



MANITOULIN PLANNING BOARD

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June 24, 2026

MINUTES OF PLANNING BOARD MEETING - June 23, 2026

At a Meeting of the Manitoulin Planning Board at the Planning Board Office, Gore Bay, Ontario, held on Tuesday, June 23rd, 2026, the following Members of Planning Board were present:

- | | | | |
|----|------------|----|--------------|
| 1. | K. Noland | 5. | B. Barker |
| 2. | L. Hayden | 6. | D. Head |
| 3. | D. Osborne | 7. | I. Anderson |
| 4. | J. DeForge | 8. | J. Van Every |

Regrets: R. Stephens, D. McDowell, and L. Chappell

Also in attendance were:

- A. Dubois, applicant and W. Cecutti, interested party, for Consent to Sever, File No.B02-26; and
- T. Sasvari, reporter, Manitoulin Expositor.

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 K. Noland, who welcomed all present.

The Chair asked if there were any Board Members who wished to declare a conflict of interest with any of the items listed on the agenda or having to do with the previous Board Meeting of April 28th, 2026.

There were no conflicts declared.

1. ORDER OF BUSINESS

The Chair requested the adoption of the Order of Business.

The Secretary-Treasurer requested an additional item of '*Minutes of June 11th, 2026 - Special Committee In Camera Meeting*' be added under item 2. ii)

MOTION

It was moved by B. Barker and seconded by J. DeForge, that the Order of Business be adopted, as amended,
- Carried.

2. i) MINUTES OF PREVIOUS BOARD MEETING - April 28th, 2026.

The Chair announced that the Minutes of the Board Meeting held on April 28th, 2026 had been circulated to the Board Members and requested that any errors or omissions be stated.

The Secretary-Treasurer reported that she had made an error in the meeting attendance and had missed Board Member J. Van Every and had listed Board Member D. Osborne, twice. She has corrected the error.

There were no other errors or omissions stated.

MOTION

It was moved by L. Hayden and seconded by D. Osborne that the Minutes of April 28th, 2026 be adopted as corrected,
- Carried.

BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING - April 28th, 2026

There was none.

2. ii) MINUTES OF SPECIAL COMMITTEE IN CAMERA MEETING - June 11th, 2026

The Chair announced that the Minutes of the Special Committee Meeting held on June 11th, 2026 had been circulated to the Board Members and requested that any errors or omissions be stated.

There were no errors or omissions stated.

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BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING
- June 11th, 2026

There was none.

MOTION

It was moved by L. Hayden and seconded by D. Osborne that the Minutes of the June 11th, 2026 Special Committee In-Camera Meeting, be adopted,
- Carried.

3. VARIABLE EXPENDITURES

Chair K. Noland had requested a cost comparison for the Planning Board audit and the Secretary-Treasurer reported that the cost for the 2024 audit was \$3,401.78 and the cost for the 2025 audit was \$3,698.78.

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

MOTION

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

4. 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.

5. REQUEST FOR CHANGE TO CONDITIONS - Subdivision File No. SUB2023-001

Owner: Split Crow Partners Ltd.
Agent: Kristine Lang
Location: Lot 7, Conc. IV excepting Part 1, Plan 31R-2831 & Lot 8, Conc. IV
(Located at #18 Tracy Road)
Township of Carnarvon, Municipality of Central Manitoulin
District of Manitoulin

The Secretary-Treasurer explained that the Environmental Impact Statement (EIS), dated March 31st, 2026, did not fulfill condition 25. of Subdivision File No. SUB2023-001, as it related to only the first twelve (12) lots and not the entire thirty-nine (39) lot Plan of Subdivision. The report also refers to a 30 metre easement belonging to the municipality around Lake Mindemoya. She had advised Ms. Lang, agent for the application, of these two issues.

On April 2nd, 2026, Ms. Lang requested a meeting to discuss the possibility of changing the Subdivision approval to a Phased Development. An electronic meeting was held on April 15th, 2026 with Ms. Lang, agent, L. Kieswetter, applicant, D. DeForge, Clerk & R. Stephens, Mayor, for the Municipality of Central Manitoulin, and T. Carlisle, Secretary-Treasurer of the Manitoulin Planning Board.

