

MUNICIPALITY



OF ASSIGINACK

**BOX 238, MANITOWANING, ONT., P0P 1N0**  
**(705) 859-3196 or 1-800-540-0179**

[www.assiginack.ca](http://www.assiginack.ca)

REGULAR VIRTUAL MEETING OF COUNCIL

Via ZOOM

Tuesday, September 7th, 2021 5:00 pm

AGENDA

**For Consideration:**

**1. OPENING**

- a) Adoption of Agenda
- b) Disclosure of Pecuniary Interest and General Nature Thereof

**2. ANNOUNCEMENTS**

**3. ADOPTION OF MINUTES**

- a) Minutes of the Regular Council Meeting of August 3, 2021
- b) Minutes of the Manitoulin Planning Board Meeting of July 27, 2021
- c) Minutes of the Manitoulin Planning Board Meeting of August 24, 2021
- d) Minutes of the Assiginack Public Library Board Meeting of August 11, 2021

**4. DELEGATIONS**

NONE

**5. REPORTS**

- a) 2021 Sunsite Estates Drinking Water System Inspection Report, June 25, 2021  
Inspection MOECP

**6. ACTION REQUIRED ITEMS**

- a) Accounts for Payment: General      \$ 284,338.73  
  Payroll:            74,741.97
- b) Holiday Haven Road Waterline Request
- c) Consent Application B 19/21 Recommendation
- d) 2021/2022 Ice Rates at Arenas

**7. INFORMATION ITEMS**

- a) Perth County: Relationship with MPAC
- b) FONOM: Media Release
- c) Assiginack Museum Advisory Committee: Cenotaph
- d) Gravel Watch
- e) Manitoulin Island Clinician Recruitment and Retention Committee
- f) EDO Quarterly Report
- g) Manitoulin Health Centre: Mindemoya Site
- h) Manitowaning Agricultural Society: No Fall Fair
- i) Province of Ontario: Vaccine Certificate

**8. BY-LAWS**

NONE

**9. CLOSED SESSION**

Personnel Issues  
Security of Municipal Property

**10. ADJOURNMENT**

**THE CORPORATION OF THE TOWNSHIP OF ASSIGINACK  
MINUTES OF THE REGULAR COUNCIL MEETING**

The Regular Meeting of the Council of the Corporation of the Township of Assiginack was held and hosted by way of a Zoom Conference video call on Tuesday, August 3, 2021 at 5:00 pm.

**Present:** Mayor Dave Ham  
Councillor Dave McDowell  
Councillor Rob Maguire  
Councillor Christianna Jones  
Councillor Hugh Moggy

**Staff:** Alton Hobbs, CAO, Deputy Clerk  
Deb MacDonald, Treasurer  
Freda Bond, Tax and Utilities Manager  
Jackie White, PEC  
Ron Cooper, PW Superintendent

**Press:** Alicia McCutcheon, Expositor

**OPENING:**

**#136-09-2021 D. McDowell – R. Maguire**  
THAT the Regular Meeting of the Council of the Corporation of the Township of Assiginack be opened for business at 5:00 pm, with a quorum of members present virtually, with Mayor Ham presiding in the Chair.

*CARRIED*

**AGENDA:**

**#137-09-2021 C. Jones - R. Maguire**  
THAT we confirm the attendance of all the Members of Council electronically (on Zoom) and adopt the agenda as presented.

*CARRIED*

**DISCLOSURE OF PECUNIARY INTEREST:**

NONE

**ANNOUNCEMENTS:**

NONE

**ADOPTION OF MINUTES:**

**#138-09-2021 H. Moggy - D. McDowell**

THAT the Minutes of the Regular Council Meeting of July 6, 2021 be accepted.

*CARRIED*

**#139-09-2021 R. Maguire – C. Jones**

THAT the Minutes of the Special Council Meeting of July 21, 2021 be accepted.

*CARRIED*

**#140-09-2021 R. Maguire – C. Jones**

THAT the Minutes of the Manitoulin East Municipal Airport Commission Meeting of July 5, 2021 be accepted.

*CARRIED*

**DELEGATIONS:**

NONE

**REPORTS:**

NONE

**ACTION REQUIRED ITEMS:**

**#141-09-2021      D. McDowell - H. Moggy**

THAT Council authorizes the following Accounts for Payment:

General:      \$169,712.87;

AND THAT the Mayor and administration be authorized to complete cheques #31049 through #31070, and #31107 through #31135 as described in the attached cheque register report.

*CARRIED*

**#142-09-2021      C. Jones - R. Maguire**

THAT Council authorizes the following Accounts for Payment:

Payroll:      \$48,036.54;

AND THAT the Mayor and administration be authorized to complete cheques #31044 through #31048 and #31071 through #31077 as described in the attached cheque register report.

*CARRIED*

**#143-09-2021      H. Moggy - D. McDowell**

THAT we accept the Community Safety and Well-Being Plan as prepared by ISN Consultants.

*CARRIED*

**#144-09-2021      C. Jones – H. Moggy**

THAT WHEREAS Council supports the application made to the Community Enhancement Program for an ice re-surfacer and matting;

AND WHEREAS Council has contributed \$7,662.00 to the project in the 2021 Capital Budget;

NOW THEREFORE THAT the Municipality will cover any cost overruns, should they occur.

*CARRIED*

**#145-09-2021 R. Maguire – C. Jones**

THAT the following ratepayers be confirmed or reaffirmed to the Economic Development Committee:

Jen Hooper, Phil Blake, Chris Prosser, Bill Zylstra, Sandra Pennie, Graham Size, Lori McMullen

*CARRIED*

**INFORMATION ITEMS:**

**#146-09-2021 R. Maguire – C. Jones**

THAT we acknowledge receipt of the following correspondence items:

- a) Solicitor General: Animal Care in Hot Weather
- b) Mike Mantha MPP: Fire College Closure

*CARRIED*

**BY-LAWS:**

NONE

**CLOSED SESSION:**

**#147-09-2021 H. Moggy – D. McDowell**

BE IT RESOLVED THAT in accordance with By-law #02-02 as amended and Section 239 of the Municipal Act, Council proceed to a closed session (in camera) at 5:10 pm in order to attend to a matter pertaining to:

- a) Personal matters about an identifiable individual
- b) Security of Municipal Property

*CARRIED*

**#148-09-2021 D. McDowell – H. Moggy**

THAT we adjourn from our closed session at 5:25 pm, approve the Closed Minutes of the July 6<sup>th</sup> and July 21<sup>st</sup> Closed meetings and resume our Regular Meeting.

*CARRIED*

**CLOSING:**

**#149-09-2021 C. Jones - R. Maguire**

THAT we adjourn until the next regular meeting or call of the Chair.

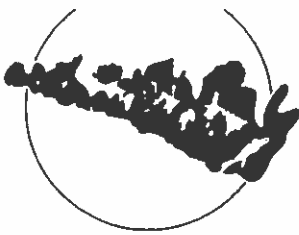
*CARRIED*

\_\_\_\_\_  
David Ham, MAYOR

\_\_\_\_\_  
Alton Hobbs, CAO/DEPUTY CLERK

5:30 p.m.

These Minutes have been circulated but are not considered Official until approved by Council.



# MANITOULIN PLANNING BOARD

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

July 28, 2021

## MINUTES OF PLANNING BOARD MEETING - JULY 27, 2021

During a teleconference meeting of the Manitoulin Planning Board held on Tuesday, July 27<sup>th</sup>, 2021 the following Members of Planning Board participated:

- |    |              |     |             |
|----|--------------|-----|-------------|
| 1. | L. Hayden    | 6.  | D. Head     |
| 2. | K. Noland    | 7.  | I. Anderson |
| 3. | E. Russell   | 8.  | D. McDowell |
| 4. | R. Stephens  | 9.  | D. Osborne  |
| 5. | T. Mackinlay | 10. | R. Brown    |

Also present during the teleconference was:

- D. Watts, interested party;
- L. and R. Sim - Applicants for Consent File No. B09-21;
- J. Chandler, agent for Amendment File No. 96ZBL-21-001;
- H. McLaughlin, agent for Consent File No's. B14-21, B15-21 and B16-21 and Amendment File No. 96ZBL-21-002;
- B. Allison, File No. V01-2021; and
- T. Sasvari, reporter, Manitoulin West Recorder.

There were no other interested parties or members of the general public or press that participated in the meeting.

The electronic Meeting was called to Order after the electronic Public Meeting, at 7:10 p.m. by Chair R. Stephens, 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 May 25<sup>th</sup>, 2021.

There were no conflicts declared.

### 1. ORDER OF BUSINESS

The Chair requested the adoption of the order of business.

The Secretary-Treasurer asked the Board to consider having item 6. ix) File No. V01-2021 heard before item 6. i) OACA Conference, in order to accommodate the applicant. The following motion resulted:

#### MOTION

It was moved by L. Hayden and seconded by R. Brown that the Order of Business be adopted, as amended,  
- Carried.

### 2. MINUTES OF PREVIOUS BOARD MEETING - May 25<sup>th</sup>, 2021.

The Chair announced that the Minutes of the Board Meeting held on May 25<sup>th</sup>, 2021 had been circulated to all Board Members and requested that any errors or omissions be stated.

#### MOTION

There being no errors or omissions, a motion was moved by E. Russell and seconded by D. Head that the Minutes be adopted as circulated,  
- Carried.

### BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING - May 25<sup>th</sup>, 2021

There was none.



Board Minutes  
July 27, 2021

3. VARIABLE EXPENDITURES

There were no questions of the variable expenditures as circulated.

MOTION

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

4. APPLICATION FOR AMENDMENT TO ZONING BY-LAW NO. 96-01

- i) File No.: 96ZBL-21-001  
Owner: Carol Filimonchuk  
Agent: Jordan Chandler  
Property Location: Part Lot 8, Conc. I  
Being Part 64, Plan R.R. 39, (#715 Pebble Road)  
(Little Lake Huron Estates)  
Township of Robinson, District of Manitoulin

A Zoning Amendment Application has been made by Jordan Chandler on behalf of Carol Filimonchuk, to rezone land described as Part Lot 8, Conc. I, being Part 64, Plan R.R. 39 from Rural (R) Zone to Shoreline Residential (SR) Zone to permit a seasonal residential dwelling.

Seasonal residential uses are not a permitted use in the Rural (R) Zone by Zoning By-law No. 96-01, Part XI. Therefore, Zoning By-law No. 96-01 must be amended to permit the uses proposed.

This vacant shoreline lot, which was created by checkerboarding prior to subdivision control, has been willed to Ms. Filimonchuk from her father, Burl H. Cook in 2015.

The application was circulated on May 19<sup>th</sup>, 2021 to the United Chiefs and Councils of Mniidoo Mnising (UCCMM), and to the Wiikwemkoong Unceded Territory as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email that the UCCMM have no concerns or comments at this time.

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

Servicing will consist of water from Lake Huron or private well, and sewage disposal is proposed to be by private individual septic system. The Sudbury and District Health Unit have advised they have no objections as the property appears to be capable of development for the installation of a class 4 sewage system.

Fire Protection is available via the Robinson Township Volunteers.

Garbage collection is available via the Robinson Township Local Services Board.

The applicant accesses his property from Highway 540 over the Little Lake Huron Road/Pebble Road, crossing Lot 2, Conc. IV; Lots 1 and 2, Conc. III; Lots 2 and 3, Conc. II; and Lots 2, 3, 4 and 5, Conc. I, surveyed as Part 1, Plan R.R. 47; and Lots 6 and 7, Conc. I, surveyed as Part 25, Plan R.R. 33 and Part 89, Plan R.R.39. This right-of-way is not maintained by the Local Roads Board. The existing private right-of-way known as Little Lake Huron Road and Pebble Road does have a few areas that require repair. However, is travelable by emergency vehicles confirmed by a site visit by MPB staff member J. Diebolt on June 17<sup>th</sup>, 2021.

This application to amend Zoning By-law No. 96-01 was circulated on June 29<sup>th</sup>, 2021 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.

Lori Mastelko, Secretary-Treasurer for the Township of Robinson Local Roads Board (LRB), advised via email on July 9<sup>th</sup>, 2021 that they have no concerns with the amendment application, rezoning from Rural to Shoreline Residential for the building of a seasonal dwelling.

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APPLICATION FOR AMENDMENT TO ZONING BY-LAW NO. 96-01

i) File No.: 96ZBL-21-001 - continued

The following letter was received from Ron Collis, owner of land located to the south east, being Part 82, Plan R.R.39:

*'Dear Sir or Madam.  
I am extremely opposed to this zoning by-law change.*

*As you are aware the Eco system is very fragile in the beach area, and the endangered grassland must be protected. If we have large numbers of people, and quads running around, this endangered grassland will be lost.*

*I enjoy my privacy. If we have large numbers of people our solitude will be lost. There will also be issues with garbage. Campers will not show the same sense of responsibility as local land owners in keeping our beautiful area clean.*

*There has already been issues with trespassing on nearby properties, and the possibility that properties may be interfered with.*

*Little Lake Huron Road and Pebble Road are in poor condition, and will not sustain heavy vehicle traffic and quad traffic. Heavy traffic will render this road unusable for everyone.*

*Recently there were ten bikers from Toronto who complained bitterly at the road condition, as they wished to tour the island and return down this road every evening.*

*The vendor has tried to organize a land owners association to pay \$500.00 each for road repairs. This is nothing more than a scam to have land owners pay for the road repairs so they can profit from their private commercial venture. Someone has to pay for the road repair. I'm sure they want the property owners to foot the bill, but I'll bet they are not willing to share this increased profit that a clear access will bring at a cost of \$500.00 per home owner.*

*I cherish my privacy of our beautiful pristine area turned into a carnival.  
Not just no **HELL NO**. This application must not move forward.  
Please notify me in writing of your decision on this matter.'*

A copy of this letter was sent to Mr. Chandler, agent for the application and to all Board Members.

There have been no other inquiries or concerns received from the agencies or the property owners circulated, or from the posting of the signs on the property.

The subject land will remain designated as being within a Shoreline Area and all Official Plan (OP) Policies applicable thereto will continue to apply. Recreational camps/seasonal dwellings are permitted by Section B.2.3. of the OP.

The subject land is within a Rural ( R ) Zone. This area was zoned Rural to control development in an area where lots were created prior to subdivision control. The proposal is a continuation of the established precedents common to this area. If approved, this proposal will amend Zoning By-law No. 96-01 to rezone from Rural ( R ) Zone to Shoreline Residential (SR) Zone to permit a seasonal dwelling and accessory structures.

The Provincial Policy Statement (PPS) 2020 under Section 1.1.6.1 states:

*'On rural lands located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).*

The subject land is identified as being in a deer wintering area. It is recommended that the loss of deer feeding opportunities and shelter habitat can be mitigated by minimizing the amount of conifer cover removed during the construction of the proposed seasonal dwelling.

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

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

*'Development shall generally be directed to areas 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.'*

It was recommended that a mitigation plan to reduce the intensity of a forest fire by thinning or removing trees and allowing it to be extinguished more easily, be submitted to the Planning Board with the Zoning Conformity Permit for the construction of any structures.

There is a fish habitat identified along the shore of Lake Huron and a dune system along the shore and in the front yard of the subject land.

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APPLICATION FOR AMENDMENT TO ZONING BY-LAW NO. 96-01

i) File No.: 96ZBL-21-001 - continued

The Provincial Policy Statement 2020 under Section 2.1.7 states:

*'Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.'*

Consultation comments from the Ministry of Oceans and Fisheries (DFO) for a previous application in the Little Lake Huron Estates area (2019) were that under the Fisheries Act and the Species at Risk Act, comments are not required for projects that are proposed to take place above the high water mark and as long as the proposed works take place above the Lake Huron 180m elevation contour, they will not be required to go to DFO for a review.

Consultation comments from the Ministry of Natural Resources and Forestry (MNR) for a previous application in the Little Lake Huron Estates area (2019) were that as long as development is consistent with policies of the Provincial Policy Statement (PPS) they have no concerns regarding the fish habitat or wildlife habitat (SAR).

Consultation comments from the Ministry of Environment, Conservation and Parks (MECP), the Ministry in charge of the administration of the "*Endangered Species Act*", for a previous application in the Little Lake Huron Estates area (2019) supported an increased setback to be outside the area of Species at Risk (SAR).

From 2016 satellite imagery available and pictures obtained during a site visit on June 17<sup>th</sup>, 2021, a front yard setback from the south lot line in front of Lake Huron of ten (10) metres would provide for a building envelope for the location of any structures to be outside the dune system.

Mr. Chandler was contacted and he was advised of these concerns. He did not have any objections to the location of a seasonal dwelling and any accessory structures having the minimum front yard setback requirement increased from 7.5 metres to 10 metres in order to address the potential concerns.

Section 3 of the Planning Act requires that decisions affecting planning matters '*shall be consistent with*' policy statements issued under the Act. Planning decisions for the Manitoulin Planning Area must be consistent with Policies of the PPS. With approval of this proposed amendment, there does not appear to be any conflict or adverse impacts to policies expressed by the PPS 2020. The proposal is considered consistent with the PPS 2020.

The required Public Meeting was held by the Manitoulin Planning Board on Tuesday, July 27<sup>th</sup>, 2021 at 7:00 p.m. Jordan Chandler, agent for the application, was present during consideration of the application. There was no one else in attendance at the Public Meeting to speak on behalf of or opposition to the application.

Board Member, D. Head, stated that he has travelled the right-of-way recently and has been travelling the right-of-way for over 20 years. He stated that it is getting worse each year and is in need of repair in some areas, and he needs to go slow. However, he agrees that it is travelable by emergency vehicles. He made a suggestion that a garbage bin could be placed at Hwy 540 at the entrance to Little Lake Huron Road which could assist with the garbage issues. However, the Local Service Board may need permission from the landowner as that is private property.

Board Member T. Mackinlay, stated that he too has recently travelled the right-of-way and agrees with the comments made by Mr. Head. He stated that the Robinson Township Local Services Board has recently purchased a side by side which they are using to assist the volunteer fire department.

Board Member R. Brown, asked how the applicant was to address both the deer yard and the wildland fire concerns; seems to be conflicting policies? He asked if there are permitted commercial uses in this area?

The Secretary-Treasurer explained that a mitigation plan at the time of the Zoning Conformity permit could/would assist would protecting the deer yard but also making the building site safe from fire hazards. The properties in the Little Lake Huron Estates area are not zoned for Commercial type uses without an amendment approved by the Planning Board.

The Secretary-Treasurer read the following By-law:

**BY-LAW NO. 2021-001**

Being a By-law of the Manitoulin Planning Board to amend By-law 96-01, the comprehensive Zoning By-law for the Townships of Dawson, Robinson, and Mills.

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.

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APPLICATION FOR AMENDMENT TO ZONING BY-LAW NO. 96-01

i) File No.: 96ZBL-21-001 - continued

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. 96-01, as amended.

Now Therefore, the Manitoulin Planning Board enacts the following:

- (1) To rezone from Rural ( R) Zone to Shoreline Residential (SR) Zone;
- (2) Despite Sections 24.(1) and 5.(5) the minimum front yard setback for a seasonal dwelling and all accessory structures thereto, shall be ten (10) metres;
- (3) Subsections (1) and (2) apply to that parcel of land in the geographic Township of Robinson, in the District of Manitoulin, described as Part Lot 8, Conc. I, being Part 64, Plan R.R. 39, (Little Lake Huron Estates), located at #715 Pebble Road, registered in the Land Registry Office for the Registry Division of Manitoulin (31).
- (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 Municipal Board where objections to this by-law are filed with the Secretary-Treasurer of Planning Board.

Discussion regarding the proposed amendment resulted in the following motion:

MOTION

It was moved by L. Hayden and seconded by D. Head that By-law No. 2021-001 be approved, as read,  
- Carried.

4. APPLICATION FOR AMENDMENT TO ZONING BY-LAW NO. 96-01

ii) File No.: 96ZBL-21-002  
 Owner: 1174330 Ontario Inc. (Denis Carriere)  
 Agent: Hugh McLaughlin  
 Property Location: Part Lot 4, Conc. I, (#214 Cedar Tree Trail),  
 Being Part 9, Plan R.R. 38, (Little Lake Huron Estates)  
 Township of Robinson, District of Manitoulin

A Zoning Amendment Application has been received from Hugh McLaughlin on behalf of 1174330 Ontario Inc. to rezone land described as Part Lot 4, Conc. I, being Part 9, Plan R.R. 38 from Rural ( R) Zone to Shoreline Residential (SR) Zone to permit a seasonal residential dwelling.

Seasonal residential uses are not a permitted use in the Rural ( R) Zone by Zoning By-law No. 96-01, Part XI. Therefore, Zoning By-law No. 96-01 must be amended to permit the proposed seasonal residential uses.

This vacant shoreline lot, which was created by checkerboarding prior to subdivision control, has been owned by the applicant since June 2020.

The application was circulated on April 30<sup>th</sup>, 2021 to the United Chiefs and Councils of Mnidoo Mnisig (UCCMM), and to the Wiikwemkoong Unceded Territory as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email that the UCCMM have no comments at this time.

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

Board Minutes  
July 27, 2021

APPLICATION FOR AMENDMENT TO ZONING BY-LAW NO. 96-01

ii) File No.: 96ZBL-21-002 - continued

This application to amend Zoning By-law No. 96-01 was circulated on June 29, 2021 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.

Lori Mastelko, Secretary-Treasurer for the Township of Robinson Local Roads Board, advised via email on July 9<sup>th</sup>, 2021 that the LRB has no concerns regarding the amendment application 96ZBL-21-002 to rezone from Rural to Shoreline Residential to permit a seasonal dwelling.

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

The applicant accesses his property from Highway 540 over the Little Lake Huron Road/Pebble Road, crossing Lot 2, Conc. IV; Lots 1 and 2, Conc. III; Lots 2 and 3, Conc. II; and Lots 2, 3, 4 and 5, Conc. I, surveyed as Part 1, Plan R.R. 47; and over Cedar Tree Trail, surveyed as Part 30 and Parts 1A to 29A, Plan R.R. 38. This right-of-way is not maintained by the Local Roads Board. The existing private right-of-way known as Little Lake Huron Road and Cedar Tree Trail is travelable by emergency vehicles confirmed by a site visit on June 17<sup>th</sup>, 2021 by staff member, J. Diebolt, however is in need of some repair in some sections.

Water supply will be obtained from Lake Huron. Sewage disposal will be by grey water pit and privy. The Sudbury and District Health Unit have advised they have no objections as the property appears to be capable of development for the installation of a class 4 sewage system.

Fire Protection is available via the Robinson Township Volunteers.

Garbage collection is available via the Local Services Board for Robinson Township.

The lot subject to this application was created prior to Subdivision Control imposed in 1970. The subject land will remain designated as being within a Shoreline Area and all Official Plan (OP) Policies applicable thereto will continue to apply. Recreational camps/seasonal dwellings are permitted by Section B.2.3. of the OP.

The subject land is within a Rural ( R ) Zone. This area was zoned Rural to control development in an area where lots were created prior to subdivision control. The proposal is a continuation of the established precedents common to this area. If approved, this proposal will amend Zoning By-law No. 96-01 to rezone from Rural ( R ) Zone to Shoreline Residential (SR) Zone to permit SR Section 24(1) to apply, which will permit a seasonal dwelling and accessory structures thereto.

The Provincial Policy Statement (PPS) 2020 under Section 1.1.6.1 states:

*'On rural lands located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).'*

The subject land is identified as being within a deer wintering area. It is recommended that the loss of deer feeding opportunities and shelter habitat can be mitigated by minimizing the amount of conifer cover removed during the construction of the proposed seasonal dwelling and any accessory structures.

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

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

*'Development shall generally be directed to areas 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.'*

It was recommended to Mr. McLaughlin, agent for the application, that a mitigation plan to reduce the intensity of a forest fire by thinning or removing trees and allowing it to be extinguished more easily be submitted to the Planning Board with the Zoning Conformity Permit for the construction of any structures.

There is avar identified on the southeastern quarter of the property.

