



August 28, 2024

MINUTES OF PLANNING BOARD MEETING - August 27th, 2024

At a Meeting of the Manitoulin Planning Board held at the Planning Board Office, Gore Bay, Ontario, on Tuesday, August 27th, 2024, after two Public Meetings, the following Members of Planning Board were present:

- | | | | |
|----|--------------|----|-------------|
| 1. | L. Hayden | 6. | K. Noland |
| 2. | D. Osborne | 7. | B. Barker |
| 3. | T. Mackinlay | 8. | D. McDowell |
| 4. | J. DeForge | 9. | D. Head |
| 5. | R. Stephens | | |

Regrets: L. Chappell

Also in attendance for the meeting were:

T. Sasvari, reporter, Manitoulin Expositor;
S. Paquette, agent, and interested parties S. Paquette, P. Paquette, R. Pelland, for Amendment Application File No. 2022-05ZBL-24-003;
D. McCann, land owner, for Amendment Application File No. 2022-05ZBL-24-004;
H. Roosen & L. Cunningham, land owners, for Request to be Heard;
J. Austin & N. Barney, land owners, for Consent to Sever File No's B19-24 to B21-24; and
A. Kuepfer, agent, and interested parties S. Dearing & S. Albrecht, for Consent to Sever File No. B16-24.

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

The Meeting was called to Order at 7:34 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 July 23rd, 2024.

Board Member, J. DeForge, declared a Conflict of Interest for Amendment Application File No: 2022-05ZBL-24-004.

There were no other conflicts declared.

1. ORDER OF BUSINESS

The Chair requested the adoption of the Order of Business.

The Secretary-Treasurer requested an addition to the agenda under item 19. - Zoning Conformity Permit Application Request.

MOTION

It was moved by D. McDowell and seconded by D. Osborne that the Order of Business be adopted, as amended, with the additional of Item 19. as requested by the Secretary-Treasurer,
- Carried.

2. MINUTES OF PREVIOUS BOARD MEETING - July 23, 2024

The Chair announced that the Minutes of the Board Meeting held on July 23rd, 2024 had been circulated to the Board Members and requested that any errors or omissions be stated.

There was none.

MOTION

It was moved by K. Noland and seconded by R. Stephens that the Minutes of July 23rd, 2024, be adopted,
- Carried.

**BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING
- July 23rd, 2024**

There was none.

Board Minutes
August 27th, 2024

3. VARIABLE EXPENDITURES

There were no questions of the variable expenditures as circulated.

MOTION

It was moved by D. Head and seconded by B. Barker that the variable expenditures be accepted as presented,
- Carried.

4. PRESENTATION OF APPLICATIONS FOR AMENDMENT TO ZONING BY-LAW NO. 2022-05

i) AMENDMENT FILE NO: 2022-05ZBL-24-003

Applicants/Owners: Steven Paquette, Paul Paquette, Venessa Paquette, Cynthia Paquette, Kourtney Paquette, Suzanne Paquette, Roch Pelland, and Justin Berthiaume
Agent/Solicitor: Steven Paquette
Property Description: Lot 5, Conc. IX and Lot 4 Conc. IX including Part 4, Plan 31R-3287 & excepting Parts 1, 2 & 3, Plan 31R-3287 (Located along Mason Line Road) Township of Robinson, District of Manitoulin

The Secretary-Treasurer reported that a Zoning Amendment Application has been received from Steve Paquette on behalf of his family, requesting three (3) existing portable storage containers located and used in a Rural (R) Zone within the subject land be permitted to remain.

By Consent to Sever, File No. B05-03, the Manitoulin Planning Board (MPB) approved the creation of a new lot being all of Lot 4, Conc. IX, and retained all of Lot 5, Conc. IX, as originally surveyed. By Consent to Sever, File No's. B34-03, B35-03 and B36-03, the MPB approved the creation of three new lots, surveyed as Parts 1 to 3, Plan 31R-3287 together with right-of-way over Lot 4, Conc. IX, surveyed as Part 4, Plan 31R-3287, which nullified the previous Consent, File No. B05-03. Therefore, under the Planning Act the land subject to the amendment application is one large ±70.7 Hec. parcel of land, under the same ownership. The eight family members have owned this land since October 2022,

In April 2021 Paul Paquette (one of the family members) requested consideration of the Planning Board to permit an additional three lots by the Consent to Sever process from Lot 4, Conc. IX. The Board supported additional development to be via a Plan of Subdivision to address and evaluate concerns with elevation, potential low lying areas/swampy areas, flooding hazards, with studies/reports supporting additional development.

In October 2022 a draft application for Plan of Subdivision was submitted to the Planning Board Office by Steven Paquette. However, it was returned to Mr. Paquette as the requested Environmental Impact Study (EIS) to address access through the wetland area was not submitted with the application, nor was the application fee. Other reports were requested which were also not submitted.

During a site visit to the property in June 2024 it was discovered that the applicants had constructed five (5) buildings/structures being a seasonal dwelling, a guest cabin, a guest cabin/games room, a shed, and a tarped structure, on the property all without permits. They are proposing to construct another shed and install two septic systems. A Zoning Conformity Permit, No. LC6/24, was issued on June 28th, 2024, for the eight (8) structures. The applicants have also placed two travel trailers and three portable storage containers on the property and there is an old derelict mobile home type structure located at the north part of the property that is in need of repair. One of the travel trailers is located in the front yard/in front of the existing seasonal dwelling and Mr. Paquette has advised that it will be moved to be re-located to the rear of the dwelling; that the derelict structure and one of the sheds are to be removed; and that the 2nd travel trailer will be removed.

Access is via Mason Line Road, a seasonally maintained road.

The Ontario Ministry of Transportation advised that the subject land is located outside their permit control area; therefore they have no comments to provide at this time.

According to the application the applicants are proposing two private individual septic systems and water supply from Lake Huron.

Hydro One advised that they do not have any issues or concerns with the application.

Fire Protection is via volunteer fire fighters.

Garbage Collection is available.

The Official Plan Designation is Rural Area. The Current Zoning is Rural (R) Zone.

Board Minutes
August 27th, 2024

AMENDMENT FILE NO: 2022-05ZBL-24-003 - Continued

The Zoning By-law No. 2022-05, under Section 3.0 - Definitions - states:

STORAGE CONTAINER, PORTABLE shall mean a container, also known as a shipping container used for transportation of goods by air, sea or land. For the purposes of this By-law a Portable Storage Container shall be considered to be a structure or building and are to be used for storage purposes only and not for human or animal habitation;

Zoning By-law No. 2022-05 under Section 4.1.6 - Portable Storage Containers states:

1. Portable storage containers are only permitted in the General Industrial (M) Zone for storage purposes, only as an accessory use on a lot that has an established primary use.
2. Portable storage containers shall conform to the following provisions:
 - a) such containers shall be maintained in an orderly appearance, i.e. not rusted;
 - b) such containers shall be subject to the zone provisions of the primary use;
 - c) such container shall not be located in any required parking space;
 - d) portable storage containers shall be included in the lot coverage calculations.

There does not appear to be any adverse impacts to policies expressed by the Provincial Policy Statement (PPS) 2020 and appears to conform to policy 1.1.5.1., 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 resource-base recreational activities.'

The seasonal residential/recreational uses appear to conform to the PPS policies.

The application was circulated on July 2nd, 2024 to the United Chiefs and Councils of Mniidoo Mnising (UCCMM), and to the Wiikwemkoong Unceded Territory as per Official Plan Policy F.5 - Consultation and Engagement. Neither the UCCMM nor the Wiikwemkoong Unceded Territory provided any comments or concerns or requested additional time to do so.

The amendment application was circulated to commenting agencies including the Robinson Township Local Roads Board (LRB).

There have been three (3) letters received as a result of the formal circulation of the application.

1. Ms. J. Hyde-Clarke, abutting land owner of Part 2, Plan 31R-3287, requested a copy of the Decision of Planning Board and asked what the expected contents of the containers are.
2. D. Watts, landowner of 110 Portage Point Road (to the north), advised that he had no concerns with the application assuming that the portable storage containers are not visible from Mason Line Road; that the containers are not visible from the shoreline of Elizabeth Bay; and that the containers are used to secure storage of non-hazardous items and not used for residential purposes.
3. R. Walker, interested party, advised that he is aware portable storage containers are not permitted without permission; times have changed; containers are functional, affordable, and if properly positioned and maintained are not an eye soar; the three units are out of sight and probably serving a good purpose.

The three emails/letters were provided to the Planning Board Members with their agenda.

The Robinson LRB advised that:

- they have concerns with permitting three portable storage containers on a permanent basis; the guest cabin/games room, which is a 2nd guest cabin; two septic systems for the property; they are supportive of a temporary use of one portable storage container for up to three years while the dwelling is being constructed.

A 2nd site visit was conducted to the property by Planning Board staff on August 21st, 2024 and it was discovered that the applicants have placed a privy and a 3rd trailer on the property.

The Secretary-Treasurer advised that the Planning Board may wish to consider it appropriate that the guest cabin/games room be converted entirely to a games room and that the sleeping quarters be removed. This would then conform to the Zoning By-law No. Section 4.1.2 - Guest Cabin which permits a maximum of one (1) guest cabin per lot.

The Board may also wish to consider it appropriate that the applicants be given a time line to remove the two travel trailers, the derelict mobile home type structure with addition, and the shed located within the northerly half of the property.

