structure (Formally known as "Seacan") and that there was no time limit. And that MPAC would, hopefully, assess the structure. Thus he agrees with Mr. Osborne's comments (above).

The Secretary-Treasurer advised that the above motion had not been carried unanimously and Planning Board Staff had reviewed their notes and felt the motion had been correct. One Board Member thought the motion had been for a one year time limit. She asked the Board Members for clarification on the above motion.

There were no comments received.

MOTION

It was moved by D. Osborne and seconded by K. Noland that the motion recorded under item 4. ii) of the August 27th, 2024 Board Meeting be rescinded and that the Manitoulin Planning Board allows the (existing) storage container with a letter of conformity and it be treated as a structure as in the Robinson/Dawson Zoning By-law,

- Carried Unanimously.

MOTION

It was moved by D. Osborne and seconded by D. McDowell that By-law No. 2024-005, as recorded in the August 27th, 2024 Board Meeting be rescinded,

- Carried Unanimously.

The Secretary-Treasurer asked if the portable storage container would need to be bolted down onto a cement pad in order for it to be considered a permanent structure?

Mr. McCann, land owner, advised that the container is currently on 6" X 6" pressure treated timbers which helps with it sinking into the ground and rust from moisture. He offered to provide photos for the Planning Board Office.

The general consensus of the Board was that the container, placed on the timbers would be acceptable.

Board Minutes
September 24th, 2024

7. ZONING BY-LAW AMENDMENT APPLICATION NO. 2022-05ZBL-24-004
BY-LAW NO. 2024-006 - Continued

The Secretary-Treasurer then asked for Board discussion regarding the comments received from the Robinson Township Local Roads Board (RLRB) and noted that the Planning Board generally takes comments/concerns from the Townships into consideration during consideration of planning applications.

Discussion resulted in the Board directing the Secretary-Treasurer to send a letter to the RLRB advising of the revised/new motion and revised/new By-law for File No. 2022-05ZBL-24-004, and to answer the questions posed.

The Secretary-Treasurer then read By-law No. 2024-006.

BY-LAW NO. 2024-006

Being a By-law of the Manitoulin Planning Board to amend Zoning By-law No. 2022-05 the comprehensive Zoning By-law for the Townships of Robinson and Dawson.

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.

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 Zoning By-law No. 2022-05, as amended, Now **Therefore**, the Manitoulin Planning Board enacts the following:*

- (1) *By-law No. 2024-005 is hereby rescinded;*
- (2) *Despite Section 6.0 - Shoreline Residential (SR) Zone and Section 4.1.6.1., one portable storage container (±12.2 m. X ±2.4 m.) placed on 6.0" X 6.0" pressure treated timbers to become a permanent structure, as defined as:
' PORTABLE STORAGE CONTAINER shall mean a reusable enclosed metal structure manufactured to be utilized in the transporting shipping, and storing of goods and having the original intended benefit to be transferred from one mode of transport to another without the requirement of being unloaded. This shall include intermodal shipping containers, sea containers, storage containers, transport truck trailers, and straight truck trailer boxes, but does not include any vehicle defined herein. This shall also include those containers where the original doors/or door closures have been removed, leaving the container not fully enclosed.'
' STRUCTURE shall mean anything constructed or erected with a fixed location, on the ground or attached to something having a fixed location on the ground.'
is permitted to remain as located on the attached Schedule 'A' to this By-law, and to be used for storage of non-hazardous items/materials, and conforming to provisions of Section 4.1.6.2. of the Zoning By-law;*
- (3) *Subsections (1) and (2) apply to that parcel of land described as being Part of Lot 2, Conc. VI, (Located at #59 Beach Road North), Township of Robinson, District of Manitoulin, as deposited/registered in the Land Registry Office for the Registry Division of Manitoulin (31).*
- (4) *That it is hereby certified that this amending By-law is in conformity with the Official Plan for the District of Manitoulin.*
- (5) *Schedule "A" hereto attached shall be considered to be part of this By-law.*
- (6) *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 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 D. Osborne and seconded by K. Noland that By-law No. 2024-006 as read, be passed,

- Carried Unanimously.

Board Minutes
September 24th, 2024

8. ZONING CONFORMITY PERMIT APPLICATION FEE - AFTER CONSTRUCTION

The Secretary-Treasurer noted that the Manitoulin Planning Board had implemented a fee to the Tariff of Fees in March 2018 to include a Zoning Conformity Permit Fee of \$525.00 after construction. This fee is to be collected if the land owners build or place structure(s) on their property without a Zoning Conformity Permit. In three recent cases, the land owners have requested that the \$525.00 fee be waived. She is requesting direction from the Planning Board on three current applications as follows:

1. D. McCann & D. Noble (August 27th, 2024 Board Meeting)
Location: Part Lot 2, Conc. VI, located at #59 Beach Road North,
Township of Robinson
 - i) a washroom/change room structure has been placed on their property after they had already been issued a permit for a guest cabin; is the application fee to be \$525.00 after construction?
 - ii) a portable storage container has been placed on their property without permit; is the application fee to be \$525.00 after construction?
2. A. Madore (July 23rd, 2024 Board Meeting)
Lot 3, Conc. 2, (Located at #490 Little Lake Huron Road), Township of Robinson
 - iii) a portable storage container has been placed on their property without permit; is the application fee to be \$525.00 after construction?

