

# MANITOULIN PLANNING BOARD

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

February 02, 2023

## MINUTES OF PLANNING BOARD MEETING - January 31, 2023

At a Meeting of the Manitoulin Planning Board held at the Planning Board Office, Gore Bay, Ontario, on January 31, 2023, the following Members of Planning Board were present:

- |    |             |     |              |
|----|-------------|-----|--------------|
| 1. | L. Hayden   | 6.  | B. Barker    |
| 2. | D. Osborne  | 7.  | R. Stephens  |
| 3. | J. DeForge  | 8.  | R. Brown     |
| 4. | D. McDowell | 9.  | T. Mackinlay |
| 5. | D. Head     | 10. | K. Noland    |

Also in attendance for the meeting were:

- A. Feenstra, applicant, Consent File No. B03-23; 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 7:02 P.M. by Chair L. Hayden, who welcomed all present.

The Board Members introduced themselves and which municipality they represented as two new Board Members have been appointed to the Board for 2023.

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 November 22<sup>nd</sup>, 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. Osborne and seconded by K. Noland that the Order of Business be adopted  
- Carried.

### 2. MINUTES OF PREVIOUS BOARD MEETING - November 22<sup>nd</sup>, 2022

The Chair announced that the Minutes of the Board Meeting held on November 22<sup>nd</sup>, 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 - November 22<sup>nd</sup>, 2022

There was none.

### 3. VARIABLE EXPENDITURES

Board Member, K. Noland, asked if the refund had been received for the OACA Conference (September 2022) that the Secretary-Treasurer was unable to attend. She reported that it had been with the exception of a small cancellation fee of \$25.00.

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

#### MOTION

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

4. PRESENTATION OF APPLICATION FOR AMENDMENT

File No.: 96ZBL-22-004  
Owner: Sharon and Darren Domik  
Agent: Gail Hunter  
Location: Part Lot 2, Conc. V, (#169 Beach Road)  
Township of Robinson, District of Manitoulin

The Secretary-Treasurer advised the Board that the Public Meeting had been held on November 22<sup>nd</sup>, 2022 and Decision of Planning Board was deferred in order to allow additional time for the Plan of Survey, to describe the subject land, to be completed. The registered plan of survey has been received and under the Planning Act, the Board could pass a temporary use By-law as requested by the applicants, for up to three years. She read the following By-law:

**BY-LAW NO. 2023-001**

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 Sec. 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 - one travel trailer (9.9 m. x 2.4 m.) with platform (8.0 m. x 4.3 m.) and a privy (1.2 m. x 1.8 m.) may be located and used on lands described in Subsection (2) as a temporary use until the \_\_\_\_\_ in accordance with Section 39 of the Planning Act.
- (2) Subsection (1) applies to that parcel of land in the geographic Township of Robinson, in the District of Manitoulin, (located at #169 Beach Road South), described as Part Lot 2, Conc. V, Surveyed as Part 1, Plan 31R-4249, 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.

Discussion among the Board included:

- the length of time the trailer has been on the property already; have there been any objections from neighbouring property owners; is three years necessary; would two years be sufficient; it is not likely that construction would happen in the winter months unless inside; has the consent to sever application been completed; has an application for the Zoning Conformity Permit been issued; could the applicants be asked to contact the Fire department for when open burning is to be done.

The Secretary-Treasurer advised that:

- the trailer was discovered on the property in violation of the Zoning By-law in July 2022; no objections have been received; the applicants had advised that 2 years would be sufficient time, however three years would be better; the applicants have advised on January 27<sup>th</sup>, 2023 that the Consent to Sever application should be completed soon; a Zoning Conformity Permit Application has been received; she could include a request to contact the Fire Department, as a courtesy, within the Zoning Conformity Permit letter.

Board Minutes  
January 31, 2023 - Continued

The following motion resulted:

It was moved by T. Mackinlay and seconded by D. Head that By-law No. 2023-001 be approved, as read, with the temporary use for the existing structures until November 30<sup>th</sup>, 2025.  
- Carried Unanimously.

## 5. PRESENTATION OF APPLICATIONS FOR CONSENT

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

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

## 6. GENERAL, REGULAR AND NEW BUSINESS

- a) Official Plan Amendment to adopt a Natural Heritage System Strategy (NHSS) for the District of Manitoulin

The Secretary-Treasurer reported that a copy of a Draft Official Plan Amendment (OPA), No. A-3, with draft text and draft mapping for a Natural Heritage System Strategy (NHSS) had been provided to the Board Members with their agenda, on January 24<sup>th</sup>, 2023 as well as emails chains between the Planning Board staff and J. Jones, R. Barnett and S. Bomberry. She provided an additional e-mail chain between herself and J. Jones, that had been provided to the Board with their agenda.

Note:

*The emails and the draft OPA are attached to the Board Minutes as 'Appendix A'.  
(27 pages and 18 pages)*

She explained that the draft NHSS has been a project in process that started in 2019. There have been two open houses (August 2019 and November 2021) and information has been available on the Planning Board website and in the local papers. The most recent update was placed on the Manitoulin Planning Board website and in the local paper on November 15<sup>th</sup>, 2022 and a Public Meeting had been held on November 22<sup>nd</sup>, 2023. The NHSS is a system that can be and will be amended from time to time as new information becomes available; it is a project that can be built on. Since the November 22<sup>nd</sup>, 2022 Board Meeting the mapping has been amended to include one Coastal Wetland north of Lake Wolsey, one on Wickett Lake, two on Falls Lake and one Maple Lake with associated linkages and Alvars on Clapperton Island and Fish habitat in the Manitou River, as per recommendations by J. Jones.