Board Minutes
August 27th, 2024

AMENDMENT FILE NO: 2022-05ZBL-24-003 - Continued

Mr. Paquette, agent for the application, and some of his family members spoke to the application during the Public Meeting and advised that;

- he had submitted an Application to the Planning Board for a Plan of Subdivision in 2022 but that the application was put on hold as the costs for road building and an Environmental Impact Study (EIS) and other required studies supporting the application were/are very expensive and made the Plan not feasible; he is in the process of resubmitting an application but is trying to find an investor to assist him; three families own the property and he/they were not aware that they could not have more than one dwelling on the big lot; the three families have sold their homes in Sudbury and the containers are used to store all of their household belongings, no hazardous type contents; they had hoped to build three dwellings, one for each family; there were three travel trailers on the lot when they purchased (2022); two are to be removed or converted to utility trailers, or they will keep the frames or flat beds or scrap the metal to earn money; axles are worth money; he is aware of numerous other property owners that have portable storage containers and trailers on their lots, they are not the only ones; they are in the process of removing the mobile home structure; the portable storage containers are tucked away and cannot be seen from the road or the shoreline; they would like to keep the three portable storage containers if possible and are willing to do whatever the Board requires to make this happen, i.e. siding on the containers to look like storage sheds.

Discussion among the Board included:

- the derelict building at the north end of the property is to be removed; could generate some income from the axles and scrap metal; Robinson Local Roads Board (RLRB) not in favour of permanent use; supports temporary use while ongoing construction of dwelling; RLRB has taxation concerns; could approve three years and revisit in three years to consider an extension or removal of the three containers; could permit one container rather than three; dwelling is under construction; cannot build three dwellings; only one dwelling allowed; need to figure out how the containers will be assessed by the Municipal Property Assessment Corporation (MPAC) and taxed; could make the container look like a shed instead of a container; RLRB is losing tax revenue; could make it permanent then MPAC might assess it; could bolt the container onto a cement pad or put it on cynder blocks; then MPAC might assess it;

The consensus of the Board was to support the Amendment Application and the following motion resulted:

MOTION

It was moved by K. Noland and seconded by R. Stephens that the Manitoulin Planning Board supports a Temporary Use By-law permitting the three existing portable storage containers to remain within Lot 4 Conc. IX, (Mason Line Road), Township of Robinson, for three years, until August 27th, 2027.
- Carried Unanimously.

Mr. Paquette thanked the Planning Board and he and the other family members vacated the meeting.

ii) AMENDMENT FILE NO: 2022-05ZBL-24-004

Applicants/Owners: P. Dawn Noble and Denis McCann
Agent: Dawn Noble
Property Description: Part Lot 2, Conc. VI
(Located at #59 Beach Road North)
Township of Robinson, District of Manitoulin

The Secretary-Treasurer reported that a Zoning Amendment Application had been received from Dawn Noble to request that a portable storage container, placed on their property in a Shoreline Residential (SR) Zone within the subject land, be permitted to remain.

By Consent to Sever, File No. 04-51C-78-712, approved by the Ministry of Housing in 1978, a lot line boundary adjustment was made with the neighbouring property to the north.

The applicants purchased the ±0.15 Hec. lot in February 2019, containing the existing dwelling with deck and the garden shed. No permits have been issued for these structures. Aerial photography of 2016 and 2021 confirm that the two structures existed on the property prior to their purchase in 2019.

In June 2024, Ms. Noble completed an Application for Zoning Conformity Permit to allow for a guest cabin to be placed within their property. The structure was to be moved from a property in the Municipality of Central Manitoulin and delivered to the property in July 2024.

A Zoning Conformity permit, No. LC07/24, was issued for the guest cabin, on July 02, 2024.

It was discovered that there was a portable storage container (±2.4 m. X ±12.2 m.) located within the property. She was advised that the container did not conform to the Zoning by-law. Ms. Noble has submitted an amendment application to request that the container be allowed to remain, as they did not want to remove it if possible. She was advised that the amendment request may not be supported on a smaller lot in the Shoreline Residential (SR) Zone and that the container may need to be removed. She advised that she wished to proceed with the amendment application.

Board Minutes
August 27th, 2024

AMENDMENT FILE NO: 2022-05ZBL-24-004 - Continued

It was discovered that the subject property was listed as a short-term rental on the Air BnB website. Ms. Noble was advised by letter/email on July 29th, 2024 that this use of the property did not conform to policies of the Zoning By-law and that the use would need to cease.

Ms. Noble contacted the Planning Board Office and advised that she would un-list the rental from the Air BnB website after her August 24th, 2024 rental, as she could not cancel the reservation at the last minute. It was confirmed today (August 27th, 2024) that the listing has been removed from the Air BnB website.

During a follow-up site visit to the property on August 21st, 2024, it was discovered that the applicants had placed a washroom type structure behind the guest cabin. This has been done without permit.

Ms. Noble was contacted and advised of the violation. Mr. McCann has submitted a Zoning Conformity Permit Application for the washroom/change room structure.

Access is via an existing entrance, #59 Beach Road North, a maintained road.

The Ontario Ministry of Transportation advised that the subject land is located outside their permit control area; therefore they have no comments to provide at this time.

Servicing is via a private individual septic system and a private well.

Hydro One advised that they do not have any issues or concerns with the application.

Fire Protection is available by volunteer fire fighters.

School Bussing is available.

Garbage Collection is available.

The Official Plan Designation is Shoreline Area. The current zoning is Shoreline Residential (SR).

Zoning By-law No. 2022-05 under Section 4.1.6 - Portable Storage Containers states:

1. Portable storage containers are only permitted in the General Industrial (M) Zone for storage purposes, only as an accessory use on a lot that has an established primary use.
2. Portable storage containers shall conform to the following provisions:
 - a) such containers shall be maintained in an orderly appearance, i.e. not rusted;
 - b) such containers shall be subject to the zone provisions of the primary use;
 - c) such container shall not be located in any required parking space;
 - d) portable storage containers shall be included in the lot coverage calculations.

There does not appear to be any adverse impacts to policies expressed by the Provincial Policy Statement (PPS) 2020 and appears to conform to policy 1.1.5.1., 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 resource-base recreational activities.'

The seasonal residential/recreational uses appear to conform to the PPS policies.

The application was circulated on July 2nd, 2024 to the United Chiefs and Councils of Mniidoo Mnising (UCCMM), and to the Wiikwemkoong Unceded Territory as per Official Plan Policy F.5 - Consultation and Engagement. Neither the UCCMM nor the Wiikwemkoong Unceded Territory provided any comments or concerns or requested additional time to do so.

The amendment application was circulated to all property owners within 120 metres of the subject land, and to commenting agencies including the Robinson Township Local Roads Board (LRB).

R. Walker, interested party, advised that he is aware portable storage containers are not permitted without permission; times have changed; containers are functional, affordable, and if properly positioned and maintained are not an eye soar; he had a hard time finding the container on Elizabeth Bay; the property owners took great pride in their camp and grounds; the presence of the container did not diminish the look of or value of the property.

The email/letter was provided to the Planning Board Members with their Meeting agenda.

The RLRB advised that they discourage the permanent placement of portable storage containers in any zone but the General Industrial (M) Zone at this time, but especially in a Shoreline Residential (SR) Zone with smaller lots and close neighbours, and because they are not being assessed, insured or taxed. The RLRB supports approval of a 'temporary' use By-law of a portable storage container (PSC) during the construction of a residence or seasonal residence.

Board Minutes
August 27th, 2024

AMENDMENT FILE NO: 2022-05ZBL-24-004 - Continued

The Secretary-Treasurer advised that should the Board not support the Portable Storage Container (PSC) to remain on a permanent basis, it may be considered appropriate that the applicants be given a time line to remove the structure and a site visit be done to the property to confirm the removal; the Board may also consider a Temporary Use of the PSC for up to three years.

Mr. McCann spoke to the application during the Public Meeting and advised that;

- they had placed the green portable storage container on their property to blend in; they take pride in their property; it is used to store the lawn mower, B-B-Q, bikes.; it cannot be seen from the road; cannot build a storage shed/garage due to the location of the field bed; the container cannot be easily moved; they received a letter from the Planning Board and discussed the application with staff; they were unaware that the container is not allowed; they want to do things right; they would prefer it to remain if possible,

Discussion among the Board included:

-need to take comments of the RLRB into consideration; they are not supportive of portable storage containers (PSC) on small lots; they are not receiving tax revenue; they are not being assessed by MPAC; applicant wants permanent use, doesn't want to remove it; try 3 years; try one year; previous amendment (File No: 2022-05ZBL-24-003) supports three years; could try an experiment, to make it a more permanent structure by bolting it to a cement pad to see if MPAC will assess it within three years; revisit after three years; if MPAC does assess it after three years could allow it permanently; could issue a Zoning Conformity Permit for a permanent accessory structure; Zoning Conformity Permit could be issued after three years for permanent use; RLRB want taxes; MPAC needs to assess it for tax revenue; sometimes it takes 3 years for MPAC to re-assess a property; if not taxed in three years the applicants could ask for an extension on the time line, or remove it; applicant could make it permanent not portable;

Mr. McCann advised that he would be willing to make the container a permanent structure and would be willing to bolt it down and side it if necessary; doesn't want to remove it if possible.

The Secretary-Treasurer was asked to read the definitions for 'Structure' and 'Portable Storage Container'.

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.

STORAGE CONTAINER, PORTABLE shall mean a container, also known as a shipping container used for transportation of goods by air, sea or land. For the purposes of this By-law a Portable Storage Container shall be considered to be a structure or building and are to be used for storage purposes only and not for human or animal habitation;

Board Member D. Osborne and building inspector for other Townships, stated that if the PSC is not portable and is made to become a permanent structure a Zoning Conformity Permit could be issued to allow the PSC to remain as a permanent accessory structure.