Discussion of the Board was that the Fee of \$525.00 was added to the Tariff of fees for a reason and that anyone in violation to the Zoning By-law or who has built without permit should pay the automatic fine before the Zoning Conformity Permit is issued; the \$525.00 fee should be levied without exception; and the Board did not want to consider further requests to waive the fee of \$525.00.

Specifically the Board were in agreement that the \$525.00 fee will apply to the three mentioned requests.

9. REQUEST TO BE HEARD - PROPOSED CONSENT TO SEVER

- i) Location: Part Lot 23, Conc. VIII, Township of Allan (West),
Municipality of Gordon/Barrie Island

Board Member, D. Osborne, declared a Conflict of Interest with this agenda item No. 9. i).

The Secretary-Treasurer reported that the land owner is requesting support from the Manitoulin Planning Board to allow for the creation of two (± 0.4 Hec./1 acre) lots for residential uses, along Hwy No. 540 in Allan Township (Municipality of Gordon/Barrie Island).

There have already been four lots created by the Consent to Sever Process. (File B09-85 created three new lots surveyed as Parts 1 to 6, Plan 31R-1448; File No. B45-09 created a new lot surveyed as Part 1, Plan 31R-2142 but this approval was nullified by File No. B14-12 that resulted in a new lot and a retained ± 1.0 Hec. parcel of land located at the north/east corner of Lot 23, Conc. VIII. The severed land of File No. B14-12 is the land subject to the current proposal, surveyed as Part 2, Plan 31R-3900 and Part 1, Plan 31R-2142 excepting Part 3, Plan 31R-3900.

The subject land is within a Rural (RU) Zone and designated as being in a Rural Area in the Official Plan (OP). The Official Plan Policies for the Rural Area and Policies of the Municipal Zoning were provided to the Planning Board Members with their meeting agenda. OP Policy F.4.4.2 states:

- b) *.....water-oriented development, which is lands within 300 metres of a water body, shall have a minimum lot frontage of 46 metres and a minimum lot area of 0.4 Hec. The proposed two new lots are within 300 metres of Ice Lake. Mr. Gagnon was advised that his proposal may not be supported due to four (4) lots already created by the Consent to Sever process resulting in a 5th and 6th lot and due to the lots being within 300 metres of a water body. And if supported an Official Plan Amendment may be required.*

Discussion included:

- the proposed lots have the minimum acreage required but not the minimum frontage as per the Official Plan; there would only be enough frontage for one new lot if the retained lot is to keep a minimum of 76 metres of frontage; proposal to keep 76 metres frontage for a Tourist Commercial use; could the land owner get a lot addition from a neighbouring land owner to increase the lot frontage?; already 4 lots created, this would result in a 5th and 6th lot; this is a case where a Plan of Subdivision should be considered; The Planning Board just made a Decision in Assiginack and in Robinson Township for no further severances by the Consent to Sever process; Gordon supported a 5th lot in Gordon Township as infilling on a maintained municipal road; would need to review screening for Species at Risk, and comments from the Public Health Unit, Ontario Ministry of Transportation; Township has a cash-in Lieu By-law for additional severances; could consider one lot, not two; could construct a duplex on one lot; would need a planning application to be considered by the Full Board.

Board Minutes
September 24th, 2024

9. i) REQUEST TO BE HEARD - PROPOSED CONSENT TO SEVER - Continued

Mr. Gagnon spoke to his proposal and explained that MTO is supportive of the two lots with a shared entrance from the Highway; he would like to create two new lots to provide housing for his workers; he could not obtain additional land from the east as it would encroach onto the existing dwelling; may be not possible to obtain additional from the west as the land owners rent for farming and are not interested; Township has not seen an application yet, they suggested he come to the Planning Board first; if only one lot is permitted he would consider a duplex or semi-detached dwelling.

There was no motion or Decision of the Board.

The general consensus was that if/when a planning application is submitted it would be reviewed at that time for further consideration.

- ii) Email/Letter - J. Addison
Location: Part Lot 25 , Conc. XI, Township of Robinson

The Secretary-Treasurer provided the Board Members with the following email/letter received on September 24th, 2024 from Mr. J. Addison.

' Dear Manitoulin Planning Board,

Re: Joseph Addison Letter of Conformity Request – 21 Silver Lake Rd. Township of Robinson

I have applied for a letter of conformity to attach an extension onto my existing garage and the rear of my existing cottage – all measurements are provided in the submission have been verified accurate in the application.

There remains one small item of ambiguity concerning a small bathing tub placed in front of the cottage.

The ambiguity surrounds whether this tub meets the definition of a “structure” or “swimming pool”.

The location of this tub is marked on the submission sketch.