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APPLICATION FOR AMENDMENT TO ZONING BY-LAW NO. 96-01

ii) File No.: 96ZBL-21-002 - continued

Judith Jones, Winter Spider Eco-Consulting, was hired by the applicants to conduct a Site Visit to the subject property on May 28<sup>th</sup>, 2021 and provide a report supporting the proposed development.

She provided a site plan sketch and her report in conclusion states:

*' It appears possible that a driveway and building can be created on this lot without impacting SAR plants and their habitat. It also appears possible to create a narrow foot trail from the proposed building area to the Lake that runs under trees or through non-suitable SAR habitat. Whether other activities may impact SAR has not been assessed.'*

Section 3 of the Planning Act requires that decisions affecting planning matters 'shall be consistent with' policy statements issued under the Act. Planning decisions for the Manitoulin Planning Area must be consistent with Policies of the PPS.

Mr. McLaughlin was advised that from the information received from Ms. Jones that the minimum front yard setback for the proposed seasonal dwelling would need to be increased to one hundred and thirty-two (132) metres in order to be above the 180 flood contour and outside the area of influence and that this would be included in the By-law amendment. Mr. McLaughlin on behalf of the applicants, advised they have no concerns with this requirement and advised they wished to proceed with the application.

With approval of this proposed amendment, there does not appear to be any conflict or adverse impacts to policies expressed by the PPS 2020 due to the seasonal residential uses proposed.

The required Public Meeting was held by the Manitoulin Planning Board on Tuesday, July 27<sup>th</sup>, 2021 at 7:05 p.m. via teleconference. Hugh McLaughlin, agent for the application, was present during consideration of the application. There was no one else in attendance at the Public Meeting to speak on behalf of or opposition to the application. There were no written submissions received.

Mr. McLaughlin informed the Board that he had been travelling the private right-of-way for over 45 years and that each year it gets a little worse. He agrees that the access is poor in some parts and in need of some repair. He has no problem travelling with his Dodge Caravan as long as he goes slow. He agrees that the access is travelable by emergency vehicles.

Based on the aforementioned analysis it is recommended the subject Application for Zoning By-law Amendment be approved to rezone from Rural ( R ) Zone to Shoreline Residential (SR) Zone.

The Secretary-Treasurer read the following By-law:

**BY-LAW NO. 2021- 002**

Being a By-law of the Manitoulin Planning Board to amend By-law 96-01, the comprehensive Zoning By-law for the Townships of Dawson, Robinson, and Mills.

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

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

And Whereas the Manitoulin Planning Board deems it desirable to amend By-law No. 96-01 as amended.

Now Therefore, the Manitoulin Planning Board enacts the following:

- (1) To rezone from Rural ( R ) Zone to Shoreline Residential (SR) Zone;
- (2) Despite Sections 24.(1) and 5.(5) the minimum front yard setback for a seasonal dwelling and all accessory structures thereto, shall be a minimum of one hundred and thirty-two (132) metres;
- (3) Subsections (1) and (2) apply to that parcel of land in the geographic Township of Robinson, in the District of Manitoulin, described as Part Lot 4, Conc. I, being Part 9, Plan R.R. 38, (Little Lake Huron Estates Area), located at #214 Cedar Tree Trail, as registered in the Land Registry Office for the Registry Division of Manitoulin (31).

APPLICATION FOR AMENDMENT TO ZONING BY-LAW NO. 96-01

- ii) File No.: 96ZBL-21-002 - continued
- (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 Planning Board.

Discussion regarding the proposed amendment resulted in the following motion:

MOTION

It was moved by D. Head and seconded by R. Brown that By-law No. 2021-002 be approved, as read,  
- Carried.

5. PRESENTATION OF APPLICATIONS FOR CONSENT

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

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

6. GENERAL, REGULAR AND NEW BUSINESS

- i) Validation of Title Application - File No. V01-2021  
Location: Lot 18, Conc III  
Township of Sheguiandah  
Municipality of Assiginack

Chair Stephens welcomed Brad Allison, and explained that he had a telephone conversation with Mr. Allison and he had requested to speak to the Board. Chair Stephens, asked Mr. Allison to make his presentation to the Board Members.

Mr. Allison explained that he was representing Robert Roy, and has submitted an Application for Validation of Title to correct a contravention to the Planning Act due to an errant transfer from Mr. Chapman to Mr. Roy in 2003, that had been approved by the Manitoulin Planning Board. He is seeking the Board's approval for a Validation of Title Application.

Mr. Allison explained that there were three 100 acre parcels that were transferred to Joe Chapman; being Lots 18, 19 and 20, Conc. 3, Township of Sheguiandah. Mr. Chapman wanted to sell Lot 18, and needed Consent approval from the Manitoulin Planning Board in order to do so. He severed Lot 18 and conveyed Lot 18 to Mr. Roy in 2003. He thought he owned all of Lot 18 but a title searcher has now discovered that he did not own a small  $\pm 2.5$  acres ( $\pm 0.6$  Hec.) triangular parcel at the south west corner of Lot 18, which was owned by someone else. In order to correct the paper title that Mr. Roy has to his property in order to sell the property, the description on the transfer of land/deed needs to be corrected. A Validation of Title will fix the flawed consent and wipe out any negative consequences. It is a quick way to cure a human mistake that was made.

There was a lengthy discussion and some of the comments/questions were:

*- seems to be a legal description problem; has a survey been done for the triangular lot or the balance of Lot 18; has the lack of a survey lead to this oversight; lack of a survey is the real problem; a survey describing the two lots would make a sale better; a survey should provide the title correction Mr. Allison is seeking; would an application for a lot addition from the big lot to the small lot correct the error - if so, may be willing to waive the application fee; who gets hurt; two owners and two land descriptions already; the triangle lot has been described by metes and bounds for 100 years - what is the problema survey would help Mr. Roy sell his land; leap frog approach is just a way to sell the property without a survey; how is this a contravention to the Planning Act; who is the title searcher; property has an illegal description - just fix the legal description; previous consent was based on false information - the lawyers did not do their job; two wrongs do not make a right; this is a leap frog approach; MPB wants to make the right decision; not comfortable with a rubber stamp request; can MPB fix the mistake this way - need to research this; need a legal opinion.*

6. GENERAL, REGULAR AND NEW BUSINESS

i) Validation of Title Application - File No. V01-2021 - continued

Mr. Allison stated that he did not need Planning Board approval to correct the legal description of the property. He did need Planning Board approval to fix the flawed consent and needs Planning Board approval for the Validation Certificate. He cannot rely on the conversion to Land Titles.

Chair Stephens asked the Secretary-Treasurer to explain the application and provide her comments.

The Secretary-Treasurer reported that Mr. Allison submitted an Application for Validation of Title to correct an error in a transaction that in his opinion violated the Planning Act. He is seeking to correct a transfer/deed that has an incorrect legal description.

The Manitoulin Planning Board has been given the authority by the Ministry of Municipal Affairs and Housing (MMAH) to approve applications for Validation of Title and issue Validation Certificates, under Section 57 of the Planning Act when there has been a contravention/violation to Section 50 of the Planning Act.

There has always been two lots within Lot 18, Conc. 3; there has always been two different ownerships; at no time, from the chain of title that Mr. Allison has submitted, were the two lots in the same ownership.

In an attempt to understand what part of Section 50 of the Planning Act (Subdivision Control) has been contravened/violated and what is to be validated by a Validation Certificate, and prepare a report for the Board, she had requested a written explanation from Mr. Allison explaining this. He says in his letter dated June 23<sup>rd</sup>, 2021 that he cannot respond to these requirements and he notes why.

She had attached to the Board agenda a copy of the application including the chain of title, as well as nine (9) letters of correspondence between Mr. Allison and herself and copies of Sections 50 and 57 of the Planning Act. Board Member, D. Head had not received the last two letters, as he does not have an email.

She noted the Sydney Troister, a Real Estate Lawyer, has made many presentations over the years at the Ontario Association of Committees of Adjustment & Consent Authorities (OACA) Conferences that she has attended and he has written a book on Section 50 of the Planning Act which is in it's third edition. There is an entire section on Validation of Title.

She stated that it is unclear to her how the misdescription of Mr. Roy's land is a contravention to Section 50 of the Planning Act and how this can be corrected by a Validation Certificate.

Chair Stephens asked if the owners of the triangle lot had been notified of the application. She advised that they had not, nor had the Township been made aware of the request for Validation.

In further consideration of the application, the following motion was made:

MOTION

It was moved by R. Brown and seconded by T. Mackinlay that Decision be deferred to allow time for the Secretary-Treasurer to seek advice from her colleagues and seek legal advice from a solicitor and to notify the land owners of the triangular lot and the Township of the application, and report back to the Board,

- Carried.

The time now being 10:10 p.m. the Secretary-Treasurer advised that in accordance Section IV, 13. of the Procedural By-law, there would need to be a motion to extend the meeting for another one-half hour to finish the business on the agenda.

The following motion resulted:

MOTION

It was moved by R. Brown and seconded by T. Mackinlay, that the meeting be extended for another one-half hour,

- Carried.



6. GENERAL, REGULAR AND NEW BUSINESS

The Chair stated that the meeting has been extremely long already and asked the Secretary-Treasurer if some of the items on the agenda could be deferred until the next meeting. She advised that, in her opinion, items 6. i), ii), iii), iv), v), and vii) could be deferred until the next Board Meeting. Chair Stephens declared that these items would be deferred until the next Regular Meeting of the Planning Board.

- ii) Planning Administration Grant - 2021-2022 - Unincorporated Townships  
- Funding Agreement with the Ministry of Municipal Affairs and Housing (MMAH)

The Secretary-Treasurer informed the Board that the allocation of \$16,073.00 for Planning Board Funding from the Ministry of Municipal Affairs (MMA), for the delivery of planning services in the unincorporated townships of Robinson and Dawson, requires Planning Board to execute a legal agreement with MMA which summarizes the terms, conditions, and reporting requirements in relation to the grant. MMA requires the Board to adopt a resolution authorizing the execution of the legal agreement.

The following motions resulted:

MOTION

It was moved by T. Mackinlay and seconded by R. Brown that the Manitoulin Planning Board authorizes Chair R. Stephens and Secretary-Treasurer T. Carlisle to execute the funding agreement for the allocation of \$16,073.00 to the Manitoulin Planning Board for the delivery of planning services in the unincorporated townships of Robinson and Dawson for 2021-2022,  
- Carried Unanimously.

MOTION

It was moved by L. Hayden and seconded by I. Anderson that BE IT RESOLVED the motion be adopted as read,  
- Carried Unanimously.

- iii) Review of Consent to Sever Proposal  
Location: Part Lot 19, Conc. VIII, Being Part 1, Plan 31R-2502  
Township of Allan, Municipality of Gordon/Barrie Island

Attached to the Board Agenda was a sketch for a proposed Consent to Sever Application received by the Planning Board Office. The Secretary-Treasurer explained that the landowners Mr. and Mrs. Lim-Ojamae, are seeking support from the Board Members for the creation of two new ±0.8 Hec. lots for residential uses, which would result in five (5) lots from the original parcel of land. There have also been three lots created by Consent File No. B55-93, surveyed as Parts 2, 3 and 4, Plan 31R-2543, from an existing lot that was created by the Ministry of Housing in 1978.

The subject land is within a Settlement Zone and Rural Zone, which support rural residential uses.

The applicant has been advised that the Municipality, by By-law No. 2009-06 enacts that any applications for more than two (2) severances will be subject to either 5% of the land included in the application be conveyed to the municipality or in lieu of accepting a land conveyance requires the payment of 5% of the value of the land. The Municipality of Gordon/Barrie Island have not yet been circulated the application.

The proposed new lots front on Highway No. 540. The Ontario Ministry of Transportation was consulted and have advised that The Ministry of Transportation (MTO) has no objections in principle to the proposal.

The Public Health Unit had 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.

A screening for Species at Risk does not identify any concerns.

There is a barn located within Lot 18, Conc. VIII. The farm related structure (barn) located within Lot 18, Conc. VIII (to the east) meet the requirements of the Minimum Distance Separation Formulae as required by the Ministry of Agriculture Food and Rural Affairs (OMAFRA).

6. GENERAL, REGULAR AND NEW BUSINESS

iii) Review of Consent to Sever Proposal - continued

As a result of consideration for support for the proposed severance, the following motion resulted:

MOTION

It was moved by L. Hayden and seconded by R. Brown that the Secretary-Treasurer forward a copy of the application proposal to the Municipality of Gordon/Barrie Island for review and request Council's preliminary comments prior to the Planning Board making a Decision on the proposed application for Consent to Sever made by Mr. and Mrs. Lim-Ojamae,  
- Carried.

iv) Municipal Zoning By-laws Updates and RFP

During the previous Board Meeting, held on May 25<sup>th</sup>, 2021, the Board had directed the Secretary-Treasurer to obtain additional information from two planning consulting firms (WSP and JLR). In doing so, she contacted the Clerk for the Municipality of Billings & Allan East, Gore Bay, Burpee-Mills, Cockburn Island, and Gordon/Barrie Island (and copied the Board Member) with the price quotes from the two Firms to implement any new policies, update, and prepare their Zoning By-laws for a Public Meeting.

She explained that regardless of which Firm the Municipalities go forward with, this may not be considered to be a Planning Board project as three municipalities (Assiginack, Tehkummah and Central Manitoulin) have already implemented new policies and prepared their zoning By-laws in draft form and are waiting for J.L. Richards to review and update and prepare them for the Public Meeting process. The five remaining municipalities and the Zoning By-law for the Unincorporated Townships of Robinson and Dawson have not implemented new policies in their Zoning By-laws or have them in draft form as of yet and would be seeking assistance from the Planning Consultant to assist them. The contracts would be different with a different scope of work for each of the municipalities. The individual Councils need to decide on which Planning Firm they would like to have the contract with. The contract would be between the Consulting Firm and the individual Municipality.

However, Zoning By-law No. 96-01 for the Unincorporated Townships of Robinson and Dawson would be a Planning Board project and Decision would be made by the Planning Board as to which Planning Consulting Firm would be used.

The Secretary-Treasurer requested that the Board consider passing a motion as to which Planning Consultant would be used, in order to move forward with the project and she read the following DRAFT motion:

*'It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that Chair, R. Stephens and Secretary-Treasurer, T. Carlisle in review of the submission provided by BLANK FIRM and enter into a contract with BLANK FIRM for the updating of Zoning By-law No. 96-01 for the Unincorporated Township of Robinson and Dawson on behalf of the Manitoulin Planning Board.'*

Discussion included:

- should go with what the majority of the Townships want; the Townships could be swayed to keep consistency across Manitoulin Island; Townships are flexible; both Firms are as good as the other; one quote is less than the other; WSP updated the Official Plan - good working relationship; JLR is preparing the other three Townships - could keep all zoning by-laws the same; could use the 'general funds' to assist all of the 10 municipalities; Cockburn Island is not hiring a consultant - they are going to draft the By-law themselves and prepare their Public Meeting.

Board Member R. Brown requested a deferral to discuss the two options once again with the Council for the Municipality of Cockburn Island, and report back to the Board.

The following motion resulted:

MOTION

It was moved by R. Brown and seconded by K. Noland that Decision be deferred until additional information has been obtained from the Township of Cockburn Island and the other four Municipal Councils, and this topic will be discussed at the next meeting of Planning Board,  
- Carried.



Application File No.: B09-21 No. of Members Present: 10  
Date of Decision: [ May 25, 2021 -Deferred ] July 27, 2021  
Location of Property: Part Lot 23, Conc. VI, Surveyed as Parts 1, 2 and 3, Plan 31R-4129, Township of Shegandah, Municipality of Assiginack, District of Manitoulin

**DECISION**

The purpose of this application made under Section 53(1) of the Planning Act by Lana and Ron Sim is to provide for the creation of a new lot having a frontage of ±52 M. on Manitowaning Bay of Lake Huron and a depth of ±100 M., thereby containing an area of ±0.5 Hec. The southerly boundary of this proposed lot follows an existing fence. This land will be together with right-of-way and will be subject to right-of-way in favour of the retained land. The applicants propose to construct a seasonal dwelling on this new lot for seasonal residential uses.

The land to be retained has frontages of ±102 M. on Manitowaning Bay of Lake Huron and ±20.1 M. on Moggy Parkway, a maintained municipal road, and an average depth of ±315.8 M., thereby containing an area of ±9.2 Hec. This land is subject to right-of-way over Parts 2 and 3, Plan 31R-4129 and will be subject to right-of-way in favour of the proposed severed land. According to the application the applicants' seasonal dwelling and garage are located within this land.

There have been two (2) previous applications for Consent involving the subject land, resulting in the creation of four (4) new lots.

File No. B44-87, provided for the creation of three new lots surveyed as Parts 1, 2 & 3, Plan 31R-1693; and

File No. B07-19, created the subject land, surveyed as Parts 1, 2 and 3, Plan 31R-4129, and retained a ±42.7 Hec. parcel of land being Part of Lots 22 and 23, Conc. VI.

At the Planning Board Meeting held on January 26<sup>th</sup>, 2021 the Board considered a request from Lana and Ron Sim supporting the creation of a new lot (as proposed) which would result in a 5<sup>th</sup> lot from the original parcel of land. By motion of the Planning Board the request was considered to be infilling and was supported by the Board. Mr. and Mrs. Sim were advised that any additional severances maybe considered by a Plan of Subdivision.

This application was circulated on October 27<sup>th</sup>, 2021 to the Wiikwemkoong Unceded Territory and to the United Chiefs and Councils of Mniidoo Mnising (UCCMM), as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email that the UCCMM had no comments or concerns with the application.

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

The subject land has been designated Shoreline Area and zoned Shoreline Residential (SR) Seasonal residential uses are proposed to continue.

Services for the retained land consist of private individual septic system and water from Lake Huron. Services for the severed land will consist of private individual septic system and water from Lake Huron.

The Public Health Sudbury and District (PHSD) 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.

Hydro One advised via email on June 4<sup>th</sup>, 2019 (File No. B07-19) that they have an unregistered easement over the subject land and have no comments or concerns.

Access for the severed land will be via right-of-way over Parts 2 and 3, Plan 31R-4129 to Moggy Parkway, a maintained municipal road and will be subject to right-of-way in favour of the retained land. Access for the retained land is via Moggy Parkway and is subject to right-of-way over Parts 2 and 3, Plan 31R-4129 in favour of Parts 1, 2, and 3, Plan 31R-1693 and will be subject to right-of-way in favour of the proposed new lot. The proposed severed and retained land will also have access over the one-foot reserve being Block E, Subdivision Plan S-152.

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 (PPS) 2020. This application was circulated on May 6<sup>th</sup>, 2021 to the Municipality of Assiginack, Bell Canada, and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

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

Board Minutes  
July 27, 2021

Application File No. B09-21 - continued  
May 25, 2021

Alton Hobbs, CAO, Municipality of Assiginack, advised via email on May 13<sup>th</sup>, 2021 that Council doesn't meet until the 1<sup>st</sup> of June and there are concerns about the right-of-way becoming a private road that is servicing at least six lots. The Secretary-Treasurer contacted Mr. Hobbs to discuss the access concern(s). One of the issues was the use of the private right-of-way for year round residential uses.

The Secretary-Treasurer contacted Mrs. Sim and explained that the Planning Board may defer Decision on the application until the Municipal Council have considered the application and have had a chance to provide comments.

There has been an inquiry from N. Blondin requesting additional information regarding the access. She advised she had no concerns.

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 the notice.

The Board inquired if there was any requests to create additional lots from the subject land. The Secretary-Treasurer informed the Board that the applicants had expressed an interest in possibly creating additional lots in the future via a Plan of Subdivision and had contacted the municipality to ask about the standard of a subdivision road.

Board Member for the Township of Assiginack, D. McDowell, reported that he had spoken to Mr. Hobbs CAO, earlier that day and there are concerns with the right-of-way and possible additional lots being created in the future and using the right-of-way. He requested the Board defer Decision until Council has had an opportunity to provide comments.

There was no one participating in the teleconference, who wished to speak in support or opposition to the application.

Following discussion of the application a motion was moved, duly seconded, and carried that this application be deferred in order to provide an opportunity for the Municipality of Assiginack to discuss the access concerns, and provide their comments prior to further consideration of the application.

July 27, 2021

The Clerk for the Municipality of Assiginack advised by email on June 02, 2021, of Resolution No. 100-06-2021 as follows:

*'THAT we inform the Manitoulin Planning Board that we have no objection to Consent File No. B09-21 with the additional condition that the applicant survey, convey and construct a road to municipal standards in lieu of the right-of-way from Moggy Parkway to the subject land.....Carried'*

The applicants were provided with a copy of the Resolution via email on June 02, 2021, and were advised that the Planning Board while considering their application, would likely include this as a condition of the Consent to Sever approval.

The Secretary-Treasurer explained to the applicants that the original proposed new lot was to be ±0.5 Hec. in size and was to include the right-of-way (20.0 m. X ±52.0 m.) and land on both sides (east ±52.0 m. X ±67.1 m. and west ±12.8 m. X ±52.0 m) of the right-of-way. Now that the Municipality wishes to own the right-of-way it would result in a small undersized lot (±12.8 m. X ±52.0 m) west of the right-of-way. The applicants were advised that the proposed new lot may need to be reconfigured to ensure that it remains a minimum size of 0.4 Hec. and would not result in a separate undersized lot west of the right-of-way, once the Municipality obtains ownership of the right-of-way and that the right-of-way may need to be moved westerly.

The Municipality was advised of this concern and Alton Hobbs, CAO provided the following email on July 26<sup>th</sup>, 2021.

*' We met this morning to review your questions. We believe that a road to be made public should extend through the lands to be severed. As such, a turn around or cul de sac would be required. As to the undersized lot that would be created by a public road, I would suggest that the owner may redirect the placement of the road to be made public or add property to the undersized lot to make it compliant. I also would respectfully suggest that a subdivision plan may be more appropriate, in which the owner or his agent would address these and the numerous other issues that may be created in this area with this and future proposed developments.  
Thank you for the opportunity to comment.'*

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Application File No. B09-21 - continued  
May 25, 2021

The applicants were advised of the comments received from the Municipality and Mrs. Sim provided the following comments, via email, on July 26<sup>th</sup>, 2021:

*' We have been told that our plan for this property was okay, pending the township approval, the township said it was okay and it has to go back to the planning board, now the planning board thinks the original approval is not okay, so it is back to the township and now the township has changed its mind and would like a plan of subdivision even for just this one lot.*

*We have received a quotation on the road, it is \$115,000 to \$120,000. Everyone seems to think it is reasonable for us to upgrade the road for that price, and convey "our property" to the township. Something we understood and were considering, although we had hoped the price to upgrade the road would have been less. This is no small cost considering the money we have put in already for applications and approvals etc. I had made a request to Alton Hobbs to consider what they were asking and see if there are any options to help us reduce our cost. I am still waiting on a response from him.*

*We did discuss our survey with Gord Keatley, and he said that we would likely be able to move the lot line towards our home, past the fence in order to get the required amount of property for the severance. We should not need to add yet another expense of moving the right of way. The firm that quoted the road did state that a cul de sac would be required and the road would need to be extended further to the west to meet the standard.*

*Please go ahead and have your meetings, and discuss with the township (if you are able to get them to answer you), and give us exactly a final answer on what is required. At that point I would expect no more changes. We will then decide if we can afford to go ahead.'*

Discussion among the Board Members was that it was unclear if there are plans for a future subdivision; now is the time for the right-of-way to become a municipal road for future development by a Plan of Subdivision; a note will be added to the Decision that *'Any further severances shall be considered by a Plan of Subdivision'*.

The Board was in agreement to approve the creation of the 5<sup>th</sup> lot, however it was to be reconfigured, being entirely on the east side of the access (east of the right-of-way/Township Road).

The revision will amend the lot proposed by File No. B09-21.

File No. 809-21 proposes the creation of a new lot for seasonal residential uses, having a frontage of ±60 M. on Manitowaning Bay of Lake Huron and a depth of ±67 M., thereby containing a minimum area of 0.4 Hec. The southerly boundary of this proposed lot could be south of the existing fence. This land will not be together with right-of-way but will have access via the newly conveyed municipal road. A survey will determine the location, frontage and size of the proposed new lot, which must conform with the minimum requirements of the Shoreline Residential Zone.

