



MANITOULIN PLANNING BOARD

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February 23, 2022

MINUTES OF PLANNING BOARD MEETING - February 22, 2022

At a Meeting of the Manitoulin Planning Board held electronically at the Planning Board Office, Gore Bay, Ontario, on Tuesday, February 22nd, 2022, the following Members of Planning Board were present:

- | | | | |
|----|-------------|----|--------------|
| 1. | L. Hayden | 5. | T. Mackinlay |
| 2. | D. Osborne | 6. | R. Stephens |
| 3. | E. Russell | 7. | K. Noland |
| 4. | D. McDowell | | |

Regrets: I. Anderson and D. Head
Absent: R. Brown

Also in attendance for the electronic meeting were:

D. Watts, interested party; and
T. Sasvari, reporter, Manitoulin West Recorder;.

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

The Meeting was called to Order at 7:01 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 of January 25th, 2022.

There were no conflicts declared.

1. ORDER OF BUSINESS

The Chair requested the adoption of the order of business.

MOTION

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

2. MINUTES OF PREVIOUS BOARD MEETING - January 25, 2022

The Chair announced that the Minutes of the electronic Board Meeting held on January 25th, 2022 had been circulated to the Board Members and requested that any errors or omissions be stated.

A motion was moved by K. Noland and seconded by T. Mackinlay that the Minutes be adopted,
- Carried.

BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING - January 25, 2022

There was none.

3. VARIABLE EXPENDITURES

Board Member, T. Mackinlay, asked if the amount for the maintenance renewal with Esri Canada was in line with the past year. The Secretary-Treasurer explained that the renewal was \$56.50 more than the previous year.

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

MOTION

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

Board Minutes
February 22, 2022 - Continued

4. PRESENTATION OF APPLICATIONS FOR CONSENT

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

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

5. PRESENTATION OF APPLICATION FOR PLAN OF SUBDIVISION

- a) Application for Plan of Subdivision - File No. SUB2022-01
Owner: 1927402 Ontario Inc.
Agent: Kevin Jarus
Location: Lots 24, 25 and 26, Conc. VIII, and Lots 26 and 27, Conc. VII and Lot 25, Conc. VI including part of the Municipal Road Allowance Township of Barrie Island, Municipality of Gordon/Barrie Island District of Manitoulin

The Secretary-Treasurer requested a motion to Adjourn Decision for the application as the Township and the Applicant need additional time to review the conditions for the development proposal.

MOTION

It was moved by R. Stephens and seconded by D. Osborne that Decision for Subdivision File No. SUB2022-01 be adjourned to provide additional time for the Municipality to work out the details of the Subdivision Agreement with the applicant and to review the Draft conditions prepared for the Subdivision,
- Carried.

- b) Application for Plan of Subdivision - File No: SUB2021-01
Owner: 5026911 Ontario Limited (previously Leah Pezzutto)
Agent: Jordan Chandler
Location: Lot 22 and Part Lots 23 & 24 and Lot 25, Conc. VII and Lots 22 thru 26, Conc. VIII, Township of Sheguiandah Municipality of Assiginack District of Manitoulin

The Secretary-Treasurer explained that Mr. Chandler, agent for the application, provided a written request seeking the Board's support for the Plan of Subdivision becoming a Two-Phase development.

The following letter was received via email on February 8th, 2022:

' I am seeking permission to allow our development to be registered in "Phases". Phase 1 is complete and consists of 11 lots. The remaining 37 lots will make up Phase 2. Assiginack Township is in favour of phasing. It will be reflected in our Subdivision Agreement.

Please see attached sketch for reference.

In addition, the application was made in the owners name, Leah Pezzutto. The property ownership has been changed to her son and he has placed the property in to his corporation, 5026911 Ontario Limited. Thank you.'

The Secretary-Treasurer further explained that Phase One would consist of Block A and Lots 1 thru 10 and Phase Two would consist of Lots 11 thru 48, as shown on the Subdivision Plan approved by the Planning Board on February 23rd, 2021. A revised plan, identifying Phase One and Phase Two, prepared by Keatley Surveying Ltd., dated February 15th, 2022. Mr. Chandler's letter and the amended sketch were was attached to the Board Agenda.