I believe this small tub does not meet the definition of a structure nor a swimming pool – contrary to a “structure”, this tub is not fastened to the ground nor in a permanent location, nor does it have a roof or any weather protection. Being only 5 feet in diameter, it is not large enough to be used as or considered a swimming pool. It more resembles an outdoor bath tub or small toddler pool in size and function. It sits on the ground and is composed of natural materials (cedar). It blends nicely into the natural landscape of the property. It has no roof or weather protection and does not require electricity or any external services of any kind. I have provided photos of the tub which may be attached to the application.

I am requesting the Board consider this tub as an outdoor feature similar to a picnic table or small child's play-pool, and not as a structure nor swimming pool. thanks in advance, '

The Secretary-Treasurer provided the Board Members with a picture of the 'hot tub' and definitions of 'Structure', 'Swimming Pool', and 'Erect', taken from Zoning By-law No. 2022-05 for the Township of Robinson. She informed the Board that the land owner is requesting clarification from the Manitoulin Planning Board, if the tub that he has placed in the front yard within his property requires a Zoning Conformity Permit; if it is considered to be a 'structure' under the definition of Zoning By-law No. 2022-05; and if he is required to move it from the front yard/in front of his dwelling.

Discussion included:

- the Bylaw is silent on 'hot tubs'; there is no definition in the By-law; however is considered to be an accessory use/structure; should support staff's interpretation; the hot tub should be moved to conform to the By-law; it has been placed without permit; it should require a zoning conformity permit; for future interpretation it should be moved; other Townships deal with similar structures as swimming pools and permit them in the rear and side yard of a dwelling; should amend the definition for 'swimming pool' to include 'hot tub', 'spa', and 'sauna' as per other Municipal Zoning By-laws;

The following motions resulted:

MOTION

It was moved by J. DeForge and seconded by D. Osborne that the 'hot tub' is considered to be a structure as per Zoning by-law No. 2022-05; that it must be moved to the rear or the side of the existing dwelling or an approved amendment is required to permit it to remain in the front yard to conform to the Zoning By-law; and that a Zoning Conformity Permit is required for the existing structure,

- Carried.

MOTION

It was moved by B. Barker and seconded by D. McDowell that the definition for 'Swimming Pool' as within Zoning by-law No. 2022-05 shall be amended to include specifically a 'hot tub', a 'spa' and a 'sauna' as similar to other Municipal Zoning By-laws,

- Carried.

Board Minutes
September 24th, 2024

10. MANITOULIN PLANNING BOARD WEBSITE HOST AND EMAIL CHANGEOVER

The Secretary-Treasurer advised that the owner of Manitoulin Computers was into the Planning Board Office on August 29th, 2024 to change the Planning Board website host provider to 'Blacksun' and change over staff email. This was necessary as the previous website host was out of date and not as secure as it should be.

The cost to do this was \$736.36 (including HST). It appears that this cost will be covered in the 2024 Planning Board Budget.

11. OFFICE INTERNET CHANGE TO STARLINK

The Planning Board was provided information and costs at the June 25th, 2024 Board Meeting regarding changing the Office Internet provider from Bell Canada to StarLink.

A motion was passed by the Board to proceed with changing their Internet provider to StarLink by having their own account rather than a shared account with the Town of Gore Bay.

However, she reported that new information has become available that the Planning Board should be made aware of. The technician from Manitoulin Computers has advised that a change to StarLink with a shared service with the Town of Gore Bay with a separate router connection would be very secure; little chance of a Cyber attack.

The Manitoulin Planning Board will have our own router. The network on our router will be completely isolated from the other network that is providing the Internet connection. We could purchase a router that would work as an independent access point for the office. The router would have its own password protection and prevent incoming connections. This should isolate our internal network from the rest of the building and prevent unauthorized access and be very secure.

The cost of sharing the connection with the town would be:

- +/- \$300.00 for a new router
- ±\$45.00 ethernet adaptor for the Starlink Router
- ±\$50.00 for Ethernet cable
- ±\$100.00 for Public Works to run Ethernet cable to our office to connect the router.
- For a one time total cost of ±\$495.00 with a monthly fee of ±\$92.50

The cost with our own Starlink connection would be:

- ±\$499 for the dish and ±\$20.00 for shipping
- ±\$45.00 Ethernet adaptor for the Starlink Router
- +/- \$250.00 for installation from Direct Satellite and Security
- For a one time total cost of ±\$794.00 with a monthly fee of ±\$140.00 for (residential grade) or ±\$180.00 (commercial grade) monthly for the service.

In summary, sharing a connection with the Town of Gore Bay would save the Planning Board ±\$299.00 up front cost, with an annual savings of ±\$570.00.

The Board had concerns with the internet bandwidth and increased costs for overages and slow over used service in the summer when the Harbour Centre is busy.

J. Diebolt, staff member, explained that the priority data that is included with StarLink is not a limit on total allowed data but that it gives priority in terms of speed when the network is slow.

Discussion resulted in the following motion:

MOTION

It was moved by B. Barker and seconded by J. DeForge that the previous motion of June 25th, 2024 be rescinded; that the Manitoulin Planning Board purchase a new Router to secure the StarLink internet connection; that the Manitoulin Planning Board will share service with the Town of Gore Bay's StarLink connection for internet service and try the shared connection for one year to access the connection,

- Carried.