Mr. Osborne made a motion to allow the PSC for three years and if taxed that a Zoning Conformity permit be issued allowing the PSC as a permanent accessory structure.

Additional discussion was had:

- when does a PSC become a structure; accessory structures do not need to meet the snow load requirements; no engineered drawings required; PSC are not taxed could convert it to look like a storage shed; could make it a permanent structure to see if it could be taxed; need to figure this out; don't want them located all over if cannot be taxed; could test this out; trussed roof, bolted down; wait & see if MPAC assesses it after three years; RLRB encouraged to write a letter to MPAC; no difference between this application and the previous application (File No: 2022-05ZBL-24-003); temporary use considered; what happens if MPAC does not assess the PSC; better to give a time limit to figure the tax revenue out; can address this again in three years, allows for three years to (hopefully) be taxed,

The following motion resulted:

MOTION

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,

- Carried

Mr. McCann thanked the Planning Board and vacated the meeting.

Board Minutes
August 27th, 2024

5. 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.

6. REQUEST TO BE HEARD

- Proposed Zoning Amendment Application and Zoning Conformity Permit Application
- Part Lot 12, Conc. VI, surveyed as Part 2, Plan 31R-3893, Township of Dawson

The Secretary-Treasurer informed the Board that Ms. Roosen and Mr. Cunningham had applied for an amendment in 2022, to permit a seasonal dwelling in the Agriculture (A) Zone via water access for Part 2, Plan 31R-3893. The (±6 acre) property was zoned Agriculture as per Zoning By-law No. 96-01.

A new Zoning By-law, No. 2022-05, changed the property from Agriculture (A) Zone to Rural (R) Zone. Both Zoning By-laws allow for seasonal dwellings on a lot having water access provided there is a developed public access point.

Telephone conversations in 2022 with the Chair of the Dawson Local Roads Board and the Secretary-Treasurer of the Dawson Local Services Board advised that the road is maintained to the water's edge but that the launch is not maintained by either Board.

The application was returned on July 15th, 2022 as the boat launch was not considered to be a 'Public Access Point' maintained by a 'Public Body'.

She read section 4.9 - Frontage on a Public Road or Street from Zoning By-law No. 2022-05, which was attached to the Board Agenda:

- ' 1. No person shall construct or erect upon a lot, a building or structure for any purpose on any zone unless the front lot line of such lot abuts a public street other than a lane or private right-of-way, except,
 - a) a seasonal dwelling may be erected on a lot where the lot abuts a right-of-way that provides access to a street that is open and maintained year round;
 - b) a seasonal dwelling unit may be erected on a lot having only water access provided there is a developed public access point.

She read the following two definitions, taken from Zoning by-law No. 2022-05, which had also been attached to the Board Agenda:

PUBLIC ACCESS POINT means public land designated by the Crown and developed and maintained as a public access to a water body.

PUBLIC AUTHORITY shall mean Local Board, any School Board or other board or commission or committee established or exercising any power or authority under any general or special statutes of Ontario, the Province of Ontario, or the Government of Canada.

There has been a previous Zoning Conformity permit issued in July 1990 with water access for a hunt camp/seasonal dwelling for Part 1, Plan 31R-3893 (the lot to the south). This was prior to Zoning by-law No. 96-01; previously regulated by a Minister's Order.

Ms. Roosen submitted a 'Request to be Heard' requesting the Planning Board to support an amendment application to permit a seasonal dwelling in the Rural Zone, with water access from the boat launch along the northerly shore of Loon Lake.

Ms. Roosen had submitted the following letter which was attached to the Board Agenda, received on August 14th, 2024:

RE: Loon Lake Water Access

- we bought the property in 1987 and got a letter of conformity/consent in 1990, using boat launch for access and have been using the launch area for over 35 years with no issues;
- another property owner on the lake has been using the launch since the 1940's;
- after getting property surveyed we found it had a natural severance decided we would sell the 6 acre point for a seasonal/off grid cottage;
- we think we meet all requirements except for 'maintained boat launch';
- contacted services board, they maintain road but not launch area because it is not within their mandate, other than the odd log that floats in there is no maintenance needed;
- there is ample parking in the area;
- hoping the board has discretion in this area of the zoning by-law;
- included maps, copies of consent, health unit and photos of launch and parking area.

Board Minutes
August 27th, 2024

6. REQUEST TO BE HEARD - Continued

Discussion among the Board included:

- what is considered 'developed' access point;
- existing lot of record; natural severance of Parts 1 and 2, 31R-3893;
- nothing in By-law No. 2022-05 that requires a maintained dock/boat launch;
- shallow lake;
- road is owned by the Crown and maintained by the Dawson Local Roads Board (LRB);
- cannot maintain the dock/boat launch without permission; authority of The Ministry of Natural Resources and Forestry (MNR) and/or Department of Oceans and Fisheries (DFO); appears to be parking available; grass trimmed;
- road is maintained right to the dock/boat launch.

Ms. Roosen and Mr. Cunningham were present during consideration of the application. Ms. Roosen spoke to the application and summarized her letter that she had submitted to the Board.

Discussion resulted in the following motion:

MOTION

It was moved by Tim Mackinlay and seconded by D. Osborne that in this circumstance, the lot surveyed as Part 2, on Plan 31R-3857 is considered to have water access via a 'Public Access Point' that is maintained by a 'Public Body' and therefore the Planning Board supports in principle, an amendment application to permit a seasonal dwelling in a Rural (R) Zone having water access from the Loon Lake boat launch shoreline area within Lot 10, Conc. VII, Township of Dawson,

- Carried.

7. ZONING BY-LAW NO: 2022-05

The Secretary-Treasurer reported that an in-person discussion had been had on July 30th, 2024 with the Chair of the Manitoulin Planning Board (MPB), the two Board Members representing Robinson and Dawson Townships, the two MPB staff members, The Secretary-Treasurers for the Robinson Local Roads Board, (RLRB) the Robinson Township Local Services Board (RLSB), the Chair of the RLRB, the Chair of the RLSB and Board Member from the Dawson Township Local Roads Board.

Discussion had included:

- roles of the MPB, LRB and LSB; Zoning By-law No. 2022-05 for the Unincorporated Townships of Robinson and Dawson; By-Law approval was September 2022; permits Portable Storage Containers (PSC) in the Industrial Zone only; travel trailers only permitted in certain circumstances; Bylaw Enforcement by the MPB; the role of the Municipal Property Assessment Corporation (MPAC); properties not being assessed or taxed; temporary use vs permanent use of PSC and trailers; water access for development for Zoning Conformity Permits; private road access requirements; non-assessment and non-taxation are big concerns;

This item was tabled for information only.

8. WILDLAND FIRE AND EMERGENCY MANAGEMENT

The Secretary-Treasurer reported that two electronic meetings had been held on August 8th, 2024 and the two staff members had participated. The Ministry of Natural Resources is seeking feedback on its proposal for the modernization of wildland fire management in Ontario. The Ministry is proposing updates to the program and policies, and changes to the Forest Fires Prevention Act (FFPA). Comments are welcomed before August 29th, 2024.

To support engagement, a discussion paper is posted on the Environmental Registry, under Number 019-8756.

9. LITTLE LAKE HURON ROAD - Township of Robinson

The Secretary-Treasurer informed the Board that two landowners who has access to their properties via the Little Lake Huron Road, in Robinson Township had requested permission to upgrade the private right-of-way to their properties and surrounding area.

She had reached out to the owner of the private road, S. Mednick, to ask if he had any concerns with the local residents upgrading the private right-of-way. He had informed her via email that he had no problem(s) having the land owners repair the access road; that he was under the impression that the ownership of the access road and taxes were included with each of the lots that has access to their properties; and that if the current owners want the ownership of the access road transferred, they could prepare a legal document that can be registered on title indicating this. This information has been passed along to the two landowners in reply to their inquiry.

This item was tabled for information only.

Board Minutes
August 27th, 2024

10. MANITOULIN PLANNING BOARD WEBSITE AND EMAIL CHANGEOVER

The Secretary-Treasurer informed the Board that the website host for the Manitoulin Planning Board was to be upgraded to 'Blacksun' on August 29th, 2024. This will involve changing over the hosting of the website, updating the website to update it to current standards as the previous version of the website uses software that is no longer supported, and changing the hosting of the GIS Technician's email address. The website update will cost a one-time fee of \$500.00, the email changeover would be a one-time fee of \$50.00, and the new hosting cost would be \$143.88/ year for a total cost of \$693.88. The current hosting is \$225.00/year, resulting in a savings of \$81.12 on annual web hosting costs. Only \$450.00 of the cost has been budget for in 2024.

This item was tabled for information only.

11. NATURAL HERITAGE SYSTEM STRATEGY (NHSS)

The Secretary-Treasurer reported that the draft update for the Natural Heritage System Strategy (NHSS) had been sent over to the Ontario Ministry of Municipal Affairs and Housing (MMAH) on July 11th, 2024 for their review. No comments has been received from MMAH to date.

12. THE LAW SOCIETY OF ONTARIO

At the last Regular Meeting of the Manitoulin Planning Board (MPB) , the Secretary-Treasurer was requested to write a letter to the Law Society of Ontario on behalf of the Manitoulin Planning Board, explaining that there is a Zoning By-law in effect for the Unincorporated Townships of Robinson and Dawson and for the lawyers to contact the MPB for compliance to Zoning By-law No. 2022-05, when properties are being conveyed.

The following letter was sent via email on August 20th, 2024 and provided to the Board with their agenda:

'Dear Sir or Madam:

*Reference: Zoning By-law No. 2022-05 for the Unincorporated
Townships of Robinson and Dawson, District of Manitoulin*

The Manitoulin Planning Board was created by the Ministry of Municipal Affairs and Housing under the Planning Act. The Planning Board's responsibilities include the review and approval of applications for land division (Consent and Subdivision) and other tasks under the Planning Act.