Board Minutes
February 22, 2022 - Continued

5. b) Application for Plan of Subdivision - File No: SUB2021-01- Continued

If approval is given, the change would result in the following:

' Condition 1. from

That this approval applies to the Plan of Subdivision for Leah Pezzutto prepared by Keatley Surveying Ltd., dated September 29, 2020, on Lots 23, 24 and 25, Conc. VII and Part of Lot 25 and all of Lot 26, Conc. VIII, Geographical Township of Sheguiandah, within the Municipality of Assiginack, which shows a total of 49 single detached lots to be developed.

To

That this approval applies to the Plan of Subdivision for 5026911 Ontario Limited prepared by Keatley Surveying Ltd., dated September 29, 2020, on Lots 23, 24 and 25, Conc. VII and Part of Lot 25 and all of Lot 26, Conc. VIII, Geographical Township of Sheguiandah, within the Municipality of Assiginack, which shows a total of 49 single detached lots to be developed for seasonal residential uses in two Phases (Phase 1 - Block A and Lots 1 thru 10 and Phase 2 - Lots 11 - 48), as shown on the amended plan, prepared by Keatly Surveying Limited, dated February 15, 2022.

Condition 2. New

That the owner acknowledges and agrees that until such time as the second phase is given draft approval, the Phase 2 block of land shall not be developed unless otherwise stated.

Condition 3. New

That the owner acknowledges and agrees that the second phase shall be registered only upon completion of a letter from the Municipality that Phase 1 has been registered, satisfactory to the Municipality.

Condition 17. becoming Condition 19.

'That prior to the final approval by the Planning Board, or any Phase thereof, the Board is advised in writing by the Municipality of Assiginack that Conditions 7 through 13 have been satisfied.

Condition 18. becoming Condition 20.

'That prior to the final approval by the Planning Board, the Board is advised in writing by the Ministry of Heritage, Sport, Tourism and Culture Industries (MCST) how condition No. 14 has been satisfied.

Condition 19. becoming Condition 21.

'That prior to the final approval by the Planning Board, or any Phase thereof, the Board is advised in writing by the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNR) how condition No. 15 has been satisfied.

Condition 20. becoming Condition 22.

'That prior to the final approval by the Planning Board, or any Phase thereof, the Board is advised in writing by the Ministry of the Environment, Conservation and Parks (MECP) how condition No. 15 has been satisfied.

Condition 21. becoming Condition 23.

'That the final subdivision plan approved by the Manitoulin Planning Board, or any phase thereof, must be registered within 30 days or the Planning Board may withdraw its approval under subsection 51(59) of the Planning Act, R.S.O 1990.

Condition 22. becoming Condition 24.

'Pursuant to Subsection 51(32) of the Planning Act, the final approval of Phase One, will lapse as of February 23rd, 2024.'

Board Minutes
February 22, 2022 - Continued

5. b) Application for Plan of Subdivision - File No: SUB2021-01- Continued

A copy of the (proposed) changed conditions had been provided to Mr. Chandler and to the Board Members prior to the Planning Board Meeting.

Mr. Chandler advised via telephone on February 22nd, 2022 that he had no concerns with the changes, as proposed.

During consideration of the request for the change of Subdivision, File No. SUB2021-01, the Board were in agreement that the changes were minor as the intent of the application remained the same and the number and size of the lots were not being changed.

The following motion resulted:

MOTION

It was moved by R. Stephens and seconded by D. McDowell that draft approval for Subdivision File No. SUB2021-01 be supported and be amended as presented to a Two-Phase Plan of Subdivision and that the change is considered to be minor,

- Carried.

6. Request for a Change to Conditions - Consent File No. B29-21

Owner: Ryan Yiu
Location: Part Lot 20, Conc. IV, (#93 High Falls Road)
Township of Sheguiandah, Municipality of Assiginack

The Secretary-Treasurer requested a motion to Adjourn Decision as the fee for the 'Request for Change to Conditions' had not yet been received from the applicant.