12. TASK FORCE - GORE BAY

For information, the Secretary-Treasurer reported that she had attended the first meeting of the Gore Bay Task Force on Wednesday, September 11th, 2024.

Informal discussion was had regarding:

- more housing is needed for the Town of Gore Bay; there is a sense of urgency for this; the Town does have some land that could be developed; There are a number of existing homes that can be converted for additional housing, some owned by the Town and some owned by private residents; there is a need for different housing types which should be prioritized; the Town should encourage downsizing, multi-residential homes, and assisted living homes to provide different housing types; plan for Short Term (12 months) and Long Term (more than 12 months).

The Planning Board is to provide printed copies of the 'Vacant and Under Utilized Parcels' to the group for the next meeting scheduled for Wednesday, October 9th, 2024.

She advised that she has committed to attending the October 9th, 2024 meeting,

Board Minutes
September 24th, 2024

13. ASSOCIATION OF MUNICIPALITIES OF ONTARIO (AMO)
- Workshops October 22nd, and October 23rd, 2024

The Secretary-Treasurer advised that the Association of Municipalities of Ontario (AMO) is having two planning workshops scheduled for October 22nd and 23rd, 2024. The costs for the Workshops being ±\$368.00 and ±\$425.00 have not been included in the 2024 Planning Board Budget.

She was advising the Board of this, should they feel that the Planning Board Staff should participate in one or both of the Workshops. There would be a cost involved if the staff cannot share with a Municipality and this cost is not included in the 2024 Budget.

The general consensus of the Board is to support Planning Board staff to participating in one of the workshops at their discretion and try and share costs with one of the Municipalities.

14. OCTOBER 2024 BOARD MEETING

The Secretary-Treasurer explained that there are five Tuesdays in October 2024 and that on occasion the Planning Board Meeting is changed from the 4th Tuesday to the 5th Tuesday of the month. She asked the Board if they had any concerns with changing the October Board Meeting to October 29th, 2024 and if a quorum of the Board (6 members) was a concern.

MOTION

It was moved by D. Osborne and seconded by B. Barker that the next Regular Meeting of the Planning Board will be held on Tuesday, October 29th, 2024 at 7:00 p.m.,
- Carried Unanimously.

15. PROVINCIAL APPOINTMENT FOR ROBINSON & DAWSON TOWNSHIPS

The Secretary-Treasurer provided an update and read the following two emails between herself and Zeinab Seifpour, Planner, with the Ministry of Municipal Affairs and Housing (MMAH):

Good Morning Zeinab,

I am following up again requesting if there is any update with two provincial appointments for the Manitoulin Planning Board for the Unincorporated Townships or Robinson and Dawson. It is long over due.

We have a 10 member Board and require 6 members for a quorum of the Board. It seems, we are having more and more difficulty in confirming a quorum of the Board for our meetings.

Our representative from Cockburn Island has not attended any meetings in 2024 and as he lives in Alberta and spends his summers on Cockburn Island. He has informed me that it is unlikely he will be attending any in-person meeting.

Our two representatives for the Unincorporated Townships of Robinson and Dawson are having medical concerns and attendance will be Rare or NIL. Therefore we are down to a 7 Member Board; we need 6 for a quorum of the Board.

Currently our internet does not have the band width to accommodate an electronic Board Meeting. We tried this during Covid and it did not work well at all! We are looking into the additional costs in 2025 to upgrade or service provider. But at present we are in quite a situation.

Are the new appointments getting close? Or is there a provision to reduce the quorum of the Board to 4 or 5?

I would appreciate a reply. If you would like to call me to discuss, I should be available all this coming week.

Thank you.

Hi Theresa,

Thank you for following up. I checked for the latest update regarding the provincial appointments for the Manitoulin Planning Board, and the status remains the same as what my manager, Anna, previously communicated in the attached email. (March 27th, 2024). The appointment process is still underway, and we will provide more information as soon as possible.

*Thank you for your continued patience.
Best regards, Zeinab*

Discussion resulted with The Board directing the Secretary-Treasurer to send a letter to the Ministry of Municipal Affairs and Housing and a copy to M. Mantha, MPP, regarding this issue/situation.

Board Minutes
September 24th, 2024

16. ZONING BY-LAW NO. 2022-05 - FINE FEE SCHEDULE - DRAFT

The Secretary-Treasurer advised that a draft Fine Fee Schedule had been provided to the Board Members at the July 23rd, 2024 Board Meeting for their review. She was bringing it forward again for the Board's consideration.

She advised that The Municipality of Central Manitoulin have a By-law in place and has implemented an 'Administrative Monetary System' (AMS) that has a type of penalty system for the Municipality prepared under the Municipal Act. A typical penalty/fee is between \$100.00 and \$500.00 for violations to their Zoning By-law. This is a little different than the Fine Fee Schedule that is in draft form under the Provincial Offenses Act, for the Unincorporated Townships of Robinson and Dawson.