The Manitoulin Planning Board has also been appointed by the Ministry of Municipal Affairs and Housing to enforce the Zoning By-law for the Townships of Robinson and Dawson.

At the last Planning Board Meeting, held on July 23rd, 2024, the Manitoulin Planning Board discussed that when properties change ownership due to land sales or land conveyances, often the properties are not in compliance with the Zoning By-laws. The lawyers are not always contacting the Manitoulin Planning Board and properties are being conveyed to new owners that are not in compliance with the Zoning By-laws. The Board Members were in agreement that a letter be sent to the Law Society of Ontario advising lawyers to contact the Manitoulin Planning Board for information regarding the Unincorporated Townships.

The following motion resulted:

MOTION

*'It was moved by K. Noland and seconded by D. Osborne that the Secretary-Treasurer write a letter on behalf of the Manitoulin Planning Board to the Law Society of Ontario informing them that there is a Zoning By-law, No. 2022-05, in place for the Unincorporated Townships of Robinson and Dawson for the District of Manitoulin and to contact the Manitoulin Planning Board Office regarding compliance to the By-law prior to property sales/conveyances and be made aware that permits may be required from the Manitoulin Planning Board Office,
- Carried Unanimously.'*

I would ask that this letter and the attached Notice be send to all lawyers that practice land law in Ontario.

Please acknowledge receipt of this letter. Thank you.'

This item was tabled for information only.

Board Minutes
August 27th, 2024

13. CYBER SECURITY COVERAGE

The Secretary-Treasurer reported that staff member, J. Diebolt had inquired about a Cyber Security Insurance Policy, and had provided details of the coverage which was attached to the Board Members meeting agenda.

Mr. Diebolt provided a summary of the coverage and explained that it seems expensive and that the Cyber Security Insurance coverage quote was \$1857.60 (including taxes) which would represent a 55% increase to the overall insurance costs from \$3383.42 (including taxes). The extra cost for the coverage was not included in the 2024 Planning Board Budget

He answered questions from the Board and advised that:

- He was not able to compare coverage from the other member municipalities; he feels the Planning Board Office is reasonable secure now; back-ups are done on a regular basis; however a breach now is not covered under the current insurance policy.

Discussion resulted in the following motion:

MOTION

It was moved by R. Stephens and seconded by D. Head that the Cyber Security Insurance coverage be deferred until 2025 to be included in the 2025 Planning Board Budget and that the Insurance Policy will be reviewed at that time,

- Carried Unanimously.

14. BODY CAMERA POLICY

The Secretary-Treasurer advised that staff member, J. Diebolt, had drafted a policy for the Body Camera that was purchased earlier in the year and that he has been using during site visits to properties when following up on possible contraventions to the Zoning By-law No. 2022-05 for the Unincorporated Townships of Robinson and Dawson.

The draft Body Camera Policy will govern the use of the camera, how the body camera will be used, how the data will be stored and protected, and the circumstances under which video footage can be requested and/or released to the public.

Discussion resulted in the following motion:

MOTION

It was moved by K. Noland and seconded by B. Barker that the Body Camera Policy, dated August 27th, 2024, be accepted as presented,

- Carried Unanimously.

15. OFFICE INTERNET CHANGE TO STARLINK

The Secretary-Treasurer provided an update from the June 25th, 2024 Board Meeting on obtaining the internet provider StarLink, which was to be done before September 2024. Staff member, J. Diebolt, had contacted a local company earlier today (August 27th, 2024) to inquire about costs and time line for the installation of a residential internet connection for the Planning Board Office with StarLink.

The equipment required and the change from Bell Canada to Starlink will be completed (hopefully) by the next Planning Board Meeting.

16. DRAFT PROVINCIAL PLANNING POLICY (PPS) 2024

The Secretary-Treasurer informed the Board that a new Provincial Planning Statement (PPS) is being considered and comments are requested starting August 20th, 2024 for 30 days. Feedback is welcomed and can be reviews on the Environmental Registry, under Number 019-9065.

The Ontario Ministry of Municipal Affairs and Housing (MMAH) is to provided training to Planning Board Staff in September or October 2024.

17. FINE FEE SCHEDULE

The Planning Board Members were in agreement to defer discussion on this item until the next Planning Board Meeting, due to the lateness of the Meeting (9:35 p.m.).

Board Minutes
August 27th, 2024

18. ZONING CONFORMITY PERMIT APPLICATION FOR CONSIDERATION

The Secretary-Treasurer informed the Planning Board that an application for Zoning Conformity permit had been submitted to the Office. According to the agent for the application, B. Allison, the land is in joint ownership between two land owners. However only one signature was provided and no authorization from the 2nd land owner was submitted.

She asked if the Planning Board would require authorization from both land owners for a complete application. She has brought this application to the attention of the Board for their opinion.

Discussion resulted in the following motion

MOTION

It was moved by K. Noland and seconded by B. Barker that in light of the information provided, the Planning Board staff will investigate and issue a letter advising the land owners of a possible contravention to Zoning By-law No. 2022-05 for the structures located on the property without permit(s) and the Planning Board Staff will not issue a Zoning Conformity Permit without an investigation and without signatures of all property owners,

- Carried Unanimously.

19. STAFF HOLIDAYS

The Secretary-Treasurer requested support of the Board for her to take two (2) weeks of Holidays in April/May 2025 which would result in her being out of the office for about 12 days in a row, which would assist her with using up some of her accumulated extra Holidays.

The following motion resulted:

MOTION

It was moved by J. Deforge and seconded by T. Mackinlay that the Manitoulin Planning Board has no concerns with the Secretary-Treasurer taking the requested holidays in 2025 and that the May 2025 Planning Board Meeting be cancelled,

- Carried Unanimously.

Board Minutes
August 27th, 2024

Application File No.: B19-24 No. of Members Present: 9
Date of Decision: August 27, 2024
Location of Property: Lot 21, Conc. V, including Parts 2, 3 & 4, Plan 31R4185, Township of Sandfield, Municipality of Central Manitoulin, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Jane Austin on behalf of Norman Barney is to provide for right-of-way (ROW) having a width of ±20.1 M. and a length of ±680 M., thereby containing an area of ±13,668 Sq. M. (±1.4 Hec.), in favour of the easterly half of Lot 22, Conc. V, which is owned by Jane Austin.

The land to be retained has frontages of ±660 M. on Windfall Lake and ±217.67 M. on the unopened non-maintained 5th concession municipal road allowance and an average depth of ±459.7 M., thereby containing an area of ±17.8 Hec. The applicant's seasonal dwelling, storage shed, tree house, solar storage shed, outdoor bath, privy and boathouse are located within this land. There are also a seasonal dwelling, a guest cabin, an outdoor shower and a privy within this land, located at the south west corner. A parcel of land containing these structures is being proposed to be added to the abutting property to the west, by a simultaneous application for Consent, File No. B20-24.

There have been three (3) previous Applications for Consent, involving the subject land.

File No. B124-90 provided for legal right-of-way over Lot 21, Conc. VI, surveyed as Part 1, Plan 31R-2237 and over Lot 21, Conc. VII, surveyed as Part 2, Plan 31R-2237, in favour of Lot 21, Conc. V;

File No. B07-16 provided for a right-of-way over Lot 21, Conc. VI, surveyed as Part 1, Plan 31R-4185, in favour of Lot 20, Conc. V, Lot 21, Conc. V and the east half of Lot 22, Conc. V; and

File No. B08-16 proposed a right-of-way over Lot 21, Conc. V in favour of Lot 20, Conc. V and the east half of Lot 22, Conc. V, but this file was not completed.

Currently, access is via right-of-way over Part 1, Plan 31R-4185 and over Homestead Road, a seasonally maintained forced road to Myles Side Road, a maintained municipal road.

There are two simultaneous Applications for Consent:

File No. B20-24 proposes a lot addition by N. Barney, of a ±0.2 Hec. parcel of land being part of Lot 21, Conc. V to be added to the east half of Lot 22, Conc. V to correct the encroachment of an existing seasonal dwelling and to bring structures accessory to the dwelling in compliance with the municipal zoning By-law; and

File No. B21-24 proposes the creation of a new ±10.0 Hec. lot, by J. Austin, being the westerly half of the easterly half of Lot 22, Conc. V which will be together with a right-of-way over the retained (±9.0 Hec.) land.

The application was circulated on July 8th, 2024 to the United Chiefs and Councils of Mnidoo Mnising (UCCMM) and the Wiikwemkoong Unceded Territory, as per Official Plan Policy F.5 - Consultation and Engagement.

The UCCMM have not provided any comments or concerns regarding the application, or requested additional time to do so.

The Wiikwemkoong Unceded Territory have not provided any comments or concerns regarding the application, or requested additional time to do so.

Services consist of privy and water from Windfall Lake. No new services are required as a result of this application for right-of-way.

The subject land has been designated Rural Area and zoned Rural (R).

There is a category 'High' for Wildland Fire Hazards identified within the subject lands.

The Provincial Policy Statement (PPS) 2020 states under Section 3.1.8:

'Development shall generally be directed to area outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.'

'Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.'

Due to the location and size of the subject land(s) and from information and aerial photography (2021) available identifying areas of heavy tree cover, 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 influence that would conform to the Natural Heritage Policies of the Provincial Policy Statement (PPS) 2020.

There does not appear to be any adverse impacts to policies expressed by the Provincial Policy Statement (PPS) 2020. This proposal is considered to be in conformity with the PPS 2020.