MOTION

It was moved by T. Mackinlay and seconded by D. McDowell that a Decision for a request for 'Change to Conditions' for Consent File No. B29-21 be adjourned to provide additional time for the Applicant to provide the required fee to the Manitoulin Planning Board Office,

- Carried

7. Early Consultation Consent to Sever Proposal - Town of Gore Bay - Doc Strain Drive

Owner: 1905130 Ontario Inc. (K. & K. Noble)
Agent: Jordan Chandler
Location: Park Lot 6, North Side Back Street,
Excepting Part 11, Plan 31R-1722
(Doc Strain Drive)
Town of Gore Bay, District of Manitoulin

The Secretary-Treasurer explained that Jordan Chandler, agent for 1905130 Ontario Inc., is seeking support from the Board for the creation of four (4) new ±0.14 Hec. lots for residential uses, which if approved would result in sixteen (16) lots from the original parcel of land. She is requesting direction from the Board if the development would be supported by the Consent to Sever process or via a Plan of Subdivision process.

She had sent a copy of the application to the Town of Gore Bay, as part of the preliminary review. The Clerk for the Town had provided the Planning Board Office with a "Draft" engineers report, prepared by R.V. Anderson Associates Limited commenting on the servicing for the area around Doc Strain Drive. In summary the report states that there is sufficient water pressure at the development north of Doc Strain Drive even without a loop connection; that the development has low available fire flow when compared to typical values; and further studies to optimize the water distribution of the system are advised due to high water pressures in the system as well as low available fire flow in parts of the Town.

Board Minutes
February 22, 2022 - Continued

7. Early Consultation of a Consent to Sever Proposal - Gore Bay - continued

D. Osborne, Board Member and Mayor for the Town of Gore Bay spoke to the proposed application. He answered questions and reported that the Town supports the development by the Consent to Sever process rather than via a Plan of Subdivision; that the access and servicing is existing-no extension of servicing would be required; the Town has identified the low water flow rates and colour coded the fire hydrants and that there is no requirement to extend fire protection; is not aware of any drainage concerns; the Town does not have a tree cutting/removal By-law; single family dwellings or semi-detached dwelling would be permitted.

During review and consideration of the proposal there was discussion regarding:

- Consent to Sever vs Plan of Subdivision; 14 lots already created by Consent to Sever process from the original parcel of land; should a Plan of Subdivision be required now for additional development; removal of trees could change the character of the neighbourhood; a Subdivision would allow parkland dedication or cash in lieu for the Town; additional lots could be created from the retained land- ±8 lots; multiple lot creation in the Town is different from multiple lot creation in the rural areas- servicing in place; could include a note on the Decision that no additional lots be supported by the Consent to Sever process.

The general consensus of the Board was they would support the application for the creation of four (4) new lots, as proposed, via the Consent to Sever process and the following motion resulted:

MOTION

It was moved by D. Osborne and seconded by R. Stephens that the Consent to Sever proposal for the creation of four (4) new lots submitted by 1905130 Ontario Inc. in the Town of Gore Bay be supported in principle,

- Carried

NOTE: Discussion was had among the Board that they may wish to consider having a fee added to the 'Tariff of Fees' for Applications being brought forward for preliminary review as it was agreed that this takes Board time as well as staff time. It was agreed that this be tabled for further discussion during the 2022 Budget Review.

8. GENERAL, REGULAR AND NEW BUSINESS

Town of Aurora - Request for Support for the Province to
dissolve the Ontario Land Tribunal (OLT)

The Secretary-Treasurer reported that Board Member, R. Stephens, had forwarded her an email from the Town of Aurora requesting support to dissolve the Ontario Land Tribunal (OLT). A copy had also been forwarded to her from the Town of Gore Bay. The documentation was attached to the Board Members agenda package for discussion.

R. Stephens explained that he had provided the request to spark a discussion and welcomed any comments or input the Board may have would be shared with his Council.

The general consensus of the Board was that no motion in support or in non-support was required and that the email request be tabled as information only. The documentation will be attached to the Board Minutes.

ATTACHMENT TO BOARD MINUTES
OF FEBRUARY 22, 2022 - Item 8.

Is this something that we at the Planning Board should be discussing? Thanks. Richard

----- Forwarded Message -----

Subject: Follow Up - OLT Motion

Date: Mon, 31 Jan 2022 22:16:49 +0000

From: Mrakas, Tom [REDACTED]

Good day fellow Elected Official,

I am following up on last week's email regarding the motion to request the Province to dissolve the OLT. I have received incredible response to date. Nearly 50 municipalities are putting forward the motion to be heard by their respective Councils.