The draft NHSS has been prepared with the recommendations of north-south environmental, the provincial wetland evaluation manual, mapping provided by Land information Ontario, as well as comments received during the course of the project. The Planning Board may consider going over and beyond with the draft NHSS however, the Planning Board staff feel that it is a very good document and is recommending the Board consider adopting an Official Plan Amendment with the NHSS and that it be forwarded to the Ontario Ministry of Municipal Affairs and Housing (MMAH) for their review. It is felt that fresh eyes are needed and MMAH will consult with their partner ministries. MMAH may approve the Natural Heritage System as is, or they may make modifications and recommendations, or they may refuse to accept it.

Discussion among the Board Members included:

- the Board Members have reviewed the documentation provided; does this draft conform to the PPS 2020; concerns with the proportion of Dawson and Robinson Townships set aside for Conservation purposes (Vidal Bay and Queen Mom Park) - already (38%) and diminishing tax revenue for the Robinson Local Roads Board; if there has been any concerns received from the Robinson Local Roads Board (LRB) or Local Services Board (LSB) ; the Municipalities will be sent the draft OPA for adoption; the emails need to accompany the OPA to MMAH; J. Jones comments on coastal wetlands may be different from the PPS 2020 policies; coast wetlands and other wetlands are different; clarification for the addition of the wetland north of Lake Wolsey; the requests for additional wetlands to be identified, could be consider lobbying for work/income for Winter Spider Eco-Consulting; the changes to the mapping from November 2022 are acknowledged,

Board Minutes  
January 31, 2023 - Continued

The Secretary-Treasurer advised that in Staff's opinion the draft NHSS conforms to the PPS 2020 and that no concerns or objections were received from the Robinson LSB or LRB.

Discussion resulted in the following motion:

MOTION

It was moved by K. Noland and seconded by D. Head that the Manitoulin Planning Board deems it appropriate to adopt Official Plan Amendment No. A-3 for the District of Manitoulin including the Unincorporated Townships of Robinson and Dawson consisting of explanatory text and mapping identified on Schedule D, for a Natural Heritage System Strategy (NHSS) as amended from November 22<sup>nd</sup>, 2022 to include one Coastal Wetland north of Lake Wolsey, one on Wickett Lake, two on Falls Lake and one on Maple Lake with associated linkages, as well as Alvars on Clapperton Island and fish habitat on the Manitou River, and that the Secretary-Treasurer, in accordance with provisions of the Planning Act, be directed to forward it and the email chains (made available at this Board Meeting) to the Ontario Ministry of Municipal Affairs and Housing (MMAH) for approval,  
- Carried Unanimously

MOTION

It was moved by D. Osborne and seconded by R. Stephens that BE IT RESOLVED that the motion be adopted, as read,  
- Carried Unanimously.

The Secretary-Treasurer confirmed that the Public Meeting was held on November 22<sup>nd</sup>, 2022 and that under the Planning Act, the Board should now submit a certified copy of the draft Official Plan Amendment, No. A-3, to the Municipalities with a recommendation to be adopted,

MOTION

It was moved by D. Head and seconded by R. Brown that a certified copy of Official Plan Amendment No. A-3, dated January 31<sup>st</sup>, 2023, be forwarded to the Municipalities with a request to be adopted,  
- Carried Unanimously.

6. b) Zoning By-Law No. 2022-05 - Robinson and Dawson Townships

The Secretary-Treasurer reported that in working with the new Zoning By-law, No. 2022-05, for the Unincorporated Townships of Dawson and Robinson (approved on September 28<sup>th</sup>, 2022), that there was an item that she was requesting clarification of.

She explained that in the previous By-law (No. 96-01) the ground floor area requirement for an accessory structure was not to exceed 46 sq. m. However in the new By-law this was omitted; there is no maximum size for an accessory structure. She would like this to be interpreted as a carry over requirement in the new Zoning By-law. In her opinion, it could decrease or eliminate the number of 'Air B & B's' being discovered without approvals.

The consensus of the Board was that this is not necessary and that the new By-law has lot coverage percentages that would assist with larger structures.

c) Ontario Land Tribunal (OLT) - Consent to Sever File No. B12-22

The Secretary-Treasurer informed the Board that the Ontario Land Tribunal (OLT) has set aside a one day hearing to be held via video conference on February 23<sup>rd</sup>, 2023 at 10:00 a.m. The Board Members were advised of the OLT meeting on January 11<sup>th</sup>, 2023.

d) Municipal (Interim) Requisitions 2023

The Secretary-Treasurer reported that a request for interim requisitions for 2023 had been sent out to the Municipalities on January 13<sup>th</sup>, 2023 and three have been received to date.

e) Esri Canada Contract

The Secretary-Treasurer explained that Planning Board has had a contract with Esri Canada since 2014, for ArcGIS, the mapping program. On January 23<sup>rd</sup>, 2023 an invoice was received in the amount of \$4500.00 excluding HST, which was an increase from the previous year of about 10%. ESDI Canada was contacted to try and negotiate a lower maintenance renewal cost, however they provided supporting justification for the price increase.

In further review of our maintenance contact from 2014 to 2023, the average increase per year has only been about 1.1% over the ten years.

Board Minutes  
January 31, 2023 - Continued

Esri Canada will be discontinuing maintenance of the current GIS program at the beginning of 2026. The Planning Board will need to decide before then what options and costs are available when considering the change/update. It may be possible to obtain some funding from the Ontario Ministry of Municipal Affairs and Housing (MAH).

