



MANITOULIN PLANNING BOARD

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May 31, 2023

MINUTES OF PLANNING BOARD MEETING - May 30th, 2023

At a Meeting of the Manitoulin Planning Board held at the Planning Board Office, Gore Bay, Ontario, on Tuesday, May 30th, 2023, the following Members of Planning Board were present:

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

Regrets: D. Head

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

The Meeting was called to Order at 7:00 P.M. by Chair L. Hayden, who welcomed all present.

The Chair asked if there were any Board Members who wished to declare a conflict of interest with any of the items listed on the agenda or having to do with the previous Board Meeting held on April 25th, 2023.

There were no conflicts declared.

1. ORDER OF BUSINESS

The Chair requested the adoption of the order of business.

MOTION

It was moved by T. Mackinlay and seconded by R. Brown that the Order of Business be adopted
- Carried.

2. MINUTES OF PREVIOUS BOARD MEETING - April 25th, 2023

The Chair announced that the Minutes of the Board Meeting held on April 25th, 2023 had been circulated to the Board Members and requested that any errors or omissions be stated.

A motion was moved by D. McDowall and seconded by D. Osborne that the Minutes be adopted,
- Carried.

BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING - April 25th, 2023

There was none.

3. VARIABLE EXPENDITURES

Board Member, R. Stephens who was not present at the April 25th, 2023 Board Meeting asked if the cost for the Audit was about the same as in past years, as it seemed high.

The Secretary-Treasurer explained that the invoiced amount was considerably higher this year due to some unforeseen costs which included an increased annual inflation of 5-7% from the previous year; a one time revised auditing standard fee of \$530.00; and extra billable hours to make various posting adjustments/corrections in the amount of \$2400.00. This resulted in an increase of about \$4227.00 from the previous year.

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

MOTION

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

Board Minutes
May 30th, 2023 - Continued

4. PRESENTATION OF APPLICATION FOR AMENDMENT - TOWNSHIP OF ROBINSON

Following the Public Meeting which was closed by Chair, L. Hayden, the Secretary-Treasurer presented the following Amendment Application:

File No.:	2022-05ZBL-23-001
Applicant/Owners:	Jeffrey Pastorius and Ellie Cook
Agent:	Hugh McLaughlin
Property Description:	Part Lot 10, Conc. X, Surveyed as Part 1, Plan 31R-2211 Township of Robinson District of Manitoulin

A Zoning Amendment Application has been received from Hugh McLaughlin on behalf of Jeffrey Pastorius and Ellie Cook to permit a seasonal dwelling in a Rural (R) Zone.

Zoning By-law No. 2022-05, under Section 14.0 - Rural (R) Zone does not permit a seasonal dwelling unless it has existed prior to November 28th, 1978 or is erected on a lot to which a consent has been given. Hunt camps are only permitted on land that is a minimum of 10 Hec. In size. Therefore an Amendment to the Zoning By-law is required.

This ±2.4 Hec. shoreline lot, which has been in the owners' possession since March 2021, is an existing lot of record. There are currently no structures on this land.

During the preliminary review of the application Escarpment Lands were identified within the subject land. A slope stability analysis is required to conform to the policies of the Official Plan Section D.5-4 which states in part:

' Prior to the erection of construction of any building, structure, or facility within the Escarpment Area, reports from a professional engineer, landscape architect, and or an ecologist must be submitted and approved by the Planning Board, municipality, and the Province. Any development within 60 metres of the brow or base of the escarpment must have a slope stability analysis prepared by a qualified professional engineer.'

A Senior Geotechnical Engineer attended the site on Friday, October 14th, 2022 to review the site and a report was provided from Exp Services Inc. In conclusion, the following comments were included in the Report:

' Based on the visual slope inspection and measured slope angles, the slope in the area of the proposed structure is comprised of predominantly competent bedrock is considered to be stable, and the seasonal structure can be constructed on the proposed location founded on bedrock, without the requirement of slope stabilization measurers.

It should be noted that in order to protect the slope, minimal tree clearing should be completed as noted on the attached drawing. Remaining vegetation on the slope will provided additional stability and prevent future erosion from occurring.'

The sketch provided by Exp Services Inc. Will be used to form part of the By-law Amendment, which identifies the location for the proposed seasonal dwelling of 55.7 sq. m. in size having a front yard setback of 43.8 m.; a rear yard setback of 76.9 m.; a westerly side yard of 190.6 m.; and an easterly side yard setback of 76.9 m.

The application was circulated on March 22nd, 2022 to the Wiikwemkoong Unceded Territory and to the United Chiefs and Councils of Mnidoo Mnising (UCCMM), as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email on April 27th, 2023 that they have reviewed the application and have no comments to submit at this time.

The Wiikwemkoong Unceded Territory have no advised of any concerns.

The application to amend Zoning By-law No. 2022-05 was circulated on May 5th, 2023 to the Township of Robinson Local Roads Board, Ontario Power Generation, Metis Nation of Ontario, the Rainbow and District School Board, Bell Canada, and to all property owners within 120 metres as required by Ontario Regulation 545/06.