On April 16th, 2026 as a follow-up to the electronic meeting, Ms. Lang provided the following email (in part):

'We want to develop the 39 lot subdivision in phases, however exact phases are still being planned and the site plan remains as is. If, the Board requests a revision to condition 1 when you meet, perhaps we could use something similar to the language I've provided below (uses the same language in the sub division agreement).'

- 1. That this draft approval applies to the Plan of Subdivision for Split Crow Partners Ltd. (the "Developer") for land described as being Lot 7, Conc. IV excepting Part 1, Plan 31R-2831 and Lot 8, Conc. IV, (Located at #18 Tracy Road), Geographic Township of Carnarvon, within the Municipality of Central Manitoulin The "Municipality", District of Manitoulin which shows a total of thirty-nine (39) lots, proposed to be developed for year-round residential, as shown on the plan prepared by Keatley Surveying Ltd., dated January 18th, 2023. The development may be completed in two or more phases.*

I can run this by legal counsel as well. Let me know if this helps to clarify things.'

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On April 16th, 2026 R. Stephens, Mayor for the Municipality of Central Manitoulin, provided the following email to Ms. Lang, which was copied to the Secretary-Treasurer:

'I'm inclined to agree with Theresa. If the subdivision agreement needs to be amended (and I have no issues with that) I think that it is best for everyone to have a clear development plan. If it is to be done in phases, we should know what lots are included in each phase - e.i. phase 1 includes lots 1-10, P2 = lots 11-20, P3 = lots 21-30 and P4 = lots 31-39. Each phase could then be marketed and developed according to a predetermined schedule and time line and all interested parties would know that schedule.'

The Secretary-Treasurer provided the Board Members with a copy of the Notice of Decision for Subdivision File No. SUB2023-001, which included the thirty-two (32) conditions of the Draft Plan of Subdivision. She also provided a copy of a sketch for a proposed Phase One. She requested the Board to consider if they would support a change of conditions to support a Phased Development, with Phase One as proposed. She noted that for a Phased Development, a separate Plan prepared by a surveyor, identifying the total number of lots proposed is required in order to stamp/certify the Phased Development.

Discussion included:

- the Planning Board will need to decide if the proposed change(s) is minor or major; the proposed change to a phased development may need a re-circulation; the access now shows a cul-de-sac; there had been a lot of interest from land owners during the consideration of the Subdivision Application and notice would need to be given to the interested land owners that have requested to be notified of any updates/changes; there may need to be several conditions of the subdivision changed, to reflect a phased development; the subdivision agreement with the municipality may need to be changed; the number of Phases has not been determined.

Discussion resulted in the following motion:

MOTION

It was moved by L. Hayden and seconded by D. Head that the request for a phased development for Subdivision File No. SUB2023-001 be supported in principal, and that a detailed plan be provided in order for the Planning Board to review what changes may be required including the number of phases proposed,

- Carried Unanimously.

6. OFFICIAL PLAN AMENDMENT NO. A-3 FOR A NATURAL HERITAGE SYSTEM STRATEGY (NHSS)

The Secretary-Treasurer reported that eight Public Meetings have been scheduled with the eight member municipalities and the schedule has been provided to the Board Members. The Public Meetings have been posted on the municipal websites, at the municipal Offices as well as on the Planning Board website and at the Planning Board Office.

7. PLOTTER REPLACEMENT

The Secretary-Treasurer informed the Board that the Manitoulin Planning Board Office has purchased a new Canon Plotter to print large format maps, which is to be delivered on July 7th, 2026. As per the recommendation of the Budget Committee on March 23rd, 2026, and approved by the Board, the cost of the new plotter (±4800.00) is to be taken from the Planning Board Reserves rather than requisitioned to the municipalities. The invoice for the Plotter is in the amount of \$4,765.23 plus HST of \$619.48, for a total amount of \$5,384.71, which will be taken from the Reserves account.

The Secretary-Treasurer reported that two investments had come due and were deposited into the Planning Board account on May 4th, 2026. It is recommended that the total amounts be re-invested less the ±5,400.00 to be used to purchase the new plotter. The Bank requires a signed letter to complete the transaction for a re-investment.

MOTION

It was moved by I. Anderson and seconded by D. Head that Board Member, D. Osborne, and the Secretary-Treasurer sign a letter to re-invest two investments less the amount of the new canon plotter, as required

- Carried Unanimously.