Board Minutes
August 27th, 2024

Application File No. B19-24 - continued
August 27, 2024

This application was circulated on August 9th, 2024 to the Municipality of Central Manitoulin, Bell Canada, Ministry of Transportation 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 recommend Consent be granted with no specific conditions.

The Ontario Ministry of Transportation advised that the subject lands are outside the MTO's permit control area; therefore they have no comments to provided at this time.

Bell Canada have not provided any comments or requested additional time to do so.

There was a telephone call to the Planning Board Office from R. Stringer, who saw the signage on the shoreline, requesting additional information. He advised he had no concerns and no written concerns have been received.

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

Jane Austin and Norman Barney were present during consideration of the application.

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

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within 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 to Myles Sideroad has been constructed to a standard for travel by emergency vehicles satisfactory to the Municipality;
- iii) a fee of \$130.00 for each Transfer of Land submitted for Certification; and
- iv) a written confirmation from the Municipality that all outstanding municipal taxes have been paid 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.

Board Minutes
August 27th, 2024

Application File No.: B20-24 No. of Members Present: 9
Date of Decision: August 27, 2024
Location of Property: Lot 21, Conc. V, including Parts 2, 3 & 4, Plan 31R4185, Township of Sandfield, Municipality of Central Manitoulin, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Jane Austin on behalf of Norman Barney is to provide for a lot addition containing a seasonal dwelling, a guest cabin, an outdoor shower and a privy, having a width of ±25 M. and a length of ±81.5 M. and containing an area of ±0.2 Hec., which is to be added to and consolidated with the east half of Lot 22, Conc. V, which is owned by Jane Austin, having a frontage of ±306.8 M. and an average depth of ±768 M. and containing an area of ±19 Hec. This lot addition is being made to correct the encroachment of an existing seasonal dwelling and to bring structures accessory to the dwelling, being a tent deck and a privy, in compliance with the municipal zoning By-law. This lot addition will result in a new lot having a frontage of ±331.8 M. on Windfall Lake, and an average depth of 768.7 M. and containing a total area of 19.2 Hec.

The land to be retained has frontages of ±635.3 M. on Windfall Lake and ±217.67 M. on the unopened non-maintained 5th concession municipal road allowance and an average depth of ±459.7 M., thereby containing an area of ±17.6 Hec. The applicant's seasonal dwelling, storage shed, tree house, solar storage shed, outdoor bath, privy and boathouse are located within this land.

There have been three (3) previous Applications for Consent, involving the subject land.

File No. B124-90 provided for legal right-of-way over Lot 21, Conc. VI, surveyed as Part 1, Plan 31R-2237 and over Lot 21, Conc. VII, surveyed as Part 2, Plan 31R-2237, in favour of Lot 21, Conc. V;

File No. B07-16 provided for a right-of-way over Lot 21, Conc. VI, surveyed as Part 1, Plan 31R-4185, in favour of Lot 20, Conc. V, Lot 21, Conc. V and the east half of Lot 22, Conc. V; and

File No. B08-16 proposed a right-of-way over Lot 21, Conc. V in favour of Lot 20, Conc. V and the east half of Lot 22, Conc. V, but this file was not completed.

Currently, access is via right-of-way over Part 1, Plan 31R-4185 and over Homestead Road, a seasonally maintained forced road to Myles Side Road, a maintained municipal road.

There are two simultaneous Applications for Consent:

File No. B19-24 proposes a right-of-way over Lot 21, Conc. V in favour of the east half of Lot 22, Conc. V, owned by J. Austin; and

File No. B21-24 proposes the creation of a new ±10.0 Hec. lot, by J. Austin, being the westerly half of the easterly half of Lot 22, Conc. V which will be together with a right-of-way over the retained (±9.0 Hec.) land.

The application was circulated on July 8th, 2024 to the United Chiefs and Councils of Mnidoo Mnising (UCCMM) and the Wiikwemkoong Unceded Territory, as per Official Plan Policy F.5 - Consultation and Engagement.

The UCCMM have not provided any comments or concerns regarding the application, or requested additional time to do so.

The Wiikwemkoong Unceded Territory have not provided any comments or concerns regarding the application, or requested additional time to do so.

Services consist of privy and water from Windfall Lake. No new services are required as a result of this application for right-of-way.

The subject land has been designated Rural Area and zoned Rural (R).

A potential Wildland Fire Hazard was identified within the retained land and within the land benefiting from the lot addition.

Official Plan Policy D.9.3 WILDLAND FIRE HAZARDS states in part:

' There are lands that may be subject to wildland fire hazards due to proximity to hazardous forest types. Development of such areas may be considered provided that the existing or potential risks are mitigated in accordance with the Wildland Fire Guidelines.

The following policies apply to lands that may be susceptible to Wildland Fire Hazards:

1. *Development will generally be directed to areas outside of lands that may be susceptible to wildland fire hazards, as identified by the Province, due to the presence of hazardous forest types. However, development may be permitted where the risk is mitigated in accordance with wildland fire assessment and mitigation standards as identified by the Province.'*

Board Minutes
August 27th, 2024

Application File No. B20-24 - continued
August 27, 2024

The Provincial Policy Statement (PPS) 2020 states under Section 3.1.8:

'Development shall generally be directed to area outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.

Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.'

Due to the location and size of the subject land(s) and from information and aerial photography (2021) available identifying areas of heavy tree cover, 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 influence that would conform to the Natural Heritage Policies of the Provincial Policy Statement (PPS) 2020.

It is recommended that a mitigation plan to reduce the intensity of a forest fire by thinning or removing trees and allowing it to be extinguished more easily be submitted to the Municipality at the time of any proposed dwelling and accessory structures..

There does not appear to be any adverse impacts to policies expressed by the Provincial Policy Statement (PPS) 2020. This proposal is considered to be in conformity with the PPS

This application was circulated on August 9th, 2024 to the Municipality of Central Manitoulin, Bell Canada, Ministry of Transportation 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 recommend Consent be granted with no specific conditions.

The Ontario Ministry of Transportation advised that the subject lands are outside the MTO's permit control area; therefore they have no comments to provided at this time.

Bell Canada have not provided any comments or requested additional time to do so.

There was a telephone call to the Planning Board Office from R. Stringer, who saw the signage on the shoreline, requesting additional information. He advised he had no concerns and no written concerns have been received.

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

Jane Austin and Norman Barney were present during consideration of the application.

During discussion the Board asked if the shower house and the boat house, as shown on the application sketch, conform to the Municipal Zoning Bylaw. The Secretary-Treasurer advised that the current Municipal Zoning by-law for Central Manitoulin, No. 2002-07, permits an accessory structure to be located in the front yard/in front of the dwelling as long as it has a minimum front yard setback of 20 metres. If the boat house is located within the shoreline allowance the Municipality has provision for a Hold Harmless Agreement to be registered on the land's title.

Mr. Barney explained that the shower house was a structure that is used for a shower, run with propane.

R. Stephens, Board Member representing the Municipality of Central Manitoulin, asked that a condition of the Consent to Sever approval be included to address the two structures and conformity to the Municipal Zoning By-law.

Ms. Austin explained that the building inspector, R. McPherson, had been out to the property and had no issues with the existing structures.

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

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within 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 parcel(s) and right-of-way(s), given conditional approval. This Schedule must also contain the names of the parties indicated on the Transfer of Land form and state this conveyance is a consolidation of the severed lands with lands identified by the property identification number (PIN) and confirmed by a copy of the Parcel Register.

Board Minutes
August 27th, 2024

Application File No. B20-24 - continued
August 27, 2024

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 parcel(s), to which the consent approval relates;
- ii) an undertaking from a Solicitor stating that the severed parcel will be consolidated on title with the benefiting lands at the time of registration of the Transfer, and a copy of the resulting Transfer, and the new resulting Property Identification Number (PIN) will be provided to the Manitoulin Planning Board;
- iii) a written confirmation from the municipality that the access/right-of-way is travelable by emergency vehicles to the maintained municipal road Myles Side Road, 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. shower house, boat house;
- 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.

Note: Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Note: Any shoreline improvements shall be done only with the consultation of The Ministry of Natural Resources and Forestry (MNR), 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 is outside the area of influence, i.e. wildland fire hazard.

Board Minutes
August 27th, 2024

Application File No.: B21-24 No. of Members Present: 9
Date of Decision: August 27, 2024
Location of Property: East Half of Lot 22, Conc. V, Township of Sandfield, Municipality of Central Manitoulin, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Jane Austin is to provide for the creation of a new lot having a frontage of ±116 M. on Windfall Lake and an average depth of ±836.7 M., thereby containing an area of ±10 Hec. This lot will be together with a right-of-way over the retained land. There are no structures on this proposed new lot.

The land to be retained has a frontage of ±215.8 M. on Windfall Lake, and an average depth of ±769.8 M., thereby containing an area of ±9.0 Hec. This land will be subject to right-of-way in favour of the proposed severed lot. The applicant's seasonal dwelling, tent deck, guest cabin, outdoor shower, and two privys are located within this land.

There have been three (3) previous Applications for Consent, involving the subject land.

File No. B124-90 provided for legal right-of-way over Lot 21, Conc. VI, surveyed as Part 1, Plan 31R-2237 and over Lot 21, Conc. VII, surveyed as Part 2, Plan 31R-2237, in favour of Lot 21, Conc. V;

File No. B07-16 provided for a right-of-way over Lot 21, Conc. VI, surveyed as Part 1, Plan 31R-4185, in favour of Lot 20, Conc. V, Lot 21, Conc. V and the east half of Lot 22, Conc. V; and

File No. B08-16 proposed a right-of-way over Lot 21, Conc. V in favour of Lot 20, Conc. V and the east half of Lot 22, Conc. V, but this file was not completed.