Board Minutes
May 30th, 2023 - Continued

APPLICATION FOR AMENDMENT FILE No. 2022-05ZBL-23-001 - Continued

An email of support was received from Randy and Lori Walker, neighbours to the west, on May 18th, 2023.

A request for a copy of the Notice was received from Jennifer Szabo on behalf of Steven Szabo, landowner of Part Lot 10, Conc. X . She did not advise of any concerns.

There was a visit to the Planning Board Office from Paul Leigh on behalf of his wife Heather Leigh, Steven Szabo and Deborah Foreman, landowners of Part Lot 10, Conc. X, on May 19th, 2023 requesting clarification of the legal description/survey and size of the land subject to amendment. Mr. Leigh visited to Office again on May 23rd, 2023 and advised that they had no concerns with the Amendment Application and would not be disputing the survey Plan 31R-2211.

The applicants access their property via Cook's Dock Road, a seasonally maintained road.

The Robinson LRB advised via email on March 31st, 2023 that:

'Robinson Local Roads Board has reviewed the Zoning Amendment Application (Pastourius & Cook) requesting an amendment to permit a seasonal dwelling in a Rural Zone, which is not currently a permitted use.

Please be advised that the LRB has no issue with the zoning amendment to allow the building of a seasonal dwelling, but does wish to advise the applicants that the Cook's Dock Road is not a year-round maintained road, and is therefore not plowed or maintained during the winter. The applicant is also advised to contact the LRB Chair (Mr. Eric Thiessen) to discuss the location of the driveway entrance and placement of a culvert (if required). The cost of the culvert and installation will be the responsibility of the owner. '

Servicing will consist of a private individual septic system and water supply from Lake Huron.

The Public Health Sudbury and District (PHSD) conducted a site visit to the property and have advised they have no concerns.

Hydro One advised that they have no concerns and that there is no hydro services at this location.

Bell Canada did not advise of any concerns.

Fire Protection is available by the Robinson Township Volunteers.

Garbage Collection is available through the Robinson Local Services Board.

The lands subject to this proposal will remain designated as being within a Rural Area and all Official Plan Policies applicable thereto will continue to apply.

The subject land is to remain as presently zoned as Rural (R) Zone. This proposal to amend Zoning By-law No. 2022-05, if approved, will permit a 55.7 sq. m. seasonal dwelling to be located and used on a site specific basis, having the recommended setbacks as per the Report provided by Exp Services Inc. and as identified on the Schedule 'A' to the By-law.

The Provincial Policy Statement (PPS) 2020 states under:

Section 2.1. - Natural Heritage states under 2.1.1:

' Natural features and areas shall be protected for the long term.'

Section 2.1.8 2.2 states:

' Development and site alternation shall not be permitted on adjacent lands to the natural heritage features or areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.'

Section 1.1.5.1 states:

'In rural areas located in a territory without municipal organization, the focus of development activity shall be activities and land uses related to the management or use of resources and resource-based recreational activities.'

Board Minutes
May 30th, 2023 - Continued

APPLICATION FOR AMENDMENT No. 2022-05ZBL-23-001 - Continued

There does not appear to be any adverse impacts to policies expressed by the Provincial Policy Statement 2020. This proposal appears to be consistent with the Provincial Policy Statement 2020.

There have been no other concerns, objections or comments received from the property owners or the agencies circulated.

The Secretary-Treasurer explained that In order to comply with the Zoning By-law No. 2022-05, and the Escarpment Policies of the Official Plan, and the Natural Heritage Policies of the Provincial Policy Statement 2020, and the recommendation of Exp Services Inc., the proposed seasonal dwelling (±6.1 m. X ± 9.14 m.) may be permitted on a site specific basis with minimal tree removal.

The required Public Meeting was held by the Manitoulin Planning Board on Tuesday, May 30th, 2023 at 7:02 p.m., prior to the presentation of the application.

Discussion included:

- wildland fire hazard policies vs escarpment policies; with little tree removal there is a potential fire hazard but would have no negative impact on the Escarpment land; catch 22; Stability Report has been done; only the removal of a few trees is recommended; what is considered to be minor tree removal;; appears the driveway and culvert are already in place; There was no one in attendance at the Public Meeting to speak on behalf of or opposition to the application.

The Secretary-Treasurer then read the following By-law for the Board's consideration:

BY-LAW NO. 2023- 002

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

Whereas the Manitoulin Planning Board has been granted the authority by Ontario Regulation 159/96 deeming Ontario Regulation 672/81, a Minister's Zoning Order, to be and to always have been a By-law of the Manitoulin Planning Board under Section 34 of the Planning Act.

And Whereas the Manitoulin Planning Board has ensured that adequate information has been made available to the public and has held at least one (1) public meeting after due notice for the purpose of informing the public of this By-law.

And Whereas the Manitoulin Planning Board deems it desirable to amend Zoning By-law No. 2022-05 under Section 34 of the Planning Act, Chapter p.13, R.S.O., as amended.