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8. BUILDING OFFICIALS FOR THE UNINCORPORATED TOWNSHIPS OF ROBINSON AND DAWSON

At the March 24th, 2026 Planning Board meeting, staff members were asked to investigate if a Chief Building Official could be hired by the Ministry of Municipal Affairs and Housing (MMAH) or by the Manitoulin Planning Board to enforce Zoning By-Law No. 2022-05 for the Unincorporated Townships or Robinson and Dawson.

The Secretary-Treasurer reported, as a follow-up to the April 28th, 2026 Planning Board Meeting, that G. Nimoh, Planner for the Ministry of Municipal Affairs and Housing (MMAH) had advised that amendments to the Building Code Act in 2023 permitted MMAH to appoint qualified inspectors outside the public service, and that this is meant to be done as a targeted process. The Ministry is not considering a broader municipal-style enforcement role at this time. If a building official were appointed by MMAH, they would have regard for (but not enforce) the Zoning By-law, and would enforce the Building Code Act. Without a building official there is no enforcement of the building code, but in the event that violations to the Building Code Act are discovered later, the owner of the building could face civil legal liability for a building failure, or it could potentially hold up future real estate transactions.

9. REQUISITIONS FOR THE TRANSITION FROM ARCREADER TO ARCGIS ONLINE

The Secretary-Treasurer reported that the ArcReader software that is used for viewing the Geographic Information System (GIS) data is no longer being supported by Esri Canada and a transition to the ArcGis Online (mapping) program is required. It is anticipated that the transition will take place in the next few months.

Of the requested requisitions to the eight member municipalities for the viewer licenses for ArcGis Online, all have been received with the exception of the Township of Tehkummah.

10. ARCGIS ONLINE PROGRAM FOR THE UNINCORPORATED TOWNSHIPS OF ROBINSON AND DAWSON

It was reported at the April 28th 2026 Planning Board meeting that access to the ArcGis Online Program for the Unincorporated Townships or Robinson and Dawson could be provided with an annual ArcGis Online Viewer license fee, but it needed to be confirmed if the local boards are eligible to be covered under the Planning Board's license for the parcel mapping data.

Under our current license, Planning Board staff can provide static maps (paper, images, or Pdfs) with the parcel mapping upon request to the Local Roads Board and/or Local Services Board. The updated license is only needed when providing access to the digital data, as in ArcGis Online or ArcReader.

Staff have contacted the Local Services Board and Local Roads Board for the Unincorporated Townships of Robinson and Dawson Dawson to see if they would be interested in accessing the ArcGis Online service by obtaining a view license. There appears to be some interest for this service.

The Ontario Municipal Property Assessment Corporation (MPAC) have advised that this can be done. They have forwarded an amendment to our Ontario Parcel Mapping Agreement (from 2005) to share the Geographic Information System (GIS) data with the Robinson and Dawson Local Roads Board and the Robinson and Dawson Local Services Boards. A '*Contract Amendment Agreement*' is required to be signed by someone with authority to bind the Manitoulin Planning Board.

MOTION

It was moved by B. Barker and seconded by J. Van Every that the *Contract Amendment Agreement*, required by the Ontario Municipal Property Assessment Corporation (MPAC) to share Geographic Information System (GIS) data with the Local Roads Board and the Local Services Board for the Unincorporated Townships of Robinson and Dawson be signed by Chair K. Noland,
- Carried Unanimously.

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**11. VIOLATION REPORT - UNINCORPORATED TOWNSHIPS OF
ROBINSON AND DAWSON**

The Secretary-Treasurer reported that site inspections were conducted on June 3rd, 2026 for the Unincorporated Township of Robinson, by staff members, J. Diebolt and W. Ramalheiro. No new violations were reported.

Further to the report provided at the March 24th, 2026 Planning Board Meeting, there are still currently nine (9) outstanding violations that Planning Board staff are working to resolve with the land owners. Some of the required Amendment Applications and required Zoning Conformity Permit Applications are pending a site visit, and/or additional documentation and/or supporting reports. Staff will continue to follow-up with these violations.

12. IN CAMERA SESSION

MOTION

It was moved by J. Van Every and seconded by D. Osborne that the Board go In Camera at 7:59 p.m. to review the Special Committee In Camera Meeting minutes of June 11th, 2026, to discuss the Planning Board Office operations, and to discuss matters about identifiable individuals,
- Carried Unanimously.