Currently, access is via right-of-way over Part 1, Plan 31R-4185 and over Homestead Road, a seasonally maintained forced road to Myles Side Road, a maintained municipal road.

There are two simultaneous Applications for Consent:

File No. B19-24 proposes a right-of-way over Lot 21, Conc. V in favour of the east half of Lot 22, Conc. V, owned by J. Austin; and

File No. B20-24 proposes a lot addition by N. Barney, of a ±0.2 Hec. parcel of land being part of Lot 21, Conc. V to be added to the east half of Lot 22, Conc. V to correct the encroachment of an existing seasonal dwelling and to bring structures accessory to the dwelling in compliance with the municipal zoning By-law.

The application was circulated on July 8th, 2024 to the United Chiefs and Councils of Mnidoo Mnising (UCCMM) and the Wiikwemkoong Unceded Territory, as per Official Plan Policy F.5 - Consultation and Engagement.

The UCCMM have not provided any comments or concerns regarding the application, or requested additional time to do so.

The Wiikwemkoong Unceded Territory have not provided any comments or concerns regarding the application, or requested additional time to do so.

Services consist of privy and water from Windfall Lake. No new services are required as a result of this application for right-of-way.

The Public Health Unit have no concerns and advised that it appears that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system.

The subject land has been designated Rural Area and zoned Rural (R).

There is a category 'High' for Wildland Fire Hazards identified within the subject lands.

The Provincial Policy Statement (PPS) 2020 states under Section 3.1.8:

'Development shall generally be directed to area outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.'

'Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.'

Due to the location and size of the subject land(s) and from information and aerial photography (2021) available identifying areas of heavy tree cover, 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 influence that would conform to the Natural Heritage Policies of the Provincial Policy Statement (PPS) 2020.

Application File No. B19-24 - continued
August 27, 2024

It is recommended that a mitigation plan to reduce the intensity of a forest fire by thinning or removing trees and allowing it to be extinguished more easily be submitted to the Planning Board at the time of any proposed dwelling.

Board Minutes
August 27th, 2024

Application File No. B21-24 - continued
August 27, 2024

There does not appear to be any adverse impacts to policies expressed by the Provincial Policy Statement (PPS) 2020. This proposal is considered to be in conformity with the PPS 2020.

This application was circulated on August 9th, 2024 to the Municipality of Central Manitoulin, Bell Canada, Ministry of Transportation 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 recommend Consent be granted with no specific conditions.

The Ontario Ministry of Transportation advised that the subject lands are outside the MTO's permit control area; therefore they have no comments to provided at this time.

Bell Canada have not provided any comments or requested additional time to do so.

There was a telephone call to the Planning Board Office from R. Stringer, who saw the signage on the shoreline, requesting additional information. He advised he had no concerns and no written concerns have been received.

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

Jane Austin and Norman Barney were present during consideration of the application.

During discussion the Board asked if the shower house and the boat house, as shown on the application sketch, conform to the Municipal Zoning Bylaw. The Secretary-Treasurer advised that the current Municipal Zoning by-law for Central Manitoulin, No. 2002-07, permits an accessory structure to be located in the front yard/in front of the dwelling as long as it has a minimum front yard setback of 20 metres. If the boat house is located within the shoreline allowance the Municipality has provision for a Hold Harmless Agreement to be registered on the land's title.

Mr. Barney explained that the shower house was a structure that is used for a shower, run with propane.

R. Stephens, Board Member representing the Municipality of Central Manitoulin, asked that a condition of the Consent to Sever approval be included to address the two structures and conformity to the Municipal Zoning By-law.

Ms. Austin explained that the building inspector, R. McPherson, had been out to the property and had no issues with the existing structures.

Board Member, L. Hayden, asked what the structure was, shown on the application sketch on the proposed severed land? This is an error, the land is vacant. The sketch will be corrected.

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

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within 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 parcel(s) and right-of-way given conditional approval. This Schedule must also contain the names of the parties identified 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 parcel and 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 to Myles Sideroad have been constructed to a standard for travel by emergency vehicles satisfactory to the Municipality;
- iii) a written confirmation from the municipality that all structures conform to the Municipal Zoning By-law, satisfactory to the Municipality, i.e. shower house, boat house;
- iv) a fee of \$130.00 for each Transfer of Land submitted for Certification; and
- v) a written confirmation from the Municipality that all outstanding municipal taxes have been paid for the subject land.

Board Minutes
August 27th, 2024

Application File No. B21-24 - continued
August 27, 2024

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 (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 is outside the area of influence, i.e. wildland fire hazard.

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	K. Noland	D. Head
	<i>*That this application be deferred</i>	
2. B19-24	D. McDowell	B. Barker
3. B20-24	D. Head	R. Stephens
4. B21-24	T. Mackinlay	D. Osborne


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 9:51 P.M. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by K. Noland.

L. HAYDEN, CHAIR



T.A. CARLISLE,
SECRETARY-TREASURER



MANITOULIN PLANNING BOARD

40 WATER STREET - UNIT 1 - P.O. BOX 240 - GORE BAY - ONTARIO - P0P 1H0
☎ 705-282-2237 ☎ 705-282-3142

August 28, 2024

MINUTES OF PUBLIC MEETING - AUGUST 27TH, 2024

Consideration of Amending Zoning By-law No. 2022-05 for the Unincorporated Townships of Robinson and Dawson under the Provisions as set out by Section 39 of the Planning Act, Chapter p.13, R.S.O., as amended.

A public meeting, held at the Planning Board Office, 40 Water Street, Unit 1, Gore Bay, Ontario, was called to Order at 7:05 p.m. by Chair L. Hayden to hear and receive comments in support of or in opposition to an Application to Amend Zoning By-law No. 2022-05, for the Townships of Robinson and Dawson.

File No: 2022-05ZBL-24-003
Applicants: Steve Paquette, Paul Paquette, Venessa Paquette, Cynthia Paquette, Koutney Paquette, Suzanne Paquette, Roch Pelland, and Justin Berthiaume
Agent: Steve Paquette
Property: Lot 5, Conc. IX and Lot 4 Conc. IX including Part 4, Plan 31R-3287 & excepting Parts 1, 2 & 3, Plan 31R-3287 (Located along Mason Line Road) Township of Robinson, District of Manitoulin

The Chair after calling the Meeting to Order declared the Board Members present constituted a quorum. The Board Members present were:

- | | | | |
|----|--------------|----|-------------|
| 1. | L. Hayden | 6. | K. Noland |
| 2. | D. Osborne | 7. | B. Barker |
| 3. | T. Mackinlay | 8. | D. McDowell |
| 4. | J. DeForge | 9. | D. Head |
| 5. | R. Stephens | | |

Also in attendance for the meeting were:

T. Sasvari, reporter, Manitoulin Expositor;
S. Paquette, agent, interested parties Suzanne Paquette, P. Paquette, R. Pelland, and L. Cunning, H. Roosen, J. Austin, N. Barney, D. McCann, S. Dearing, S. Albrecht and A. Kuepfer

Chair L. Hayden

- advised he would preside over the Meeting and the Meeting would be conducted in accordance with Sections XI and XII of By-law No. 2019-01 (Procedural By-law);
- explained the purpose of the Meeting;
- instructed the Secretary-Treasurer to keep a record of proceedings;
- advised of the power of the Ontario Land Tribunal (OLT) to dismiss an appeal if an appellant has not provided the Planning Board with oral submissions at the public meeting or written submissions before the By-law is passed; and
- requested and received verification from the Secretary-Treasurer that all requirements of the Planning Act and prescribed procedures, including Public Notice, had been fulfilled for the application/File No. 2022-05ZBL-24-003 to be heard.

The Secretary-Treasurer explained that a Zoning Amendment Application was received from Steve Paquette on behalf of his family, requesting three (3) existing portable storage containers located and used without permit in a Rural (R) Zone within the subject land, be permitted to remain.

Zoning By-law No. 2022-05 under Section 4.1.6 - Portable Storage Containers states:

1. Portable storage containers are only permitted in the General Industrial (M) Zone for storage purposes, only as an accessory use on a lot that has an established primary use.
2. Portable storage containers shall conform to the following provisions:
 - a) such containers shall be maintained in an orderly appearance, i.e. not rusted;
 - b) such containers shall be subject to the zone provisions of the primary use;
 - c) such container shall not be located in any required parking space;
 - d) portable storage containers shall be included in the lot coverage calculations.

Therefore, an amendment to the Zoning By-law is required.

MINUTES OF PUBLIC MEETING - AUGUST 27TH, 2024

FILE NO: 2022-05ZBL-24-003 - CONTINUED

The Chair advised submissions in favour or opposed to the following application would now be heard.

The Secretary-Treasurer advised that an Email/ Letter had been received on August 20th, 2024 from J. Hyde-Clarke, property owner to the north within the Portage Point Subdivision, requesting a copy of the Decision of Planning Board and that she would like to know what the expected contents in the containers are.

The Secretary-Treasurer read two additional emails/letters.

1. Email/Letter received from S. Watts on August 21st, 2024

Please be advised that I have no concerns with permitting 3 portable storage containers on the subject lands given the size of the property assuming:

1. *The storage containers are not visible from Mason Line.*
2. *The storage containers are not visible from the shoreline of Elizabeth Bay.*
3. *The containers are used for secure storage of non-hazardous items of the owner and not used for residential purposes (e.g. hunt camp, Air BnB, etc.)*

2. Email/Letter received from R. Walker on August 26th, 2024:

Greetings: I have recently noticed two 'applications' for the positioning of 'sea cans' as they are commonly known on properties in Robinson Township. I am aware that such are prohibited unless permission is obtained. My two cents. While I am sure much thought has gone into these containers in the past I do believe times have changed.