6. f) Photocopier Contract

The Secretary-Treasurer reported that the current (Xerox) photocopier, which was purchased in 2015, is starting to have considerable high costs and that a review for a new copier may be considered appropriate. The Planning Board's Procurement By-law for purchases between \$2,000.00 and \$20,000.00, requires three written quotations if possible, which are to be reviewed by the Budget Committee.

A preliminary price quote exercise has been done and it has been determined that the cost of a new photocopier is within this price range. A motion is required from the Board to proceed with an Official Tender/Quotation process.

MOTION

It was moved by T. Mackinlay and seconded by R. Brown that the Planning Board staff shall proceed, in accordance with the Tender/Quotation requirements of the Procurement By-law, with research for a new photocopier and report back to the Board at the next Board Meeting.

g) Lease (rent) Renewal for the Harbour Centre

The Secretary-Treasurer advised that the current Planning Board lease with the Town of Gore Bay for Office space expires in July 2023 and a renewal lease agreement from the Town is being drafted. The Town has advised that the lease increase should be about 2%.

The Chair asked if the Board had any objections with moving item 7. - in Camera - after item 9. Election of Officers.

The Board had no objections to this change.

7. Budget Review

l) Tariff of Fees (2018)

The Secretary-Treasurer informed the Board that the Tariff of Fees was last reviewed and amended in April 2022, however the Planning Application fees have not been amended since March 2018. A copy of the current Tariff of Fees (2018) was provided to the Board Members with their Agenda.

The consensus of the Board was that the Tariff of Fees should be amended with a five percent (5%) increase rounded out to the nearest \$5.00; no changes to the mileage; and due to the higher paper and photocopier maintenance costs there should be an increase for copies of the Official Plan and Zoning By-law text and mapping and for coloured mapping.

The following motion resulted:

MOTION

It was moved by D. Osborne and seconded by R. Brown that the Tariff of Fees for the Manitoulin Planning Board is amended as discussed, and will be made available on the Manitoulin Planning Board website,  
- Carried Unanimously.

The Tariff of Fees, as amended, is below:

Board Minutes  
January 31, 2023 - Continued

**NOTICE OF TARIFF OF FEES**

Planning Board has established the following Tariff of Fees effective February 1st, 2023, within the Manitoulin Planning Area in accordance with Sec. 69(1) Planning Act R.S.O. 1990 C.P. 13 (as amended).

Applications for:

Consent to Sever, per parcel/application	\$ 760.00
Amendment to Conditions, per parcel/application	370.00
Certification of Land Transfer/Deed	130.00
Certification of Cancellation	130.00
Plan of Subdivision/Condominium	1,420.00
Plus each lot/unit	760.00
- Request to Extend Draft Approval	315.00
- Approval for Second and each subsequent phase	600.00
Amendment to the Official Plan	
- Municipalities	
- Residential, Rural, Open Space, etc.	\$ 1,420.00
- Commercial, Industrial, Institutional, etc.	2,100.00
- Unorganized Townships	
- Residential, Rural, Open Space, etc.	1,625.00
- Commercial, Industrial, Institutional, etc.	2,360.00
Amendment to the Zoning By-Laws	
- Residential, Rural, Open Space, etc.	\$ 760.00
- Commercial, Industrial, Institutional, etc.	\$ 945.00
Deeming By-Law \$ 760.00	
Recirculation - per parcel/application	
- Consents, Subdivisions/Condominiums, Official Plan & Zoning Amendments	\$ 370.00
Letters of Conformity to By-law 2022-05 - before construction	130.00
Letters of Conformance to By-law 2022-05 – after Construction	525.00
- Plus Site Inspection Costs (if required)	0 .61/km.
- Staff Site Inspections	0 .81/km.
Validation of Title	\$ 760.00
Power of Sale	760.00
Any Application Considered	} Cost as Invoiced in
to Require Notice in Newspaper	} Addition to Above Fees
Request to be Heard/For Consideration	\$ 160.00
Letters - Response to Planning Inquires i.e. Interpretation/Opinions, Official Plan & Zoning By-laws, Outstanding Work Orders, etc.	80.00
NSF Cheques	\$ 55.00
*Request for Special Meeting of Planning Board	\$ 315.00
Geographic Information System Data (Minimum 1 hr.)	\$ 62.50/hr.
*Make a Map/Sketch 8½" X 11" or 8½" X 14" (without Planning Application)	\$ 20.00
Document Publications	
- Official Plan Text	\$ 100.00
- Copies of a complete set of coloured Official Plan schedules/maps	50.00
- Zoning By-law No. 2022-05 Text and mapping	50.00
- Copy of a coloured Zoning By-law schedule/map (8½" X 11")	5.00

Note: All fees are plus costs, expenses incurred from advertising, travel, etc., as required.

Board Minutes  
January 31, 2023 - Continued

7. ii) Draft Budget for 2023

J. Diebolt, staff member, presented the 2023 draft Budget. He explained that there will be amendments required due to the 2022 surplus of funds, the possibility of a new photocopier, the lease increase, and the possible wage increase for 2023.

The Financial Statements are to be prepared by KPMG Accounting Firm, starting mid February 2023.

8. ELECTION OF OFFICERS FOR 2023

a) CHAIR AND VICE CHAIR

The Chair, L. Hayden, announced that the election of Chair and Vice Chair for the year 2023, as required annually by Section 11(2) of the Planning Act and in accordance with the Procedural By-law for the Manitoulin Planning Board will be held.