The Board Members were provided a copy of the Special Committee In Camera Meeting minutes of June 11th, 2026.

There were no errors or omissions stated.

It is noted that items were discussed. However, no decisions or motions were made In-Camera.

The Secretary-Treasurer is directed to carry out the instructions of the Board, as discussed during the In-Camera Session.

MOTION

It was moved by I. Anderson and seconded by D. Head that the Board rise from the In-Camera Session at 9:01 p.m.
- Carried Unanimously.

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Application File No.:	B02-26	No. of Members Present:	8
Date of Decision:	[March 24, 2026 - Adjourned] June 23, 2026		
Location of Property:	Part Lot 36, Conc. VI, 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 Anthony Dubois is to provide for the creation of a new lot having a frontage of ± 114.1 M. along Union Road, a maintained (given) road, and an average depth of ± 63.2 M., thereby containing an area of ± 0.7 Hec. The applicant's garage with a loft (living accommodations on the 2nd floor) and a shed are located within this land. It appears that the shed is located in the front yard/in front of the main structure. This proposed lot will be subject to right-of-way through the lot, in favour of the retained land to have access to the top of the bluff to the existing greenhouse. Residential uses are proposed to continue. *As amended this proposed lot will also be together with a right-of-way over the retained land to Union Road.*

The land to be retained has frontages of ± 267.2 M. along Union Road, a maintained (given) road and ± 85.3 M. along the unopened, non-maintained 5th concession allowance at the south, and an average depth of ± 72.3 M., thereby containing an area of ± 1.7 Hec. The applicant's dwelling, with attached garage, porch, & sunroom, and a shed are located within this land. Residential uses are proposed to continue. *As amended this lot will be subject to right-of-way in favour of the severed lot to provide access to Union Road.*

The land transfer/deed that accompanied the application, RM 81973, has the ownership of the land in joint ownership with Lise Chapados. Mr. Dubois was advised that this will be corrected by his lawyer to have Ms. Chapados removed from title, in order to complete the new transfer to the new lot.

On March 23rd, 2026, Mr. Dubois visited the Planning Board Office and followed up with the following email:

*'Hi Theresa,
As per our conversation, I would ask to defer the Planning Board meeting dated March 24, 2026 concerning my application to sever 3235 Union rd. in Evansville to sometime in the spring, be it April or May to allow for the snow thaw where we'll be able to better determine access to the newly severed portion of the lot.*

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Mr. Dubois revised his application to include a right-of-way over the retained land to provide access to Union Road over the shared driveway, in favour the proposed severed land.

A building permit for the garage 1st and guest 2nd, No. BM-05-12, dated July 16, 2012, was provided by the municipality.

A building permit, No. BM-08-17, for the engineered prefab greenhouse (25 ft/7.6 M. X 95 ft/28.9 M.), dated July 14, 2017 was also provided by the municipality. It appears that when the greenhouse was built it was located partly within the applicant's land being Part of Lot 36, Conc. VI, and partly within the 35th side road allowance which is part of the neighbouring property to the west. There is also a trailer on wheels, located completely within the neighbouring land to the west.

There is a portion of Union Road, a given road, that traverses through the property which is owned by the applicant. Mr. Dubois advised that he has spoken to the municipality and they seemed agreeable to taking ownership of that portion of Union Road that he owns, as this was his preference. If the municipality does take ownership of this part of the road, it will create a nature severance, resulting in a 2nd lot being created, east of the road. No approval from the Manitoulin Planning Board would be required for this 2nd lot creation, as the conveyance of the road would create a natural severance.

The subject land has been designated as a Rural Area in the Official Plan for the District of Manitoulin under the jurisdiction of the Manitoulin Planning Board and zoned Rural @ according to the (updated) Municipal Zoning By-law No. 2025-03, for the Municipality of Burpee-Mills.

Access for the retained land is via an existing entrance, #3235 Union Road. Access for the proposed severed land is to be over the retained land over the existing shared driveway to Union Road.

As part of the preliminary review, comments were requested from the Ontario Ministry of Transportation (MTO), as per their written request. U. Akhtar advised via email on February 24th, 2026 that the site is outside of the MTO's permit control area and MTO have no comments to provide.