Sea cans are functional, affordable and if properly positioned and maintained one is not an eye sore in my eyes. I made notice of the application on Mason for the three units and they are out of sight and probably serving a very good purpose.

The second I looked at in Elizabeth Bay. Honestly I had a hard time finding it. I did note that the property owners took great pride in their camp and grounds. The presence of that can, did not diminish the look of, or value of the property.

Further to this, I am thinking that the recent application and approval of the sea cans in Silverwater on Hwy 540 should show that they can be useful and functional while not being offending. Thanks.

The Chair then requested comments from the applicant, Mr. Paquette.

S. Paquette, agent for the application and some of his family members spoke to the application and advised that;

- he had submitted an Application to the Planning Board for a Plan of Subdivision in 2022 but that the application was put on hold are the costs for road building and an Environmental Impact Study (EIS) and other required studies supporting the application were/are very expensive and made the Plan not feasible; he is in the process of resubmitting an application but is trying to find an investor to assist him; three families own the property and he/they were not aware that they could not have more than one dwelling on the big lot; the three families have sold their homes in Sudbury and the containers are used to store all of their household belongings, no hazardous type contents; they had hoped to build three dwellings, one for each family; there were three travel trailers on the lot when they purchased (2022); two are to be removed or converted to utility trailers, or they will keep the frames or flat beds or scrap the metal to earn money; axles are worth money; he is aware of numerous other property owners that have portable storage containers and trailers on their lots, they are not the only ones; they are in the process of removing the mobile home structure; the portable storage containers are tucked away and cannot be seen from the road or the shoreline; they would like to keep the three portable storage containers if possible and are willing to do whatever the Board requires to make this happen, i.e. siding on the containers to look like storage sheds;

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

The Robinson Local Roads Board had submitted comments, which were discussed and reported in the Minutes of the Regular Meeting of Planning Board.

It was moved by D. McDowell and seconded by D. Osborne that the Public Meeting be closed at 7:20 p.m.


L. Hayden, Chair


T.A. Carlisle, Secretary-Treasurer



MANITOULIN PLANNING BOARD

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

☎ 705-282-2237 ☎ 705-282-3142

August 28, 2024

MINUTES OF PUBLIC MEETING - AUGUST 27TH, 2024

Consideration of Amending Zoning By-law No. 2022-05 for the Unincorporated Townships of Robinson and Dawson under the Provisions as set out by Section 39 of the Planning Act, Chapter p.13, R.S.O., as amended.

A public meeting, held at the Planning Board Office, 40 Water Street, Unit 1, Gore Bay, Ontario, was called to Order at 7:20 p.m. by Chair L. Hayden to hear and receive comments in support of or in opposition to an Application to Amend Zoning By-law No. 2022-05, for the Townships of Robinson and Dawson.

File No.: **2022-05ZBL-24-004**
Owners: P. Dawn Noble and Denis McCann
Agent: Dawn Noble
Property: Part Lot 2, Conc. VI
(Located at #59 Beach Road North)
Township of Robinson
District of Manitoulin

The Chair after calling the Meeting to Order declared the Board Members present constituted a quorum. The Board Members present were:

- | | | | |
|----|--------------|----|-------------|
| 1. | L. Hayden | 6. | K. Noland |
| 2. | D. Osborne | 7. | B. Barker |
| 3. | T. Mackinlay | 8. | D. McDowell |
| 4. | J. DeForge | 9. | D. Head |
| 5. | R. Stephens | | |

Board Member, J. DeForge, declared a Conflict of Interest for the Application.

Also in attendance for the meeting were:

T. Sasvari, reporter, Manitoulin Expositor;
S. Paquette, agent, interested parties Suzanne Paquette, P. Paquette, R. Pelland, and
L. Cunning, H. Roosen, J. Austin, N. Barney, D. McCann, S. Dearing, S. Albrecht and
A. Kuepfer

Chair L. Hayden

- advised he would preside over the Meeting and the Meeting would be conducted in accordance with Sections XI and XII of By-law No. 2019-01 (Procedural By-law);
- explained the purpose of the Meeting;
- instructed the Secretary-Treasurer to keep a record of proceedings;
- advised of the power of the Ontario Land Tribunal (OLT) to dismiss an appeal if an appellant has not provided the Planning Board with oral submissions at the public meeting or written submissions before the By-law is passed; and
- requested and received verification from the Secretary-Treasurer that all requirements of the Planning Act and prescribed procedures, including Public Notice, had been fulfilled for the application/File No. 2022-05ZBL-24-003 to be heard.

The Secretary-Treasurer explained that a Zoning Amendment Application was received from Dawn Noble to request that a portable storage container, placed on their property without permit, in a Shoreline Residential (SR) Zone within the subject land, be permitted to remain.

Zoning By-law No. 2022-05 under Section 4.1.6 - Portable Storage Containers states:

1. Portable storage containers are only permitted in the General Industrial (M) Zone for storage purposes, only as an accessory use on a lot that has an established primary use.
2. Portable storage containers shall conform to the following provisions:
 - a) such containers shall be maintained in an orderly appearance, i.e. not rusted;
 - b) such containers shall be subject to the zone provisions of the primary use;
 - c) such container shall not be located in any required parking space;
 - d) portable storage containers shall be included in the lot coverage calculations.

Therefore, an amendment to the Zoning By-law is required.

MINUTES OF PUBLIC MEETING - AUGUST 27TH, 2024

FILE NO: 2022-05ZBL-24-003 - CONTINUED

The Chair advised submissions in favour or opposed to the following application would now be heard.

The Secretary-Treasurer read the following email/letter received from R. Walker on August 26th, 2024:

Greetings: I have recently noticed two 'applications' for the positioning of 'sea cans' as they are commonly known on properties in Robinson Township. I am aware that such are prohibited unless permission is obtained. My two cents. While I am sure much thought has gone into these containers in the past I do believe times have changed.

Sea cans are functional, affordable and if properly positioned and maintained one is not an eye sore in my eyes. I made notice of the application on Mason for the three units and they are out of sight and probably serving a very good purpose.

The second I looked at in Elizabeth Bay. Honestly I had a hard time finding it. I did note that the property owners took great pride in their camp and grounds. The presence of that can, did not diminish the look of, or value of the property.

Further to this, I am thinking that the recent application and approval of the sea cans in Silverwater on Hwy 540 should show that they can be useful and functional while not being offending. Thanks.

The Chair then requested comments from the applicant, Mr. McCann.

Mr. McCann spoke to the application and advised that:

- they had placed the green portable storage container on their property to blend in; they take pride in their property; it is used to store the lawn mower, B-B-Q, bikes; it cannot be seen from the road; cannot build a storage shed/garage due to the location of the field bed; the container cannot be easily moved; they received a letter from the Planning Board and discussed the application with staff; they were unaware that the container is not allowed; they want to do things right; they would prefer it to remain if possible,

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

The Robinson Local Roads Board had provided comments Discussion was had which is reported during the Minutes of the Regular Meeting of Planning Board.

It was moved by B. Barker and seconded by K. Noland that the Public Meeting be closed at 7:34 p.m.


L. Hayden, Chair


T.A. Carlisle, Secretary-Treasurer

MANITOULIN PLANNING BOARD

BY-LAW NO. 2024-004

TEMPORARY USE PROVISIONS FOR SPECIFIC LANDS

Being a By-law of the Manitoulin Planning Board to amend By-law 2022-05, the comprehensive zoning By-law for the Townships of Dawson and Robinson.

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 By-law No. 2022-05 under the Temporary Use Provisions as set out by Section 39 of the Planning Act, Chapter p.13, R.S.O., as amended.

Now Therefore, the Manitoulin Planning Board enacts the following:

- (1) Despite Section 14.0 - Rural (R) Zone - and Section 4.1.6.1, three existing portable storage containers (± 12.2 m. X ± 2.5 m. each) placed on property without permits, may be located and used on lands described in Subsection (2) as a temporary use until the 27th Day of August, 2027 in accordance with Section 39 of the Planning Act.
- (2) Subsection (1) applies to that parcel of land described as being Lot 5, Conc. IX and Lot 4, Conc. IX including Part 4, Plan 31R-3287 and excepting Parts 1, 2, & 3, Plan 31R-3287, (Located along Mason Line Road), Township of Robinson, District of Manitoulin, as deposited/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.
- (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.

Read and Passed in Open Board Meeting this 27th Day of August, 2024.