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

The Secretary-Treasurer advised the Board Members that Procedural By-law, Section III(4) states that the maximum term to be served by any Chair is four consecutive years, which makes all Board Members eligible to be nominated.

The Secretary-Treasurer then called for nominations for Chair for 2023.

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

The Secretary-Treasurer then called for further nominations for Chair for 2023.

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

Mr. Hayden accepted the nomination and was therefore acclaimed as Chair for 2023.

Next, the Secretary-Treasurer called for nominations for Vice Chair for 2023.

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

The Secretary-Treasurer then called for further nominations for Vice Chair for 2023.

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

Mr. Noland accepted the nomination and was therefore acclaimed as Vice Chair for 2023.

b) COMMITTEE APPOINTMENTS

i) Executive Committee

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

Therefore the Executive Committee for 2023 will consist of L. Hayden, Chair, and K. Noland, Vice Chair, and R. Stephens, Past Chair.

ii) Budget Committee

The Secretary-Treasurer advised that the Budget Committee for 2022 consisted of, R. Stephens, I. Anderson, and K. Noland.

The Secretary-Treasurer called for nominations for the Budget Committee for 2023.

Following a request for nominations for the Budget Committee, D. Osborne recommended that the Budget Committee remain the same with the exception of B. Barker replacing I. Anderson. This nomination was seconded by T. Mackinlay and the motion was carried unanimously.

Following a request to R. Stephens and K. Noland and B. Barker if they would be the Budget Committee for 2023, they all accepted.

Therefore the Budget Committee for 2023 will consist of, R. Stephens, K. Noland and B. Barker.

iii) Signing Authorities

The Secretary-Treasurer advised the Board that the current signing authorities for 2022 consisted of any two of K. Noland, D. Osborne, and L. Hayden, (Board Members) and T. Carlisle, Secretary-Treasurer and requested that they remain the same for 2023 as this was working well.

Board Minutes  
January 31, 2023 - Continued

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

D. Osborne and L. Hayden and K. Noland agreed to remain as signing authorities for 2023.

Therefore the Signing Authorities for 2023 will consist of any two of, D. Osborne, Board Member, L. Hayden, Board Member, K. Noland, Board Member, and T. Carlisle, Secretary-Treasurer.

With the completion of the Election of Officers for 2023, Chair L. Hayden continued with the agenda.

9. CLOSED (IN CAMERA) SESSION

The Chair requested the Board to go In Camera to discuss matters about identifiable individuals.

MOTION

It was moved by R. Stephens and seconded by K. Noland that the Board go In Camera at 9:23 p.m. to discuss personnel matters about identifiable individuals.

- Carried Unanimously.

MOTION

It was moved by D. Osborne and seconded by R. Stephens that the Board rise from the In Camera session at 9:48 p.m.

- Carried Unanimously.

It was reported that items were discussed during the in camera component of the Board Meeting. There were no decisions or motions made in Camera.

The following motions resulted:

MOTION

It was moved by T. Mackinlay and seconded by D. Osborne that the Planning Board continue to have a part time employee on a contract basis for 2023 for 60 hours per month at an hourly wage of \$20.00 and that this cost be included in the 2023 Budget,

- Carried Unanimously.

MOTION

It was moved by R. Stephens and seconded by B. Barker that the Planning Board allow the two staff members to carry over their unused 2022 holidays into 2023, and that every effort be made to use them before the end of the year,

- Carried Unanimously.

MOTION

It was moved by R. Stephens and seconded by K. Noland that the Planning Board include in the 2023 budget, an increase to staff wages for 2023 resulting in equal salaries in the amount discussed in camera, effective January 01, 2023.

- Carried Unanimously.



Board Minutes  
January 31, 2023 - Continued

Application File No.: B39-22 No. of Members Present: 10  
Date of Decision: [November 22, 2022 - deferred] January 31, 2023  
Location of Property: Lots 11 and 12, Conc. VI, Township of Bidwell, Municipality of Assiginack, District of Manitoulin

### **DECISION**

The purpose of this application made under Section 53(1) of the Planning Act by Douglas and Richard McLay is to provide for the creation of a new ±40 Hec. lot (a technical severance) as originally surveyed, being Lot 11, Conc. VI, having frontages of ±402 M. on Red Lodge Road and ±1,005 M. on Bidwell Road, both maintained municipal roads. The applicants' hunt camp is located within this land. There are no land use changes proposed at this time.

The land to be retained has a frontage of ±100.6 M. on Red Lodge Road, a municipal maintained road, and a depth of ±1,005 M., thereby containing an area of ±34 Hec. There are no structures on this land.

There is a previous application for Consent to Sever involving the subject land that has not been completed as of this date; File No's. B31-22, B32-22 and B33-22 approved by the Manitoulin Planning Board on September 27<sup>th</sup>, 2022, proposes to create three new lots within Lot 12, Conc. VI. The Municipality of Assiginack had advised that 'any further development be by way of a Plan of Subdivision.' There is a note on the file that 'Any further development will be considered by a Plan of Subdivision.'

Douglas McLay, agent for the application, was advised that the creation of the new ±40 Hec. lot, as proposed, may not be supported by the Consent to Sever process. He advised that he wished to proceed with the application.

Access is via existing entrances, from Bidwell Road and Red Lodge Road, both maintained municipal roads. Red Lodge Road is jointly maintained between the Municipality of Assiginack and the Town of Northeastern Manitoulin and the Islands.

Services will consist of private wells and private individual septic systems when required. No new services are required at this time.

The subject land has been designated as a Rural Area and zoned Rural ( R ) and Agriculture (A).