Services consist of private individual septic systems and private wells. There are no new services required at this time.

The Sudbury and District Health Unit advised they have no concerns and that it appears that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system. They have noted that the existing on-site septic system on the proposed retained lot cannot be shared to serve dwellings on the severed lot. According to the application the applicant was proposing a shared septic system.

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Application File No. B02-26
June 23rd, 2026 - Continued

There is a Hydro line identified along Union Road, to the east of the subject land. As part of the preliminary review, comments were requested from Hydro One. Hydro One advised that they have no concerns or conditions with the application; there will be a new road allowance and the existing line services the house at this location and nobody beyond and risk is low; that there may be a hydro easement in place from 1948; no new easement is required; and that the poles belong to Bell Canada.

The entire property is within the catchment area of the Noland Drain, located to the east of the subject land. The applicant was advised that Section 65 of the Drainage Act may apply and that a reassessment may be required.

There appears to be a livestock facility about ±481 metres south-east of the subject property. The farm related structure meets the minimum setback requirement of 183 metres of the *Minimum Distance Separation (MDS) Formulae* as required by the Ministry of Agriculture Food and Rural Affairs (OMAFRA).

There is a very steep slope within the property that runs north-south and the elevation varies between 190 metres to 240 metres above sea level. There are no escarpment lands identified within the subject land. Building restrictions and access constraints may apply.

From information available, the subject land 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 Planning Statement (PPS) 2024.

The Growth Plan for Northern Ontario 2011 states:

'Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.'

The application proposes the continuation of existing residential uses abutting the Village Area of Evansville, providing easy access to services provided by that community.

The application was circulated on March 5th, 2026, and on June 1st, 2026 as amended, to the Municipality of Burpee-Mills, Bell Canada, the Ontario Ministry of Transportation (MTO), and to all property owners within 60 metres, and by the posting of a notice, clearly visible and legible form a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

The Municipality of Burpee-Mills recommend consent be granted and noted that Section 65 of the Drainage Act will apply and that the part of Union Road that traverses the easterly boundary of Mr. Dubois's property is to be conveyed to the municipality.

Bell Canada advised that they have no comments/concerns.

MTO advised that their previous comments of February 24th, 2026 remain valid and complete and they do not have any additional comments.

A telephone call was received from Whitney Ceccutti, on behalf of his father, Alexander Cecutti, the abutting land owner to the west, which was followed by the following email, received on March 24th, 2026:

'It has been brought to my attention, based on the diagram, that item K (shed) and a portion of item M belonging to the applicant have been built on my property. My legal advisors have suggested that this situation could present personal liability to me.'

I have no objection to the proposed severance. However, I therefore request that he remove item K and the portion of the greenhouse (item M) from my property and relocate them onto his own.'

The email received from Mr. Cecutti, was forwarded to Mr. Dubois.

Mr. Dubois sent the following email to Mr. Cecutti which was copied to the Secretary-Treasurer, T. Carlisle:

*'Hello Mr. Cecutti,
I understand and agree to have the structures, i.e. greenhouse and trailer on wheels removed from their existing location as they are encroaching on your property. Please be aware that at the time of construction, I had inaccurate lot line indicators in the form of rock piles in conjunction with the 'metes and bounds' survey. I had also walked the property back in 2009 with Reeve Ken Noland to identify those rock piles as the lot line of sorts. This led me to choose an improper position for the greenhouse, of which I only realized it's mistake after getting a proper survey in December of 2025. Just prior to that survey I also researched the records at the town hall and subsequently found out that the old proposed laneway belonged to your property, something both the Reeve and I didn't know.'*

I'm respectfully requesting that you allow me to sever my property likely with a Manitoulin Planning Board meeting in June by giving me an extended timeline to find a buyer for my greenhouse so as to get it deconstructed (modular in design) and removed by the new owner, and I will not be using it, as it will be sitting idle until such time it is sold. I intend to put it for sale at a favourable price and advertise it immediately in hopes of a quick sale.'