I would respectfully ask that you consider doing the same. The time is now to join fellow municipalities to send the Province the message that the land use planning appeal process is flawed. We are stronger together! Let your voice be heard.

If you do put forward the motion, please let me know so that we can document which municipalities are joining this fight.

I have once again attached the motion for your consideration. Thanks everyone.

Regards,

Tom Mrakas
Mayor Town of Aurora
416-543-1624



Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

Whereas an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of (our) community"; and

Whereas our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

Whereas it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of (Your Municipality) Official Plan; and

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the (Your Municipality) Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or "OMB"), an unelected, appointed body that is not accountable to the residents of (Your Municipality); and

Whereas the OLT has the authority to make a final decision on planning matters based on a "best planning outcome" and not whether the proposed development is in compliance with municipal Official Plans; and

Whereas all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process; and

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

Whereas towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings; and

Whereas lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

1. Now Therefore Be It Hereby Resolved That (Your Municipality) requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and
2. Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and
3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Board Minutes
February 22, 2022 - Continued

Application File No: B01-22 **No. of Members Present:** 7
Date of Decision: [January 25, 2022 -Adjourned] February 22, 2022
Location of Property: Part Lot 21, Conc. IV, Surveyed as Parts 2 to 5, Plan 31R-4055,
Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin

DECISION

This application was adjourned at the Regular Meeting of Planning Board, held on January 25th, 2022 to allow additional time for the applicants to post signs on the subject land to fulfill the requirements of Ontario Regulation 197/96.

The purpose of this application made under Section 53(1) of the Planning Act by Sheena Alexander on behalf of W. Dale and Harriett (Holly) M. Scott is to provide for legal right-of-way over Part 4, Plan 31R-4055 having a frontage/width of ± 10.1 m. on Hwy 551, a provincially maintained highway, and a depth of ± 104 M. thereby containing an area of $\pm 1,047.8$ Sq. M. (± 0.10 Hec.). This right-of-way will be in favour of land surveyed as Part 1, Plan 31R-4055, containing a Commercial Veterinary Clinic business.

The land to be retained, being Parts 2, 3, 4 & 5, Plan 31R-4055 has frontages/widths of ± 10.1 M. and ± 34.9 M. on Highway No. 551, a provincially maintained highway, and an average depth of ± 394.5 M., thereby containing an area of ± 6.7 Hec. This land is subject to right-of-way over Parts 3 and 4, Plan 31R-4055. There are no structures on this land.

There have been three (3) previous applications for consent.

File No. B14-90 provided for the creation of two new lots, surveyed as Part 1 and Part 2, Plan 31R-2052;

File No. B36-95, provided for the creation of a new lot, surveyed as Part 1, Plan 31R-2670, which contains a Commercial Motel known as the Manitoulin Inn, and nullified the previous consent for Part 2, Plan 31R-2052; and

File No. B04-16 provided for the creation of a new lot, surveyed as Part 1, Plan 31R-4055. The lot was to be created together with right-of-way over Parts 3 and 4, Plan 31R-4055. However, the right-of-way was not properly registered and Part 5, 31R-4055 (being part of the retained land) is not subject to right-of-way over Part 4, 31R-4055 in favour of Part 1, 31R-4055. Therefore this current application is being submitted to correct this error.

Access is via private right-of-way (ROW) to an existing entrance, #2058, from Highway No. 551, a provincially maintained highway. Following consultation with the Ministry of Transportation, as part of the preliminary review, the following comments were received from Laurel Muldoon on November 10th, 2021:

' Hello Theresa, As per our telephone conversation, the Ministry will support the addition of the right-of-way to accommodate the MPB (Manitoulin Planning Board) condition of a 20 metre wide ROW. '

Services consist of municipal water and sewer.

The subject land has been designated Arterial Commercial Area and Residential Area. The subject land is zoned General Commercial and Hamlet Residential. There are no land use changes with approval of the right-of-way as proposed.

From information available the subject proposal does not appear to have any effect on natural heritage features or species at risk (SAR). This proposal is considered to be in conformity with the Provincial Policy Statement (PPS) 2020.