Now Therefore, the Manitoulin Planning Board enacts the following:

- (1) Despite requirements of the Zoning By-law No. 2022-05 under Section 14.0 - Rural (R) Zone permits one seasonal dwelling having a minimum ground floor area of 55 square metres to be used and located as identified on the attached sketch (Schedule A) having a minimum front yard setback of 43.8 metres, within land described under Subsection (2);
- (2) Subsection (1) applies to that parcel of land in the geographic Township of Robinson, in the District of Manitoulin, described as Part Lot 10, Conc. X, Surveyed as Part 1, Plan 31R-2211 (Cooks Dock Road), as registered in the Land Registry Office for the Registry Division of Manitoulin (31).
- (3) All other permitted uses and provisions of Zoning By-law No. 2022-05 which apply to the Rural (R) Zone, shall continue to apply to the lands as described previously under Subsection (2) of this By-law.
- (4) That it is hereby certified that this amending By-law is in conformity with the Official Plan for the District of Manitoulin.
- (5) Schedule "A" hereto attached shall be considered to be part of this By-law.
- (6) This By-law shall come into force and take effect on the date of its final reading subject to the expiration of the 20 day appeal period, provided in Section 34(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 the Manitoulin Planning Board.

Board Minutes
May 30th, 2023 - Continued

MOTION

It was moved by T. Mackinlay and seconded by R. Stephens that By-law No. 2023-002 be approved, as read,

- Carried.

5. 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.

6. GENERAL, REGULAR AND NEW BUSINESS

a) Provincial Appointments to the Manitoulin Planning Board

The Secretary-Treasurer reported that interviews have been started by the Ontario Ministry of Municipal Affairs and Housing. She has not received any notification as of yet, as to the Provincial Appointments to the Manitoulin Planning Board.

Board Member, T. Mackinlay, advised that he had not reapplied.

b) Ministry of Municipal Affairs and Housing (MMAH) - Special Business Case Funding Report for Zoning By-law No. 2022-05 for the Townships of Robinson and Dawson

The Secretary-Treasurer advised that the Ontario Ministry of Municipal Affairs and Housing (MMAH) requires the Planning Board to pass a Resolution to accept the Business Case Funding Report that she had prepared, in the amounts of \$5,091.00 and \$11,036.00 which has been received from the MMAH.

The following motions resulted:

MOTION

It was moved by T. Mackinlay and seconded by D. Osborne that the Manitoulin Planning Board supports and accepts the Financial Report for Special Business Case Funding 2021-2022 and 2022-2023, prepared by the Secretary-Treasurer in the total amount of \$16,127.54, to be submitted to the Ministry of Municipal Affairs and Housing, as per the contract(s),

- Carried Unanimously.

MOTION

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

- Carried Unanimously.

c) Official Plan Amendment No. A-3 for Area Wide Natural Heritage System Strategy

The Secretary-Treasurer informed the Board that she has forwarded the Municipal Resolutions and Adopting By-laws on behalf of the eight (8) member Municipalities to the Ontario Ministry of Municipal Affairs and Housing (MMAH) for Official Plan Amendment A-3 for the Natural Heritage System Strategy (NHSS).

Application File No.: B01-23 No. of Members Present: 9
Date of Decision: [January 31, 2023 - deferred] [February 28, 2023 -deferred]
[April 25, 2023 - deferred] May 30, 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 ± 42.7 M. on the 10th Side Road, a maintained municipal road, and a depth of ± 243 M., thereby containing an area of ± 1.04 Hec. (± 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 ± 425.5 M. and ± 441.6 M. on the 10th Side Road, a maintained municipal road and ± 804 M. on the non-maintained road allowance between Concession IV and V, and a depth of ± 804 M., thereby containing an area of ± 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 10th Side Road, a maintained municipal road. Access for the severed land will also be via the 10th 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 an Agriculture (A) Zone.

Lloyd Albecht, 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 \pm 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 6th, 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.

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

The email was forwarded to the deputy clerk-administrator, Township of Tehkummah, on January 17th, 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 8th, 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 17th, 2023, does Council see any access or safety concerns? Would Council have any recommendations?'

The deputy clerk-administrator advised via email on January 31st, 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 10th, 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.

February 28, 2023

The Secretary-Treasurer informed the Board that she had spoken with Ms. Gil Glover, Bereavement Authority of Ontario (BAO) and she informed her that the Cemeteries Act and the Cremation Act have been replaced and the Authority is now under the BAO. Under the Funeral, Burial and Cremations Services Act (FBCSA) 2002, a Cemetery Operator Licence is required to operate a cemetery. An application form is to be completed and sent to the BAO for approval. However, it cannot formally begin without the zoning and severance in place as these are a critical part of the application.

Mr. Albrecht, applicant, advised that he has received the application form from the BAO and will be completing it, once the severance application and re-zoning application have been received.

Application File No. B01-23 - continued
February 28, 2023

The Secretary-Treasurer had requested municipal comments and Barbara Grigg, Deputy Clerk-Administrator provided the following email on February 28th, 2023:

' Unfortunately both the Drainage Engineer and Superintendent have been unavailable due to medical issues and a death in the family so were unable to address this earlier.