Mr. and Mrs. Sim were in attendance during consideration of the application.

**Consent is tentatively granted, as amended, subject to the following conditions:**

The following documents must be submitted to the Secretary-Treasurer of the Board within one year 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 access having a minimum width of 20 metres, given conditional approval. This Schedule must also contain the names of the parties indicated on the Transfer of Land form.

Application File No. B09-21 - continued  
May 25, 2021

Accompanying the transfer documents shall be:

- i) a reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcel(s), having a minimum frontage of 46 metres and a minimum area of 0.4 Hec., to which the consent approval relates;
- ii) a reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the access to the parcel(s) to which the consent approval relates;
- iii) a written confirmation from the Municipality of Assiginack that the access (including Parts 2 and 3, Plan 31R-4129) from the proposed severed land to the maintained municipal road, known as Moggy Parkway, has been surveyed, constructed to a municipal standard, and conveyed to the Municipality, satisfactory to the Municipality;
- iv) proof satisfactory to Planning Board that there is no undersized remnant parcel of land resulting from the severance that is located to the west of the right-of-way/Township Road;
- v) a fee of \$125.00 for each Transfer of Land submitted for Certification; and
- vi) a written confirmation from the municipality that all outstanding municipal taxes 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 consultation of The Ministry of Natural Resources and Forestry (MNRF), the Department of Oceans and Fisheries of Canada, (DFO) and the Municipality.

Note: Any further severances shall be may be by a Plan of Subdivision.

Application File No's.: B12-21 and B13-21 No. of Members Present: 10  
Date of Decision: July 27, 2021  
Location of Property: Part Park Lot 7, South Side Hall Street, Surveyed as Parts 1 and 2, Plan 31R-2218, Townplot of Gore Bay, District of Manitoulin

### DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Chadwick Hester is to provide for a lot addition/lot line adjustment and to provide for the creation of a new lot for land he has owned since September 2020.

File No. B12-21 proposes to provide for a lot addition having a width of  $\pm 1.0$  M. and a length of  $\pm 50.0$  M., along the easterly boundary of Part 2, Plan 31R-2218, thereby containing an area of  $\pm 50$  Sq. M., which is to be added to an existing lot to the east, located at #19 Hall Street, having a frontage of  $\pm 23.4$  M. on Hall Street, a maintained municipal road, and a depth of  $\pm 50.0$  M., and containing an area of  $\pm 0.1$  Hec. ( $\pm 1,088$  Sq. M.). This lot addition will correct the westerly side yard setback of an existing dwelling built in 2020, and an existing accessory shed built in 2021. This lot addition will result in the lot having a frontage of 24.4 M. on Hall Street a maintained municipal street, and a depth of  $\pm 50$  M., thereby having a total area of  $\pm 0.11$  Hec. ( $\pm 1,138$  Sq. M.), containing a dwelling and two accessory sheds. A building permits have been issued, No. GB-06-20 and GB-08-20, for the new dwelling and the new accessory shed, located at #19 Hall Street.

File No. B13-21 proposes to create a new lot, being the remaining part of Part 2, Plan 31R-2218, having a frontage of  $\pm 18.8$  M. on Hall Street, a maintained municipal street, and a depth of  $\pm 101.2$  M., thereby containing an area of  $\pm 0.196$  Hec. (1,955.2 Sq. M.) There is an old shed located within this property which the applicant is going to moved or removed, as it does not conform to the side yard setback requirement. Residential uses are proposed for this new lot.

The land to be retained, surveyed as Part 1, Plan 31R-2218, located at #21 Hall Street, has a frontage of  $\pm 25.1$  M. on Hall Street, a maintained municipal street, and a depth of  $\pm 101.2$  M., thereby containing an area of  $\pm 0.25$  Hec. ( $\pm 2,538$  Sq. M.) The applicant's dwelling and accessory shed are located within this land.

Accompanying the application was a copy of survey Plan 31R-2218, and a surveyor's sketch prepared by Tulloch Geomatics Inc. identifying the location of the existing structures at #19 Hall Street and the non-compliant westerly side yard setback for the two structures that were built without the required two (2) metre side yard setback.

The subject land has been designated as Residential Area and zoned Residential (R1). According to the application, residential uses are proposed to continue.

Services consist of municipal water and sewers for the retained land. Services will consist of municipal water and sewers for the severed land when required. The applicant was advised that the Town of Gore Bay should be contacted as it has been their policy that the landowner will be responsible for the associated costs for hooking into municipal services.

From information available it appears that there may be an old abandoned water line traversing the proposed retained land.

During the preliminary review of the application, the applicant was advised that the small storage shed located within the proposed severed land does not conform to the side yard setback requirements of Zoning By-law No. 80-19 for Gore Bay and that a condition of the consent approval may be that the shed is moved or removed to provide conformity to the Zoning By-law, satisfactory to the municipality. The applicant did not have any concerns with the shed being removed or relocated if necessary.

Access is via an existing entrance at #21 Hall Street. A new entrance will be required for the proposed new lot.

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 Policy Statement (PPS) 2020.

This application was circulated on July 8<sup>th</sup>, 2021 to the Town of Gore Bay, 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 advised they have no concerns and recommend that Consent be granted.

Jacqueline Moyle, Bell Canada, advised via email on July 12<sup>th</sup>, 2021 that Bell Canada has no concerns with respect to the proposed application.

There was an inquiry to the Planning Board Office, from an abutting landowner, asking if the new proposed lot meets the minimum size requirements of the Zoning By-law for the Town of Gore Bay. She was told it would.

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.



Application File No's. B12-21 and B13-21  
July 27, 2021 - continued

D. Osborne, Board Member and Building Inspector for the Town of Gore Bay, explained that the two non-compliant structures located as #19 Hall Street were not located as per the approved building permits.

It was asked if the proposed new lot would meet the minimum size requirements of the Zoning By-law for the Town of Gore Bay and the Secretary-Treasurer explained that it would.

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 one year 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; and

for File No. B12-21 state this conveyance is a consolidation of the severed lands with lands identified by the property identification number (PIN) and confirmed by a copy of the Parcel Register.

Accompanying the transfer documents shall be:

- i) a reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcel(s) to which the consent approval relates;
- ii) an undertaking from a Solicitor stating that the severed parcel will be consolidated on title with the benefiting lands at the time of registration of the Transfer, and a copy of the resulting Transfer, and the new resulting Property Identification Number (PIN) will be provided to the Manitoulin Planning Board, for File No. B12-21;
- iii) a written confirmation from the municipality of conformity to the requirements of Zoning By-law No. 80-19, satisfactory to the municipality, i.e location of the existing structures;
- iv) a written confirmation from the municipality that water and sewer connections could be or have been installed for the proposed severed land, satisfactory to the municipality;
- v) a written confirmation from the municipality that an entrance permit can be or has been issued for the severed land, satisfactory to the municipality;
- vi) a fee of \$125.00 for each Transfer of Land submitted for Certification; and
- vii) a written confirmation from the municipality that all outstanding municipal taxes have been paid.

**Note:** Subsection 3 or 5, as the case may be, of Section 50 of the Planning Act shall apply to any subsequent conveyances of or in relation to the parcel of land being the subject of this application, File No. B12-21.

**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, File No. B13-21.

**Note:** Consent File No. B12-21 must be completed prior to Consent File No. B13-21.

Application File No's.: B14-21, B15-21 and B16-21 No. of Members Present: 10  
Date of Decision: July 27, 2021

Location of Property: Part Lot 30, Conc. XIV, surveyed as Part 1, Plan 31R-3371,  
Township of Billings, Municipality of Billings and Allan East, District of Manitoulin

### DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Hugh McLaughlin on behalf of Frederick and Nancy Gilbert is to provide for the creation of three (3) new lots together with right-of-way, for seasonal residential uses.

File No. B14-21 proposes a new lot having a minimum frontage of 46 M. on the Kagawong River and  $\pm 195.5$  M. on the maintained municipal road allowance known as Beach Street South, and an average depth of  $\pm 204.6$  M. thereby containing an area of  $\pm 0.66$  Hec.

File No. B15-21 proposes a new lot having a minimum frontage of 46 M. on the Kagawong River and an average depth of  $\pm 183.8$  M., thereby containing an area of  $\pm 0.71$  Hec.

File No. B16-21 proposes a new lot, having a minimum frontage of 46 M. on the Kagawong River and an average depth of  $\pm 149.6$  M., thereby containing an area of  $\pm 0.73$  Hec.

There are no structures on the proposed three (3) lots. The three lots will be together with right-of-way over the retained land.

The land to be retained has frontages of  $\pm 377.1$  M. on the Kagawong River,  $\pm 415.7$  M. on the non-maintained municipal road allowance (north) and  $\pm 53.4$  M. on the maintained municipal road allowance known as Beach Street South (west), an irregular depth, and containing a total area of  $\pm 5.9$  Hec. There are no structures on this land. This land will be subject to right-of-way in favour of the three proposed lots.

The application was circulated on May 12<sup>th</sup>, 2021 to the United Chiefs and Councils of Mnidoo Mnising (UCCMM), and to the Wiikwemkoong Unceded Territory as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email on May 17<sup>th</sup>, 2021 that in review of the application they have no comments at this time.

John Manitowabi, Wiikwemkoong Unceded Territory asked if there were any requirements by the developer/new land owners(s) to conduct an archaeological assessment prior to development due to the location adjacent to the Kagawong River and the historical use of the river by the Anishnaabek over centuries. It was explained that the proposed new seasonal residential uses will be at the northerly part of the subject land, away from the river, due to the elevations, and that if development was proposed to be along the Kagawong River, additional information would be required to determine if an archeological assessment would be necessary. Mr. Manitowabi did not advise of any concerns.

According to the application, services will consist of private individual septic systems and water from the Kagawong River. 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.

Access will be via private right-of-way to the maintained municipal road allowance known as Beach Street South, to Highway No. 540 a provincially maintained Highway.

As part of the preliminary review the application was sent to the Ontario Ministry of Transportation (MTO) and Carla Riche, Corridor Management Planner, MTO, provided the following comments on June 18, 2021:

*'Good afternoon Theresa,  
Thank you for the opportunity for the Ministry to provide comments on the below and subject noted.*

*It is the understanding of the ministry that the intention is to sever the existing property with access being from the existing road through a new easement.*

*The Ministry of Transportation has no objection in principle to the proposed severance. On the condition that the new access must be a minimum of 45m (though 80m would be preferred) from the Highway 540/Beach Street Road intersection. The proposed easement must be moved or extended to accommodate the required distance. All access must be from Beach Street Road. Direct highway access will not be permitted.'*

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Application File No's B14-21, B15-21 and B16-21 - continued  
July 27, 2021

Email from MTO - June 18, 2021 - continued

*'Any additional severances may require a Traffic Impact Brief, however one will not be required at this time.'*

*Please be aware that the properties are located within the Ministry of Transportation of Ontario (MTO) permit control area and MTO permits will be required.*

*MTO building/land use permits are required prior to the construction of any proposed buildings, septic systems, wells etc. located within 45m of the MTO right-of-way (ROW) limits or within a 180m radius of intersections along the highway. MTO Sign permit(s) are required for the placement of any signs within 400 m of the limit of the highway.*

*For further information with respect to MTO permit and setback requirements the applicant should contact the local Corridor Management Officer, Debra Burke, at our Sudbury office by email at [Debra.A.Burke@ontario.ca](mailto:Debra.A.Burke@ontario.ca). MTO permits can be obtained by applying online at <https://www.hcms.mto.gov.on.ca/>. If there are any questions on these comments please contact me.'*

The comments received from MTO were provided to Mr. McLaughlin, agent for the application. The applicants were in agreement to revise the application and application sketch and move the right-of-way, resulting in the right-of-way access being a minimum of 45 metres from the Highway 540/ Beach Street Road intersection.

A revised sketch was provided to Ms. Riche on June 23<sup>rd</sup>, 2021 and she advised on July 7<sup>th</sup>, 2021 that:

*'From what I can see the updated sketch extends the easement (right-of-way) so the access can be 45 metres from the highway. This is fine and inline with the previously provided comments.'*

There are livestock facilities located within a neighbouring property, being Lot 1, Conc. IX, Township of Allan. 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 subject land has been designated Rural Area and zoned Rural ( R) and Conservation (02).

The Official Plan for the District of Manitoulin under Section D.9.1.1 - Flood Hazards states:

3. *Development may be permitted on an existing lot of record in a flood plain provided sufficient information accompanies the application in the form of a report prepared by a qualified engineer demonstrating that:*
  - a. *the proposed development and its occupants will be protected from the effects of a 1:100 year flood;*
  - b. *the potential upstream and downstream impact of the development proposal will not significantly affect the hydrology or hydraulics of the flood plain;*
  - c. *that adequate flood proofing measures are incorporated in the development;*
  - d. *that the development is limited to uses which by their nature must locate within the floodplain, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows; and*
  - e. *that during times of flooding:*
    - i. *safe egress and ingress for persons and vehicles is provided;*
    - ii. *no new flooding hazards are created and existing ones are not aggravated;*
    - iii. *development and site alteration is undertaken in accordance with flood proofing standards, protection works standards, and access standards, and*
    - iv. *no adverse environmental impacts will result.'*

The Conservation (02) Zoning boundary is a guide and generally identifies a potential low lying wet area. It could be interpreted that the 02 zone applies to the land below the 213.4 M. (700 ft.) flood contour, as identified on survey plan 31R-3371 and on the Application sketch. Zoning By-law No. 80-11 for the Municipality of Billings and Allan East permits seasonal residential uses in a Rural ( R) Zone. Residential uses are not permitted in the Conservation (02) Zone.

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Application File No's B14-21, B15-21 and B16-21 - continued  
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During a site visit by Jake Diebolt, staff member for the Manitoulin Planning Board, it was observed that there was a wet swampy area within the subject land along the Kagawong River, that generally corresponds with the 213.3 m. (700 ft.) flood contour, as identified on survey plan 31R-3371. He observed standing water and a low lying area approximately 100 m. east of South Beach Road with in the proposed severed lands which may indicate a natural drainage course to the southwest corner of the lot.

Following a telephone conversation with the Clerk for the Municipality, the Secretary-Treasurer advised Mr. McLaughlin, agent for the application, by email on May 21<sup>st</sup>, 2021:

*'I have had a conversation with the Township of Billings and it was agreed that having the contours identified for the proposed three lots at the north along the road allowance, may not tell anything that we do not already know.'*

*Both the municipality and our Office have conducted a site visit to the property and there are some concerns with the area being low lying and wet. One thought we had was for a 'drainage plan' to be conducted that could/would determine the flow of the water and how this could be drained to provide for safe building envelopes or at the very least make the landowner and proposed new owners aware of what may need to be done in order to obtain a building permit, e.g haul in fill, put in culverts, design the driveways and right-of-way so water would drain away from the proposed building sites at the north.'*

*This could be done before formal circulation of the application or I suspect it will be a condition of the consent to sever approval.'*

*'Do you have an estimate cost of what it would be to move the Hydro pole, so that access could be along the road allowance vs the private right-of-way?'*

*I suspect the Planning Board may, as a condition of the Consent to Sever application, impose a condition that the area south of the 700 ft (213 metres) contour is rezoned from Rural to Conservation Zone. Also, I suspect the Planning Board will impose a condition of the application that there is proof of potable water for the three new lots and for the retained land. What are your thoughts?'*

Mr. McLaughlin replied with the following email on May 25<sup>th</sup>, 2021:

*'Thank you for your email of May 21. The Owners are interested in moving forward but do have a lot of questions. They do appreciate the Township and MPB offering some drainage options rather than doing a contour survey. I visited the property several times this past winter and spring to check the water situation. The lots in the area of the proposed building sites were dry. On the west side of Beach Road South, opposite the lots being proposed, it was very wet with standing water. The water was running over Peacock Road and then through a culvert on Beach Road and flooding the area below the 700 feet contour line as shown on the survey. It was also running over that part of Beach Road. I would suggest the Township has some responsibility to the people living in the original Peacock house and even some to the people who use Peacock Road to access their waterfront properties. A culvert under Peacock Road would stop the flooding on it and a bigger culvert under Beach Road would handle the flow to a new, deep, ditch straight south down the Beach Road Road allowance to the Kagawong River. All this water is flowing onto my Clients land due to lack of drainage. It may not dry up the conservation area but it would really make a difference and would protect the area of the proposed building sites from ever becoming wet. If Billings is not willing to accept this responsibility, my Clients may pay for having it done if the costs are reasonable. Billings would need to grant permission at the least.'*

*My Clients are not opposed to building permit stipulations about drainage that the Building Official may deem necessary given each case individually.'*

*The right of way access is the best approach. The road allowance had been considered but was thought to be unnecessary as you had indicated the access easement as acceptable. Highways would have something to say about opening it up as well as Billings. If Billings prefers it over the road allowance, they could offer some assistance. It would still only be an emergency vehicle road as would be used over the right of way.'*

*My Clients and I do not understand the need for the rezoning of any rural south of the 700 feet contour if the building sites are specified as north of the 700 feet contour line.'*

*My Clients and I do not understand why the Kagawong River is not being permitted as a source of water. It can be filtered and treated if necessary. It is a navigable waterway so should be considered the same as any waterfront lot.'*

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Prior to the formal circulation of the application, the Secretary-Treasurer informed Mr. McLaughlin that it would not be in good planning if the lots were created and could not be built upon due to the potential low lying wet areas and drainage concerns. It was suggested that building sites on the proposed severed and the proposed retained land be identified outside the low lying areas and that conditions of consent approval may be that a site plan and/or a drainage plan is provided to address such things as flooding, flood proofing, culverts, hauled in fill, and the design of the right-of-way and driveways in order to support building permits for the subject land.

Mr. McLaughlin contacted Gordon Keatley, Ontario Land Surveyor, and a sketch was provided to the Planning Board identifying possible building sites within the proposed severed and retained land, along a natural rise on the property, that would be in the Rural (R) Zone and above the 213.2 m. flood contour and outside any low lying areas. The proposed building sites were added to the circulation sketch.

From information provided by the Ministry of Natural Resources and Forestry (MNRF) there is an unevaluated wetland and Species at Risk identified along the Kagawong River, associated with the wetland.

The Ministry of the Environment, Conservation and Parks (MECP) was contacted due to the potential species at risk concerns. Lindsay McColm, Northern Species at Risk Specialist advised by email on April 30<sup>th</sup>, 2021 that:

*'Specific to your inquiry below about the severance on lot 24-45, at this time, there are no requirements under the Endangered Species Act (ESA) to undertake a species at risk site assessment for lot severances or rezoning /passing bylaws/land sales or purchases.*

*Lot severances by themselves, and in the absence of any additional development proposals, are administrative in nature and on their own do not contravene the ESA. Specifically, to contravene the ESA, an activity must have the physical effect of killing, harming or harassing individuals of a species at risk, or damaging or destroying their habitat. The administrative act of re-zoning severing a lot, passing a bylaw or other similar administrative activities do not result in any of these impacts.*

*If activities subsequent to a lot severance (e.g. building and development) could impact species at risk or their habitat are planned, then the person undertaking those activities would need to determine if an ESA authorization should be obtained before the activities are undertaken, not the planning board or municipality during the rezoning process. The property owner you are working with can look at "How to avoid authorization" and "Permit types" (<https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization>) for more information and I encourage them to reach out to [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca) to discuss bobolink and any other SAR that may be present. A person carrying out an activity may also wish to consult the Act and seek legal advice to understand its legal obligations.'*

The Provincial Policy Statement 2020 states:

*1.1 Managing and Directing Land Use to Achieve Efficient and Reliable Development and Land Use Policies in part:*

*1.1.1 Healthy, liveable and safe communities are sustained by:*

*c) avoiding development and land use patterns which may cause environmental or public health and safety concerns'*

Due to building sites being identified above the 213.4 m. (700 ft.) flood contour and outside the identified habitat, (not along the river) the subject land does not appear to have any natural heritage features or species at risk concerns.

The application was circulated on July 12<sup>th</sup>, 2021 to Bell Canada, the Municipality of Billings and Allan East, and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

Bell Canada advised on July 13<sup>th</sup>, 2021 that it has been determined that Bell Canada has no concerns with respect to the proposed application.

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July 27, 2021

The Municipality of Billings and Allan East advised on July 20<sup>th</sup>, 2021 of Resolution No. 2021-244 as follows:

'BE IT RESOLVED THAT Council does not recommend consent be granted for Applications B14-21, B15-21 and B16-21, for the following reasons:

1. *The property is in a low-lying area which may see significant flooding - A significant portion of the property is below the 700 ft. level. We are currently in the process of approving a climate action plan, which speaks to the need to consider the climate change implications for, and of, development activity, including such things as more extreme/frequent flood events, and the impact of development on the natural assets that are so important in buffering climate change impacts.*
2. *Issuing Building Permits will result in the need for significant fill to be brought in, redirecting water to other properties, causing drainage issues, such as water being redirected to neighbouring properties.*
3. *There is no municipal water service to this location so water will need to be drawn from the river, which could be as much as 400 ft+ on Lot B14-21....Carried'*

A copy of Resolution No. 2021-244 was provided to Mr. McLaughlin and following email was received on July 24<sup>th</sup>, 2021 which included an attached email from Gordon Keatley, OLS:

*' On July 20, 2021, The Township of Billings, passed a Resolution regarding the above Consent Applications. The Owners and my Clients, Frederick and Nancy Gilbert, requested that I respond, on their behalf, being their Agent. I requested the assistance of Gord Keatley, being an Ontario Land Surveyor, to provide his professional comments. These are stated on the attached document. The Owners are asking that these comments be presented to the Manitoulin Planning Board at their July Meeting, hopefully verbally by you and in print. On behalf of the Owners, I want to state, we are all in agreement with Gord's Comments.*

*As stated, the building sites are above the 700 feet contour. Thus there is no water to drain or avoid. Even if water is redirected, there are regulations, in place, to avoid other properties. The Kagawong River is a navigable body of water and riparian rights permit bringing water from it. Water is pumped much further distances than 400 feet even on Lake Kagawong. Trailer parks move water greater distances to all their camping sites. In summary, the Applications have satisfied all the criteria of the Planning Act. We trust The Board will agree. Thank you.*

*P.S. I draw your attention to Gord's last comment concerning the zoning of the portion of land between the 700 feet contour and the river as Conservation. We all agree that it is a good suggestion providing more assurance, in the future.'*

Email from G. Keatley, OLS

*' Good afternoon Hugh,*

*I've read that letter from Billings a few times and I'm not really sure what to say. I think we've already addressed the three concerns listed as their reasoning for not supporting the three consents.*

*Para. 1: We've known from the start that part of the property is low lying and may see flooding, most likely during spring runoff the portion close to the river would be rather wet. A review of the Official Plan map agrees that there are wetlands adjacent to the Kagawong River. It also agrees that not all of the property has that issue. While a significant portion of the property is below the 700 foot contour, a more significant portion of the property is above the 700 foot contour. That portion is shown on the sketches I provided previously and am attaching the most recent hereto again. I have to respectfully disagree with the logic that a lot cannot be created because a portion of it could possibly be subject to flooding. If that logic were followed, a very very large number of waterfront lots on Manitoulin Island would never have been permitted. There's 20 Inches of water on my property in the spring, my great-grandfather knew not to build down there and buyers of these properties will no doubt follow the same logic. The majority of the lots along Lake Huron Drive (total of 56 lots on Subdivision Plans 31M-196 & 31M-198) have areas prone to flooding should the conditions be right. (Or wrong one might say). The building inspector simply requires a person building obtain a survey to ensure they are situated at a sufficient elevation that the flooding won't adversely affect their new home. We have already provided a survey showing the elevations of the proposed lots.'*

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Email from G. Keatley - July 24, 2021 - continued

*'Para. 2: Per the preceding paragraph, there is no need to bring in significant fill in order to build on these properties. While landscaping can alter surface water flow, there are already laws in place prohibiting people from redirecting surface water to adversely affect a neighbouring property. Given the proximity of the river, shedding surface water for these properties will be significantly easier than for some properties I've worked on.'*

*'Para. 3: Water does not necessarily have to be drawn from the river, any person building has the option to install a well and there's a very good chance that they would. The river does, however, provide a guaranteed source of water. The distance to the river is not bad at all; 400 feet is relatively short when the vertical lift required by a pump is less than 20 feet.'*

*'I would respectfully submit that if a neighbour were to submit this reasoning for why to deny a severance application, the Planning Board would likely agree that this is not reason enough to deny the applications. There are multiple houses to the west that were built closer to the river using the 700 foot elevation; the same standard should apply here. At the very extreme, the only hindrance to these applications that I wouldn't be able to disagree with would be if they asked that the area lower than 700 feet be zoned conservation so that a new buyer couldn't simply dump 200 truck loads of fill next to the river causing some of the hypothetical problems they have listed.'*

The Secretary-Treasurer forwarded the two (above) emails to the Clerk, K. McDonald and to the Board Member, I. Anderson, Municipality of Billings and Allan East for comments.