Official Plan Policy under C.5 - Rural Areas - under C.5.2.2. states:

*'Development in Rural Areas will be subject to policies of Section E.2.'*

Official Plan 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.'*

The Provincial D-5-5 Guidelines require a minimum flow rate of 13.7 litres/per minute of potable water to be available for a permanent (year round) residential use. The applicant was advised that proof of potable water may be required at the building permit stage, if a year-round home is proposed.

There is a livestock facility located to the west, within Lot 14, Conc. VI. The farm related structure meets the requirements of the Minimum Distance Separation (MDS) Formulae as required by the Ministry of Agriculture Food and Rural Affairs (OMAFRA). There are building sites that are outside the area of influence.

There is a Deer Wintering Area identified within the southern portion of the subject land. Due to the size of the severed and retained land, the existing hunt camp, 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 (2021) identifies the areas of tree cover within the subject land. It appears there would be building envelopes outside the area of influence for the severed and the retained land that would conform to the Natural Heritage Policies of the Provincial Policy Statement (PPS) 2020. This proposal is considered to be in conformity with the PPS 2020.

Board Minutes  
January 31, 2023 - Continued

Application File No. B39-22  
November 22, 2022 - continued

The application was circulated on November 3<sup>rd</sup>, 2022 to the Municipality of Assiginack, to the abutting Municipality of the Town of Northeastern Manitoulin and the Islands (NEMI), 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.

The Town of Northeastern Manitoulin and the Islands advised that their next Council meeting is December 6<sup>th</sup>, 2022 and so they cannot make comments until after that date.

The Municipality of Assiginack advised by Resolution No. 265-20-2022:

*' BE IT RESOLVED THAT we inform the Manitoulin Planning Board that we are not in favour of Consent Application, File No. B39-22 at this time due to the fact that Council has previously asked that any further development of this land be by way of Plan of Subdivision and that we have concerns regarding the increase in volume of traffic on Red Lodge Road and would like to review our Boundary Road Agreement with NEMI.'*

Mr. McLay, agent for the application, was advised of the Township comments.

Bell Canada advised they have no comments or concerns regarding the application.

There were no 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.

In consideration of the information presented, a motion was made and duly seconded that Decision for the application be deferred to allow additional time for the Township of Assiginack to review their Boundary Road Agreement with NEMI, and for NEMI to provide their comments.

#### **January 31, 2023**

The Clerk for the Town of Northeastern Manitoulin and the Islands advised by email on January 26<sup>th</sup>, 2023, that they have no comments.

The Secretary-Treasurer reported that she had requested additional comments from the Municipality of Assiginack on January 26<sup>th</sup>, 2023 and again on January 31<sup>st</sup>, 2023. No comments have been received.

During consideration of the application the Board discussed:

- the previous comments from the Municipality of Assiginack that they were not in favour of the (additional) severance at this time and had concerns regarding the increase volume of traffic on Red Lodge Road; that they supported additional severances by a Plan of subdivision;
- the note on the previous Consent to Sever Application, File No's. B31-22 to B33-22, which created three lots from the +/-80 Hec. parcel of land had a note attached that any further development will be considered by a Plan of Subdivision;
- the applicants were made aware of the note and chose to proceed with an additional severance application;
- the Official Plan policies for Consents have been considered;
- could a condition be attached to the approval that the Boundary Road Agreement between the Municipalities has been completed to the satisfaction of both Municipalities; if so, could this condition be fulfilled within the two year requirement;
- NEMI did not provide any comments regarding the severance or the Road Agreement or the condition of Red Lodge Road;
- the shared maintenance of Red Lodge Road between the Municipalities has been a concern for many years; it appears that the Boundary Road Agreement may not be resolved any time soon; a condition of consent may not be able to be fulfilled within two years;
- could defer the application again;
- would deferral change the Board's decision for no more severances by Consent to Sever.

Board Member, and municipal counsellor, Dave McDowell, spoke to the application and advised that Council was concerned that approval of one more severance by the Consent to Sever process, could lead to a request for an additional three lots within Lot 11, Conc. VI. A Plan of Subdivision seems to be appropriate.

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

In consideration of the Township comments, the number of lots already created from the parcel of land, the note on the previous severance application that any further development will be considered by a Plan of Subdivision, and the uncertainty regarding the Boundary Road Agreement between the two Municipalities, by a motion made, duly seconded, and carried, this application is deemed to be refused.

Board Minutes  
January 31, 2023 - Continued

Application File No.: B01-23 No. of Members Present: 10  
Date of Decision: January 31, 2023  
Location of Property: Part Lot 11 and Lot 12, Conc. IV, Township of Tehkummah,  
District of Manitoulin

### DECISION

The purpose of this application made under Section 53(1) of the Planning Act by John and Linda Albrecht is to provide for the creation of a new lot having a frontage of  $\pm 42.7$  M. on the 10<sup>th</sup> Side Road, a maintained municipal road, and a depth of  $\pm 243$  M., thereby containing an area of  $\pm 1.04$  Hec. ( $\pm 2.5$  Acres). There are no structures on this land. According to the application a private Amish Cemetery and storage shed are proposed for the new lot.

The land to be retained has frontages of  $\pm 425.5$  M. and  $441.6$  M. on the 10<sup>th</sup> Side Road, a maintained municipal road and  $\pm 804$  M. on the non-maintained road allowance between Concession IV and V, and a depth of  $\pm 804$  M., thereby containing an area of  $\pm 79$  Hec. The applicants' dwelling, barn and accessory shed are located within this land. Farm related residential uses are proposed to continue.