We request that the Planning Board defer this decision pending written confirmation from the Drainage Engineer addressing a culvert, driveway, the size of the lot to be severed, soil depth and that test holes be dug in the area of the proposed burial plots.

I will contact the applicants and obtain further information on the drainage prior to your next meeting. Thanks for your patience.'

Board Member J. Deforge, representative for the Township of Tehkummah, was not present to speak to the application.

Perry Chatwell, Road Superintendent, for the Township of Tehkummah was present and spoke to the Application. He advised the Board that the Township has requested a deferral of the application to discuss the proposed severance with the Drainage Engineer. He explained that the north-west portion of the proposed new lot is high and dry and that would be a suitable location for the burial sites. He also commented that the lot may need to be made larger to accommodate any future expansion.

In consideration of the request from the Township of Tehkummah, a motion was made and duly seconded and carried that Decision for the application be deferred to allow additional time for the Township to provide their comments in regards to a culvert, a driveway, the size of the lot to be severed, the soil depth, and test holes to be dug, from the Drainage Engineer,

- Carried Unanimously.

April 25, 2023

The Secretary-Treasurer advised that she had requested an update from the Clerk-Administrator for the Municipality of Tehkummah on April 6th, 2023 and April 25th, 2023. The Clerk had not yet provided any comments.

L. Albrecht, applicant, advised by telephone on April 24th, 2023 that the Drainage Engineer had been out to the property and is to report back to the Municipality.

Board Member J. Deforge, representative for the Township of Tehkummah, confirmed on April 25th, 2023 that the Drainage Engineer had been to the property and that the municipality will be providing their comments to the Planning Board soon.

As a result of the information provided a motion was made and duly seconded and carried that Decision for the application be deferred to allow additional time for the Township to provide their comments in regards to a culvert, a driveway, the size of the lot to be severed, the soil depth, and test holes to be dug, from the Drainage Engineer,

- Carried Unanimously.

May 30th, 2023

The Secretary-Treasurer advised that she could provide the Board with an update on the application, to date, since the first presentation in January 2023. The Board requested her to do so, which she provided.

The Secretary-Treasurer advised that she had requested comments from the Clerk-Administrator for the Municipality of Tehkummah as follows:

May 23rd, 2023

' Good Morning Barbara,

We have our next Board Meeting coming up on Tuesday, May 30th, 2023.

As per the Township's request, Decision of the Planning Board has been deferred on February 28th, 2023 and again on April 25th, 2023 pending municipal comments.

Please update the questionnaire and provide us with your Township comments at your earliest convenience, for Planning Board's consideration. Thank you.

May 30th, 2023

' Hello Barbara,

Our Board Meeting is this evening.

If possible, please forward me a corrected questionnaire sheet as well as written confirmation that your concerns have been addressed, as per your requested deferral, before 4:30 p.m. today. Thank you.'

Application File No. B01-23 - continued
May 30th, 2023

The Clerk-Administrator, via email on May 30th, 2023 returned the original questionnaire with no changes and advised that:

'Hi, Theresa.

Have no concerns with the Cemetery going in as per the application. Drainage Engineer confirms that the elevation is fine.'

For further clarification, the Secretary-Treasurer sent the following email to the Clerk-Administrator on May 30th, 2023:

'Hello Barbara,

In review of your recent email this afternoon, I have a few questions/queries that need some clarification, please:

The Municipality has asked for a deferral of the Decision to discuss with the Drainage Engineer and to address a culvert, a driveway, the size of the lot to be severed, the soil depth, and test holes to be dug. Your comment is that the Drainage Engineer has no concerns with elevation. Have all of your concerns been addressed? Please confirm.

You have indicated on the questionnaire that the proposed severance conforms to your Zoning By-law. Your Zoning By-law has a definition for a 'cemetery'. Is a 'private cemetery' permitted in the Agriculture Zone? Does a shed that is not accessory to a dwelling conform to your Zoning By-law? Is an to your Zoning By-law (Amendment Application) required?

You have indicated that there is no municipal drain traversing the property? Does the McCauley Drain, as indicated on the application sketch, not traverse the property? Is this not a municipal drain? If so would Section 65 of the drainage Act not apply? You have indicated that the Township does not foresee and safety concerns with the access.

You have previously commented that you may have concerns with a culvert, a driveway; Is a culvert required? Would the Township issue an entrance permit at this location. I would appreciate your comments at your earliest convenience. Thank you.'

Due to the lateness of the emails on May 30th, 2023 the Municipality did not have a chance to review her last email or to provide a response.

Board Member J. Deforge, representative for the Township of Tehkummah, spoke to the application. He advised that the elevation was about seven feet higher at the westerly part compared to the easterly part of the new lot along the municipal road; in the Spring it was a little wet along the road; there is a driveway and culvert for the lot to the north already in place; was unsure if there was a drain or catchment area traversing the property; test holes had been dug by the Drainage Engineer and no concerns were known; the size of the lot appears to be suitable for the cemetery plots and the horse and buggies. He was not in favour of another deferral, if at all possible.