Mr. Anderson replied via email on July 26<sup>th</sup>, 2021 as follows:

*'I have spoken to Kathy this morning regarding the additional information supplied by Hugh and Gord Keatley.'*

*'One of the concerns which was supported by all of council was protection of the wetland in front of these lots. Once consent for development is given, enforcement of any conditions imposed is always the challenge.'*

*'For council to reconsider its decision this would need to go back to another regular council meeting, for the purposes of tomorrow's meeting we will be using our present decision.'*

A telephone call was received from Heather Jenkins, abutting land owner of Lot 29, Conc. XIV, and the following email resulted:

*'Thank you for so quickly providing me with the Notice of Application and related sketch after my phone inquiry. As per our discussion on 15 July 2021, regarding the creation of 3 lots on Part Lot 30, Conc. XIV, Billings Township, I am writing regarding my concerns as an adjacent landowner (Lot 29, Conc. XIV). The Kagawong River flows through Lot 29, and as such, I own a section of property directly East of Lot 30, which shares an approximate 59.39 m section on the lot line. As we discussed, the section of land I own North of the Kagawong River can be easily overlooked when examining the Manitoulin Planning Board land maps, which is why I was not notified of the application prior to seeing the orange application notice sign at the corner of Lot 30. I want to make sure the property owner and the MPB is aware that this section of Lot 29 North of the Kagawong River is not part of the approximately 5.9 ha retained section noted in the application.'*

*'I would like to be made aware of the decision the Manitoulin Planning Board makes regarding this application. Should the MPB approve this application, I would also like to be made aware of when the land is surveyed, and who to contact to get a copy of that survey'*

*'Thank you for your consideration.'*

The Secretary-Treasurer advised Ms. Jenkins that the land subject to Consent to Sever, was surveyed as Part 1, Plan 31R-3371 and her land was definitely not part of the proposed application and a copy of the survey plan was provided to her.

A telephone inquiry was received from Shirley Lewis, who owns property located at #27 Peacock Trail, requesting a copy of the Notice of Application and Sketch. She did not advise of any concerns.

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.

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Hugh McLaughlin, agent for the application, was in attendance at the electronic meeting.

During consideration of the application and the information presented and after a lengthy discussion by the Board, Mr. McLaughlin, and Mr. Anderson, Board Member and Mayor for the Municipality, a motion was moved, duly seconded and carried that this application be deferred in order to provide the Municipality of Billings and Allan East additional time to review the information to date, to discuss their concerns further, to consider mitigation and conditions of the Consent to Sever approval, and to conduct a site visit of the property, prior to further consideration of the application.

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Application File No.: B17-21 No. of Members Present: 10  
Date of Decision: July 27, 2021  
Location of Property: Part Lot 21, Conc. VII, Surveyed as Parts 1, 2 and 3, Plan 31R-188,  
Township of Robinson, District of Manitoulin

#### **DECISION**

The purpose of this application made under Section 53(1) of the Planning Act by Jerry Martin on behalf of Joyce Benoit is to provide for the creation of a new lot, surveyed as Part 3, Plan 31R-188, having a frontage of  $\pm 68.4$  M. on Highway No. 540, a provincially maintained Highway, and an average depth of  $\pm 133.2$  M., thereby containing an area of  $\pm 0.9$  Hec. There are no structures on this proposed new lot.

The land to be retained, surveyed as Parts 1 and 2, Plan 31R-188, has a frontage of  $\pm 157.9$  M. on Highway No. 540, a provincially maintained Highway and an average depth of  $\pm 133$  M., thereby containing an area of  $\pm 2.1$  Hec. The applicant's dwelling and two storage buildings (one formerly the Robinson Township Post Office) and an existing restaurant, know as 'Stop 540' are located within this land.

The subject land has been designated Village Area and zoned Hamlet (H). Residential uses are proposed for the new lot. There are no changes proposed for the retained land.

Services consist of private individual septic system and private well. The Public Health Sudbury and District 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.

Access for the retained land is via an existing entrance, #20641 Highway No. 540. A new entrance will be required for the proposed severed land.

Following consultation with the Ministry of Transportation, as part of the preliminary review, the following comments were received from Carla Riche, Corridor Management Planner, on July 9<sup>th</sup>, 2021:

*'It is the understanding of the ministry that the property in question is located in the Geographic Township of Robinson, Lot 21, Concession 8 at 20641 Highway 540. That the intention is to sever the existing lot into one severed and one retained. That both the severed and retained lots would each have separate direct highway access. That the severed lot is intended to be used solely for farming/rural/residential purposes and the retained lot is intended to continue as a with light commercial use as there is an existing restaurant and residential use.'*

*The Ministry of Transportation (MTO) has no objection in principle to the proposal.*

*The property owner should be made aware that the ministry would not support further severances of either the resulting severed or retained lots.*

*The property owner should also be made aware that if there is an intention to change or expand the commercial operation additional consultation with the MTO will be needed as additional studies or permits may be required. A request for pre-consultation can be submitted through the ministry's online Highway Corridor Management System (HCMS). The online Pre-Consultation Module in HCMS is accessed at <https://www.hcms.mto.gov.on.ca/> and by selecting "Request a Pre-Consultation".*

*The properties in question are located within the MTO permit control area and MTO will be required in the following circumstances:*

- MTO building/land use permits are required for any proposed buildings, wells or septic systems located within 45 meters of the MTO right-of-way (ROW) limits or within 180 metres of any intersection along Highway 540.*
- MTO Entrance permits are required prior to the construction of any new entrances or to reflect any changes in land use or ownership.*
- MTO Sign permit(s) are required for the placement of any signs within 400 m of the limit of the highway.*

*The applicant should contact Debra Burke, Corridor Management Officer, at our Sudbury office at [Debra.A.Burke@ontario.ca](mailto:Debra.A.Burke@ontario.ca) for further information with respect to MTO permit and setback requirements. MTO permits can be obtained by applying online at <https://www.hcms.mto.gov.on.ca/>.*

*These comments are valid for one year from the date of this email.  
If there are any questions on these comments please contact me.'*

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Application File No. B17-21 - continued  
July 27, 2021

The comments received from MTO were copied to Mr. Martin, agent for the application.

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

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

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

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

Due to the location and size of the proposed lot(s) and from information and satellite imagery available identifying areas of heavy tree cover, there appears to be an area within the severed land to provide a building envelope, site alteration, tree removal, and/or access routes, etc. with appropriate separation distances outside the area of influence that would conform to the Natural Heritage Policies of the PPS 2020.

It is recommended that a mitigation plan to reduce the intensity of a forest fire by thinning or removing trees and allowing it to be extinguished more easily be submitted to the Planning Board Office at the time of any development/construction/zoning conformity permit applications.

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 Policy Statement (PPS) 2020.

This application was circulated on July 12<sup>th</sup>, 2021 to Bell Canada, the Robinson Local Roads Board 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.

Jacqueline Moyle, Bell Canada, advised via email on July 13<sup>th</sup>, 2021 that Bell Canada has no concerns with respect to the proposed application.

The Secretary-Treasurer for the Robinson Local Roads Board advised that they have no concerns with the application.

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

It was noted that there are already two entrances from Hwy 540 for the proposed retained land. It could be that the reason MTO will not support any further severances may be due to the number of entrances already from Hwy 540 in the area.

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 one year 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) 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 and signature as evidence of its deposit therein, illustrating the parcel(s) to which the consent to sever approval relates;
- ii) a written confirmation from the Ontario Ministry of Transportation (MTO) that a Permit Application for a new entrance for the severed land has been received and is satisfactory to MTO;
- iii) a fee of \$125.00 for each Transfer of Land submitted for Certification; and
- iv) proof satisfactory to Planning Board that there are no outstanding taxes for the severed and the retained 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:** Due to the potential Wildland Fire Hazard identified, building restrictions may apply.

**Note:** The Ontario Ministry of Transportation have advised they will not support further severances for the subject land.

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PRESENTATION OF APPLICATIONS FOR CONSENT TO SEVER

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

- (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.	B09-20	I. Anderson	R. Brown
2.	B12-21 & B13-21	K. Noland	T. Mackinlay
3.	B14-21, B15-21 & B16-21	R. Brown	E. Russell
	That this application be deferred for reasons given within the Decision, - Carried Unanimously.		
4.	B17-21	T. Mackinlay	D. Head

MOTION

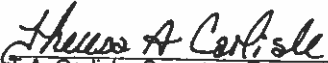
It was moved and seconded that the above application be conditionally approved, subject to all conditions being fulfilled as stated in the Decisions,  
- Carried Unanimously.

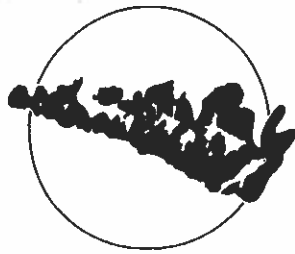
The above motion applies to all applications excepting B14-21, B15-21 and B16-21.

\*\*\*\*\*

The time now being 10:54 p.m. and the business before the Board having been dealt with the Meeting was adjourned on a motion moved by K. Noland.

\_\_\_\_\_  
R. Stephens, Chair

  
T.A. Carlisle, Secretary-Treasurer



# MANITOULIN PLANNING BOARD

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

August 25, 2021

## MINUTES OF PLANNING BOARD MEETING - AUGUST 24, 2021

During a teleconference meeting of the Manitoulin Planning Board held on Tuesday, August 24<sup>th</sup>, 2021 the following Members of Planning Board participated:

- |    |              |    |             |
|----|--------------|----|-------------|
| 1. | L. Hayden    | 6. | R. Brown    |
| 2. | K. Noland    | 7. | I. Anderson |
| 3. | E. Russell   | 8. | D. McDowell |
| 4. | R. Stephens  | 9. | D. Osborne  |
| 5. | T. Mackinlay |    |             |

Regrets: D. Head

Also present during the teleconference were:

R. Halliday, B. Doane, S. Doane, & L. Talbot, Application for Consent, File No. B18-21;  
A. Murray and M. Murray, application for Consent, File No. B19-21;  
B. Allison, Application for Validation of Title, File No. 2021-01;  
T. Sasvari, reporter, Manitoulin West Recorder.  
D. Watts, interested party;  
L. Pinkerton, interested party, and  
M. Levesque, interested party.

There were no other interested parties or members of the general public or press that participated in the meeting.

The electronic Meeting was called to Order at 7:16 p.m. by Vice Chair L. Hayden, who welcomed all present.

The Vice Chair asked if there were any Board Members who wished to declare a conflict of interest with any of the items listed on the agenda or having to do with the previous Board Meeting of July 27<sup>th</sup>, 2021.

There were no conflicts declared.

### 1. ORDER OF BUSINESS

The Vice Chair requested the adoption of the order of business.

The Secretary-Treasurer asked the Board to consider having an addition item added to the agenda, being item 5. x) office closure - August 27<sup>th</sup>, 2021; The following motion resulted:

#### MOTION

It was moved by D. Osborne and seconded by I. Anderson that the Order of Business be adopted, as amended, with the addition of item 5.x),  
- Carried.

### 2. MINUTES OF PREVIOUS BOARD MEETING - July 27<sup>th</sup>, 2021

The Vice Chair announced that the Minutes of the Board Meeting held on July 27<sup>th</sup>, 2021 had been circulated to all Board Members and requested that any errors or omissions be stated.

#### MOTION

There being no errors or omissions, a motion was moved by R. Brown and seconded by K. Noland that the Minutes be adopted as circulated,  
- Carried.

### BUSINESS ARISING FROM THE MINUTES OF THE PREVIOUS BOARD MEETING - July 27<sup>th</sup>, 2021

There was none.

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### 3. VARIABLE EXPENDITURES

There were no questions of the variable expenditures as circulated.

#### MOTION

It was moved by K. Noland and seconded by R. Brown that the variable expenditures be accepted as presented,

- Carried.

### 4. PRESENTATION OF APPLICATIONS FOR CONSENT

The Vice 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.

Note: Chair Stephens joined the meeting at 7:20 p.m. and continued with Consent File No's. B14-21, B15-21 and B16-21 that had been started by Vice Chair L. Hayden.

### 5. GENERAL, REGULAR AND NEW BUSINESS

- i) Validation of Title Application - File No. V01-2021  
Location: Lot 18, Conc III  
Township of Sheguiandah  
Municipality of Assiginack

The Secretary-Treasurer informed the Board that at the last Board Meeting, held on July 27<sup>th</sup>, 2021, the Board had requested her to seek advice from her colleagues and seek legal advice from a solicitor if the application violated Section 50 of the Planning Act.

She had obtained an off the record (not a formal legal opinion) from Sydney Troister and another contact and had also received an email from a lawyer with a non-official opinion. She was waiting on a formal letter from a lawyer she had reached out to however she had not received an official legal opinion on official office stationery in time for the Board Meeting.

She read the following from the lawyer's email:

*'I don't see a breach to s.50. The one I suspect they are trying to work into a breach of s.50(3)(b) re abutting land. Holmes didn't transfer to Roy. Chapman transferred to Roy but the issue is that effectively Chapman tried to transfer more to Roy than Chapman owned. That's a title issue, not a Planning Act issue unless I am missing something. A vesting order would solve this.'*

She advised that the Board may wish to defer Decision on the application until an Official letter is received or they may wish to accept the contents of the unofficial email.

Chair Stephens asked Mr. Allison, agent for the application, if he had any comments. Mr. Allison stated that there are conflicting opinions and he has said all that he can say.

Discussion resulted in the following motion:

#### MOTION

It was moved by K. Noland and seconded by L. Hayden that in consideration of the information presented, that the Application for Validation be refused,

- Carried.

- ii) Review of Consent to Sever Proposal

Location: Part Lot 19, Conc. VIII, Being Part 1, Plan 31R-2502  
Township of Allan,  
Municipality of Gordon/Barrie Island

In review, the Secretary-Treasurer explained that Mr. and Mrs. Lim-Ojamae are seeking support from the Board for the creation of two new ±0.8 Hec. lots for residential uses, which would result in five (5) lots from the original parcel of land. There have also been three lots created by Consent File No. B55-93, surveyed as Parts 2, 3 and 4, Plan 31R-2543, from an existing lot that was created by the Ministry of Housing in 1978.

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5. ii) Review of Consent to Sever Proposal - continued

The Secretary-Treasurer explained that this request for two additional lots had been brought to the Board at the last Board Meeting but the Board wanted the Municipality to review it and provide their comments before further consideration of the Board.

Mr. and Mrs. Lim-Ojamae had been invited to participate in the electronic meeting, however they were not present.

The Secretary-Treasurer read the following Resolution, No. 2021-129, received from the Municipality of Gordon/Barrie Island:

‘WHEREAS the Manitoulin Planning Board are in receipt of a request for severance of lots with respect to Part Lot 19 on Concession 8 Allan West accessed via 79 Robertson Road,  
AND WHEREAS Council comments include strong feelings with the proposal as it will mean that Agricultural Property is being cut up and is a concern;  
AND FURTHER that if approves the application would be subject to the Municipal Cash in Lieu of Conveyance By-Law’

L. Hayden, Board Member representing the Municipality, commented that the proposed severances and the Agricultural viability did not appear to be an issue and that he supports the cash in lieu.

In consideration for support for the proposed severance, the general consensus of the Board was they would support the application for the creation of two new lots, as proposed

iii) Ontario Association of Committees of Adjustment for Consent Authorities (OACA) electronic Conference - June 8<sup>th</sup>, and 9<sup>th</sup>, 2021

The Secretary-Treasurer reported that she had participated in the OACA electronic conference, which was very informative. Due to the shorter conference she could only participate in some of the sessions however the remaining topics are available on the OACA website for future viewing, which she hopes to take part in.

Topics were:

- Proposed New Amendments to Section 50 of the Planning Act
- Ask a Lawyer;
- The New Municipal Connect (MPAC);
- Consents: Common applications and Issues;
- Understanding Adjudication Through the Lens of the Ontario Land Tribunal;
- Land Use Policy Impacts - Prime Agriculture Areas

iv) Ministry of the Environment, Conservation, and Parks (MECP)  
Land Use Compatibility Guidelines - electronic session - June 16<sup>th</sup>, 2021  
visit [Environmental Registry Posting 019-2785](#)

The Secretary-Treasurer informed the Board that The Ministry of Environment, Conservation and Parks (MECP) is proposing a new Land Use Compatibility Guideline to update and replace several existing D-Series guidelines that the Planning Board and the municipalities use when making land use planning decisions. The D-series guidelines direct land use planning authorities to avoid or minimize and mitigate land use compatibility concerns between major facilities (e.g. industrial uses) and surrounding sensitive land uses (e.g. residential uses) related to noise, odour and other contaminants. Both staff members had participated in the electronic session.

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5. v) Eastern Loggerhead Shrike - continued

The Planning Board staff had been invited to participate in this electronic session because Manitoulin Island has historically been breeding habitat for these endangered bird species in Ontario.

The workshop focused on background information and establishing a scope for the planning process, and included participants from conservation organizations in the US and Canada, provincial agencies, local government and First Nations. Future workshops will work on establishing detailed plans for species recovery. The goal is to produce an international plan for species recovery that can be used for conservation efforts. The conservation plan developed by the workshop may provide for future Planning Policy for this species, and may be implemented into provincial or local policies.

Jake Diebolt had participated in a virtual workshop on Species Conservation Planning for the endangered bird. He answered a few questions from the Board and explained that there are no identified population on Manitoulin Island; that the birds like pasture lands, Manitoulin may see some of these birds when a recovery plan is put in place; there will likely be a Public Information process.

vi) Consent File No's. B07-16 and B08-16 - Township of Sandfield

The Secretary-Treasurer informed the Board that these applications have been completed and the land transfers for the right-of-way were registered on July 12<sup>th</sup>, 2021.

vii) Subdivision File No. SUB2014-01 - Township of Dawson

The Secretary-Treasurer informed the Board that this file has been completed and the Subdivision was registered on May 31<sup>st</sup>, 2021.

viii) Site Visits - Robinson Township - June 17<sup>th</sup>, 2021 & August 22<sup>nd</sup>, 2021

This is being brought to the attention of the Board for discussion purposes when considering additional development on the private right-of-way that is in need of repair in several places.

Jake Diebolt had conducted site visits in the Little Lake Huron Area of Robinson Township and is following up with letters to a few property owners who are in violation to Zoning By-law No. 96-01. During his site visits he took pictures and documented areas of the private right-of-way from Hwy 540 over Little Lake Huron Road, Pebble Road and Cedar Tree Trail. He noted that in several places the access is very poor and in need of repair. Attached to the Board agenda for the July 27<sup>th</sup>, 2021 meeting was satellite imagery from 2016 and Jake's notes regarding the status of the private right-of-way.

The Provincial Policy Statement under Section 1.1 - Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns - states under 1.1.1.

*'Healthy, liveable and safe communities are sustained by:*

c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

The Secretary-Treasurer informed the Board that there are rumours that the land owners in the area are trying to start a "Road Committee" to fix up the access.

Board Member, T. Mackinlay, had also heard that a "Road Committee" was being established. He suggested that Mr. Wismer, Fire Chief for Robinson Township be invited to speak to the Board and that the members of the Road Committee should also be invited to speak to the Board and give a report.

The general consensus of the Board was that Mr. Mackinlay could follow up and report back to the Board.

x) Municipal Zoning By-laws Updates and RFP

The Secretary-Treasurer informed the Board that the Municipalities of Billings and Allan East, Burpee-Mills, Gordon/Barrie Island, and the Town of Gore Bay have made the decision to go forward with hiring JL Richards as their planning consultant to assist with the updates for their Municipal Zoning By-laws. The contract would be between the Consulting Firm and the individual Municipality. Cockburn Island will not be hiring a planning consultant at this time.

The Secretary-Treasurer requested a motion from the Board to use JL Richards or WSP to assist with Zoning By-law No. 96-01 for the Townships of Robinson and Dawson in order to

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5. ix) Municipal Zoning By-laws Updates and RFP - continued

Discussion resulted in the following motion:

MOTION

It was moved by K. Noland and seconded by T. Mackinlay that Chair, R. Stephens and Secretary-Treasurer, T. Carlisle enter into a contract with J.L. Richards, as the other Municipalities have, for the updating of Zoning By-law No. 96-01 for the Unincorporated Township of Robinson and Dawson on behalf of the Manitoulin Planning Board,

- Carried Unanimously.

x) August 27<sup>th</sup>, 2021 - Office Closure

The Secretary-Treasurer explained to the Board that she had a scheduled appointment outside the Office on August 27<sup>th</sup>, 2021 and that Mr. Diebolt had also scheduled an appointment for that day. She requested permission from the Board to have the Planning Board Office closed until noon on Friday, August 27<sup>th</sup>, 2021.

MOTION

It was moved by L. Hayden and seconded by R. Brown that the Planning Board Office will be closed on Friday, August 27<sup>th</sup>, 2021 from 8:30 a.m. until 12:00 p.m.,

- Carried.



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Application File No's.: B14-21, B15-21 and B16-21 No. of Members Present: 9  
Date of Decision: {July 27, 2021 -Deferred} August 24, 2021  
Location of Property: Part Lot 30, Conc. XIV, surveyed as Part 1, Plan 31R-3371, Township of Billings, Municipality of Billings and Allan East, District of Manitoulin

### DECISION

The purpose of this application made under Section 53(1) of the Planning Act by Hugh McLaughlin on behalf of Frederick and Nancy Gilbert is to provide for the creation of three (3) new lots together with right-of-way, for seasonal residential uses.

File No. B14-21 proposes a new lot having a minimum frontage of 46 M. on the Kagawong River and  $\pm 195.5$  M. on the maintained municipal road allowance known as Beach Street South, and an average depth of  $\pm 204.6$  M. thereby containing an area of  $\pm 0.66$  Hec.

File No. B15-21 proposes a new lot having a minimum frontage of 46 M. on the Kagawong River and an average depth of  $\pm 183.8$  M., thereby containing an area of  $\pm 0.71$  Hec.

File No. B16-21 proposes a new lot, having a minimum frontage of 46 M. on the Kagawong River and an average depth of  $\pm 149.6$  M., thereby containing an area of  $\pm 0.73$  Hec.

There are no structures on the proposed three (3) lots. The three lots will be together with right-of-way over the retained land.

The land to be retained has frontages of  $\pm 377.1$  M. on the Kagawong River,  $\pm 415.7$  M. on the non-maintained municipal road allowance (north) and  $\pm 53.4$  M. on the maintained municipal road allowance known as Beach Street South (west), an irregular depth, and containing a total area of  $\pm 5.9$  Hec. There are no structures on this land. This land will be subject to right-of-way in favour of the three proposed lots.

The application was circulated on May 12<sup>th</sup>, 2021 to the United Chiefs and Councils of Mnidoo Mnising (UCCMM), and to the Wiikwemkoong Unceded Territory as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email on May 17<sup>th</sup>, 2021 that in review of the application they have no comments at this time.