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Application File No. B02-26
June 23rd, 2026 - Continued

Email from A. Dubois to Mr. Cecutti - Continued

' Although an email of this type is best for record keeping purposes, I would like to meet with you in person and perhaps discuss any details and nuances to this request with you. Please feel free to call me to set up a meeting if you want., Best Regards, Anthony (Tony) Dubois '

On June 15th, 2026, Mr. Cecutti called the Planning Board Office to inquire about how his father, A. Cecutti, could be assured that the two structures encroaching onto his property will be removed. A written submission was requested and the following letter was delivered to the Planning Board Office by W. Cecutti on June 23rd, 2026:

*' Manitoulin Planning Board
As per Mr. Dubois' letter dated April 20, 2026, and our recent correspondence regarding the structure located on our property, please be advised that we are willing to grant additional time for the removal of the buildings currently situated on our land.*

Upon the advice of legal council, we have agreed to extend the deadline for the complete removal of the building, trailer on wheels, and any associated materials until Thanksgiving Day, Monday, October 12, 2026. This extension is being provided in good faith and I feel is a reasonable accommodation to allow sufficient time for the matter to be resolved without the need for further legal proceedings.

It is our understanding that you have requested additional time in order to locate potential buyers. While we acknowledge this request, it is important to clarify that any consideration of a severance application will not proceed until all buildings and structures have been fully removed from our property. The granting of this extension should not be interpreted as approval of, or support for, any future severance request.

Whether or not buyer is found, we require that the building, trailer, and all related materials be completely removed from our property no later than October 12, 2026 by Mr. Dubois. This deadline is final.

Please note that this extension does not waive any of our legal rights. Should the buildings and associated materials not be fully removed by October 12, 2026, we will proceed with further legal action to protect our property interests and enforce our rights.

We trust that the removal will be completed within the extended timeframe and look forward to resolving this matter without further dispute. Sincerely, Alexander Cecutti.'

A copy of this letter was sent to Mr. Dubois, via email, on June 23rd, 2026.

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.

K. Noland, Board Member representing the Municipality of Burpee-Mills, advised that the barn located within Lot 37, Conc. V, (#19 Harper Hill Road) is no longer standing; has fallen down.

Mr. Dubois spoke to the application and advised that it was in his best interest to have the greenhouse and trailer removed from his neighbour's property. He was hoping he would have more time to sell the greenhouse but is agreeable to the October 12th, 2026 date to remove the two structures from Mr. Cecutti's property.

Mr. Cecutti spoke to the application and advised that he and his father have no concerns with the severance application. They felt that the green greenhouse could easily be disassembled, and it and the trailer on wheels could be easily removed.

Discussion among the Board Members included:

- the right-of-way (existing driveway) is only ±11 metres wide not the standard 20.1 metres wide; they were agreeable to the 11 metres width in this case as it is an internal existing driveway; if approval is given for the application, the applicant has two years to fulfill conditions and complete the file; the applicant, in his letter to Mr. Cecutti states that he is in agreement to remove the two structures; Planning Board does not have the mandate to have the two structures moved before two years; may be a legal issue if the two structures are not removed from the neighbouring property; the entire property must conform to the municipal zoning by-law; the greenhouse, as currently located, does not meet the required rear yard setback for an accessory structure;

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

The Board Members felt they had enough information to make a Decision, rather than a deferral of Decision.

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

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Application File No. B02-26
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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) and the right-of-way to which the consent approval relates;
- ii) a written confirmation from the municipality that all structures conform to Zoning By-law No. 2025-03, satisfactory to the municipality, i.e. shed, greenhouse;
- iii) a written confirmation from the municipality that the existing entrance (#3235) from Union Road for the severed and the retained land, is satisfactory to the municipality;
- iv) a written confirmation from the municipality that the conveyance of Union Road that traverses the subject land, has been surveyed a minimum of 20.1 metres wide and has been conveyed to the municipality, satisfactory to the municipality;
- v) 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;
- vi) proof that Lise Chapados, joint tenant, has been removed from title for the subject land, satisfactory to the Manitoulin Planning Board;
- vii) the current fee for certification \$170.00 of each Transfer of Land submitted for Certification; and
- viii) a written confirmation from the municipality that all outstanding municipal taxes have been paid for the subject land.

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

Note: The owner of the subject land should be aware that a reassessment under Section 65 of the Drainage Act may apply and the cost of maintenance of municipal drains is prorated to landowners.