In consideration of the Application the Board discussed:

- the Bereavement Authority of Ontario (BAO) is in control of permitting the cemetery; they will conduct a site visit to determine if the land is suitable due to potential wet areas, soil depth, size, etc; if the lot is not suitable then the cemetery would not be permitted; 928 plots are proposed; the lot is zoned Agriculture and only Agriculture uses are permitted without an amendment to the Zoning By-law; an amendment approval is required for a Cemetery and for the proposed shed that is not accessory to a dwelling; If for some reason the cemetery is not approved a residential lot would only be permitted with a Zoning Amendment approval; the Municipality and/or the Building Official will enforce conformity to their Zoning By-law not the Planning Board.

The Secretary-Treasurer was instructed to follow up with the BAO to clarify if the By-law Amendment Application and the Consent to Sever Application are required to be completed before the operator licence is issued.

After a lengthily discussion the Board were in agreement that another deferral should be avoided and that they had enough information to approve a conditional Consent to Sever Application.

Application File No. B01-23 - continued
May 30th, 2023

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.

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 the 10th Side 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 drainage concerns for the proposed severed land have been or can be mitigated, satisfactory to the municipality;
- iv) 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;
- v) a fee of \$130.00 for each Transfer of Land submitted for Certification; and
- vi) a written confirmation from the municipality that all outstanding municipal taxes 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.

Note: Owners of the subject land are advised that any uses other than those permitted in an Agriculture (A) Zone will require an Amendment to the Municipal Zoning By-law.

Application File No.: B07-23 No. of Members Present: 9
Date of Decision: May 30, 2023
Location of Property: Lot 17, Conc. VIII, Township of Burpee, Municipality of Burpee-Mills,
District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Tim Bailey is to provide for right-of-way over Lot 17, Conc. VIII in favour of Lots 18, 19, and 20, Conc. IX having a minimum width of ± 20.1 M., and a length of ± 442.0 M., thereby containing an area of ± 0.88 Hec. This right-of-way is an existing private access, known as Fraser Road, that traverses north/south along the easterly boundary of Lot 17, Conc. VIII, to Highway No. 540.

The land to be retained has a frontage of ± 382 M. on Highway No. 540 and a depth of $\pm 1,005$ M., thereby containing an area of ± 40 Hec. According to the application there are no structures on this land.

There is a simultaneous application for Consent to Sever, File No's. B08-23 to B10-23 that proposes to create three new (± 28 Hec.) lots consisting of Lots 18, 19 and 20, Conc. IX, that will benefit from the proposed right-of-way.

There have been four previous applications for consent for rights-of-way.

File No. B53-89 provided for right-of-way over Lot 17, Conc. VIII and Lot 18, Conc. IX in favour of Lot 18, Conc. VIII and Lots 15 to 18, Conc. X;

File No. B54-89 provided for a right-of-way over Lot 18, Conc. VIII in favour of Lot 17, Conc. VIII, Lot 18, Conc. IX and Lots 16 to 18, Conc. X;

File No. B55-89 provided for right-of-way over Lot 18, Conc. X in favour of Lots 17 & 18, Conc. VIII, Lot 18, Conc. IX and Lots 15, 16 & 17, Conc. X;

File No. B56-89 provided for right-of-way over Lots 15, 16 & 17, Conc. X, in favour of Lots 17 & 18, Conc. VIII, and Lot 18, Conc. IX and Lot 18, Conc. X;

Access for the subject land is via an existing entrance, #17219 Hwy 540.

As part of the preliminary review the application was sent to the Ontario Ministry of Transportation (MTO) and Cameron Cole, Corridor Management Planner, MTO, provided the following comments on October 25th, 2022:

' The Ministry of Transportation of Ontario (MTO) has reviewed the attached application for consent to sever to grant legal right-of-way. The subject lands are located within MTO's permit control area and is subject for review under the Public Transportation and Highway Improvement Act R.S.O 1990 and will require proper permits with the MTO. The MTO support the application in principle with the following comments to consider:

Mutual Access:

When common access arrangements are required, a surveyed right-of-way must be established and an easement granted by each lot in favour of the other lot sharing the entrance. This ensures continuous access to both lots served by the mutual entrance. The easements must be shown on the reference plan and the easement rights incorporated into the deeds of both lots involved. The width of the easement for the mutual entrance must be 10m in width (residential) at a minimum of 10 meters in depth and the block is to be located/centered on the shared property line. The MTO residential entrance standard is a 5 meter wide entrance but the additional easement block width allows for other entrance features such as snow removal and drainage.

- a. *MTO will require that the draft reference plan be submitted to MTO for review and approval prior to registration;*
- b. *MTO will require that the draft deeds of all lots be submitted to MTO for review prior to registration to ensure the legal mutual access rights have been incorporated into the deeds of all involved properties;*
- c. *The applicant will be required to obtain an entrance permit, which can be done online at: <https://www.hcms.mto.gov.on.ca/>.*

Application File No.: B07-23 - continued
May 30, 2023

MTO comments received on October 31, 2023:

' For clarification, The MTO requires the easement for a mutual access to be 10.0 meters in width and a minimum of 10.0 meters in depth. In this case, The Township's 20.1 meter width standard for a right-of-way supersedes the MTO requirement. The travelled portion may remain as 5.0 meters in width.