The Board were in agreement to table this item to a future Planning Board Meeting.

17. IN CAMERA SESSION

Chair Hayden requested the Board to go In Camera to review the In Camera Minutes of April 25th, 2023 and to discuss matters about identifiable individuals.

MOTION

It was moved by D. Osborne and seconded by B. Barker that the Board go In Camera at 9:05 p.m. to review the In Camera Minutes of April 25th, 2023 and to discuss matters about identifiable individuals,

- Carried Unanimously.

The Board Members were provided with a copy of the In Camera Minutes of April 25th, 2023.

MOTION

It was moved by K. Noland and seconded by J. DeForge that the In Camera Minutes of April 25th, 2023 be adopted,

- Carried Unanimously.

It was reported that items were discussed during the In Camera session component of the Board Meeting.

There were no Decisions or Motions made in Camera.

MOTION

It was moved by K. Noland and seconded by D. McDowell that the Board rise from the In Camera session at 9:16 p.m.,

- Carried Unanimously.

18. PLANNING ADMINISTRATION GRANT 2024-2025

The Secretary-Treasurer reported that she had received a letter from the Ontario Ministry of Municipal Affairs and Housing (MMAH) allotting \$16,073.00 to the Manitoulin Planning Board (MPB) for the delivery of planning services for the Unincorporated Townships of Robinson and Dawson. MMAH requires a Resolution and a signed Transfer of Payment Agreement to release the funds. She requires a Resolution from the Board in order for the funds to be released by MMAH.

She noted that although the funding has remained the same since 2009, the Planning Board has taken advantage of Special Business Case Funding for several projects.

MOTION

It was moved by D. McDowell and seconded by D. Osborne that the Manitoulin Planning Board authorizes Chair L. Hayden and Secretary-Treasurer T. Carlisle to execute the funding agreement for the delivery of planning services in the Unincorporated Townships of Robinson and Dawson for the allocation of \$16,073.00 to the Manitoulin Planning Board for 2024-2025,

- Carried Unanimously.

MOTION

It was moved by B. Barker and seconded by J. DeForge that BE IT RESOLVED the motion be adopted as read,

- Carried Unanimously.

MOTION

It was moved by K. Noland and seconded by D. McDowell that the Secretary-Treasurer send a letter to the Ontario Ministry of Municipal Affairs and Housing (MMAH) requesting a meeting with MMAH here at the Planning Board Office to:

- i) discuss the two Provincial Appointments that are long overdue (November 2022) for the Unincorporated Area; and
- ii) discuss the lack of funding increase for the Planning Administration Grant that has remained the same since 2009; and
- iii) discuss continued administration for the Unincorporated Area,

- Carried Unanimously.

Board Minutes
September 24th, 2024

Application File No.: B17-24 No. of Members Present: 6
Date of Decision: September 24, 2024
Location of Property: Lot 11, Conc. XI including Part 4, Plan 31R-3126 and excepting Parts 1, 2 & 3, Plan 31R-3126, Township of Mills, Municipality of Burpee-Mills, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Adam Boyle and Evan Roberts is to provide for a right-of-way (ROW) having a width of ± 20.1 M. and a length of ± 508.8 M., thereby containing an area of $\pm 10,226.9$ Sq. M. (± 1.02 Hec.) in favour of Lot 10, Conc. XI, Township of Mills, which is owned by Kim, Laurie and Christopher Robinson. The right-of-way is over an existing access that runs north/south along the westerly boundary of the 10th side road allowance.

The land to be retained has frontages of ± 351.4 M. on Lake Huron, ± 386.5 M. on the open non-maintained 10th Concession Road Allowance, and ± 813.1 M. on the open non-maintained 10th side road allowance, and an average depth of ± 709.2 M., thereby containing an area of ± 30.7 Hec. Mr. Boyle, agent for the application, advised that there is a wooden deck that was put on the property in 2012 or 2013 with a canvas tent (yurt) on it, located near the shoreline. It is used primarily to store kayaks and paddleboats underneath the deck with life jackets and things they want sheltered from the elements inside the tent. There are also two gates, at least one disused deer blind, and remnants of old logging era (75+ years old) shacks in the forest.

On August 8th, 2024 Mr. Boyle advised via email that:

' I couldn't find any derelict shacks on our concession; they must have been on another property years ago while trying to examine the land before purchase. I included the 2 gates, yurt, and the deer blind as well (on the sketch). Please note that the latter is also extremely old and now little more than a shoddy treehouse that I happened to notice on a walk through the property. '

There has been three previous applications for consent, File No;s. B43-01, B44-01 and B45-01 that created three new lots surveyed as Parts 1, 2, & 3, Plan 31R-3126 together with a right-of way over Part 4, Plan 31R-3126, approved by the Manitoulin Planning Board in 2001.

There is a simultaneous application, File No. B18-24, that proposes to grant two legal rights-of-way over Lot 10, Conc. XI in favour of Lot 11, Conc. XI. File No's. B17-24 and B18-24, if approved, will provide for an exchange of rights-of-way between Lots 10 and 11, Conc. XI, Township of Mills.