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Application File No.: B07-26 No. of Members Present: 8
Date of Decision: June 23, 2026
Location of Property: Part Lot 11, Conc. III, surveyed as Part 1, Plan 31R-3676,
Township of Tehkummah, District of Manitoulin

DECISION

During the Regular Meeting of Planning Board, held on November 26th, 2025, Nathan Kuepfer, agent for the application, requested support from the Board for the creation of a new lot for a private Amish School. This would result in a 4th lot being created by the Consent to Sever process from Lot 11, Conc. III, Township of Tehkummah. Consent to Sever File No's. B50-08 and B51-08, previously approved by the Manitoulin Planning Board stated that:

'further development of the subject land shall be by Plan of Subdivision'.

Discussion resulted in the following motion of the Manitoulin Planning Board:

'It was moved by J. DeForge and seconded by B. Barker that the Manitoulin Planning Board supports in principle the request for the creation of a +/- 0.4 Hec. lot for a private (Amish) school, in the Township of Tehkummah within Part 1, Plan 31R- 3676, on a site specific basis.'

The purpose of this application made under Section 53(1) of the Planning Act by Mr. Kuepfer on behalf of Lloyd and Clara Albrecht is to provide for the creation of a new lot having a frontage of ±88.4 M. along the 10th Side Road, a maintained municipal road, and a depth of ±45.7 M., thereby containing an area of ±0.4 Hec. There are no structures on this land. According to the application a private (Amish) Community School is proposed.

The land to be retained has frontages of ±173.09 M. and ±205.44 M. along the 10th Side Road, a maintained municipal road and an average depth of 310.5 M., thereby containing an area of ±17.2 Hec. According to the application, there are no structures located within this land.

Mr. Kuepfer provided the following cover letter with the application:

'The old order Amish group of East Manitoulin would like your consent to sever a one acre of Part Lot 11 Concession III for the creation of a new lot for a private school. The dimensions of the one-room school would approximately be 24 ft. X 34 ft. X 20 ft. in height and the enrollment would not exceed over 60 children. The location would be beneficial to the community for multiple reasons:

- 1. It is within a 5 km radius for most school children attending, allowing them to be able to walk or scooter.*
- 2. All school maintenance will be done by local community members, who use horse and buggy to travel.*
- 3. Wood stove heat will be used to heat the school, thus making it closer to attend the fires on weekends and holidays.*

We have tried various other locations and they were all denied due to having agriculture zoning or land couldn't support a school.'

There has been an application for a Plan of Subdivision, File No. 51T-78209, involving Lot 11, Conc. III, surveyed as Part 1, Plan 31R-233, that created eleven (11) new lots surveyed as Lots 1 to 11, on Plan M-177.

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

File No. B03-00 created a new lot also from Part 1, Plan 31R-233, surveyed as Part 1, Plan 31R-3009; and

File No's. B50-08 and B51-08 created two new lots, surveyed as Part 2, Plan 312R-3676 and Part 3, Plan 31R-3676, with the resulting retained land surveyed as Part 1, Plan 31R-3676. This is the parcel of land subject to the current Consent to Sever Application, File No. B07-26.

Services will consist of private individual septic systems and private wells, when required. There are no services required at this time.

The Public Health Sudbury and District (PHSD) 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.

There is a Hydro line identified to the east, along the 10th Side Road, and a Hydro line identified to the south, along the southerly boundary of the subject land.

As part of the preliminary review, comments were requested from Hydro One. Hydro One advised they have no concerns with the proposal to sever and that they have an unregistered easement on the north side of Concession 4 at this location.

Access is via an existing entrance, from the 10th Side Road for the retained land. The severed land will require a new entrance from the 10th Side Road.

As part of the preliminary review the application was sent to the Ontario Ministry of Transportation (MTO), as per their written request. C. Cole, Corridor Management Planner, MTO, advised via email on December 1st, 2025, that the subject land is not located within the MTO's permit control area (PCA); therefore mto have no comments to provide at this time.

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

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The Official Plan for the District of Manitoulin - Village Area under Policy C.2.1.5 states:

' small scale institutional uses including schools and places of worship, and park and open spaces will be permitted.'

Zoning By-law No. 80-02 for the Township of Tehkummah, under Section 7.2 - Rural Zone - permits the Institutional type use of a school.

Section 5. - Definitions of the Zoning By-law states:

' a school shall mean a public or separate school, a high school, a continuation school, a technical school, a colleague or university or any other school established and maintained at public expense.'