John Manitowabi, Wiikwemkoong Unceded Territory asked if there were any requirements by the developer/new land owners(s) to conduct an archaeological assessment prior to development due to the location adjacent to the Kagawong River and the historical use of the river by the Anishnaabek over centuries. It was explained that the proposed new seasonal residential uses will be at the northerly part of the subject land, away from the river, due to the elevations, and that if development was proposed to be along the Kagawong River, additional information would be required to determine if an archeological assessment would be necessary. Mr. Manitowabi did not advise of any concerns.

According to the application, services will consist of private individual septic systems and water from the Kagawong River. 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.

Access will be via private right-of-way to the maintained municipal road allowance known as Beach Street South, to Highway No. 540 a provincially maintained Highway.

As part of the preliminary review the application was sent to the Ontario Ministry of Transportation (MTO) and Carla Riche, Corridor Management Planner, MTO, provided the following comments on June 18, 2021:

*'Good afternoon Theresa,*

*Thank you for the opportunity for the Ministry to provide comments on the below and subject noted.*

*It is the understanding of the ministry that the intention is to sever the existing property with access being from the existing road through a new easement.*

*The Ministry of Transportation has no objection in principle to the proposed severance. On the condition that the new access must be a minimum of 45m (though 80m would be preferred) from the Highway 540/Beach Street Road intersection. The proposed easement must be moved or extended to accommodate the required distance. All access must be from Beach Street Road. Direct highway access will not be permitted.'*

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Application File No's B14-21, B15-21 and B16-21 - continued  
July 27, 2021  
Email from MTO - June 18, 2021 - continued

*'Any additional severances may require a Traffic Impact Brief, however one will not be required at this time.'*

*Please be aware that the properties are located within the Ministry of Transportation of Ontario (MTO) permit control area and MTO permits will be required.*

*MTO building/land use permits are required prior to the construction of any proposed buildings, septic systems, wells etc. located within 45m of the MTO right-of-way (ROW) limits or within a 180m radius of intersections along the highway. MTO Sign permit(s) are required for the placement of any signs within 400 m of the limit of the highway.*

*For further information with respect to MTO permit and setback requirements the applicant should contact the local Corridor Management Officer, Debra Burke, at our Sudbury office by email at [Debra.A.Burke@ontario.ca](mailto:Debra.A.Burke@ontario.ca). MTO permits can be obtained by applying online at <https://www.hcms.mto.gov.on.ca/>. If there are any questions on these comments please contact me.'*

The comments received from MTO were provided to Mr. McLaughlin, agent for the application. The applicants were in agreement to revise the application and application sketch and move the right-of-way, resulting in the right-of-way access being a minimum of 45 metres from the Highway 540/ Beach Street Road intersection.

A revised sketch was provided to Ms. Riche on June 23<sup>rd</sup>, 2021 and she advised on July 7<sup>th</sup>, 2021 that:

*'From what I can see the updated sketch extends the easement (right-of-way) so the access can be 45 metres from the highway. This is fine and inline with the previously provided comments.'*

There are livestock facilities located within a neighbouring property, being Lot 1, Conc. IX, Township of Allan. 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 subject land has been designated Rural Area and zoned Rural ( R ) and Conservation (02).

The Official Plan for the District of Manitoulin under Section D.9.1.1 - Flood Hazards states:

3. *Development may be permitted on an existing lot of record in a flood plain provided sufficient information accompanies the application in the form of a report prepared by a qualified engineer demonstrating that:*
  - a. *the proposed development and its occupants will be protected from the effects of a 1:100 year flood;*
  - b. *the potential upstream and downstream impact of the development proposal will not significantly affect the hydrology or hydraulics of the flood plain,*
  - c. *that adequate flood proofing measures are incorporated in the development,*
  - d. *that the development is limited to uses which by their nature must locate within the floodplain, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows; and*
  - e. *that during times of flooding,*
    - i. *safe egress and ingress for persons and vehicles is provided;*
    - ii. *no new flooding hazards are created and existing ones are not aggravated;*
    - iii. *development and site alteration is undertaken in accordance with flood proofing standards, protection works standards, and access standards; and*
    - iv. *no adverse environmental impacts will result.\**

The Conservation (02) Zoning boundary is a guide and generally identifies a potential low lying wet area. It could be interpreted that the 02 zone applies to the land below the 213.4 M. (700 ft.) flood contour, as identified on survey plan 31R-3371 and on the Application sketch. Zoning By-law No. 80-11 for the Municipality of Billings and Allan East permits seasonal residential uses in a Rural ( R ) Zone. Residential uses are not permitted in the Conservation (02) Zone.

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Application File No's B14-21, B15-21 and B16-21 - continued  
July 27, 2021

During a site visit by Jake Diebolt, staff member for the Manitoulin Planning Board, it was observed that there was a wet swampy area within the subject land along the Kagawong River, that generally corresponds with the 213.3 m. (700 ft.) flood contour, as identified on survey plan 31R-3371. He observed standing water and a low lying area approximately 100 m. east of South Beach Road with in the proposed severed lands which may indicate a natural drainage course to the southwest corner of the lot

Following a telephone conversation with the Clerk for the Municipality, the Secretary-Treasurer advised Mr. McLaughlin, agent for the application, by email on May 21<sup>st</sup>, 2021:

*'I have had a conversation with the Township of Billings and it was agreed that having the contours identified for the proposed three lots at the north along the road allowance, may not tell anything that we do not already know.*

*Both the municipality and our Office have conducted a site visit to the property and there are some concerns with the area being low lying and wet. One thought we had was for a 'drainage plan' to be conducted that could/would determine the flow of the water and how this could be drained to provide for safe building envelopes or at the very least make the landowner and proposed new owners aware of what may need to be done in order to obtain a building permit, e.g haul in fill, put in culverts, design the driveways and right-of-way so water would drain away from the proposed building sites at the north.*

*This could be done before formal circulation of the application or I suspect it will be a condition of the consent to sever approval.'*

*'Do you have an estimate cost of what it would be to move the Hydro pole, so that access could be along the road allowance vs the private right-of-way?*

*I suspect the Planning Board may, as a condition of the Consent to Sever application, impose a condition that the area south of the 700 ft (213 metres) contour is rezoned from Rural to Conservation Zone. Also, I suspect the Planning Board will impose a condition of the application that there is proof of potable water for the three new lots and for the retained land. What are your thoughts?'*

Mr. McLaughlin replied with the following email on May 25<sup>th</sup>, 2021:

*' Thank you for your email of May 21. The Owners are interested in moving forward but do have a lot of questions. They do appreciate the Township and MPB offering some drainage options rather than doing a contour survey. I visited the property several times this past winter and spring to check the water situation. The lots in the area of the proposed building sites were dry. On the west side of Beach Road South, opposite the lots being proposed, it was very wet with standing water. The water was running over Peacock Road and then through a culvert on Beach Road and flooding the area below the 700 feet contour line as shown on the survey. It was also running over that part of Beach Road. I would suggest the Township has some responsibility to the people living in the original Peacock house and even some to the people who use Peacock Road to access their waterfront properties. A culvert under Peacock Road would stop the flooding on it and a bigger culvert under Beach Road would handle the flow to a new, deep, ditch straight south down the Beach Road Road allowance to the Kagawong River. All this water is flowing onto my Clients land due to lack of drainage. It may not dry up the conservation area but it would really make a difference and would protect the area of the proposed building sites from ever becoming wet. If Billings is not willing to accept this responsibility, my Clients may pay for having it done if the costs are reasonable. Billings would need to grant permission at the least.*

*My Clients are not opposed to building permit stipulations about drainage that the Building Official may deem necessary given each case individually.*

*The right of way access is the best approach. The road allowance had been considered but was thought to be unnecessary as you had indicated the access easement as acceptable. Highways would have something to say about opening it up as well as Billings. If Billings prefers it over the road allowance, they could offer some assistance. It would still only be an emergency vehicle road as would be used over the right of way.*

*My Clients and I do not understand the need for the rezoning of any rural south of the 700 feet contour if the building sites are specified as north of the 700 feet contour line.*

*My Clients and I do not understand why the Kagawong River is not being permitted as a source of water. It can be filtered and treated if necessary. It is a navigable waterway so should be considered the same as any waterfront lot.'*

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Prior to the formal circulation of the application, the Secretary-Treasurer informed Mr. McLaughlin that it would not be in good planning if the lots were created and could not be built upon due to the potential low lying wet areas and drainage concerns. It was suggested that building sites on the proposed severed and the proposed retained land be identified outside the low lying areas and that conditions of consent approval may be that a site plan and/or a drainage plan is provided to address such things as flooding, flood proofing, culverts, hauled in fill, and the design of the right-of-way and driveways in order to support building permits for the subject land.

Mr. McLaughlin contacted Gordon Keatley, Ontario Land Surveyor, and a sketch was provided to the Planning Board identifying possible building sites within the proposed severed and retained land, along a natural rise on the property, that would be in the Rural ( R) Zone and above the 213.2 m. flood contour and outside any low lying areas. The proposed building sites were added to the circulation sketch.

From information provided by the Ministry of Natural Resources and Forestry (MNRF) there is an unevaluated wetland and Species at Risk identified along the Kagawong River, associated with the wetland.

The Ministry of the Environment, Conservation and Parks (MECP) was contacted due to the potential species at risk concerns. Lindsay McColm, Northern Species at Risk Specialist advised by email on April 30<sup>th</sup>, 2021 that

*'Specific to your inquiry below about the severance on lot 24-45, at this time, there are no requirements under the Endangered Species Act (ESA) to undertake a species at risk site assessment for lot severances or rezoning /passing bylaws/land sales or purchases.*

*Lot severances by themselves, and in the absence of any additional development proposals, are administrative in nature and on their own do not contravene the ESA. Specifically, to contravene the ESA, an activity must have the physical effect of killing, harming or harassing individuals of a species at risk, or damaging or destroying their habitat. The administrative act of re-zoning severing a lot, passing a bylaw or other similar administrative activities do not result in any of these impacts.*

*If activities subsequent to a lot severance (e.g. building and development) could impact species at risk or their habitat are planned, then the person undertaking those activities would need to determine if an ESA authorization should be obtained before the activities are undertaken, not the planning board or municipality during the rezoning process. The property owner you are working with can look at "How to avoid authorization" and "Permit types" (<https://www.ontario.ca/page/how-get-endangered-species-act-permit-or-authorization>) for more information and I encourage them to reach out to [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca) to discuss bobolink and any other SAR that may be present. A person carrying out an activity may also wish to consult the Act and seek legal advice to understand its legal obligations.'*

The Provincial Policy Statement 2020 states:

*1.1 Managing and Directing Land Use to Achieve Efficient and Reliable Development and Land Use Policies in part*

*1.1.1 Healthy, liveable and safe communities are sustained by:*

*c) avoiding development and land use patterns which may cause environmental or public health and safety concerns'*

Due to building sites being identified above the 213.4 m. (700 ft.) flood contour and outside the identified habitat, (not along the river) the subject land does not appear to have any natural heritage features or species at risk concerns.

The application was circulated on July 12<sup>th</sup>, 2021 to Bell Canada, the Municipality of Billings and Allan East, and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

Bell Canada advised on July 13<sup>th</sup>, 2021 that it has been determined that Bell Canada has no concerns with respect to the proposed application.

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July 27, 2021

The Municipality of Billings and Allan East advised on July 20<sup>th</sup>, 2021 of Resolution No. 2021-244 as follows:

BE IT RESOLVED THAT Council does not recommend consent be granted for Applications B14-21, B15-21 and B16-21, for the following reasons:

1. *The property is in a low-lying area which may see significant flooding - A significant portion of the property is below the 700 ft. level. We are currently in the process of approving a climate action plan, which speaks to the need to consider the climate change implications for, and of, development activity, including such things as more extreme/frequent flood events, and the impact of development on the natural assets that are so important in buffering climate change impacts.*
2. *Issuing Building Permits will result in the need for significant fill to be brought in, redirecting water to other properties, causing drainage issues, such as water being redirected to neighbouring properties.*
3. *There is no municipal water service to this location so water will need to be drawn from the river, which could be as much as 400 ft+ on Lot B14-21....Carried'*

A copy of Resolution No. 2021-244 was provided to Mr. McLaughlin and following email was received on July 24<sup>th</sup>, 2021 which included an attached email from Gordon Keatley, OLS:

*' On July 20, 2021, The Township of Billings, passed a Resolution regarding the above Consent Applications. The Owners and my Clients, Frederick and Nancy Gilbert, requested that I respond, on their behalf, being their Agent. I requested the assistance of Gord Keatley, being an Ontario Land Surveyor, to provide his professional comments. These are stated on the attached document. The Owners are asking that these comments be presented to the Manitoulin Planning Board at their July Meeting, hopefully verbally by you and in print. On behalf of the Owners, I want to state, we are all in agreement with Gord's Comments.*

*As stated, the building sites are above the 700 feet contour. Thus there is no water to drain or avoid. Even if water is redirected, there are regulations, in place, to avoid other properties. The Kagawong River is a navigable body of water and riparian rights permit bringing water from it. Water is pumped much farther distances than 400 feet even on Lake Kagawong. Trailer parks move water greater distances to all their camping sites. In summary, the Applications have satisfied all the criteria of the Planning Act. We trust The Board will agree. Thank you.*

*P.S. I draw your attention to Gord's last comment concerning the zoning of the portion of land between the 700 feet contour and the river as Conservation. We all agree that it is a good suggestion providing more assurance, in the future.'*

Email from G. Keatley, OLS

*' Good afternoon Hugh,*

*I've read that letter from Billings a few times and I'm not really sure what to say. I think we've already addressed the three concerns listed as their reasoning for not supporting the three consents.*

*Para. 1: We've known from the start that part of the property is low lying and may see flooding, most likely during spring runoff the portion close to the river would be rather wet. A review of the Official Plan map agrees that there are wetlands adjacent to the Kagawong River. It also agrees that not all of the property has that issue. While a significant portion of the property is below the 700 foot contour, a more significant portion of the property is above the 700 foot contour. That portion is shown on the sketches I provided previously and am attaching the most recent hereto again. I have to respectfully disagree with the logic that a lot cannot be created because a portion of it could possibly be subject to flooding. If that logic were followed, a very very large number of waterfront lots on Manitoulin Island would never have been permitted. There's 20 inches of water on my property in the spring, my great-grandfather knew not to build down there and buyers of these properties will no doubt follow the same logic. The majority of the lots along Lake Huron Drive (total of 56 lots on Subdivision Plans 31M-196 & 31M-198) have areas prone to flooding should the conditions be right. (Or wrong one might say). The building inspector simply requires a person building obtain a survey to ensure they are situated at a sufficient elevation that the flooding won't adversely affect their new home. We have already provided a survey showing the elevations of the proposed lots.'*

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Email from G. Keatley - July 24, 2021 - continued

*'Para. 2: Per the preceding paragraph, there is no need to bring in significant fill in order to build on these properties. While landscaping can alter surface water flow, there are already laws in place prohibiting people from redirecting surface water to adversely affect a neighbouring property. Given the proximity of the river, shedding surface water for these properties will be significantly easier than for some properties I've worked on.*

*Para. 3: Water does not necessarily have to be drawn from the river, any person building has the option to install a well and there's a very good chance that they would. The river does, however, provide a guaranteed source of water. The distance to the river is not bad at all; 400 feet is relatively short when the vertical lift required by a pump is less than 20 feet.*

*I would respectfully submit that if a neighbour were to submit this reasoning for why to deny a severance application, the Planning Board would likely agree that this is not reason enough to deny the applications. There are multiple houses to the west that were built closer to the river using the 700 foot elevation; the same standard should apply here. At the very extreme, the only hindrance to these applications that I wouldn't be able to disagree with would be if they asked that the area lower than 700 feet be zoned conservation so that a new buyer couldn't simply dump 200 truck loads of fill next to the river causing some of the hypothetical problems they have listed.'*

The Secretary-Treasurer forwarded the two (above) emails to the Clerk, K. McDonald and to the Board Member, I. Anderson, Municipality of Billings and Allan East for comments.

Mr. Anderson replied via email on July 26<sup>th</sup>, 2021 as follows:

*I have spoken to Kathy this morning regarding the additional information supplied by Hugh and Gord Keatley.*

*One of the concerns which was supported by all of council was protection of the wetland in front of these lots. Once consent for development is given, enforcement of any conditions imposed is always the challenge.*

*For council to reconsider its decision this would need to go back to another regular council meeting, for the purposes of tomorrow's meeting we will be using our present decision.'*

A telephone call was received from Heather Jenkins, abutting land owner of Lot 29, Conc. XIV, and the following email resulted:

*'Thank you for so quickly providing me with the Notice of Application and related sketch after my phone inquiry. As per our discussion on 15 July 2021, regarding the creation of 3 lots on Part Lot 30, Conc. XIV, Billings Township, I am writing regarding my concerns as an adjacent landowner (Lot 29, Conc. XIV). The Kagawong River flows through Lot 29, and as such, I own a section of property directly East of Lot 30, which shares an approximate 59.39 m section on the lot line. As we discussed, the section of land I own North of the Kagawong River can be easily overlooked when examining the Manitoulin Planning Board land maps, which is why I was not notified of the application prior to seeing the orange application notice sign at the corner of Lot 30. I want to make sure the property owner and the MPB is aware that this section of Lot 29 North of the Kagawong River is not part of the approximately 5.9 ha retained section noted in the application.*

*I would like to be made aware of the decision the Manitoulin Planning Board makes regarding this application. Should the MPB approve this application, I would also like to be made aware of when the land is surveyed, and who to contact to get a copy of that survey.*

*Thank you for your consideration.'*

The Secretary-Treasurer advised Ms. Jenkins that the land subject to Consent to Sever, was surveyed as Part 1, Plan 31R-3371 and her land was definitely not part of the proposed application and a copy of the survey plan was provided to her.

A telephone inquiry was received from Shirley Lewis, who owns property located at #27 Peacock Trail, requesting a copy of the Notice of Application and Sketch. She did not advise of any concerns.

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.

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Hugh McLaughlin, agent for the application, was in attendance at the electronic meeting.

During consideration of the application and the information presented and after a lengthy discussion by the Board, Mr. McLaughlin, and Mr. Anderson, Board Member and Mayor for the Municipality, a motion was moved, duly seconded and carried that this application be deferred in order to provide the Municipality of Billings and Allan East additional time to review the information to date, to discuss their concerns further, to consider mitigation and conditions of the Consent to Sever approval, and to conduct a site visit of the property, prior to further consideration of the application.

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The Secretary-Treasurer informed the Board that Mayor Anderson on behalf of the Municipality of Billings and Allan East, advised by email on August 23<sup>d</sup>, 2021 that he didn't have anything official from Council at this time as they will not make a final decision until September 7<sup>th</sup>, 2021.

She had invited Mr. McLaughlin, agent for the application, to participate in the Board Meeting. However, he was not present.

She requested that the Board defer the application until the Municipal Council has had time to discuss the application and their concerns further at their September 7<sup>th</sup> Council Meeting.

Chair Stephens asked Mr. Anderson if he had any comments for the Board's consideration and he explained that he had been out to the property both on land and via water and had taken some pictures, identifying the shoreline and the wet areas. There had been discussion between himself and the Secretary-Treasurer regarding possible conditions of Consent to Sever approval that may address Council's concerns. He felt his Council would be in a position to provide comments for the Board's to consider after their Council Meeting on September 7<sup>th</sup>, 2021.

As a result, a motion was moved, duly seconded and carried that this application be deferred in order to provide the Municipality of Billings and Allan East additional time to discuss their concerns and possible solutions at their next Council Meeting.

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Application File No.: B18-21 No. of Members Present: 9  
Date of Decision: August 24, 2021  
Location of Property: Part Lot 24, Conc. X, Surveyed as Parts 1 to 9, Plan 31R-3902 and Parts 3, 4, 5, 6, and 11, Plan 31R-1319, Township of Sandfield, Municipality of Central Manitoulin District of Manitoulin

### **DECISION**

The purpose of this application made under Section 53(1) of the Planning Act by Barbara and Steve Doane is to provide for the creation of a new lot, located at #147 Dryden's Lane, (which includes Parts 4 & 5, Plan 31R-3902), having a frontage of  $\pm 64.6$  M. on Lake Manitou and an average depth of  $\pm 202.9$  M., thereby containing a minimum area of 0.4 Hec. This proposed new lot will be together with right-of-way over the retained land to Gibraltar Road, a maintained municipal road. The applicants' dwelling and accessory garage are located on this proposed new lot. The applicants propose to offer this land for sale for continued residential uses.

The land to be retained, located at #141 Dryden's Lane, and #4498 Hwy 542, has frontages of  $\pm 11.5$  M. and 30.5 M. on Lake Manitou,  $\pm 720.4$  M. on Gibraltar Road, a maintained municipal road, and  $\pm 939.8$  M. on Highway No. 542, a provincially maintained Highway, and an average depth of  $\pm 585.6$  M., thereby containing an area of  $\pm 50$  Hec. This land is subject to right-of-way over Parts 2, 7, and 8, Plan 31R-3902 (see MD6312). The subject land abuts a private right-of-way along the easterly boundary, known as Cannard's Lane. There is an existing house trailer/mobile home and garage located within this land along Lake Manitou, and three barns located along the Hwy. According to the application the house trailer is to be removed.

The subject land, with various survey plans, was originally three (3) separate parcels of land. The parcels have merged together as one larger parcel of land under the Planning Act, when they were registered under the same (joint) ownership.

There has been a previous Consent File, No. File No. B23-12, that provided for a lot addition of Parts 1 to 9, Plan 31R-3902 added to Parts 3, 6, and 11, Plan 31R-1319, which is the land subject to the current application. A copy of land transfer MD 6312 and MD 11205 accompanied the application for the transfer and consolidation of Parts 1 to 9, Plan 31R-3902 and Parts 3, 6 & 11, Plan 31R-1319 to Mr. and Mrs. Doane in 2012.

There have also been four previous applications for Consent, File No's B17-79, B14-80, B98-81 and B30-83 that provided for lot additions to lots fronting on Lake Manitou, and rights-of-way, within Lots 23 and 24, Conc. IX, by a previous owner.

During the preliminary review of the application, Mr. Halliday, agent for the application, was advised that the proposed new lot, surveyed as Parts 4 and 5, 31R-1319 was only  $\pm 0.28$  Hec. in size and would not conform to the minimum size requirement of 0.4 Hec. in a Shoreline Residential (SR) Zone. The applicants therefore submitted their application which included additional land of 0.12 Hec. to conform to the minimum lot size requirement.

This application was circulated on June 22<sup>nd</sup>, 2021 to the Wiikwemkoong Unceded Territory and to the United Chiefs and Councils of Mnidoo Mnisig (UCCMM), as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email on July 8<sup>th</sup>, 2021 that they have no comments or concerns.

The Wiikwemkoong Unceded Territory advised via email on June 22<sup>nd</sup>, 2021 that they have no concerns with the application.

According to the application, services consist of private individual septic systems and private well(s). No new services are proposed at this time.

The Public Health Sudbury & District 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.

Access for the severed land will be via private right-of-way over the retained land, surveyed as Parts 9, 10, & 11, Plan 31R-1319 and Part 7, Plan 31R-3902, known as Dryden's Lane, to Gibraltar Road, a maintained municipal road. Access for the retained land will also be over Dryden's Lane to Gibraltar Road, as well as via an existing entrance #4498 Hwy 542.



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The subject land has been designated Shoreline Area and Rural Area and zoned Shoreline Residential (SR), Rural (R) and Agriculture (A). Residential uses are proposed to continue for the severed land and farm related residential uses are proposed to continue for the retained land. The proposed new lot is within a Shoreline Area and a Shoreline Residential Zone.

The Ministry of Natural Resources and Forestry (MNRF) have advised that Lake Manitou is a provincially significant lake trout lake and is sensitive to any shoreline development that would result in a net loss of fish habitat. Lake Manitou has been designated as an "At Capacity" Lake in the Official Plan for the District of Manitoulin.