According to the application, there are no water or sewage services in place.

The subject land has been designated Rural Area and Shoreline Area in the Official Plan for the District of Manitoulin.

The subject land is zoned Rural (R) and Conservation (02). The proposed right-of-way appears to be within the Rural Zone. The existing yurt appears to be located within the Conservation (02) Zone.

Part IX - Conservation Zone, of Zoning By-law No. 96-01 states:

' (3) In the Conservation Zone, a single dwelling as building accessory to an agriculture use may be erected and used on an agriculture use lot. '

The area of the property near the shoreline is below the 180 flood contour. Future construction near the shoreline may require that the 177.8 metre 100 year flood contour be identified to ensure that any construction takes place outside of hazard areas.

There is a category 'High' for Wildland Fire Hazards identified within the subject lands. A wildland fire mitigation plan is not required for a right-of-way, however may be required at the time of a building permit if buildings/structures are proposed within this area of influence.

There is an endangered species habitat (dune/beach system) on the shoreline in front of the subject land. The proposed right-of-way does not cross the endangered species habitat; no negative impact is anticipated. Future construction near the shoreline may require an evaluation of Endangered Species Habitat at the time of any construction.

There is a Deer Wintering Area identified within the property. The right-of-way is over an existing access. There appears to be minimal disturbance and no negative impacts are anticipated.

Board Minutes
September 24th, 2024

Application File No. B17-24 - continued
September 24th, 2024

From information and aerial photography (2021) available identifying areas of heavy tree cover and low lying areas, there appears to be sufficient land to provide building envelopes, site alteration, tree removal, and/or access routes, etc. with appropriate separation distances outside the area of influences that would conform to the Natural Heritage Policies of the Provincial Policy Statement (PPS) 2020.

This proposal is considered to be in conformity with the PPS 2020.

From information available the closest Hydro service appears to be at the intersection of Ocean Point Road and Poplar Road; about 1.7 klms away from the subject land.

The current access is along the non-maintained 10th side road allowance to the non-maintained 10th concession road allowance to Poplar Road, a maintained municipal road. The access to Poplar Road is not maintained by the municipality. The applicants may also use Part 4, Plan 31R-3126 as access.

The application was circulated on September 3rd, 2024 to the Municipality of Burpee-Mills, Bell Canada, Ontario Ministry of Transportation (MTO) 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, during the preliminary review of the application in May 2024, by Resolution No. 2024-69 that:

' WHEREAS Council has reviewed the Consent Application for Part Lot 11, Conc. XI, Township of Mills. The Township of Burpee-Mills will approve the severance conditional on an Encroachment Agreement being signed satisfactory to the Municipality and the zoning infraction being rectified, satisfactory to the Municipality.'

The Municipality also advised in June 2024, by Resolution No. 2024-92 as follows:

' THAT Council rescind Motion 2024-69 as passed in Open Council on May 7th, 2024, as follows:

WHEREAS council has reviewed the Consent to Sever Application for Part Lot 11, Conc. XI, Township of Mills, the Township of Burpee and Mills will approve the severance conditional on an Encroachment Agreement being signed satisfactory to the municipality and the zoning infraction being rectified satisfactory to the municipality.'

The Municipality advised on September 19th, 2024 that the subject property does not conform to the Municipal Zoning by-law No. 96-01 and of Resolution No. 2024-148, passed on September 12th, 2024 as follows:

' WHEREAS Council is in receipt of an Application for Consent to Sever from Lot 11, Concession XI including Part 4, Plan 31R-3126 Township of Mills, to provide for a right-of-way in favour of Lot 10, Concession XI (Township of Mills).

COUNCIL approves the application if the property complies to zoning, satisfactory to the Municipality.'

Mr. Boyle was advised of the Municipal Resolutions.

The Ontario Ministry of Transportation advised that they have reviewed the application and confirm that the subject land is not located within the MTO's permit control area (PCA); therefore they have no comments to provide at this time.

Bell Canada advised that they have no comments at this time.

There was a telephone call to the Planning Board office on September 6th, 2024 from D. Mishchenko, owner of Part 3, Plan 31R-3126 requesting additional information regarding the proposed application. He advised he had no concerns.

There were no other inquiries or concerns received as a result of circulation to property owners within 60 metres and/or the posting of notices.

K. Noland, Board Member representing the Municipality of Burpee-Mills, gave a summary of the Municipal resolutions and of Consent to Sever, File No. B13-24 that was approved by the Planning Board on August 27th, 2024 for the creation of a new lot at the southerly part of Lot 10, Conc. XI.

Board Minutes
September 24th, 2024

Application File No. B17-24 - continued
September 24th, 2024

The land owners of Lot 10, Conc. XI would have the option for access to be via the right-of-way or via opening up the municipal road allowance; Mr. Boyle was not in favour of opening up the 10th Side Road Allowance and has agreed to grant a right-of-way in favour of Lot 10, Conc. XI; it is unknown if the yurt is located on the shoreline allowance or within the Conservation (O2) Zone; it is unknown if it meets the minimum front yard setback requirement; Municipality is asking for compliance to their zoning By-law; if the potential infraction is not resolved the application could lapse.