L. HAYDEN, CHAIR



T.A. CARLISLE, SECRETARY-TREASURER

Lot 5 Concession IX and
 Lot 4 Concession IX including Part 4 Plan 31R-3287
 Excepting Part 1, Part 2 and Part 3 Plan 31R-3287
 (#1329 Mason Line Road)
 Township of Robinson
 District of Manitoulin

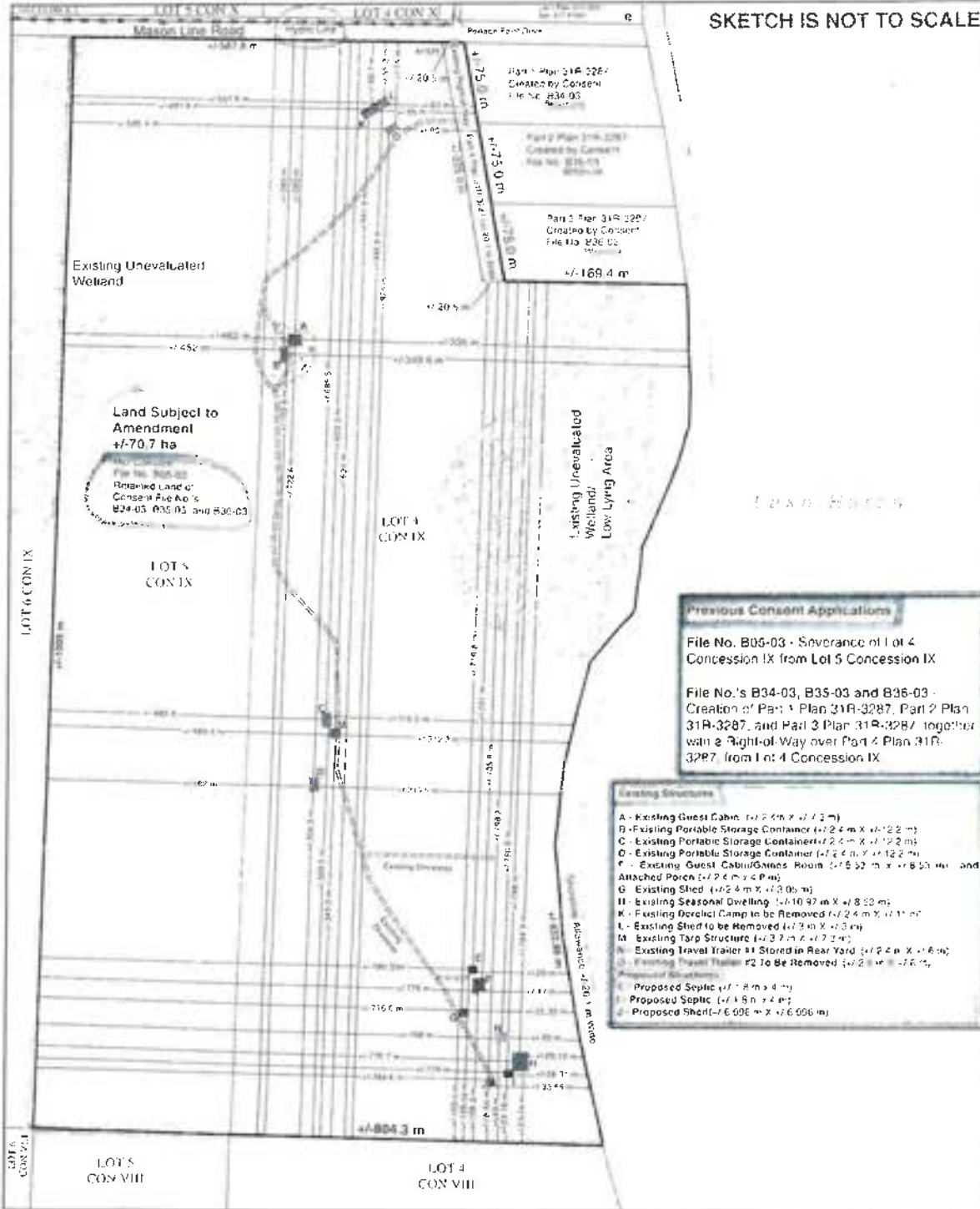
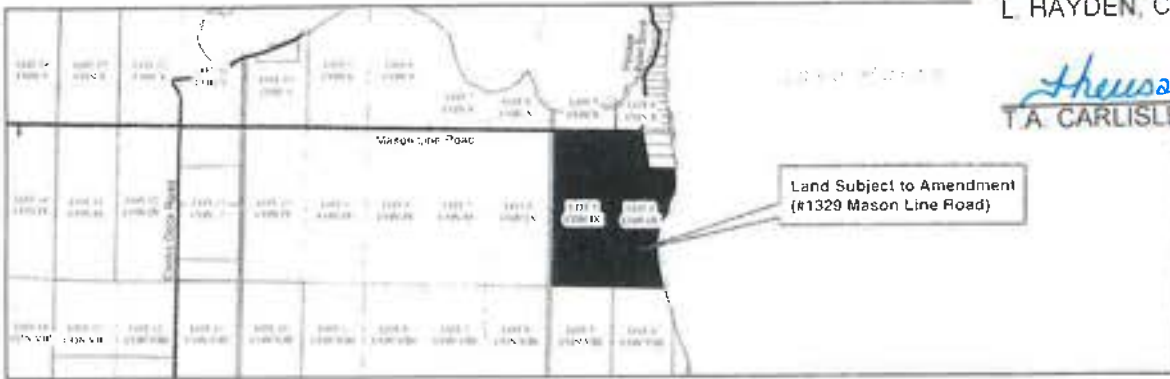
THIS IS SCHEDULE "A" TO BY-LAW NO. 2024-004

PASSED ON THE 27th DAY OF AUGUST, 2024.



L. Hayden
 L. HAYDEN, CHAIR

Theresa A. Carlisle
 T.A. CARLISLE, SECRETARY-TREASURER



SKETCH IS NOT TO SCALE

Previous Consent Applications

File No. B05-03 - Severance of Lot 4 Concession IX from Lot 5 Concession IX

File No.'s B34-03, B35-03 and B36-03 - Creation of Part 1 Plan 31R-3287, Part 2 Plan 31R-3287, and Part 3 Plan 31R-3287, together with a Right-of-Way over Part 4 Plan 31R-3287, from Lot 4 Concession IX

Existing Structures

- A - Existing Guest Cabin (4.24 m x 4.71 m)
- B - Existing Portable Storage Container (4.24 m x 4.122 m)
- C - Existing Portable Storage Container (4.24 m x 4.122 m)
- D - Existing Portable Storage Container (4.24 m x 4.122 m)
- E - Existing Guest Cabin/Garage Room (4.532 m x 4.655 m) and Attached Porch (4.24 m x 4.122 m)
- G - Existing Shed (4.24 m x 4.122 m)
- H - Existing Seasonal Dwelling (4.169 m x 4.833 m)
- K - Existing Decrel. Camp to be Removed (4.24 m x 4.122 m)
- L - Existing Shed to be Removed (4.24 m x 4.122 m)
- M - Existing Tarp Structure (4.37 m x 4.72 m)
- N - Existing Travel Trailer #1 Stored in Rear Yard (4.24 m x 4.122 m)
- O - Existing Travel Trailer #2 to be Removed (4.24 m x 4.122 m)

Proposed Structures

- Proposed Septic (4.18 m x 4 m)
- Proposed Septic (4.18 m x 4 m)
- Proposed Shed (6.096 m x 4.6096 m)

MANITOULIN PLANNING BOARD

BY-LAW NO. 2024-005

TEMPORARY USE PROVISIONS FOR SPECIFIC LANDS

Being a By-law of the Manitoulin Planning Board to amend By-law 2022-05, the comprehensive zoning By-law for the Townships of Dawson and Robinson.

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 under the Temporary Use Provisions as set out by Section 39 of the Planning Act, Chapter p.13, R.S.O., as amended.

Now Therefore, the Manitoulin Planning Board enacts the following:

- (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).
- (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.
- (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.

Read and Passed in Open Board Meeting this 27th Day of August, 2024.


L. HAYDEN, CHAIR

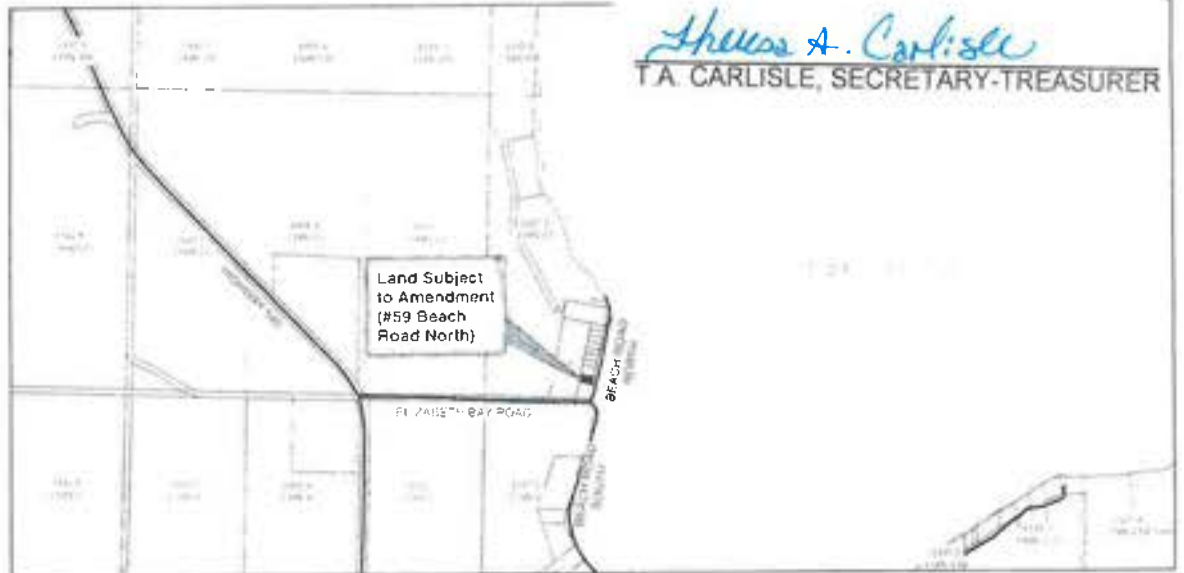

T.A. CARLISLE, SECRETARY-TREASURER

Part Lot 2 Concession VI
 (#59 Beach Road North)
 Township of Robinson
 District of Manitoulin



L. Hayden
 L. HAYDEN, CHAIR

Shelley A. Carlisle
 T.A. CARLISLE, SECRETARY-TREASURER



SKETCH IS NOT TO SCALE