Official Plan Policy under Section D.1.1 LAKE CAPACITY states:

*' Development adjacent to a water body shall be defined as land within 300 linear metres from the high water mark of a lake or permanently in-flowing tributary.*

*The following policies apply to all in-land Lakes:*

1. *Where lakes and other water resources are determined to be at capacity or a sensitive resource, the creation of new lots, through the consent process or by plan of subdivision, will only be permitted within adjacent to a water body under limited circumstances as outlined in D.1.1.2.*
2. *Where any development (including the creation of a new lot) is proposed adjacent to a water body where the Provincial Water Quality Objective for phosphorous or other standards set by the province for dissolved oxygen are exceeded, one of the following conditions must be satisfied:*
  - a. *the severance is to separate existing habitable dwellings, each of which would be on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake;*
  - b. *all new septic system tile fields are located such that they would drain into a drainage basin that contains lakes which are not at capacity;*
  - c. *all new tile fields are set back at least 300 metres from the shoreline of the lake or permanently flowing tributary to the lake; or*
  - d. *the effluent pathway from a tile field would flow in a manner for a distance of at least 300 metres to the lake. This must be supported by a report prepared by a qualified professional that is a licensed member of the Association of Professional Geoscientists of Ontario or a licensed member of the Professional Engineers of Ontario who is qualified to practice geoscience and is satisfactory to the municipality, Planning Board, and any applicable provincial agency.'*

Official Plan Policy under Section F.4.4.2 - Consents - states, in part under 5.b) and c):

- b) *Notwithstanding the foregoing policy, water-oriented development, which is lands within 300 metres of a water body, shall have a minimum lot frontage of 46 metres and a minimum lot area of 0.4 hectares. Where development is proposed that intends to create five or more lots, pursuant to the requirements of Section F.4.4.2.1, lot sizes should average approximately 1.0 hectare, with no lot below 0.8 hectares unless a hydrogeological study has been prepared that demonstrates the area is not hydrogeologically sensitive and there will be no threat to human health and safety.*
- c) *The proposed lots will comply with the provisions of the local Zoning By-law.'*

The proposed new lot and the proposed retained lot have existing dwelling and existing septic system. Therefore Official Plan Policy D.1.1.2 a) has been satisfied.

Zoning By-law No. 2002-07 for the Municipality of Central Manitoulin under the Shoreline Residential (SR) Zone, requires a new lot to have a minimum frontage of 45.5 metres and an area of 0.4 Hec.

The proposed new lot and the proposed retained lot have the required frontage and area. Therefore Official Plan Policy F.4.4.2 b) and c) have been satisfied.

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

The application was circulated on August 5<sup>th</sup>, 2021 to the Municipality of Central Manitoulin, Bell Canada, and to all property owners within 60 metres and by the posting of a notice, clearly visible and legible from a public highway or other place to which the public has access, as required by Ontario Regulation 197/96.

The Municipality has recommended that Consent be granted and advised by letter, dated August 10<sup>th</sup>, 2021:

*' The Council for the Municipality of Central Manitoulin wishes to state that no renovations or alteration can occur on any buildings that are located on the Municipal Marine Allowance as outlined in the Municipality's Comprehensive Zoning By-Law.'*

The Secretary-Treasurer reported to the Board Members that she had received numerous e-mails that afternoon from the land owners, Mr. and Mrs. Doane, the authorized agent, Mr. Halliday and Mr. Talbot, Barrister and Solicitor. She read the following email which had been copied to the Board Members late in the day, prior to the Board Meeting:

*' Good afternoon,*

*Mr. Doane, Mrs. Doane, Mr. Halliday and Mr. Kuchtaruk*

*REF: Application for Consent to Sever - File No. B18-21*

*If I understand the emails that I received this afternoon:*

*Mr. Doane would like the Board to consider a deferral of the application to allow him more time, to decide if he wants to create a new lot or not. He states that he wishes to withdraw the application as part owner of the subject land.*

*Mrs. Doane would like to move forward with a Board decision on the proposed severance to create a new lot, as part owner of the subject land.*

*Mr. and Mrs. Doane have both authorized Mr. Robert Halliday to act as agent for the application.*

*This is quite the dilemma. Mr. Halliday is not sure how to proceed. I also am not quite sure how to proceed either.*

*I will present the application as proposed. The Board Members will make a Decision to approve, refuse, or defer Decision for File No. B18-21.*

*Please note that if the Board should approve the application, as proposed, there will be conditions attached that are required to be fulfilled within one year. If the conditions are not fulfilled within the one year time period, the application will lapse and the property will remain as present.*

*Both Mr. and Mrs. Doane, the current landowners, will need to sign off on the transfer of the new lot, so each will have the option of moving forward or not in the completion for the creation of the new lot.*

*Standard conditions of the Consent to Sever approval are:*

*A survey; proof of taxes paid for the severed and the retained land; proof that access is travelable by emergency vehicles to a maintained township road; a certification fee (for the new deed) of \$125.00.*

*Also please note that if the Planning Board gives conditional approval of the application, there is provision under the Planning Act for a 20 day appeal period to appeal the Decision of Planning Board to the Ontario Land Tribunal (OLT).*

*Our Board Meeting is at 7:00 p.m. tonight. This is an electronic meeting and it may be in your best interest to be present during consideration of the application. You will be muted during the Board Meeting and only be unmuted if asked to speak by the Chair.*

*I give below the information to connect to our electronic meeting.'*

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Application File No. B18-21 - continued

August 24, 2021

Please note.

I will need to know who is participating in the meeting and if you are joining via internet or via phone and what that contact information is. This will assist me with preparing the Board Minutes.

Here is the info to join our Board Meeting this evening Tuesday, August 24<sup>th</sup>, 2021 at 7:00 p.m.

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Join Zoom Meeting

<https://us02web.zoom.us/j/81033193542?pwd=T285R1NGaWt2L0NDcUwT0N1SHFXz09>

Meeting ID: 810 3319 3542 Passcode: 500703

OR Dial by your location +1 204 272 7920 Canada or +1 438 809 7799 Canada

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

The Secretary-Treasurer reported that the emails received that afternoon had not been provided to the Board, due to the lateness of their receipt. Land owners, Mr. and Mrs. Doane, the authorized agent, Mr. Halliday, and Mr. Talbot, Barrister and Solicitor had advised that they wished to participate in the electronic Board Meeting.

Chair Stephens requested comments from Robert Halliday, authorized agent for the application. Mr. Halliday explained that the application was signed by both land owners authorizing him to act for the application but he was in a difficult situation as Mrs. Doane wished to proceed with the application while Mr. Doane had requested a deferral. He asked the Board to consider the comments from both land owners, Mr. and Mrs. Doane in order to consider a Decision on the application for the creation of a new lot.

Mrs. Doane, Mr. Doane and Mr. Talbot spoke to the application and provided their comments in support of moving forward with the application vs deferring the application.

The Board considered the Secretary-Treasurer's email, the comments received and whether to approve, refuse, or defer the application.

Monique Levesque, interested party, was in attendance during the electronic meeting.

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

Chair Stephens requested the Secretary-Treasurer to present the conditions of the Consent to Sever approval.

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

- a) the Transfer of Land form(s) prepared by a solicitor/awyer, 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 for access, and the easement for Hydro One, 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 and signature as evidence of its deposit therein, illustrating the parcel(s), and right-of-way having a minimum width of 20 metres, to which the consent approval relates;

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August 24, 2021

- ii) a written confirmation from the municipality that the access from the proposed severed land to the maintained municipal road, known as Gibraltar Road, has been constructed to a standard for travel by emergency vehicles satisfactory to the Municipality;
- iii) a fee of \$125.00 for each Transfer of Land submitted for Certification; and
- iv) a written confirmation from the municipality that all outstanding municipal taxes have been paid.

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

**Note:** Any shoreline improvements shall be done only with the consultation of The Ministry of Natural Resources and Forestry (MNR), the Department of Oceans and Fisheries of Canada (DFO), and the Municipality

In consideration of the information presented and after a lengthy discussion, a motion was made and duly seconded that the application be deferred until the next Planning Board Meeting to allow the land owners, their agent, and their Legal Council time to try and come to an amicable agreement regarding the application proposal.

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Board Minute  
August 24, 2021

Application File No.: B19-21 No. of Members Present: 9  
Date of Decision: August 24, 2021  
Location of Property: Part Lot 6, Conc. XVII, Being Part 2, Plan 31R-3970, Part 1, Plan 31R-643, Part 1, Plan 31R-452 and Instrument No. T-20487, Township of Assiginack, District of Manitoulin

### **DECISION**

The purpose of this application made under Section 53(1) of the Planning Act by Marian, Michael, and Adrian Murray is to provide for the creation of a new lot, located at #29 Indian Point Lane, being Part 2, Plan 31R-3970 and the northerly Pt. of Part 1, Plan 31R-643, having a frontage of  $\pm 61.2$  M. on South Bay of Lake Huron, and an average depth of  $\pm 161.8$  M., thereby containing an area of  $\pm 0.8$  Hec. This proposed new lot will have access over a private right-of-way, known as Indian Point Lane, which is surveyed as Part 2, Plan 31R-296. The applicants' seasonal dwelling is located on this land. The applicants are proposing to offer this lot for sale.

The retained land, located at #43 Indian Point Lane, described as being the southerly Pt. of Part 1, Plan 31R-643 Instrument No. T-20487, and Part 1, Plan 31R-452, has a frontage of  $\pm 110.2$  M. on South Bay of Lake Huron and an average depth of  $\pm 151.2$  M., thereby containing an area of  $\pm 1.2$  Hec. This proposed lot will have access over a private right-of-way, known as Indian Point Lane, which is surveyed as Part 2, Plan 31R-296. The applicants' dwelling and workshop are located within this land.

The subject land, with various survey plans, was originally four separate parcels of land. The parcels merged together as one parcel under the Planning Act, when they were registered under the same ownership.

A previous Consent to Sever Application, File No. B18-13, created a new lot surveyed as Part 1, Plan 31R-3970 in 2013.

This application was circulated on July 5<sup>th</sup>, 2021 to the United Chiefs and Councils of Mnidoo Mnising (UCCMM) and to the Wiikwemkoong Unceded Territory, as per Official Plan Policy F.5 - Consultation and Engagement.

Saul Bomberry, UCCMM, advised via email on July 8<sup>th</sup>, 2021 that they have no comments or concerns.

The Wiikwemkoong Unceded Territory advised via email on July 5<sup>th</sup>, 2021 that they have no comments in relation to the request to sever.

Access is from Lower Slash Road, a maintained township road and a privately maintained right-of-way known as Indian Point Lane.

Services consist of private sewage disposal systems and private water supply.

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

The subject land has been designated Shoreline Area and zoned Rural (R) and Shoreline Residential (SR). Residential uses are proposed to continue.

As part of the preliminary review of the application, a fish spawning area was identified in front of the property, along the shore of Lake Huron. The Ministry of Natural Resources and Forestry (MNRF) were contacted for technical advise and comments for the proposed application. Wayne Selinger, MNRF, advised via email on June 11<sup>th</sup>, 2021 that as long as the land owners are not proposing major in water works or significant alteration of the municipal road allowance he did not see any major concerns. However, they should be advised of the concern and potential restrictions on what or may not be approved as far as shoreline alterations go in the future.

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

Board Minute  
August 24, 2021

Application File No.: B19-21 - continued  
August 24, 2021

The application was circulated on August 6<sup>th</sup>, 2021 to the Township of Assiginack, 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 have advised they have no concerns and recommend that Consent be granted.

Bell Canada have no provided comments or requested additional time to do so.

There was a telephone call to the Office from an abutting neighbour to the south, advising his support of the application. There have been no other inquiries or concerns received as a result of circulation of the Public Notice and/or posting of signage.

The Secretary-Treasurer explained that part of the private right-of-way in front of the proposed retained land as shown on the application sketch, is owned by the applicants according to their land transfer/deed.

Adrian and Michael Murray were in attendance during consideration of the application. Adrian read the following letter to the Board, prepared by his mother Marian (Mame) Murray:

*Dear Manitoulin Planning Board,*

*Please accept my regrets for not being able to attend the meeting live but I was not feeling up to dealing with the technology!*

*I would like to thank the board for hearing our consent to sever application. Although we are very attached to it, and despite my sons regularly spending time on the Island, it has been an increasing financial burden to retain the property in question since my husband Jim passed away in 2009. As reflected in the application, if we are granted consent to sever, we intend to sell the severed parcel to neighbours who have a camp about 1500 feet up the bay. We've known the family since the 1970s when we moved to the island permanently and they purchased land for their camp.*

*This would be an ideal outcome for us, and we look forward to the board's decision.  
Thank you once again for hearing our application.*

Consent is tentatively granted subject to the following conditions:

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

- a) the Transfer of Land form, 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.

Accompanying the transfer documents shall be:

- i) a reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcel(s) and right-of-way, to which the consent approval relates;
- ii) a written confirmation from the municipality that the access from the proposed severed and retained land to the maintained municipal road, known as the Lower Slash Road, has been constructed to a standard for travel by emergency vehicles satisfactory to the Municipality;
- iii) a fee of \$125.00 for each Transfer of Land submitted for Certification; and
- iv) a written confirmation from the Municipality, that all outstanding municipal taxes have been paid.

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

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

Board Minutes  
August 24, 2021

PRESENTATION OF APPLICATIONS FOR CONSENT TO SEVER

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

- (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.	B14-21 to B16-21	L. Hayden	R. Brown
	That this application be deferred for reasons given within the Decision - Carried.		
2.	B18-21	T. Mackinley	L. Hayden
	That this application be deferred for reasons given within the Decision - Carried.		
3.	B19-21	R. Brown	D. McDowell

MOTION

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

The above motion applies to all applications excepting B14-21, B15-21, B16-21 and B18-21

\*\*\*\*\*

The time now being 9.06 p.m. and the business before the Board having been dealt with the Meeting was adjourned on a motion moved by T. Mackinlay

\_\_\_\_\_  
R. Stephens, Chair

*Theresa A. Carlisle*  
T.A. Carlisle, Secretary-Treasurer

ASSIGINACK PUBLIC LIBRARY

Board Meeting

August 11, 2021

RECEIVED  
AUG 17 2021

Present: Irma, Heather, Lori, Les, Jane, Christianna and Librarian Deb

The meeting was called to order by Board Chair Irma at 4:00

Motion 05/21 moved by Lori seconded by Jane

That the minutes of March 24, 2021 be approved as presented. Carried

Motion 06/21 moved by Heather seconded by Lori

That the Librarian's Reports for March, April, May, June and July 2021 be approved as presented. Carried

Old Business

The raised flower bed at the front of the building has been removed. Christianna will donate the tulip bulbs to the Community Garden. A plexi-glass shield has been installed at the checkout desk.

New business

Deb read a letter of thanks that has been sent to Marie Butler thanking her for all of her contributions to the Library, Bookshop and our community in the years that she and Red have made Assiginack their home. Spraying to control bats, flies and other insects on the outside of the Library has been completed. Due to COVID concerns, periodicals have not been renewed this year. The Bookshop will remain open Thursday, Friday and Saturday until September 4<sup>th</sup>. Deb has purchased an Answering Machine and a Calculator. Heather has indicated that she will take a year's leave of absence from the Library Board as she transitions into a new role in her career. Les will approach Kari Gerhart regarding an opportunity to join the board.

Motion 07/21 moved by Lori seconded by Christianna

That we approved the purchase of an Answering Machine and a Calculator for the Library.

Carried

Board members were given a draft plan, to review and comment on, for reopening the Library when it is considered appropriate to do so.

Next meeting: September 28, 2021

Motion 08/21 Moved by Heather that the meeting be adjourned at 4:30

Chair: Irma Les Secretary: [Signature]



Ministry of the Environment,  
Conservation and Parks

Drinking Water and Environmental  
Compliance Division, Northern Region  
Sudbury District, Sudbury Office  
199 Larch Street  
Suite 1201  
Sudbury ON P3E 5P9  
Tel.: 705 564-3237  
Toll Free: 1-800-890-8516  
Fax: 705 564-4180

Ministère de l'Environnement, de la Protection de  
la nature et des Parcs

Division de la conformité en matière d'eau potable  
et d'environnement, Direction régionale du Nord  
District de Sudbury, bureau de Sudbury  
199, rue Larch  
Bureau 1201  
Sudbury ON P3E 5P9  
Tél. : 705 564-3237  
Numéro sans frais: 1-800-890-8516  
Télééc. : 705 564-4180

RECEIVED  
AUG 20 2021

August 20, 2021

Mr. Alton Hobbs  
Clerk/Treasurer  
Municipality of Assiginack  
Box 238, Manitowaning, Ontario  
P0P 1N0

Dear Mr. Hobbs:

With regards to the June 25, 2021, Sunsite Estates Drinking Water System inspection, please find enclosed the resulting annual inspection report.

A new report format is in use for MECP inspections which may cause some confusion. Please note for this inspection there are zero non-compliance situations however there are "Best Practice" recommendations which are outlined in Appendix F.

A description of the components of the drinking water system can be found in Appendix E.

Also of note is the Inspection Rating Record (normally attached) will be sent under separate cover within one month.

Section 19 of the Safe Drinking Water Act (Standard of Care) creates obligations for individuals who exercise decision-making authority over municipal drinking water systems. Please be aware the Ministry has encouraged such individuals, particularly municipal councillors, to take steps to be better informed about drinking water systems over which they have decision-making authority. These steps could include asking for a copy of this inspection report and a review of its findings. Further information about Section 19 can be found in "Taking Care of Your Drinking Water: A guide for members of municipal council" found under "Resources" on the Drinking Water Ontario website at [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater)."

Your staff's cooperation during the inspection was appreciated. Please feel free to contact me at 705 929-7029, should you have questions.

Sincerely,

*M. Spinney*

Maureen Spinney  
Water Inspector  
Sudbury District Office

cc. Ms. Sarah Beaulieu, OCWA  
Mr. Burgess Hawkins, PHSD



SUNSITE ESTATES SUBDIVISION DRINKING WATER SYSTEM  
15 MOGGY FAIRWAY, ASSIGINACK, ON,

## Inspection Report

System Number:	220008471
Inspection Start Date:	06/24/2021
Inspection End Date:	08/20/2021
Inspected By:	Maureen Spinney
Badge #:	467

Maureen Spinney  
(signature)

We want to hear from you. How was my service? You can provide feedback at  
1-888-745-8888 or [Ontario.ca/inspectionfeedback](https://www.ontario.ca/inspectionfeedback)

**NON-COMPLIANCE/NON-CONFORMANCE ITEMS**

This should not be construed as a confirmation of full compliance with all potential applicable legal requirement and BMPs. These inspection findings are limited to the components and or activities that were assessed, and the legislative framework(s) that were applied. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

If you have any questions related to this inspection, please contact the undersigned Provincial Officer.

### INSPECTION DETAILS

This section includes all questions that were assessed during the inspection.

**Ministry Program: Regulated Activity:** DRINKING WATER : DW Municipal Residential

<b>Question ID</b>	MRDW1001000		
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>	
What was the scope of this inspection?	Information	Not Applicable	
<b>Observation</b>			
<p>The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period. The ministry utilizes a comprehensive, multi-barrier approach in the inspection of water systems that focuses on the source, treatment, and distribution components as well as management practices.</p> <p>This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O.Reg. 170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.</p> <p>This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.</p> <p>M. Spinney, DWI, notes the review period for this inspection is October 1, 2020 to May 31, 2021.</p>			

<b>Question ID</b>	MRDW1000000		
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>	
Does this drinking water system provide primary disinfection?	Information	Not Applicable	
<b>Observation</b>			
<p>This Drinking Water System provides for both primary and secondary disinfection and distribution of water.</p> <p>M. Spinney, Drinking Water Inspector (DWI), notes this facility draws water from Georgian Bay through ultrafiltration membranes (nominal pore size of 0.04microns) and provides chlorination for primary and secondary treatment.</p>			

<b>Question ID</b>	MRDW1011000		
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>	

Does the owner have a harmful algal bloom monitoring plan in place?	BMP	Not Applicable
<b>Observation</b>		
The owner had a harmful algal bloom monitoring plan in place.		

<b>Question ID</b>	MRDW1014000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Is there sufficient monitoring of flow as required by the MDWL or DWWP issued under Part V of the SDWA?	Legislative	SDWA   31   (1)
<b>Observation</b>		
There was sufficient monitoring of flow as required by the Municipal Drinking Water Licence or Drinking Water Works Permit issued under Part V of the SDWA.		
M. Spinney, DWI, notes Schedule C of the Drinking Water Works Permit requires the use, and calibration of flow meters at the following locations: Treated water flowing to the distribution system. Calibration date is June 10, 2021. Raw water flowing into the treatment system. Calibration date is June 10, 2021.		

<b>Question ID</b>	MRDW1016000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Is the owner in compliance with the conditions associated with maximum flow rate or the rated capacity conditions in the MDWL issued under Part V of the SDWA?	Legislative	SDWA   31   (1)
<b>Observation</b>		
The owner was in compliance with the conditions associated with maximum flow rate or the rated capacity conditions in the Municipal Drinking Water Licence issued under Part V of the SDWA.		
M. Spinney, DWI, notes		
FLOW DATA: PTTW #7151-ABEK4P establishes a maximum instantaneous flow rate of 379L/min (6.317L/sec) and/or a maximum of 276,480 L/day (276.5m3/day).		
Data provided indicates actual takings as follows: raw water maximum flow rate of 114.3m3/day and a maximum instantaneous flow rate of 4.20L/sec (as per April 2021 data summary).		
Schedule C of the MDWL (254-101) establishes a rated capacity of 220m3/day. During review period, records indicate a treated water maximum flow rate of 97.2m3/day which is 44% of capacity.		

<b>Question ID</b>	MRDW1030000	
<b>Question</b>	<b>Question</b>	<b>Legislative</b>

	Type	Requirement
Is primary disinfection chlorine monitoring being conducted at a location approved by MDWL and/or DWWP issued under Part V of the SDWA, or at/near a location where the intended CT has just been achieved?	Legislative	SDWA   O. Reg. 170/03   7-2   (1), SDWA   O. Reg. 170/03   7-2   (2)
<b>Observation</b>		
<p>Primary disinfection chlorine monitoring was conducted at a location approved by Municipal Drinking Water Licence and/or Drinking Water Works Permit issued under Part V of the SDWA, or at/near a location where the intended CT has just been achieved.</p> <p>M. Spinney, DWI, notes chlorine is injected just past completion of filtration, as water enters contact tank. A sample is drawn from a point as water is leaving the clearwell.</p> <p>A seldom used manually triggered trim chlorine system is also available which would inject sodium hypochlorite at a point just prior to water entering the distribution system. The operator is aware that, due to a lack of contact time, the use of the trim chlorine system may mean water is not properly disinfected prior to use by the first consumer.</p>		

Question ID	MRDW1032000		
Question	Question Type	Legislative Requirement	
If the drinking water system obtains water from a surface water source and provides filtration, is continuous monitoring of each filter effluent line being performed for turbidity?	Legislative	SDWA   O. Reg. 170/03   7-3   (2)	
<b>Observation</b>			
<p>Continuous monitoring of each filter effluent line was being performed for turbidity.</p> <p>M. Spinney, DWI, notes that currently the water plant sends data to the Manitowaning plant SCADA system via the internet. This movement of data is sometimes interrupted as has been mentioned frequently in past reports. OCWA staff indicated that the Municipality has approved a project to move the SCADA system to the Sunsite Estates plant. Expected completion date is within the next 12 months.</p>			

Question ID	MRDW1034000		
Question	Question Type	Legislative Requirement	
Is the secondary disinfectant residual measured as required for the small municipal residential distribution system?	Legislative	SDWA   O. Reg. 170/03   7-2   (5), SDWA   O. Reg. 170/03   7-2   (6)	
<b>Observation</b>			
<p>The secondary disinfectant residual was measured as required for the distribution system.</p> <p>M. Spinney, DWI, notes at least two distribution chlorine residual samples are required each</p>			



week, at least 48 hours apart.