Mr. Kuepfer, 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 school in the Rural (R) Zone.

There is a drain catchment area identified within the south east corner of the retained land, known as the McCauley Drain Extension.

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

There are several livestock operations within the vicinity of the subject land. 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 could be outside the area of influence.

There is a licensed Aggregate Operation, licence No. 615661, for a Pit Operation, to the north west of the subject land.

The Official Plan Policy C.6.2.c states that:

'Other land use activities, particularly sensitive uses such as residential uses, proposed to be developed within land use designations abutting Aggregate Resources Areas, must provide an adequate separation distance by the following distances:
b. 300 metres from a pit operation below the water table.'

The proposed new lot is entirely outside of the 300 metre buffer. There would be building envelopes within the retained land, that would/could meet the separation buffer of 300 metres from the Pit Operation.

The application was circulated on June 2nd, 2026 to the Township of Tehkummah, Bell Canada, MTO, and to all property owners within 60 metres, and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

The Township of Tehkummah, advised via resolution No. 2025-211 as follows:

'BE IT RESOLVED THAT Council for the Corporation of the Township of Tehkummah does hereby support the severance application of Lloyd and Clara Albrecht for the purpose of establishing a community school.'

The Township of Tehkummah did not return the questionnaire or provide any written comments or concerns.

MTO advised via email on June 9th, 2026 that the previous comments of December 1st, 2025 remain valid and complete and they have no additional comments.

Bell Canada advised they have no concerns.

From information available, the subject proposal does not appear to have any natural heritage features or species at risk concerns. This proposal is considered to be in conformity with the PPS 2024.

The Northern Ontario Growth Plan 2011, under Section 3.2.4 - Education Attainment - states:

' The province will work with school boards and other partners to support an educational system (kindergarten to grade 12) that continues to accommodate the unique needs and circumstances of all Northern Ontario communities.'

The proposed school is intended to serve the Amish Community in the Township of Tehkummah and may be considered to accommodate unique needs of the community. This proposal appears to conform to the Northern Ontario Growth Plan 2011.

Board Member, J. DeForge, representing the Township of Tehkummah, advised that municipal council supports the new school in their municipality.

It is noted that in Ontario, all private schools are governed by the 'Educational Act.' Private schools are required to comply with the ' Private Schools Policy and Procedures Manual' and are required to submit a Notice of Intention to Operate a Private School under Section 16 of the Act on or before September 1st, of every year.

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Application File No. B07-26
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Discussion among the Board Members included:

- what is the definition of a school; what is the difference between a private school and a school for the Amish Community; is the Amish School a private school; would the Amish school be taxed; do the Amish community have their own school board;

The Secretary-Treasurer explained that according to the municipal zoning By-law, No. 80-02, for the Township of Tehkummah, the definition for school states:

' School shall mean a public or separate school, a high school, a continuation school, a technical school, a college or university or any other school established and maintained at public expense.'

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.

Consent is tentatively granted subject to the following conditions:

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

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

Accompanying the transfer documents shall be:

- i) a reference plan of survey, which bears the Land Registry Office registration number as evidence of its deposit therein, illustrating the parcel to which the consent approval relates;
- ii) a copy of an approved amendment to Comprehensive Zoning By-law No. 80-02 for the Township of Tehkummah permitting a private (Amish) school within the proposed new lot, in the Rural (R) Zone;
- iii) a written confirmation from the municipality that a new entrance permit has been issued or can be issued, for the proposed severed land, satisfactory to the municipality;
- iv) a fee of \$170.00 for each Transfer of Land submitted for Certification; and
- v) a written confirmation from the Municipality that all outstanding municipal taxes have been paid for the subject land.

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: Any further development shall be by a Plan of Subdivision.

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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.

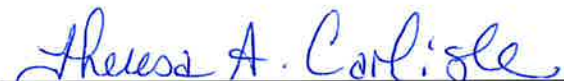
	<u>Moved By</u>	<u>Seconded By</u>
1. B02-26	D. Head	J. DeForge
2. B07-26	I. Anderson	J. DeForge

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

- Carried

The time now being 9:02 P.M. and all business before the Board having been dealt with the Meeting was adjourned on a motion moved by D. Head and seconded by L. Hayden

K. NOLAND, CHAIR


T.A. CARLISLE, SECRETARY-TREASURER