The easement should reflect the total encroachment depth on Lot 17 Con 8 (350-400 meters). All lots accessed by this entrance will require legal mutual access rights incorporated into their deeds and MTO entrance permits will be required for each new lot accessed (lots 18-20 con 9). These can be applied for online at <https://www.hcms.mto.gov.on.ca/>'

No new services are required as a result of this application for right-of-way.

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

There is a category 'High' for Wildland Fire Hazards identified within the subject land. Due to the size of the lot (± 40 Hec.) and the satellite imagery available (2021), there would appear to be building envelopes outside the area of influence that would conform to policies of the Official Plan, should a building permit be requested. The potential Wildland Fire Hazard appears to have no impact on the existing right-of-way.

This proposal for right-of-way is considered to be in conformity with the Provincial Policy Statement (PPS) 2020.

This application was circulated on May 11th, 2023 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.

The Municipality recommends that Consent be granted with no specific conditions.

Mary McCartney, Bell Canada advised on May 19th, 2023 that Bell Canada does not have any comments or concerns regarding the application.

Ronald and Marjorie Bailey, landowners of Lot 19, Conc. VIII and Wayne and Seiga Bailey, landowners of Lot 20, Conc. VII delivered similar letters to the Planning Board Office advising that they have no objections to the proposed severance of Lots 18, 19, and 20, Conc. IX, Township of Burpee and that there is no legal access across Lot 19, Conc. VIII or Lot 20, Conc. VIII as the map (circulation sketch) indicated as current access to the cottage on Lot 20, Conc. IX; and that Jody Bailey and family have been granted verbal permission to access her cottage on a temporary basis until her legal access via the Fraser Road has been finalized; and that the gate providing access to this pasture field was to remain locked at all times; and once their legal access has been finalized, there should be no further need for traffic from the northern properties to pass through their pasture field.

The two letters were forwarded to Tim Bailey, the applicant.

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

Discussion among the Board Members included:

- the right-of-way is not very straight; it would be better if it was straight; which landowners have legal access over Lot 17, Conc. VIII; MTO's comments/requirements; locked gate to the cottage on Lot 20, Conc. IX not a good idea; how does a fire truck or ambulance get to Lot 20, Conc. IX; the right-of-way will make this better.

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

Application File No.: B07-23 - continued
May 30, 2023

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 and 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 right-of-way having a minimum width of 20.1 M;
- ii) a written confirmation from the municipality that access along the right-of-way to Highway No. 540 has been constructed to a standard for travel by emergency vehicles, satisfactory to the municipality;
- iii) written confirmation from the Ontario Ministry of Transportation (MTO) that as requested, the following have been satisfied, satisfactory to MTO:
 - a. *a draft reference plan be submitted to MTO for review and approval prior to registration;*
 - b. *the draft deeds of all lots be submitted to MTO for review prior to registration to ensure the legal mutual access rights have been incorporated into the deeds of all involved properties; and*
 - c. *an entrance permit, which can be done online at: <https://www.hcms.mto.gov.on.ca/>.*
- iv) a fee of \$130.00 for each Transfer of Land submitted for Certification; and
- v) written confirmation from the municipality that any 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: Due to the potential Wildland Fire Hazard identified, building restrictions may apply.

Note: File No. B07-23 shall be completed prior to simultaneous File No's. B08-23, B09-23 and B10-23.

Application File No's.: B08-23, B09-23 and B10-23 No. of Members Present: 9
Date of Decision: May 30, 2023
Location of Property: Lots 18, 19 and 20, Conc. IX, Township of Burpee, Municipality of Burpee-Mills, District of Manitoulin

DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Jody Bailey on behalf of Blair Bailey is to provide for the creation of three new (+28 Hec.) lots together with right-of-way, for seasonal residential uses.

File No. B08-23 (A) proposes to create a new lot having a frontage of ±335 M. on Helen Bay of Lake Huron and an average depth of ±1116.9 M., thereby containing an area of ±42.5 Hec. This proposed new lot will also contain part of the access, known as Fraser Road, that traverses north/south along the westerly part of Lot 18, Conc. IX. This new lot will be subject to right-of-way in favour of the lots proposed by File No's. B09-23 and B10-23 and will be together with right-of-way over the existing access known as Fraser Road to Highway No. 540. The applicant's cottage and garage are located within this land.

File No. B09-23 (B) proposes to create a new lot having a frontage of ±335 M. on Helen Bay of Lake Huron and an average depth of ±982.3 M. thereby containing an area of ±33.7 Hec. This proposed new lot will be together with right-of-way over the lot proposed by File No. B08-23 and over the existing access known as Fraser Road to Highway No. 540. There are no structures on this land.

File No. B10-23 (C) proposes to create a new lot having a frontage of ±335 M. on Helen Bay of Lake Huron and an average depth of ±930.4 M., thereby containing an area of ±28.9 Hec. This proposed new lot will be together with right-of-way over the lots proposed by File No's. B08-23 and B09-23 and over the existing access known as Fraser Road to Highway No. 540. There are no structures on this land.