Services for the retained land consist of an existing private individual septic system and an existing private well. There are no services required for the severed land at this time.

The Public Health Sudbury and District (PHSD) have advised that they have no concerns as it appears that the retained lot is capable of development for installation of a septic tank and leaching bed system.

Access for the retained land is via an existing entrance, #881 the 10<sup>th</sup> Side Road, a maintained municipal road. Access for the severed land will also be via the 10<sup>th</sup> Side Road.

The subject land has been designated as Rural Area and Prime Agriculture Area and zoned Rural ( R ) and Agriculture (A). The proposed new lot is within a Rural Area and a Rural ( R ) Zone.

Lloyd Albrecht, agent for the application, was advised that an Amendment to the Zoning By-law No. 80-02 for the Township of Tehkummah may be required to permit a private cemetery and a storage shed that is not accessory to a dwelling, on the proposed new lot.

There is a drain catchment area identified within the southerly half of the retained land, known as the McCauley Drain Extension.

Mr. Albrecht was advised that a reassessment under Section 65 of the Drainage Act may apply.

There is a livestock facility located within the retained land and a livestock facility within the abutting lot to the west, being Lot 13, Conc. IV. The farm related structures meet the requirements of the Minimum Distance Separation (MDS) Formulae as required by the Ministry of Agriculture Food and Rural Affairs (OMAFRA). The severed land is outside the area of influence.

The application was circulated on January 6<sup>th</sup>, 2023 to the Township of Tehkummah, 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.

An email was received from Ross Arnold, abutting land owner to the north, being Lot 11, Conc. III:

*' To: Planning Board personnel*

*I own the property just north of and adjacent to the property in question. I would just like to add information to be considered by the board and the applicants. The southeast corner of my property lot 11 con III is where I installed a culvert and gate for access to the southern end of the property. The ground in this corner of my property is much lower than the level of 10th side road and required a fair amount of gravel to bring it level with the roadway. It is extremely wet in the spring because a drainage ditch running from Tehkummah village on the east side of 10th side road crosses under the road and onto my property. The ditch is near parallel to 10th side road and at the south end of the property takes a 90 degree turn towards 10th side road and drains into the ditch and land in that southeast corner. In addition to this water, water from the higher ground to the west and north of the property runs toward the southeast corner. In most years the south side of my property stays wet well into late spring. The spring I installed the gate the ground water was very evident in the post holes I dug. This is a very low lying area that drains south.'*

Board Minutes  
January 31, 2023 - Continued

Application File No. B01-23 - continued  
January 31, 2023

The email was forwarded to the deputy clerk-administrator, Township of Tehkummah, on January 17<sup>th</sup>, 2023.

The deputy clerk-administrator for the Township of Tehkummah, advised that the Township recommends that Consent to Sever be granted with no specific conditions. She noted that the development proposal is in conformity with their Zoning By-law No. 80-02 and that Section 65 of the Drainage Act does not apply.

The Secretary-Treasurer requested additional comments, via email on January 18<sup>th</sup>, 2023, for further clarification, as follows:

*'I was reviewing the application for Mr. and Mrs. Albrecht this morning.  
In review of the questionnaire you returned:*

*Does a private cemetery and a storage shed that is not accessory to a dwelling conform to your current By-law? You have answered Yes to this question.  
Would your Council recommend a Zoning Amendment to conform?*

*There is a municipal drain extension traversing the subject land, as shown on our sketch. Just to confirm, is this a municipal drain?  
Would Section 65 of the drainage Act apply?*

*Further to the email received from Mr. Arnold that I forwarded to you on January 17<sup>th</sup>, does Council see any access or safety concerns? Would Council have any recommendations?'*

The deputy clerk-administrator advised via email on January 31<sup>st</sup>, 2023 that she sent Albrecht's application to their Drainage Engineer for his comments re the water situation but had not heard back yet from the Drainage Engineer about the water issue near the Albrecht property.

Mary McCartney, Bell Canada, advised via email on January 10<sup>th</sup>, 2023 that Bell Canada does not have any comments or concerns regarding the application.

There were 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.

During consideration of the application the Board were in agreement that information from the drainage engineer was required and that answers to the questions posed by the Secretary-Treasurer are required from the Municipality. Also, that additional information about the Cemeteries Act and the Bereavement Society of Ontario was needed to better understand the process as the Board have not approved a lot for a private cemetery in the past.

John DeForge, Board Member and Reeve for the Township of Tehkummah, was in agreement that additional information was needed from the drainage engineer. He did not have any concerns with a deferral of Decision.

In consideration of the information presented, and the discussion had, a motion was made and duly seconded and carried that Decision for the application be deferred to allow additional time for the Township of Tehkummah to provide their comments including those regarding the drainage and for additional information to be provided regarding the Cemeteries Act and the Bereavement Society of Ontario and the regulations for a private cemetery.

Board Minutes  
January 31, 2023 - Continued

Application File No.: B02-23 No. of Members Present: 10  
Date of Decision: January 31, 2023  
Location of Property: Lot 9, Conc. IX, excepting Part 1 on Plan 31R-1242 and Part 1 on Plan 31R-2430, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin

### DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Julie Pearson Heinen on behalf of 1777325 Ontario Limited is to provide for the creation of a new lot having a frontage of ±91 M. on Blue Road, a maintained municipal road, and a depth of ±91 M., thereby containing an area of ±0.82 Hec. (±2.0 acres). The applicant is proposing to offer this lot for sale for residential uses. There are no structures within this land.