<b>Question ID</b>	MRDW1037000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all continuous monitoring equipment utilized for sampling and testing required by O. Reg. 170/03, or MDWL or DWWP or order, equipped with alarms or shut-off mechanisms that satisfy the standards described in Schedule 6?	Legislative	SDWA   O. Reg. 170/03   6-5   (1) 1-4, SDWA   O. Reg. 170/03   6-5   (1) 5-10, SDWA   O. Reg. 170/03   6-5   (1.1)
<b>Observation</b>		
All continuous monitoring equipment utilized for sampling and testing required by O. Reg. 170/03, or Municipal Drinking Water Licence or Drinking Water Works Permit or order, were equipped with alarms or shut-off mechanisms that satisfy the standards described in Schedule 6.		
M. Spinney, DWI, notes the attending operator calculates CT when levels are less than 0.8mg/l. This did not occur during review period.		
Filtrate turbidity alarms are set at 0.2NTU, with no set delay. Higher turbidity levels result in the shut down of the filter train.		
The operator tracks filtrate turbidity in excess of 0.1NTU, in order to evaluate filter efficiency ratings.		

<b>Question ID</b>	MRDW1038000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Is continuous monitoring equipment that is being utilized to fulfill O. Reg. 170/03 requirements performing tests for the parameters with at least the minimum frequency specified in the Table in Schedule 6 of O. Reg. 170/03 and recording data with the prescribed format?	Legislative	SDWA   O. Reg. 170/03   6-5   (1) 1-4
<b>Observation</b>		
Continuous monitoring equipment that was being utilized to fulfill O. Reg. 170/03 requirements was performing tests for the parameters with at least the minimum frequency specified in the Table in Schedule 6 of O. Reg. 170/03 and recording data with the prescribed format.		

<b>Question ID</b>	MRDW1035000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are operators examining continuous monitoring test results and are they examining the results within 72 hours of the	Legislative	SDWA   O. Reg. 170/03   6-5   (1)

test?		1-4,SDWA   O. Reg. 170/03   6-5   (1)5-10
<b>Observation</b>		
Operators were examining continuous monitoring test results and they were examining the results within 72 hours of the test.		

<b>Question ID</b>	MRDW1040000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all continuous analysers calibrated, maintained, and operated, in accordance with the manufacturer's instructions or the regulation?	Legislative	SDWA   O. Reg. 170/03   6-5   (1) 1-4,SDWA   O. Reg. 170/03   6-5   (1)5-10
<b>Observation</b>		
All continuous analysers were calibrated, maintained, and operated, in accordance with the manufacturer's instructions or the regulation.		

<b>Question ID</b>	MRDW1108000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Where continuous monitoring equipment used for the monitoring of free chlorine residual, total chlorine residual, combined chlorine residual or turbidity, required by Regulation 170, an Order, MDWL, or DWWP issued under Part V, SDWA, has triggered an alarm or an automatic shut-off, did a qualified person respond in a timely manner and take appropriate actions?	Legislative	SDWA   O. Reg. 170/03   6-5   (1) 1-4,SDWA   O. Reg. 170/03   6-5   (1)5-10,SDWA   O. Reg. 170/03   6-5   (1.1)
<b>Observation</b>		
Where required continuous monitoring equipment used for the monitoring of chlorine residual and/or turbidity triggered an alarm or an automatic shut-off, a qualified person responded in a timely manner and took appropriate actions.		

<b>Question ID</b>	MRDW1018000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Has the owner ensured that all equipment is installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit?	Legislative	SDWA   31   (1)
<b>Observation</b>		
The owner had ensured that all equipment was installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit.		

<b>Question ID</b>	MRDW1023000		
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>	
Do records indicate that the treatment equipment was operated in a manner that achieved the design capabilities required under Ontario Regulation 170/03 or a DWWP and/or MDWL issued under Part V of the SDWA at all times that water was being supplied to consumers?	Legislative	SDWA   O. Reg. 170/03   1-2   (2)	
<b>Observation</b>			
Records indicated that the treatment equipment was operated in a manner that achieved the design capabilities required under Ontario Regulation 170/03 or a Drinking Water Works Permit and/or Municipal Drinking Water Licence issued under Part V of the SDWA at all times that water was being supplied to consumers.			
M. Spinney, DWI, notes the Sunsite Estates water plant uses a process that includes membrane filtration (ultrafiltration) followed by chemical disinfection with sodium hypochlorite to achieve the required log removal/inactivation credits. The following table summarizes the required log removal/inactivation and the credits assigned to each stage of the treatment process, as per Schedule E of the MDWL.			
<b>LOG REMOVAL CREDITS</b>			
<b>EQUIPMENT</b>	<b>CRYPTO</b>	<b>GIARDIA</b>	<b>VIRUSES</b>
Membrane Filtration	2.0	3.0	0
Chlorination	0	0.5	4.0+
<b>DESIGN TOTALS</b>	2.0	3.5	4.0+
<b>REQUIRED</b>	2.0	3.0	4.0
<b>MEMBRANE FILTRATION:</b>			
As per Schedule E the following criteria must be met at all times:			
1. Maintain effective backwash procedures. During review period there was no indication of a problem.			
2. Monitor the integrity of the membranes by continuous particle counting or equivalent means (i.e. pressure decay measurements). During review period operator indicates pressure decay testing occurred normally. Operator indicates filters are set to run backwash cycles and membrane integrity tests on pre-set schedules with pressure decay tests every 24 hours.			
3. Continuously monitor filtrate turbidity. During review period there was no clear indication of problems. Though some daily Process Value Summary sheets indicated loss of data, Wonderware continues to record data. Also an onsite data logger can be used to review trending.			
4. Meet the performance criterion for filtered water turbidity of less than or equal to 0.1 NTU in 99% of the measurements each month. During the review period, continuing efforts to improve programming have occurred. Filter efficiency requirements appear to be met, however there are concerns:			
-Daily PVS data sheets provide a running calculation of monthly filter efficiency. On the last day of each month, a short number of hours of run time is logged. This is not accurate but does not			

appear to interfere with calculations.  
-Power bumps cause havoc in PVS data.

**CHLORINATION:**

The chlorine disinfection component of this system must achieve a minimum of 0.5-log inactivation of Giardia and 4-log inactivation of viruses. A standard operating procedure has been developed for this facility that requires a CT calculation to be completed and recorded any time the chlorine levels leaving the clearwell are 0.80 mg/L or less.

<b>Question ID</b>	MRDW1024000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Do records confirm that the water treatment equipment which provides chlorination or chloramination for secondary disinfection purposes was operated so that at all times and all locations in the distribution system the chlorine residual was never less than 0.05 mg/l free or 0.25 mg/l combined?	Legislative	SDWA   O. Reg. 170/03   1-2   (2)
<b>Observation</b>		
Records confirmed that the water treatment equipment which provides chlorination or chloramination for secondary disinfection purposes was operated so that at all times and all locations in the distribution system the chlorine residual was never less than 0.05 mg/l free or 0.25 mg/l combined.		

<b>Question ID</b>	MRDW1025000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Were all parts of the drinking water system that came in contact with drinking water (added, modified, replaced or extended) disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit?	Legislative	SDWA   31   (1)
<b>Observation</b>		
All parts of the drinking water system were disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit.		

<b>Question ID</b>	MRDW1062000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Do records or other record keeping mechanisms confirm that operational testing not performed by continuous monitoring equipment is being done by a certified operator, water quality analyst, or person who meets the requirements of O. Reg. 170/03 7-5?	Legislative	SDWA   O. Reg. 170/03   7-5

<b>Observation</b>
Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was being done by a certified operator, water quality analyst, or person who suffices the requirements of O. Reg. 170/03 7-5.

<b>Question ID</b>	MRDW1060000		
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>	
Do the operations and maintenance manuals meet the requirements of the DWWP and MDWL issued under Part V of the SDWA?	Legislative	SDWA   31   (1)	
<b>Observation</b>			
The operations and maintenance manuals met the requirements of the Drinking Water Works Permit and Municipal Drinking Water Licence issued under Part V of the SDWA.			

<b>Question ID</b>	MRDW1071000		
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>	
Has the owner provided security measures to protect components of the drinking water system?	BMP	Not Applicable	
<b>Observation</b>			
The owner had provided security measures to protect components of the drinking water system.			

<b>Question ID</b>	MRDW1073000		
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>	
Has the overall responsible operator been designated for all subsystems which comprise the drinking water system?	Legislative	SDWA   O. Reg. 128/04   23   (1)	
<b>Observation</b>			
The overall responsible operator has been designated for each subsystem.			
M. Spinney, DWI, notes one of four operators is deemed the ORO, as listed in the logbook.			
The four ORO's are operators with Class 2, 3 or 4 water treatment licences. The plant itself is a Class 2 facility, while the distribution system is a Class 1 system.			

<b>Question ID</b>	MRDW1074000		
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>	
Have operators in charge been designated for all subsystems for which comprise the drinking water system?	Legislative	SDWA   O. Reg. 128/04   25   (1)	
<b>Observation</b>			

Operators-in-charge had been designated for all subsystems which comprised the drinking water system.

M. Spinney, DWI, notes the attending operator is deemed the OIC.

<b>Question ID</b>	MRDW1075000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Do all operators possess the required certification?	Legislative	SDWA   O. Reg. 128/04   22
<b>Observation</b>		
All operators possessed the required certification.		

<b>Question ID</b>	MRDW1076000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Do only certified operators make adjustments to the treatment equipment?	Legislative	SDWA   O. Reg. 170/03   1-2   (2)
<b>Observation</b>		
Only certified operators made adjustments to the treatment equipment.		

<b>Question ID</b>	MRDW1099000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Do records show that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O. Reg. 169/03)?	Information	Not Applicable
<b>Observation</b>		
Records showed that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O.Reg. 169/03).		

<b>Question ID</b>	MRDW1094000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all water quality monitoring requirements imposed by the MDWL and DWWP being met?	Legislative	SDWA   31   (1)
<b>Observation</b>		
All water quality monitoring requirements imposed by the MDWL or DWWP issued under Part V of the SDWA were being met.		
M. Spinney, DWI, notes Table 3 and Table 7 of Schedule C, MDWL requires quarterly composite		

sampling of backwash water at point of discharge for total suspended solids(TSS).

The operating authority pursues sampling a minimum of once every 3 months as follows:

October 20, 2020 @ 5mg/l

January 18, 2021 @ 2mg/l

April 13, 2021 @ 2mg

<b>Question ID</b>	MRDW1096000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Do records confirm that chlorine residual tests are being conducted at the same time and at the same location that microbiological samples are obtained?	Legislative	SDWA   O. Reg. 170/03   6-3   (1)
<b>Observation</b>		
Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.		

<b>Question ID</b>	MRDW1081000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all microbiological water quality monitoring requirements for distribution samples being met?	Legislative	SDWA   O. Reg. 170/03   10-2   (1),SDWA   O. Reg. 170/03   10-2   (2),SDWA   O. Reg. 170/03   10-2   (3)
<b>Observation</b>		
All microbiological water quality monitoring requirements for distribution samples were being met.		
M. Spinney, DWI, notes sampling in the distribution system is required once every two weeks with testing for E.coli, total coliforms and heterotrophic plate count.		

<b>Question ID</b>	MRDW1082000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all microbiological water quality monitoring requirements for distribution samples prescribed by legislation being met?	Legislative	SDWA   O. Reg. 170/03   11-2   (1),SDWA   O. Reg. 170/03   11-2   (2),SDWA   O. Reg. 170/03   11-

	2   (6)
<b>Observation</b>	
All microbiological water quality monitoring requirements for distribution samples prescribed by legislation were being met.	
M. Spinney, DWI, notes sampling in the distribution system is required once every two weeks with testing for E.coli, total coliforms and heterotrophic plate count.	

<b>Question ID</b>	MRDW1084000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all inorganic water quality monitoring requirements prescribed by legislation conducted within the required frequency?	Legislative	SDWA   O. Reg. 170/03   13-2
<b>Observation</b>		
All inorganic water quality monitoring requirements prescribed by legislation were conducted within the required frequency.		
M. Spinney, DWI, notes samples are required to be taken at least once every 60 months. The last set of samples were taken January 15, 2015, and January 16, 2019.		

<b>Question ID</b>	MRDW1085000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all organic water quality monitoring requirements prescribed by legislation conducted within the required frequency?	Legislative	SDWA   O. Reg. 170/03   13-4   (1),SDWA   O. Reg. 170/03   13-4   (2),SDWA   O. Reg. 170/03   13-4   (3)
<b>Observation</b>		
All organic water quality monitoring requirements prescribed by legislation were conducted within the required frequency.		
M. Spinney, DWI, notes samples are required to be taken at least once every 60 months. The last set of samples were taken January 15, 2015, and January 18, 2019.		

<b>Question ID</b>	MRDW1086000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all haloacetic acid water quality monitoring requirements prescribed by legislation conducted within the required frequency and at the required location?	Legislative	SDWA   O. Reg. 170/03   13-6.1   (1),SDWA   O.



	Reg. 170/03   13-6.1   (2),SDWA   O. Reg. 170/03   13-6.1   (3), SDWA   O. Reg. 170/03   13-6.1   (4),SDWA   O. Reg. 170/03   13-6.1   (5),SDWA   O. Reg. 170/03   13-6.1   (6)
<b>Observation</b>	
All haloacetic acid water quality monitoring requirements prescribed by legislation are being conducted within the required frequency and at the required location.  M. Spinney, DWI, notes the operating authority pursues sampling a minimum of once every 3 months as follows: January 7, 2020 @ 24.7ug/l April 15, 2020 @ 18.4ug/l July 20, 2020 @ 19.3ug/l October 20, 2020 @ 23.5ug/l January 18, 2020 @17.9ug/l April 13, 2020 @ 22.4ug/l RAA = 20.8ug/l.	

<b>Question ID</b>	MRDW1087000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Have all trihalomethane water quality monitoring requirements prescribed by legislation been conducted within the required frequency and at the required location?	Legislative	SDWA   O. Reg. 170/03   13-6   (1)
<b>Observation</b>		
All trihalomethane water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location.  M. Spinney, DWI, notes the operating authority pursues sampling a minimum of once every 3 months as follows: January 7, 2020 @ 35ug/l April 15, 2020 @ 35ug/l July 20, 2020 @ 38ug/l October 20, 2020 @ 41ug/l January 18, 2020 @29ug/l April 13, 2020 @ 35ug/l RAA = 35.8ug/l.		

<b>Question ID</b>	MRDW1088000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all nitrate/nitrite water quality monitoring requirements prescribed by legislation conducted within the required frequency for the DWS?	Legislative	SDWA   O. Reg. 170/03   13-7
<b>Observation</b>		
All nitrate/nitrite water quality monitoring requirements prescribed by legislation were conducted within the required frequency for the DWS.		
M. Spinney, DWI, notes the operating authority pursues sampling a minimum of once every 3 months.		

<b>Question ID</b>	MRDW1089000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are all sodium water quality monitoring requirements prescribed by legislation conducted within the required frequency?	Legislative	SDWA   O. Reg. 170/03   13-8
<b>Observation</b>		
All sodium water quality monitoring requirements prescribed by legislation were conducted within the required frequency.		
M. Spinney, DWI, notes the operating authority pursues sampling, a minimum of once every 60 months. Last sample occurred on January 7, 2014, with results of 6.91mg/l, and January 16, 2019, with results of 6.08mg/l.		

<b>Question ID</b>	MRDW1090000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Where fluoridation is not practiced, are all fluoride water quality monitoring requirements prescribed by legislation conducted within the required frequency?	Legislative	SDWA   O. Reg. 170/03   13-9
<b>Observation</b>		
All fluoride water quality monitoring requirements prescribed by legislation were conducted within the required frequency.		
M. Spinney, DWI, notes the operating authority pursues sampling, a minimum of once every 60 months. Last sample occurred on January 7, 2014, and January 18, 2019.		

<b>Question ID</b>	MRDW1100000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Did any reportable adverse/exceedance conditions occur	Information	Not Applicable

during the inspection period?		
<b>Observation</b>		
There were no reportable adverse/exceedances during the inspection period.		

<b>Question ID</b>	MRDW1059000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Do the operations and maintenance manuals contain plans, drawings and process descriptions sufficient for the safe and efficient operation of the system?	Legislative	SDWA   O. Reg. 128/04   28
<b>Observation</b>		
The operations and maintenance manuals contained plans, drawings and process descriptions sufficient for the safe and efficient operation of the system.		

<b>Question ID</b>	MRDW1061000	
<b>Question</b>	<b>Question Type</b>	<b>Legislative Requirement</b>
Are logbooks properly maintained and contain the required information?	Legislative	SDWA   O. Reg. 128/04   27   (1), SDWA   O. Reg. 128/04   27   (2), SDWA   O. Reg. 128/04   27   (3), SDWA   O. Reg. 128/04   27   (4), SDWA   O. Reg. 128/04   27   (5), SDWA   O. Reg. 128/04   27   (6), SDWA   O. Reg. 128/04   27   (7)
<b>Observation</b>		
Logbooks were properly maintained and contained the required information.		

# CHEQUE DISTRIBUTION REPORT

## Payables Management

<b>Ranges:</b>	<b>From:</b>	<b>To:</b>	<b>From:</b>	<b>To:</b>
Vendor ID	First	Last	Chequebook ID	First
Vendor Name	First	Last	Cheque Number	0031218
Cheque Date	First	Last		0031248

Sorted BY: Cheque Number

Distribution Types Included: All

ChqNo:	Date:	Vendor:	Amount:
0031218	2021-08-30	ALLEN'S AUTOXOTIVE GROUP	\$412.59
InvNo: 795058	InvDesc: shaft/pully/blades mower	InvAmt: \$155.53	
InvNo: 795159	InvDesc: oil	InvAmt: \$9.04	
InvNo: 794721	InvDesc: 2 stroke oil	InvAmt: \$27.05	
InvNo: 794819	InvDesc: nuts	InvAmt: \$6.22	
InvNo: 792657	InvDesc: spindle (mower)	InvAmt: \$74.74	
InvNo: 792567	InvDesc: trimmer repair	InvAmt: \$140.01	
0031219	2021-08-30	ANDY'S TRU HARDWARE	\$152.37
InvNo: DEC 14 2020	InvDesc: arena-propane (2020)	InvAmt: \$152.37	
0031220	2021-08-30	B.A.M.V.-BRENDAN ADDISON MOBILE MECHANIC/	\$559.35
InvNo: 2055	InvDesc: repair exc #1	InvAmt: \$124.30	
InvNo: 2054	InvDesc: repair float	InvAmt: \$435.05	
0031221	2021-08-30	BEACON IMAGES	\$277.03
InvNo: 2714	InvDesc: Assig: 150 signage	InvAmt: \$277.03	
0031222	2021-08-30	BEAMISH CONSTRUCTION INC	\$11,609.00
InvNo: 02493	InvDesc: cold mix	InvAmt: \$7,909.87	
InvNo: 02505	InvDesc: cold mix	InvAmt: \$3,699.13	
0031223	2021-08-30	CANADIAN RED CROSS SOCIETY	\$53.81
InvNo: CRC-373999	InvDesc: swimming lessons badges	InvAmt: \$77.68	
0031224	2021-08-30	EASTLINK	\$121.94
InvNo: AUG 10 2021 PW	InvDesc: pw-dsl	InvAmt: \$60.97	
InvNo: AUG 10 2021 MARINA	InvDesc: marina-dsl	InvAmt: \$60.97	
0031225	2021-08-30	GERRY STRONG	\$153.85
InvNo: AUG 30 2021	InvDesc: bldg insp mileage	InvAmt: \$153.85	
0031226	2021-08-30	HUGHES SUPPLY COMPANY	\$73.28
InvNo: 46030	InvDesc: first aid kit/wratchet	InvAmt: \$73.28	
0031227	2021-08-30	HYDRO ONE NETWORKS INC.	\$6,670.54
InvNo: AUG 20 2021	InvDesc: arena	InvAmt: \$436.72	
InvNo: AUG 20 2021 SS WTP	InvDesc: ss wtp	InvAmt: \$701.93	
InvNo: AUG 20 2021 TENNIS	InvDesc: tennis courts	InvAmt: \$32.47	
InvNo: AUG 20 2021 SHWRHSE	InvDesc: marina/showerhouse	InvAmt: \$152.99	
InvNo: AUG 20 2021 INFO BTH	InvDesc: info booth	InvAmt: \$33.36	

~~THE TOWNSHIP OF SUDBURY~~  
**CHEQUE DISTRIBUTION REPORT**  
 Payables Management

InvNo:	AUG 20 2021 PO/BNK	InvDesc:	po/bnk bldg	InvAmt:	\$582.52
InvNo:	AUG 24 2021	InvDesc:	mtg wtp	InvAmt:	\$4,259.54
InvNo:	AUG 20 2021 LIB BLDG	InvDesc:	lib bldg	InvAmt:	\$356.07
InvNo:	AUG 20 2021 DOCKS	InvDesc:	marina docks	InvAmt:	\$114.94

ChqNo:	0031228	Date:	2021-08-30	Vendor:	JACKIE WHITE	Amount:	\$640.42
InvNo:	AUG 2 42021	InvDesc:	pec-threads club supplies	InvAmt:	\$640.42		
ChqNo:	0031229	Date:	2021-08-30	Vendor:	MANITOULIN CHRYSLER LIMITED	Amount:	\$1,144.13
InvNo:	46/62	InvDesc:	replace seat #6	InvAmt:	\$1,144.13		
ChqNo:	0031230	Date:	2021-08-30	Vendor:	MANITOWANING MILL & HOME BUILDING CENTRE	Amount:	\$27.10
InvNo:	0223130	InvDesc:	lib bldg-batteries	InvAmt:	\$27.10		
ChqNo:	0031231	Date:	2021-08-30	Vendor:	MANITOULIN-SUDBURY DISTRICT SOCIAL SERVIC	Amount:	\$31,679.67
InvNo:	IN000019346	InvDesc:	sept amb/social assistance	InvAmt:	\$31,679.67		
ChqNo:	0031232	Date:	2021-08-30	Vendor:	MANITOULIN CENTENNIAL MANOR	Amount:	\$10,801.17
InvNo:	SEPT 1 2021	InvDesc:	2021 3rd qtr req	InvAmt:	\$10,801.17		
ChqNo:	0031233	Date:	2021-08-30	Vendor:	MANITOWANING FRESHMART	Amount:	\$3.99
InvNo:	00024302	InvDesc:	admin-water refill	InvAmt:	\$3.99		
ChqNo:	0031234	Date:	2021-08-30	Vendor:	MANITOULIN EAST MUNICIPAL AIRPORT	Amount:	\$1,593.38
InvNo:	2021 MUN.TAXES	InvDesc:	airport mun.portion txs reimb	InvAmt:	\$1,593.38		
ChqNo:	0031235	Date:	2021-08-30	Vendor:	NORTHERN AIR & MECHANICAL SYSTEMS INC	Amount:	\$519.10
InvNo:	39391005	InvDesc:	po-air conditioner repairs	InvAmt:	\$519.10		
ChqNo:	0031236	Date:	2021-08-30	Vendor:	PURULATOR COURIER	Amount:	\$218.95
InvNo:	448296639	InvDesc:	freight	InvAmt:	\$153.61		
InvNo:	448351012	InvDesc:	freight (man strms)	InvAmt:	\$65.34		
ChqNo:	0031237	Date:	2021-08-30	Vendor:	STRONGCO LIMITED PARTNERSHIP	Amount:	\$119.20
InvNo:	92055941	InvDesc:	support-loader	InvAmt:	\$119.20		
ChqNo:	0031238	Date:	2021-08-30	Vendor:	SUDBURY & DISTRICT HEALTH UNIT	Amount:	\$3,245.59
InvNo:	RC020035100	InvDesc:	sept health unit levy	InvAmt:	\$3,245.59		
ChqNo:	0031239	Date:	2021-08-30	Vendor:	TED PEARSON AUTOMOTIVE LTD.	Amount:	\$156.20
InvNo:	72277	InvDesc:	shop towels/leak stop	InvAmt:	\$156.20		
ChqNo:	0031240	Date:	2021-08-30	Vendor:	SARAH EARLEY	Amount:	\$800.00
InvNo:	21117	InvDesc:	pec-felting/soap workshops	InvAmt:	\$800.00		
ChqNo:	0031241	Date:	2021-08-30	Vendor:	SAMANTHA MILLER	Amount:	\$904.80
InvNo:	03	InvDesc:	pec-yoga classes	InvAmt:	\$904.80		
ChqNo:	0031242	Date:	2021-08-30	Vendor:	CANDICE IRWIN	Amount:	\$525.45
InvNo:	223	InvDesc:	aug dance classes	InvAmt:	\$525.45		
ChqNo:	0031243	Date:	2021-08-30	Vendor:	J.L.RICHARDS & ASSOC LIMITED	Amount:	\$560.63
InvNo:	100102	InvDesc:	zoning by-law update review	InvAmt:	\$560.63		
ChqNo:	0031244	Date:	2021-08-30	Vendor:	TERRASTAR BUILDING PRODUCTS INC.	Amount:	\$199.60