This is no retained land.

There is a simultaneous Application for Consent to Sever, File No. B07-23, which proposes to grant legal right-of-way for the new lots, over Lot 17, Conc. VIII to Highway No. 540.

There have been four previous applications for consent for rights-of-way.

File No. B53-89 provided for right-of-way over Lot 17, Conc. VIII and Lot 18, Conc. IX in favour of Lot 18, Conc. VIII and Lots 15 to 18, Conc. X;

File No. B54-89 provided for a right-of-way over Lot 18, Conc. VIII in favour of Lot 17, Conc. VIII, Lot 18, Conc. IX and Lots 16 to 18, Conc. X;

File No. B55-89 provided for right-of-way over Lot 18, Conc. X in favour of Lots 17 & 18, Conc. VIII, Lot 18, Conc. IX and Lots 15, 16 & 17, Conc. X;

File No. B56-89 provided for right-of-way over Lots 15, 16 & 17, Conc. X, in favour of Lots 17 & 18, Conc. VIII, and Lot 18, Conc. IX and Lot 18, Conc. X;

Services will consist of private individual septic systems and private wells or water from Lake Huron, when required. The Public Health Sudbury and District (PHSD) have advised they have no concerns as it appears that the proposed severed and retained lots are capable of development for installation of a septic tanks and leaching bed systems.

The subject land has been designated Rural Area and zoned Rural (R). Seasonal residential uses are proposed. The Municipal Zoning By-law No. 80-9 permits seasonal residential uses in the Rural Zone.

There is a Deer Wintering Area identified within the subject land. The lots are proposed to have +90 M. of frontage and +90 M. in depth that will conform to policies of the Official Plan. Due to the size of the proposed new lots (+28 Hec.), there would appear to be building envelopes outside the area of influence.

There are Escarpment Lands identified within Lots 19 and 20, Conc. IX. Development within 60 M. of the base or brow of the Escarpment would require a slope stability report and/or impact analysis to conform to the Official Plan Policies. Due to the size of the proposed new lots (+28 Hec.), and the satellite imagery available (2021) there would appear to be building envelopes outside the area of influence.

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

Application File No's. B08-23 to B10-23
May 30th, 2023 - continued

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.

From information available the subject proposal does not appear to have any natural heritage features or species at risk (SAR) concerns.

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

Access will be via private right-of-way, known as Fraser Road, to Highway No. 540. Currently the subject land does not have a legal deeded access over Lot 17, Conc. VIII. The lot proposed by File No. B08-23 (A) currently uses an existing access over Lots 19 and 20, Conc. VIII.

Ronald and Marjorie Bailey, landowners of Lot 19, Conc. VIII and Wayne and Seiga Bailey, landowners of Lot 20, Conc. VII delivered similar letters to the Planning Board Office advising that they have no objections to the proposed severance of Lots 18, 19, and 20, Conc. IX, Township of Burpee and that there is no legal access across Lot 19, Conc. VIII or Lot 20, Conc. VIII as the map (circulation sketch) indicated as current access to Cottage on Lot 20, Conc. IX; and that Jody Bailey and family have been granted verbal permission to access her cottage on a temporary basis until her legal access via the Fraser Road has been finalized; and that the gate providing access to this pasture field was to remain locked at all times; and once their legal access has been finalized, there should be no further need for traffic from northern properties to pass through our pasture field.

The two letters were forwarded to Ms. Bailey, agent for the application.

From the satellite imagery (2021) there appears to be a long driveway that traverses east/west along the southerly boundary of the subject land that gets to the garage and seasonal dwelling.

The Secretary-Treasurer requested additional information for clarification, from Ms. Bailey on May 24th, 2023:

'I believe the new lot, proposed by File No. B08-23, is the lot you will be obtaining. Is the access/driveway to the existing cottage all within the subject land (Lots 18-20, Conc. IX)? Does it encroach onto Lots 18 to 20, Conc. VIII? Is there a survey or sketch of the access to confirm its location? Does this access/driveway get to the cottage? Could an emergency vehicle get over the southerly portion of Lots 18 to 20, Conc. IX to the existing cottage? Please advise.'

Ms. Bailey provided the following reply:

' Yes, B08-23 is the property I will be obtaining. The existing driveway is all on the subject land. You can get to the cottage via this driveway. There are survey pegs recently completed by Keatley Surveying proving the most northern most point at both the division between lot 18 and 19 Con X and lot 17 and 18 Con X. An emergency vehicle can get to the southerly portion of lots 18 to 20 to the cottage.'

As part of the preliminary review the application was sent to the Ontario Ministry of Transportation (MTO) and Cameron Cole, Corridor Management Planner, MTO, provided the following comments on October 25th, 2022:

' The Ministry of Transportation of Ontario (MTO) has reviewed the attached application for consent to sever to grant legal right-of-way. The subject lands are located within MTO's permit control area and is subject for review under the Public Transportation and Highway Improvement Act R.S.O 1990 and will require proper permits with the MTO. The MTO support the application in principle with the following comments to consider:

Application File No's.: B08-23 to B10-23
May 30, 2023 - Continued

MTO comments - October 25, 2022 - Continued

Mutual Access:

When common access arrangements are required, a surveyed right-of-way must be established and an easement granted by each lot in favour of the other lot sharing the entrance. This ensures continuous access to both lots served by the mutual entrance. The easements must be shown on the reference plan and the easement rights incorporated into the deeds of both lots involved.