The land to be retained has a frontage of ±93.9 M. on Blue Road, a maintained municipal road and a depth of ±1,005 M., thereby containing an area of ±37 Hec. The applicant's hunt camp and four accessory storage sheds are located within this land. The land is mostly bush covered with some crop removal. Farm related residential uses are proposed to continue.

There have been three (3) previous applications for Consent to Sever involving the subject land.

File No. B51-82 provided for the creation of a new lot, surveyed as Part 1, Plan 31R-1242;

File No. B63-92 provided for a lot addition of Part 1, Plan 31R-2430 which was added to the previous lot, Part 1, Plan 31R-1242; and

File No. B13-22 provided for the re-configuration of the lot, being Part of Part 1, Plan 31R-2430 and retaining Part of Part 1, Plan 31R-2430 and all of Part 1, Plan 31R-1242. This file has not been completed to date.

The current application is to sever the resulting retained land (±38 Hec.) of those previous three applications, into a severed portion and a retained portion.

Accompanying the application was a building permit, No. 2017-06, for a barn (52 ft. X 60 ft.). According to the application the barn has been converted to a implement storage building. There was no 'change of use' permit accompanying the application. There was also a building permit, No. 2017-36, for a tent-like structure (30 ft. X 65 ft.) to be used for hay storage.

Services for the severed land will consist of private individual septic system and private well, when required. There is an existing well on the retained parcel. There is no septic system.

The Public Health Sudbury and District (PHSD) have advised that they have no concerns as it appears that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system.

Access for the retained land is via an existing entrance, #685 Blue Road, a maintained municipal road. Access will also be from Blue Road, for the proposed severed land.

The subject land has been designated as Rural Area and zoned Rural ( R) and Agriculture (A). The proposed new lot is within a Rural Area and Rural ( R) Zone.

Official Plan 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'.*

The Provincial D-5-5 Guidelines require a minimum flow rate of 13.7 litres/per minute of potable water to be available for a permanent (year round) residential use. The applicant was advised that proof of potable water may be required at the time of the building permit stage.

Board Minutes  
January 31, 2023 - Continued

Application File No. B02-23 - continued  
January 31, 2023

There is a drain catchment area identified within the subject land, known as the Drainage System A - Bond Drain Catchment.

Ms. Heinen was advised that a reassessment under Section 65 of the Drainage Act may apply.

From information available habitat for Bobolink and Eastern Meadowlark were identified within the surrounding area, but not within the subject land.

There is an unevaluated wetland identified at the southerly portion of the retained land.

Due to the size of the proposed lots, the location of the existing structures, and building sites outside the areas of influence, the subject land does not appear to have any natural heritage features or species at risk concerns.

This proposal is considered to be in conformity with the Provincial Policy Statement 2020.

The application was circulated on January 13<sup>th</sup>, 2023 to the Municipality of Central Manitoulin, 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.

The Municipality of Central Manitoulin recommends approval of the application with no specific conditions, and noted that Section 65 of the Drainage Act would apply.

Mary McCartney, Bell Canada, advised via email on January 17<sup>th</sup>, 2023 that Bell Canada does not have any comments or concerns regarding this application.

Board Member and Reeve for the Municipality, Richard Stephens, asked if there was a safe entrance for the severed lot, as there is a hill at that point of Blue Road. The Secretary-Treasurer reported that the staff were unaware of the hill and potential safety concerns and that the Municipality had not advised of any safety concerns with the access.

Discussion during consideration of the application included:

- *what if a safe entrance cannot be obtained, for the proposed severed land; - do the buildings located in the front yard/in front of the hunt camp/dwelling, conform to the Municipal By-law;*
- *if a 'change of use' permit has not been issued for the conversion of the barn, what is to stop the applicant from using it as a barn; there have been horses on the property in the past;*
- *has the minimum distance calculation formulae (MDS) been done;*
- *could a condition be attached to the Decision that a 'change of use' permit is issued.*

The Secretary-Treasurer advised that:

- *if a safe entrance cannot be obtained for the proposed severed land that the applicant could grant a legal right-of-way over the retained parcel using the existing entrance from (#685)Blue Road;*
- *the municipal Zoning By-law for Central Manitoulin does permit structures to be located in the front yard as long as they are a minimum of 20 metres from the front lot line, which in this case they are;*
- *the MDS calculation has not been done as the applicant has not advised that the property is being used for horses or livestock;*
- *in her opinion, it would appear that attaching a condition regarding the 'change of use' permit would be a reasonable condition.*

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 identified on the Transfer of Land form.

Board Minutes  
January 31, 2023 - Continued

Application File No. B02-23 - continued  
January 31, 2023

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) a written confirmation from the municipality that an entrance permit from Blue Road has been issued or could be issued for the proposed severed land, satisfactory to the municipality;
- iii) a written confirmation from the municipality that any reassessment required for the subject lands as required by Section 65 of the Drainage Act has been completed by the landowner, satisfactory to the municipality;
- iv) a written confirmation from the municipality that a permit has been issued for the 'change of use' for the implement shed that is no longer being used as a barn, satisfactory to the municipality;
- v) a fee of \$125.00 for each Transfer of Land submitted for Certification; and
- vi) a written confirmation from the municipality that all outstanding municipal taxes for the subject land, 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: Owners of the subject lands should be aware that the cost of maintenance of municipal drains is prorated to landowners.