This application was circulated on January 06, 2022 to the Municipality of Central Manitoulin, Bell Canada and to all property owners within 60 metres.

Ontario Regulation 197/96 requires the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access. Confirmation has been received on February 4th, 2022, that this has been done.

Board Minutes
February 22, 2022 - Continued

Application File No. B01-22 - continued

The Municipality advised they have no concerns and recommend that Consent be granted.

Mary McCartney, Bell Canada, advised that they have no comments or concerns regarding this Consent to Sever Application.

There has been an email request for a copy of the Decision of Planning Board, received from C. Seabrook abutting property owner to the east.

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

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 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 right-of-way, surveyed as Part 4, Plan 31R-4055, having a minimum width of 10.1 M., to which the consent approval relates;
- ii) an undertaking from a Solicitor stating that a copy the resulting Transfer, and the new resulting Property Identification Numbers (PINS) for the subject lands will be provided to the Manitoulin Planning Board;
- iii) a written confirmation from the Municipality that access over Parts 3 and 4, Plan 31R-4055 to Highway No. 551 has been constructed to a standard for travel by emergency vehicles satisfactory to the Municipality;
- iv) a written confirmation from the Ontario Ministry of Transportation (MTO) that any permits required have been received or have been issued, satisfactory to their requirements, i.e shared entrance permit;
- v) a fee of \$125.00 for each Transfer of Land submitted for Certification; and
- vi) written confirmation from the Municipality that all outstanding municipal taxes have been paid.

Note: Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall not apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Board Minutes
February 22, 2022 - Continued

Application File No.: B05-22 No. of Members Present: 7
Date of Decision: February 22, 2022
Location of Property: Lot 13, Conc. VII excepting Part 1, Plan 31R-1388 and Lots 13 and 14, Conc. VIII, 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 Lyle, Kevin and Michael Honess is to provide for the creation of new lot having a frontage of 310.6 M. on Union Road, a maintained municipal road and a depth of $\pm 1,005$ M., thereby containing an area of ± 39.7 Hec. There are no structures on this land. According to the application this new lot is to be conveyed to L. Honess and his wife and they plan to construct a farm-related dwelling on the new lot.

The land to be retained, consisting of Lots 13 and 14, Conc. VIII as originally surveyed, has a frontage of ± 804 M. on Ocean Point Road, a maintained municipal road, and a depth of $\pm 1,005$ M., thereby containing ± 80 Hec. The applicants' barn, tarped building, storage building and an old dwelling used for storage are located within this land. There are no land use changes proposed.

File No. B42-83, a previous application for Consent to Sever created a new ± 0.3 Hec. lot, at the north west corner of Lot 13, Conc. VII, surveyed as Part 1, Plan 31R-4283. By Amendment File 51Z0-00483-06 seasonal residential uses are permitted for this lot.

The subject land has been designated Rural Area and zoned Agricultural (A) and Rural (R). The proposed severed land is located within an Agriculture (A) Zone and farm (hay removal) related residential uses are proposed. Agriculture uses are proposed to continue for the retained land.

Zoning By-law No. 96-01, Section 47. (2) (a) states:

'two single dwellings, as buildings accessory to an Agriculture use other than a market garden, may be erected and used on an Agriculture use lot;'

L. Honess, agent for the application, was advised that non-farm residential uses in an Agriculture Zone for the severed land would not conform to Zoning By-law No. 96-01 for the Municipality of Burpee-Mills. However farm-related residential uses would conform to the Zoning By-law.

Services will consist of private well and private individual septic system when required.

Official Plan - Rural Area - under Policy E.2.3. - PRIVATE WATER AND SEWAGE SERVICES - under 6. states:

'Potable water for new development will be provided in accordance with the Province's guidelines.'

During discussion of the application it was explained to Mr. Honess that a condition of the consent approval may be that there is proof of potable (drinking/cooking) water for the proposed new lot, that would conform to the Provincial requirements.

Services will consist of private well and private individual septic system for the severed land when required.

Access is via Union Road for the severed land and via an existing entrance, #218 Ocean Point Road, both maintained municipal roads.