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 two years from the date of the notice of decision for certification:

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

Accompanying the transfer documents shall be:

- i) a reference plan of survey, which bears the Land Registry Office registration number as evidence of its deposit therein, illustrating the right-of-way having a minimum width of 20.1 M., to which the consent approval relates;
- ii) a written confirmation from the municipality that access along the right-of-way to the 10th concession road allowance has been surveyed and constructed to a standard for travel by emergency vehicles, satisfactory to the municipality;
- iii) a written confirmation from the municipality that access along the non-maintained 10th concession road allowance and the non-maintained 10th side road allowance to Poplar Road, has been constructed to a standard for travel by emergency vehicles, satisfactory to the municipality;
- iv) a written confirmation from the municipality that all structures conform to the Municipal Zoning By-law, satisfactory to the Municipality, i.e. yurt, deer blind
- v) a fee of \$130.00 for each Transfer of Land submitted for Certification; and
- vi) a written confirmation from the Municipality that all outstanding municipal taxes have been paid for the subject land.

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 (MNRF), the Department of Oceans and Fisheries of Canada, (DFO) and the Municipality.

Note: It is recommended that the Building Official, when issuing any building permits for the subject lands, be satisfied that the building site(s) is outside the area of influence, i.e. wildland fire hazard, endangered species habitat, conservation zone, flood hazard.

Board Minutes
September 24th, 2024

Application File No.: B18-24 No. of Members Present: 6
Date of Decision: September 24, 2024
Location of Property: Lot 10, Conc. XI Township of Mills, Municipality of Burpee-Mills,
District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Kim, Laurie and Christopher Robinson is to provide for two rights-of-way (ROW) over existing accesses in favour of Lot 11, Conc. XI, owned by Adam Boyle and Evan Roberts. The first right-of-way has a width of ± 20.1 M. and a length of ± 68.1 M., thereby containing an area of ± 1368.8 sq. m. (± 0.13 Hec.). The second right-of-way has a width of ± 20.1 M. and a length of ± 103.3 M., thereby containing an area of ± 2076.3 sq. m. (± 0.21 Hec.).

The land to be retained has frontages of ± 402 M. on the non-maintained 10th concession road allowance and ± 814 M. on the non-maintained 10th side road allowance, and an average depth of ± 909.5 M., thereby containing an area of ± 39.2 Hec. The applicants' hunt camp with deck and old unused sawmill shelter is located within this land.

There is a simultaneous application, File No. B17-24, that proposes to grant a legal right-of-way over Lot 11, Conc. XI in favour of Lot 10, Conc. XI. File No's. B17-24 and B18-24,, if approved, will provide for an exchange of rights-of-way between Lots 10 and 11, Conc. XI, Township of Mills.

There has been a previous application for consent to sever, File No. B13-24, that created a new lot at the south easterly part of Lot 10, Conc. XI, together with right-of-way to the 10th concession road allowance. This file is pending completion and the new lot will benefit from the rights-of-way proposed by File No's B17-24 and B18-24.

According to the application, services consist of a private well and private individual septic system for the existing seasonal dwelling/hunt camp. No new services are required as a result of this right-of-way.

The subject land has been designated Rural Area and Shoreline Area in the Official Plan for the District of Manitoulin.

The subject land is zoned Rural (R), Shoreline Residential (SR), and Conservation (02). Part IX - Conservation Zone, of Zoning By-law No. 96-01 states:

' (3) In the Conservation Zone, a single dwelling as building accessory to an agriculture use may be erected and used on an agriculture use lot.'

It appears that the existing hunt camp is located within the SR Zone.

There is a Deer Wintering Area identified within the property. There is an existing hunt camp and the right-of-way is over an existing access. There appears to be minimal disturbance and no negative impacts are anticipated.

There is an unevaluated wetland identified at the north/east corner of the lot. The right-of-way is on the westerly part of the lot. No negative impacts are anticipated.

There is a category 'High' for Wildland Fire Hazards identified within the subject land. A wildland fire mitigation plan is not required for a right-of-way, however may be required at the time of a building permit if buildings/structures are proposed within this area of influence.

There is an endangered species habitat (dune/beach system) on the shoreline in front of the subject land. The proposed right-of-way does not cross the endangered species habitat; no negative impact is anticipated. Future construction near the shoreline may require an evaluation of Endangered Species Habitat at the time of any construction.

From information and aerial photography (2021) available identifying areas of heavy tree cover and low lying areas, there appears to be sufficient land to provide building envelopes, site alteration, tree removal, and/or access routes, etc. with appropriate separation distances outside the area of influences that would conform to the Natural Heritage Policies of the Provincial Policy Statement (PPS) 2020.

This proposal is considered to be in conformity with the PPS 2020.

From information available the closest Hydro service appears to be at the intersection of Ocean Point Road and Poplar Road; about 1.7 klms away from the subject land.