Board Minutes  
January 31, 2023 - Continued

Application File No.: B03-23 No. of Members Present: 10  
Date of Decision: January 31, 2023  
Location of Property: Lots 14 and 15, Conc. VII, Township of Tehkummah,  
District of Manitoulin

### DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Arie and Anneesa Feenstra is to provide for the creation of a new  $\pm 40$  Hec. lot (a technical severance) being Lot 14, Conc. VII as originally surveyed, having a frontage of  $\pm 402$  M. on Concession Road 6 West, a maintained municipal road, and a depth of  $\pm 1,005$  M. The applicants' dwelling with attached shop, and barn are located within this land. The applicants have advised that the shop is used for person storage and equipment repair. Farm related residential uses are proposed to continue.

The land to be retained, (being Lot 15, Conc. VII) has frontages of  $\pm 402$  M. on Concession Road 6 West, a maintained municipal road and  $\pm 1,005$  M. on the 15<sup>th</sup> Side Road, a partly open and maintained road (+/- 300 metres), and a depth of  $\pm 1,005$  M., thereby containing an area of  $\pm 40$  Hec. There are no structures on this land. There are no land use changes proposed at this time.

Access is via an existing entrance, #757 Concession Road 6 West, for the severed land. An entrance permit will be required from the municipality for the retained land.

Services will consist of private well and private individual septic system when required. No new services are proposed for the retained land, at this time.

There is a drain catchment area identified at the north within the subject land, known as the Wood Drain.

Mr. Feenstra was advised that a reassessment under Section 65 of the Drainage Act may apply.

The subject land has been designated as a Rural Area and zoned Agriculture (A), Rural (R) and Conservation (02).

Mr. Feenstra was advised that if non-farm residential uses are proposed for the retained land, that an Amendment to the Municipal Zoning By-law may be required.

Official Plan Policy under C.5 - Rural Areas - under C.5.2.2. states:

*'Development in Rural Areas will be subject to policies of Section E.2.'*

Official Plan 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.'*

The Provincial D-5-5 Guidelines require a minimum flow rate of 13.7 litres/per minute of potable water to be available for a permanent (year round) residential use. The applicant was advised that proof of potable water may be required at the building permit stage, if a year-round home is proposed.

There is a livestock facility located within the severed land and three other livestock facilities located on abutting properties to the north and to the west. The farm related structures meet the requirements of the Minimum Distance Separation (MDS) Formulae as required by the Ministry of Agriculture Food and Rural Affairs (OMAFRA). There are building sites that are outside the area of influence.

A potential Wildland Fire Hazard was identified at the South West corner of the retained 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.'*

The satellite imagery (2021) identifies the areas of tree cover within the subject land. It appears there would be building envelopes outside the area of influence for the retained land that would conform to the Natural Heritage Policies of the Provincial Policy Statement (PPS) 2020.



Board Minutes  
January 31, 2023 - Continued

Application File No. B03-23  
January 31, 2023 - continued

There is a licenced Aggregate Site, No. 615641, identified within Lots 12 and 13, Conc. VI, to the north of the subject land. A portion of Lot 14, at the north east falls within the the Ministry of the Environment and Climate Change (MOECC) D-6 Series Guidelines 300 metre buffer of the aggregate site.

The Official Plan under Policy D.8.2 MINERAL AGGREGATE RESOURCES states:

*'Mineral aggregate resources will be protected for long-term use. As much of the mineral aggregate resources as is realistically possible will be made available as close to markets as possible.'*

*The following policies apply to Mineral Aggregate Resources:*

2. *Development proposals in close proximity to licenced aggregate extraction areas will be evaluated in terms of potential incompatibilities and addressed accordingly in consultation with the Province. Pertinent information regarding surface and groundwater, dust, vibration, noise, traffic routes in connection with the licenced aggregate extraction area, and buffering will be considered to ascertain the effect these existing factors will have on the proposed new development. 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.'*

The Provincial Policy Statement 2020, Section 3.0 - Protecting Health and Safety states:

*'Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.'*

With the existing dwelling building envelopes outside the required 300 M. distance buffer this proposal is considered to be in conformity with the PPS 2020.

The application was circulated on January 13, 2023 to the Township of Tehkummah, 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.

Bell Canada advised they have no comments or concerns regarding the application.

The Township of Tehkummah have not returned the application questionnaire yet, but the deputy clerk-administrator advised via email on January 31<sup>st</sup>, 2023 that:

*'I don't see any issue with the severance for the Feenstra property.'*

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

Mr. Feenstra, applicant, was in attendance during consideration of the application.

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

Board Member, Ken Noland explained how the reassessment process was done and explained that it is in the applicant's best interest to discuss this with the Municipality prior to the completion of the Consent to Sever 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 identified on the Transfer of Land form.

Board Minutes  
January 31, 2023 - Continued

Application File No. B03-23  
January 31, 2023 - continued

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 line(s) resulting from the severance(s)
- ii) a written confirmation from the municipality that an entrance permit has been issued or can be issued for the retained land, satisfactory to the municipality;
- iii) a written confirmation from the municipality that any reassessment required for the subject lands as required by Section 65 of the Drainage Act has been completed by the landowner, satisfactory to the municipality;
- 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:** Owners of the subject lands should be aware that the cost of maintenance of municipal drains is prorated to landowners.

Board Minutes  
January 31, 2023 - 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.	B29-22	K. Noland	D. Osborne
		* That this application is deemed to be refused, - Carried	
2.	B01-23	R. Brown	B. Barker
		* That this application be adjourned, - Carried	
3.	B02-23	K. Noland	R. Brown
4.	B03-23	D. Head	R. Brown

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 B29-22 and B01-23.

\*\*\*\*\*

The time now being 9:52 p.m. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by D. Head.

L. HAYDEN, CHAIR

  
 T.A. CARLISLE,  
 SECRETARY-TREASURER