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February 22, 2022 - Continued

Application File No. B05-22 - Continued

There is a drain catchment area identified within the subject lands. The drain is not considered a municipal drain as it has never been formalized as a municipal drain. Currently Section 65 of the Drainage Act does not apply. The Municipality have advised by email on February 22nd, 2022 that:

'This property may be subject to assessment under the Drainage Act because of the proposed Municipal Drain'

A livestock facility is located on the retained land. The farm related structures meet the requirements of the Minimum Distance Separation (MDS) Formulae as required by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

There is a Deer Wintering Area identified within the north westerly part of Lot 13, Conc. VII and within the retained land. Due to the size of the proposed lot and a building envelope outside the identified habitat, the subject land does not appear to have any natural heritage features or species at risk (SAR) concerns.

A potential Wildland Fire Hazard was identified within the subject land.

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.'

Satellite imagery identifies the areas of tree cover within the subject land. It appears there would be a building envelope outside the area of influence, for the proposed severed land, that would conform to the Natural Heritage Policies of the Provincial Policy Statement (PPS) 2020.

There is a licenced Aggregate Site, No. 616701, located to the south within Lots 11 and 12, Conc. IX.

The Ministry of the Environment and Climate Change (MOECC) D-6 Series Guidelines, Under Section 1.2.4. - Other Facilities and Section 4.3 - Recommended Minimum Separation Distances: recommends that residential and institutional development within 300 metres of mineral aggregate resource areas and licenced pits will generally not be permitted. Proposed residential or institutional development within these areas will be supported by studies that demonstrate that any land use conflicts will be fully mitigated. i.e. feasibility study.

A portion of Lot 13, Conc. VIII, being part of the retained land, falls within the The Ministry of the Environment and Climate Change (MOECC) D-6 Series Guidelines 300 metre buffer of the aggregate site. The proposed severed land is outside the recommended 300 metre buffer.

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 February 04, 2022 to the Municipality of Burpee-Mills, Bell Canada, 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.

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Application File No. B05-22 - Continued

The Clerk for the Municipality of Burpee-Mills advised they have no concerns with the application as proposed and that the assessment table for the drainage report has not been completed to date.

Bell Canada have not advised of any concerns or requested additional time to do so.

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

During consideration of the application, the Board supported a condition of approval regarding potable water be included; that no condition of approval be included regarding Section 65 of the Drainage Act, but that a note is added to the Decision regarding a possible reassessment; and that the building permit for the proposed severed land and conformity to the municipal Zoning By-law be left to the Municipality and the Building Official.

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 parcel(s), given conditional approval. This Schedule must also contain the names of the parties indicated on the Transfer of Land form.

Accompanying the transfer documents shall be:

- i) a reference plan of survey, which bears the Land Registry Office registration number as evidence of its deposit therein, illustrating the parcel(s) to which the consent approval relates;
or
a boundary line survey identifying the new lot lines resulting from the severance(s);
- ii) a written confirmation from the Municipality that an entrance permit from Union Road for the severed land has been or can be issued, satisfactory to the Municipality;
- iii) proof satisfactory to the Manitoulin Planning Board that there is a minimum flow rate of 13.7 litres/per minute of potable water available for the severed land, as per the Provincial D-5-5 Guidelines;
- iv) a fee of \$125.00 for each Transfer of Land submitted for Certification; and
- v) a written confirmation from the municipality that all outstanding municipal taxes have been paid.

Note: Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall not apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application.

Note: Due to the potential Wildland Fire Hazard identified, building restrictions may apply.

Note: This property may be subject to assessment under the Drainage Act because of the proposed Municipal Drain.

Board Minutes
February 22, 2022 - Continued

PRESENTATION OF APPLICATION FOR CONSENT TO SEVER

The Chair announced that the purpose of this phase of the meeting is:

- (a) to consider applications for consent under Section 52 of the Planning Act,
- (b) to make decision in regard to the applications scheduled to be heard, and, explained that this phase is open to the public and any interested parties will be given the opportunity to speak in support or oppose an application

The Chair then asked if any Board Members have or wish to declare a "Conflict of Interest", at this meeting or previous meeting. There were none.

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

	<u>Moved By</u>	<u>Seconded By</u>
1. B01-22	T. Mackinlay	R. Stephens
2. B05-22	K. Noland	T. Mackinlay

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 time now being 8:21 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