The current access (#3753 Poplar Road), is along the non-maintained 10th side road allowance to the non-maintained 10th concession road allowance to Poplar Road, a maintained municipal road. The access to Poplar Road is not maintained by the municipality.

Board Minutes
September 24th, 2024

Application File No. B18-24 - continued
September 24th, 2024

The application was circulated on September 3rd, 2024 to the Municipality of Burpee-Mills, Bell Canada, Ontario Ministry of Transportation (MTO) 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, during the preliminary review of the application in June 2024, by Resolution No. 2024-93 that:

*' WHEREAS Council has reviewed the Severance Application for Part Lot 10, Conc. XI, Township of Mills. The Township of Burpee-Mills will approve the severance conditional on an Encroachment Agreement being signed satisfactory to the Municipality and the zoning infraction being rectified, satisfactory to the Municipality.
Council also approves the opening of the 10th Side Road Allowance a distance of approximately ±500 metres. The property owner of Part Lot 10, Concession XI will be required to follow Policy on the Use of the Unopened Road Allowances.'*

The Municipality also advised on September 19th, 2024 that currently the property does not conform to the Municipal Zoning By-law No. 96-01 and advised of Resolution No. 2024-149 as follows:

*' WHEREAS Council is in receipt of an Application for Consent to Sever from Lot 10, Concession XI, located at 3753 Poplar Road, Township of Mills, to provide two rights-of-way in favour of Lot 11, Concession XI.
COUNCIL approves the application if the property complies to zoning, satisfactory to the Municipality.'*

The Ontario Ministry of Transportation advised that they have reviewed the application and confirm that the subject land is not located within the MTO's permit control area (PCA); therefore they have no comments to provide at this time.

Bell Canada advised that they have no comments at this time.

Abutting land owner to the south, D. Tusevljak, advised that there may be an error in the application sketch as he felt that Lot 10, Conc. XI did not have any frontage on Lake Huron. It was explained that according to the Plan of Survey, prepared by William J. Keatley Limited, dated December 16th, 2003, Lot 10, Conc. XI does have ±185 feet frontage on Lake Huron. The Plan of Survey had been completed for the North Boundary of Lot 10, Conc. XII, Township of Mills, and had been provided to the Planning Board Office by Mr. Tusevljak. It was also explained that the sketch that accompanies the planning application is not a Plan of Survey and would not change the actual boundaries of the property. The sketch is meant to be an illustration of what is proposed. The application, as proposed, is to convey two legal rights-of-way over Lot 10, Conc. XI to Lot 11, Conc. XI. A new survey identifying the rights-of-way will be completed.

No other written concerns have been received from Mr. Tusevljak.

There were no other inquiries or concerns received as a result of circulation to property owners within 60 metres and/or the posting of notices.

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 two years from the date of the notice of decision for certification:

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

Accompanying the transfer documents shall be:

- i) a reference plan of survey, which bears the Land Registry Office registration number as evidence of its deposit therein, illustrating the two rights-of-way each having a minimum width of 20.1 M., to which the consent approval relates;
- ii) a written confirmation from the municipality that access along the rights-of-way to the 10th concession road allowance has been surveyed and constructed to a standard for travel by emergency vehicles, satisfactory to the municipality;
- iii) a written confirmation from the municipality that access along the non-maintained 10th concession road allowance and the non-maintained 10th side road allowance to Poplar Road, has been constructed to a standard for travel by emergency vehicles, satisfactory to the municipality;

Board Minutes
September 24th, 2024

Application File No. B18-24 - continued
September 24th, 2024

- iv) a written confirmation from the municipality that all structures conform to the Municipal Zoning By-law, satisfactory to the Municipality,
- v) a written confirmation from the municipality that an Encroachment Agreement has been completed between the municipality and the land owners of Lot 10, Conc. XI, Township of Mills, satisfactory to the municipality;
- vi) a fee of \$130.00 for each Transfer of Land submitted for Certification; and
- vii) a written confirmation from the Municipality that all outstanding municipal taxes have been paid for the subject land.

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 (MNR) the Department of Oceans and Fisheries of Canada, (DFO) and the Municipality.

Note: It is recommended that the Building Official, when issuing any building permits for the subject lands, be satisfied that the building site(s) is outside the area of influence, i.e. wildland fire hazard, endangered species habitat, conservation zone, flood hazard.

Note: K. Noland, Board Member representing the Municipality of Burpee-Mills, expressed that he would like to see the conditional consent to sever approval to include an Encroachment Agreement, satisfactory to the Municipality.

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 53 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.

J. DeForge declared a Conflict of Interest with Amendment Application File No. 2022-05ZBL-24-003.

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

		<u>Moved By</u>	<u>Seconded By</u>
1.	B16-24	D. McDowell <i>*That this application be deferred</i>	K. Noland
2.	B17-24	D. Osborne	B. Barker
3.	B18-24	D. McDowell	J. DeForge

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

- Carried.

* The above motion applies to all applications excepting File No. B16-24.

The time now being 9:17 P.M. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by D. McDowell.

L. HAYDEN, CHAIR



T.A. CARLISLE,
SECRETARY-TREASURER