The width of the easement for the mutual entrance must be 10m in width (residential) at a minimum of 10 meters in depth and the block is to be located/centered on the shared property line. The MTO residential entrance standard is a 5 meter wide entrance but the additional easement block width allows for other entrance features such as snow removal and drainage.

- a. *MTO will require that the draft reference plan be submitted to MTO for review and approval prior to registration;*
- b. *MTO will require that the draft deeds of all lots be submitted to MTO for review prior to registration to ensure the legal mutual access rights have been incorporated into the deeds of all involved properties;*
- c. *The applicant will be required to obtain an entrance permit, which can be done online at: <https://www.hcms.mto.gov.on.ca/>.*

MTO comments received on October 31, 2023:

*' For clarification, The MTO requires the **easement** for a mutual access to be 10.0 meters in width and a minimum of 10.0 meters in depth. In this case, The Township's 20.1 meter width standard for a right-of-way supersedes the MTO requirement. The travelled portion may remain as 5.0 meters in width.*

The easement should reflect the total encroachment depth on Lot 17 Con 8 (350-400 meters). All lots accessed by this entrance will require legal mutual access rights incorporated into their deeds and MTO entrance permits will be required for each new lot accessed (lots 18-20 con 9). These can be applied for online at <https://www.hcms.mto.gov.on.ca/>'

The application was circulated on May 11th, 2023 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.

The Municipality recommend that Consent to Sever be granted with no specific conditions.

Mary McCartney, Bell Canada advised on May 11th, 2023 that Bell Canada does not have any comments or concerns regarding the application.

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.

Discussion among the Board included:

- is there an advantage of the right-of-way being owned by one person rather than three; easier to convey to the municipality if proposed; no retained land; estate planning for three children; MTO comments; right-of-way to the Hwy (File B07-23) should be completed first; could be a municipal drain within the property; good planning to have legal deeded right-of-way; further severances could be proposed.

The Board were in agreement to place a condition regarding Section 65 of the Drainage Act and a note on the Decision that further severance may not be supported by the Consent to Sever process.

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

Consent is tentatively granted subject to the following conditions:

The following documents must be submitted to the Secretary-Treasurer of the Board within two years from the date of the notice of decision for certification:

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

Application File No's.: B08-23 to B10-23
May 30, 2023 - Continued

Accompanying the transfer documents shall be:

- i) a reference plan of survey, which bears the Land Registry Office registration number of its deposit therein, which illustrates the parcel(s) and right-of-way(s) having a minimum width of 20.1 metres, to which the consent approval relates;
- ii) a written confirmation from the municipality that access along the right-of-way to Highway No. 540 has been constructed to a standard for travel by emergency vehicles, satisfactory to the municipality;
- iii) a written confirmation from the Ontario Ministry of Transportation (MTO) that as requested, the following have been satisfied, satisfactory to MTO:
 - a. *a draft reference plan be submitted to MTO for review and approval prior to registration;*
 - b. *the draft deeds of all lots be submitted to MTO for review prior to registration to ensure the legal mutual access rights have been incorporated into the deeds of all involved properties; and*
 - c. *an entrance permit, which can be done online at: <https://www.hcms.mto.gov.on.ca/>.*
- iv) 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;
- v) a fee of \$130.00 for each Transfer of Land submitted for Certification; and
- vi) a written confirmation from the municipality that all outstanding municipal taxes have been paid.

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

Note: Any shoreline improvements shall be done only with the approval of Department of Fisheries and Oceans (DFO), The Ministry of Natural Resources and Forestry (MNRF) and the Municipality.

Note: Due to the Deer Wintering Area, the Escarpment Land and the potential Wildland Fire Hazard identified, building restrictions may apply.

Note: Simultaneous Application, File No. B07-23 shall be completed prior to File No's. B08-23, B09-23 and B10-23.

Note: Further development by the Consent to Sever process may not be supported.

PRESENTATION OF APPLICATIONS FOR CONSENT TO SEVER

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

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

The Chair then asked if any Board Members have or wish to declare a "Conflict of Interest", at this meeting or previous meeting.

There were none.

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

	<u>Moved By</u>	<u>Seconded By</u>
1. B01-23	R. Brown	J. DeForge
2. B07-23	K. Noland	T. Mackinlay
3. B08-23, B09-23 and B10-23	R. Brown	D. Osborne

It was moved and seconded that the above application be conditionally approved, subject to all conditions being fulfilled as stated in the Decision.
- Carried Unanimously.

The time now being 9:07 p.m. and all business before the Board having been dealt with, the Meeting was adjourned on a motion moved by T. Mackinlay.

L. HAYDEN, CHAIR



T.A. CARLISLE,
SECRETARY-TREASURER