~~THE REMAINDER OF THE BALANCE~~  
**CHEQUE DISTRIBUTION REPORT**  
 Payables Management

InvNo: 10101                      InvDesc: flashing - garage roof                      InvAmt:                      \$199.60

ChqNo:	0031245	Date:	2021-08-30	Vendor:	WAT SUPPLIES	Amount:	\$893.14
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InvNo: 254921                      InvDesc: marina-t.tissue/p.twls/gbgs/sp                      InvAmt:                      \$345.86

InvNo: 255206                      InvDesc: library-t.tissue                      InvAmt:                      \$199.64

InvNo: 255207                      InvDesc: admin-t.tissue                      InvAmt:                      \$44.52

InvNo: 255208                      InvDesc: po/bnk-t.tissue/p.twl/soap                      InvAmt:                      \$303.12

ChqNo:	0031246	Date:	2021-08-30	Vendor:	WINDOWS UNLIMITED	Amount:	\$3,003.92
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InvNo: 894612                      InvDesc: cleaning                      InvAmt:                      \$3,003.92

ChqNo:	0031247	Date:	2021-08-30	Vendor:	XEROX CANADA LTD.	Amount:	\$307.62
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InvNo: 85447629                      InvDesc: monthly copier usage                      InvAmt:                      \$307.62

ChqNo:	0031248	Date:	2021-08-30	Vendor:	ONTARIO CLEAN WATER AGENCY	Amount:	\$19,496.94
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InvNo: INV00000013781                      InvDesc: ss wtp-filter trand.repair                      InvAmt:                      \$1,478.31

InvNo: INV00000013786                      InvDesc: mtg wtp-wtr intake insp/repair                      InvAmt:                      \$16,266.34

InvNo: INV00000013785                      InvDesc: mtg lift stn-pump.trck callout                      InvAmt:                      \$1,754.29

\*\*\* End of Report \*\*\*

**Report Total:**

**\$96,926.76**

THE TOWNSHIP OF ASSYMER  
**CHEQUE DISTRIBUTION REPORT**  
 Payables Management

AUG 17 2021  
 RECEIVED

**Ranges:**      **From:**                      **To:**                                      **From:**                                      **To:**  
 Vendor ID      First                              Last                                      Chequebook ID      First                                      Last                                      Last  
 Vendor Name    First                                      Last                                      Cheque Number      0031186                                      0031208  
 Cheque Date    First                                      Last

**Sorted By:**      Cheque Number

Distribution Types Included: All

ChqNo:	Date:	Vendor:	Amount:
0031186	2021-08-16	ALLEN'S AUTOMOTIVE GROUP	\$590.72
InvNo: 792916	InvDesc: hydraulic/80/90 oil	InvAmt: \$196.79	
InvNo: 791248	InvDesc: oil/filter (mower)	InvAmt: \$19.32	
InvNo: 395106	InvDesc: filter (mower)	InvAmt: \$6.69	
InvNo: 791458	InvDesc: hydraulic oil	InvAmt: \$176.11	
InvNo: 791540	InvDesc: belt	InvAmt: \$20.00	
InvNo: 792437	InvDesc: trimmer head/line (marina)	InvAmt: \$51.35	
InvNo: 792655	InvDesc: lawn mower blades	InvAmt: \$82.28	
InvNo: 792736	InvDesc: chain/oil (marina)	InvAmt: \$69.20	
0031187	2021-08-16	BEACON IMAGES	\$1,005.70
InvNo: 3120	InvDesc: 911 signs	InvAmt: \$1,005.70	
0031188	2021-08-16	BELL CANADA	\$17.06
InvNo: 2021 08 01	InvDesc: toll free line	InvAmt: \$17.06	
0031189	2021-08-16	COMPUTREK	\$823.32
InvNo: 23810	InvDesc: aug remote server mgmt	InvAmt: \$782.98	
InvNo: 23932	InvDesc: july offsite backup storage	InvAmt: \$40.34	
0031190	2021-08-16	EASTLINK	\$1,959.90
InvNo: 16887797	InvDesc: telephone (grouped billing)	InvAmt: \$1,959.90	
0031191	2021-08-16	G. STEPHEN WATT, BARRISTER	\$996.66
InvNo: 3793	InvDesc: general legal	InvAmt: \$996.66	
0031192	2021-08-16	GERRY STRONG	\$153.85
InvNo: APG 16 2021	InvDesc: bldg insp mileage	InvAmt: \$153.85	
0031193	2021-08-16	GFL ENVIRONMENTAL INC 2019	\$5,102.63
InvNo: G00000014483	InvDesc: july recycling transport	InvAmt: \$5,102.63	
0031194	2021-08-16	HYDRO ONE NETWORKS INC.	\$4,071.29
InvNo: JULY 28 2021 PW	InvDesc: pw-microfit	InvAmt: \$5.14	
InvNo: JULY 30 2021 LAGOON	InvDesc: lagoon	InvAmt: \$3,318.26	
InvNo: AUG 4 2021 NORISLE	InvDesc: norisle heritage park	InvAmt: \$98.00	
InvNo: AUG 4 2021 PW	InvDesc: pw	InvAmt: \$260.51	
InvNo: AUG 9 2021 OFFICE	InvDesc: mun office	InvAmt: \$389.38	
0031195	2021-08-16	MANITOULIN EXPOSITOR	\$470.33
InvNo: 110606	InvDesc: advertising	InvAmt: \$470.33	

**CHEQUE DISTRIBUTION REPORT**  
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ChqNo:	Date:	Vendor:	Amount:
0031196	2021-08-16	MANITOWANING FRESHMART	\$33.89
InvNo: 00002991	InvDesc: pw-cases of water	InvAmt: \$17.97	
InvNo: 00005175	InvDesc: admin-tea	InvAmt: \$10.28	
InvNo: 00005839	InvDesc: admin-p.twls	InvAmt: \$5.64	
0031197	2021-08-16	MINISTER OF FINANCE	\$22,570.00
InvNo: 102707211100011	InvDesc: june policing costs	InvAmt: \$22,570.00	
0031198	2021-08-16	NEW NORTH FUELS INC	\$5,208.83
InvNo: 587521	InvDesc: pw-diesel/dyed diesel	InvAmt: \$2,806.63	
InvNo: 587614	InvDesc: marina-gas	InvAmt: \$2,402.20	
0031199	2021-08-16	PAUL METHNER	\$1,000.00
InvNo: #2021-07-31	InvDesc: july animal control	InvAmt: \$1,000.00	
0031200	2021-08-16	PITNEY WORKS	\$2,279.55
InvNo: 08/03/2021	InvDesc: postage meter refill	InvAmt: \$2,279.55	
0031201	2021-08-16	SUDBURY & DISTRICT HEALTH UNIT	\$3,245.59
InvNo: RC020035081	InvDesc: august health unit levy	InvAmt: \$3,245.59	
0031202	2021-08-16	SUPERIOR PROPANE INC.	\$104.53
InvNo: 35048482	InvDesc: pw-cylinder rental	InvAmt: \$11.87	
InvNo: 35048483	InvDesc: arena-cylinder rental	InvAmt: \$23.73	
InvNo: 35125101	InvDesc: arena service contract	InvAmt: \$68.93	
0031203	2021-08-16	BOATING ONTARIO ASSOCIATION	\$676.87
InvNo: 48594	InvDesc: 2021 marina membership	InvAmt: \$676.87	
0031204	2021-08-16	DEBORAH SMITH	\$67.78
InvNo: AUG 1 2021	InvDesc: reimb.mum@cenataph/per mayor	InvAmt: \$67.78	
0031205	2021-08-16	LITTLE WALLY'S DOCK SERVICE	\$22.60
InvNo: 2719	InvDesc: marina-charts	InvAmt: \$22.60	
0031206	2021-08-16	JJ'S TRUCK PARTS	\$10,396.00
InvNo: 159522	InvDesc: garb.truck (landfill)	InvAmt: \$10,396.00	
0031207	2021-08-16	WINDOWS UNLIMITED	\$3,298.08
InvNo: 894622	InvDesc: rside parks/g.pickup	InvAmt: \$2,977.08	
InvNo: 894644	InvDesc: lawnmower repair	InvAmt: \$321.00	
0031208	2021-08-16	DAVE MCDOWELL	\$961.80
InvNo: JUNE 22 2021	InvDesc: owdcp claim (june 22/21)	InvAmt: \$961.80	

\*\*\* End of Report \*\*\*

**Report Total:**

**\$65,056.99**



The Township of Assiniboia  
 CHEQUE DISTRIBUTION REPORT  
 Payables Management

**Ranges:** From: To: From: To:  
 Vendor ID First Last Chequebook ID First Last  
 Vendor Name First Last Cheque Number 0031143 0031178  
 Cheque Date First Last

**Sorted By:** Cheque Number

Distribution Types Included: All

ChqNo:	Date:	Vendor:	Amount:
0031143	2021-08-03	ALTON HOBBS	\$275.00
InvNo: S-241864	InvDesc: eyeglasses	InvAmt: \$275.00	
0031144	2021-08-03	ARCHER ADVERTISING	\$327.64
InvNo: 7253	InvDesc: admin-windowed envelopes	InvAmt: \$327.64	
0031145	2021-08-03	BEACON IMAGES	\$1,636.24
InvNo: 3118	InvDesc: signage-mun.parkways	InvAmt: \$1,636.24	
0031146	2021-08-03	TOWNSHIP OF CENTRAL MANITOULIN	\$500.00
InvNo: POUND 19-03	InvDesc: 2021 pound charges	InvAmt: \$500.00	
0031147	2021-08-03	CHERYL O'BRIEN	\$150.00
InvNo: CA1BKWSNIMI	InvDesc: workboot allowance	InvAmt: \$150.00	
0031148	2021-08-03	CITY OF GREATER SUDBURY	\$755.13
InvNo: 00113165	InvDesc: may recycling	InvAmt: \$755.13	
0031149	2021-08-03	CRYSTAL LENTIR	\$65.52
InvNo: JULY 29 2021	InvDesc: mileage	InvAmt: \$65.52	
0031150	2021-08-03	EASTLINK	\$121.94
InvNo: JULY 10 2021 MARINA	InvDesc: marina-dsl	InvAmt: \$60.97	
InvNo: JULY 10 2021 PW	InvDesc: pw-dsl	InvAmt: \$60.97	
0031151	2021-08-03	FLAGS UNLIMITED	\$904.71
InvNo: 299813	InvDesc: fed/prov flags	InvAmt: \$904.71	
0031152	2021-08-03	FREELANDT CALDWELL REILLY	\$2,966.25
InvNo: CJH-60521	InvDesc: completion of 2020 fir	InvAmt: \$2,966.25	
0031153	2021-08-03	GERRY STRONG	\$153.85
InvNo: AUG 3 2021	InvDesc: bldg insp mileage	InvAmt: \$153.85	
0031154	2021-08-03	GREG MACDONALD EQUIP SERVICES INC	\$3,070.21
InvNo: 34777	InvDesc: tractor rental	InvAmt: \$3,070.21	
0031155	2021-08-03	HUGHES SUPPLY COMPANY	\$121.81
InvNo: 45883	InvDesc: oil absorb/cable ties/g.bags	InvAmt: \$121.81	
0031156	2021-08-03	HYDRO ONE NETWORKS INC.	\$7,721.69
InvNo: JULY 21 2021 ARENA	InvDesc: arena	InvAmt: \$439.74	
InvNo: JULY 21 2021 TENNIS	InvDesc: tennis courts	InvAmt: \$31.58	
InvNo: JULY 21 2021 SHWRS	InvDesc: marina showerhouse	InvAmt: \$139.82	
InvNo: JULY 21 2021 INFO	InvDesc: info booth	InvAmt: \$32.08	
InvNo: JULY 21 2021 SS WTP	InvDesc: ss wtp	InvAmt: \$824.05	
InvNo: JULY 21 2021	InvDesc: marina docks	InvAmt: \$108.83	

**THE TOWNSHIP OF MANITOWANING**  
**CHEQUE DISTRIBUTION REPORT**  
 Payables Management

InvNo: JULY 21 2021 LIBRARY	InvDesc: library	InvAmt: \$297.03
InvNo: JULY 21 2021 PO	InvDesc: po/bnk	InvAmt: \$557.50
InvNo: JULY 23 2021 MTG WTP	InvDesc: mtg wtp	InvAmt: \$4,633.44
InvNo: JULY 23 2021 LITES	InvDesc: street lites	InvAmt: \$657.62

ChqNo:	Date:	Vendor:	Amount:
0031157	2021-08-03	MANITOWANING MILL & HOME BUILDING CENTRE	\$610.34
InvNo: 0220062	InvDesc: office/lib-spray bottles	InvAmt: \$11.83	
InvNo: 0221619	InvDesc: office-batteries/g.bags	InvAmt: \$20.29	
InvNo: 0221620	InvDesc: lib.bldg-g.bags	InvAmt: \$6.75	
InvNo: 0220222	InvDesc: arena-painters tape	InvAmt: \$19.20	
InvNo: 0220315	InvDesc: arena-painters tape	InvAmt: \$54.10	
InvNo: 0221323	InvDesc: marina-shelves/brackets/screws	InvAmt: \$171.29	
InvNo: 0220061	InvDesc: marina-bolts	InvAmt: \$4.39	
InvNo: 0220212	InvDesc: pec-paint/smoke alarms	InvAmt: \$111.84	
InvNo: 0219450	InvDesc: marina-no more nails adhesive	InvAmt: \$42.34	
InvNo: 0219451	InvDesc: po-shelving unit	InvAmt: \$84.74	
InvNo: 0219690	InvDesc: marina-coat hooks	InvAmt: \$15.81	
InvNo: 0218918	InvDesc: po-cleaner	InvAmt: \$33.88	
InvNo: 0218919	InvDesc: marina-cleaners	InvAmt: \$33.88	

ChqNo:	Date:	Vendor:	Amount:
0031158	2021-08-03	MANITOULIN-SUDBURY DISTRICT SOCIAL SERVIC	\$31,679.67
InvNo: IN000019326	InvDesc: aug amb/social assst	InvAmt: \$31,679.67	

ChqNo:	Date:	Vendor:	Amount:
0031159	2021-08-03	MANITOULIN EXPOSITOR	\$64.04
InvNo: 110368	InvDesc: advertising	InvAmt: \$64.04	

ChqNo:	Date:	Vendor:	Amount:
0031160	2021-08-03	MANITOWANING FRESHMART	\$8.50
InvNo: 00017723	InvDesc: office-cleaning supplies	InvAmt: \$4.51	
InvNo: 00007305	InvDesc: admin-water refill	InvAmt: \$3.99	

ChqNo:	Date:	Vendor:	Amount:
0031161	2021-08-03	MESSER CANADA INC	\$15.48
InvNo: 2103904589	InvDesc: acetelyne rental	InvAmt: \$15.48	

ChqNo:	Date:	Vendor:	Amount:
0031162	2021-08-03	MSC INDUSTRIAL SUPPLY ULC	\$807.98
InvNo: 4625333001	InvDesc: marking paint	InvAmt: \$239.52	
InvNo: 4692258001	InvDesc: drill bits/wshrs/lag bts/nuts	InvAmt: \$568.46	

ChqNo:	Date:	Vendor:	Amount:
0031163	2021-08-03	NEW NORTH FUELS INC	\$3,036.39
InvNo: 585909	InvDesc: marina-gasoline	InvAmt: \$3,036.39	

ChqNo:	Date:	Vendor:	Amount:
0031164	2021-08-03	ONTARIO CLEAN WATER AGENCY	\$29,982.10
InvNo: INV00000013015	InvDesc: mtg wtp-vfd replacement	InvAmt: \$24,849.55	

**THE TOWNSHIP OF ASSYMACA**  
**CHEQUE DISTRIBUTION REPORT**  
**Payables Management**

InvNo: INV00000013005      InvDesc: ss/mtg wtp-add'l services june      InvAmt: \$5,132.55

ChqNo:	0031165	Date:	2021-08-03	Vendor:	POLLARD DISTRIBUTION INC	Amount:	\$4,795.16
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InvNo: 5119      InvDesc: calcium      InvAmt: \$4,795.16

ChqNo:	0031166	Date:	2021-08-03	Vendor:	RALF ISLAND TRUCK PARTS	Amount:	\$135.60
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InvNo: 9695      InvDesc: def fluid      InvAmt: \$135.60

ChqNo:	0031167	Date:	2021-08-03	Vendor:	RECEIVER GENERAL	Amount:	\$20,292.59
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InvNo: JULY 2021      InvDesc: july source deductions      InvAmt: \$20,292.59

ChqNo:	0031168	Date:	2021-08-03	Vendor:	SHAW FARMS SUPPLY(manit.) LTD	Amount:	\$434.20
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InvNo: 3710      InvDesc: mcleans park-pump out      InvAmt: \$217.10

InvNo: 3715      InvDesc: high falls- pump out      InvAmt: \$217.10

ChqNo:	0031169	Date:	2021-08-03	Vendor:	TED PEARSON AUTOMOTIVE LTD.	Amount:	\$654.94
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InvNo: 71820      InvDesc: vise/towels/repair kits      InvAmt: \$654.94

ChqNo:	0031170	Date:	2021-08-03	Vendor:	CONSEIL SCOLAIRE DU DISTRICT DU GRAND NOI	Amount:	\$1,767.46
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InvNo: 2021 LEVY      InvDesc: 2021 levy      InvAmt: \$1,767.46

ChqNo:	0031171	Date:	2021-08-03	Vendor:	PRO FLEET CARE SUDBURY	Amount:	\$1,186.50
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InvNo: 214      InvDesc: oil spray pw vehicles      InvAmt: \$1,186.50

ChqNo:	0031172	Date:	2021-08-03	Vendor:	WHITTIER GAUTHIER	Amount:	\$100.00
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InvNo: JULY 29 2021      InvDesc: bake-off prize      InvAmt: \$100.00

ChqNo:	0031173	Date:	2021-08-03	Vendor:	ALYCIA SHAWANA	Amount:	\$50.00
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InvNo: JULY 29 2021      InvDesc: bake-off prize      InvAmt: \$50.00

ChqNo:	0031174	Date:	2021-08-03	Vendor:	ALLIE FLIKWEERT	Amount:	\$100.00
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InvNo: JULY 29 2021      InvDesc: bake off prize      InvAmt: \$100.00

ChqNo:	0031175	Date:	2021-08-03	Vendor:	XAVIER MARA	Amount:	\$50.00
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InvNo: JULY 29 2021      InvDesc: bake off prize      InvAmt: \$50.00

ChqNo:	0031176	Date:	2021-08-03	Vendor:	TERRY MOGGY	Amount:	\$4,520.00
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InvNo: 2021256      InvDesc: garage roof      InvAmt: \$4,520.00

ChqNo:	0031177	Date:	2021-08-03	Vendor:	WINDOWS UNLIMITED	Amount:	\$3,003.92
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InvNo: 894611      InvDesc: cleaning      InvAmt: \$3,003.92

ChqNo:	0031178	Date:	2021-08-03	Vendor:	WURTH CANADA LTD	Amount:	\$290.12
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InvNo: 24424554      InvDesc: rust protection      InvAmt: \$54.55

InvNo: 24383286      InvDesc: rust protection      InvAmt: \$235.57

\*\*\* End of Report \*\*\*

**Report Total:**

**\$122,354.98**

Payment #	Amount	Date	Batch #	Employee ID	Employee Name	Status	Payment Method
0031209		2021-08-30	08/30COXB	122	HOBBS, ALTON	OUTSTANDING	Cheque
0031210		2021-08-30	08/30COXB	126	MacDONALD, DEBORAH	OUTSTANDING	Cheque
0031211		2021-08-30	08/30COXB	133	BOND, FREDA	OUTSTANDING	Cheque
0031212		2021-08-30	08/30COXB	219	JONES, CHRISTIANNA	OUTSTANDING	Cheque
0031213		2021-08-30	08/30COXB	367	QUACKENBUSH, MICHAEL	OUTSTANDING	Cheque
0031214		2021-08-30	08/30COXB	369	PHILLIPS, CONNOR	OUTSTANDING	Cheque
0031215		2021-08-30	08/30COXB	378	MILLETTE, SHELBA	OUTSTANDING	Cheque
0031216		2021-08-30	08/30COXB	379	QUACKENBUSH, JASON	OUTSTANDING	Cheque
0031217		2021-08-30	08/30COXB	380	ENSE, AVERY	OUTSTANDING	Cheque
2744		2021-08-30	08/30COXB	106	WOOD, STEVEN	OUTSTANDING	Direct Deposit
2745		2021-08-30	08/30COXB	118	COOPER, RONALD	OUTSTANDING	Direct Deposit
2746		2021-08-30	08/30COXB	163	MACDONALD, ROBERT	OUTSTANDING	Direct Deposit
2747		2021-08-30	08/30COXB	168	STRONG, GERRY	OUTSTANDING	Direct Deposit
2748		2021-08-30	08/30COXB	169	MAGUIRE, KELSEY	OUTSTANDING	Direct Deposit
2749		2021-08-30	08/30COXB	211	MOGGY, HUGH	OUTSTANDING	Direct Deposit
2750		2021-08-30	08/30COXB	218	MCDOWELL, DAVID	OUTSTANDING	Direct Deposit
2751		2021-08-30	08/30COXB	220	HAY, DAVID	OUTSTANDING	Direct Deposit
2752		2021-08-30	08/30COXB	221	MAGUIRE, ROBERT	OUTSTANDING	Direct Deposit
2753		2021-08-30	08/30COXB	301	ROBINSON, DEBBIE	OUTSTANDING	Direct Deposit
2754		2021-08-30	08/30COXB	323	WHITE, JACQUELINE	OUTSTANDING	Direct Deposit
2755		2021-08-30	08/30COXB	329	OBRIEN, CHERYL	OUTSTANDING	Direct Deposit
2756		2021-08-30	08/30COXB	362	SAGLE, EDDY	OUTSTANDING	Direct Deposit
2757		2021-08-30	08/30COXB	364	BOND, KYLE	OUTSTANDING	Direct Deposit
2758		2021-08-30	08/30COXB	365	BOWERMAN, COLE	OUTSTANDING	Direct Deposit
2759		2021-08-30	08/30COXB	370	LENTIR, CRYSTAL	OUTSTANDING	Direct Deposit

Total : \$25,042.23

Payment #	Amount	Date	Batch #	Employee ID	Employee Name	Status	Payment Method
0031179		2021-08-16	08/16COXB	122	HOBBS, ALTON	OUTSTANDING	Cheque
0031180		2021-08-16	08/16COXB	126	MacDONALD, DEBORAH	OUTSTANDING	Cheque
0031181		2021-08-16	08/16COXB	133	BOND, FREDA	OUTSTANDING	Cheque
0031182		2021-08-16	08/16COXB	219	JONES, CHRISTIANNA	OUTSTANDING	Cheque
0031183		2021-08-16	08/16COXB	378	MILLETTE, SHEILA	OUTSTANDING	Cheque
0031184		2021-08-16	08/16COXB	379	QUACKENBUSH, JASON	OUTSTANDING	Cheque
0031185		2021-08-16	08/16COXB	380	ENSE, AVERY	OUTSTANDING	Cheque
2728		2021-08-16	08/16COXB	106	WOOD, STEVEN	OUTSTANDING	Direct Deposit
2729		2021-08-16	08/16COXB	118	COOPER, RONALD	OUTSTANDING	Direct Deposit
2730		2021-08-16	08/16COXB	168	STRONG, GERRY	OUTSTANDING	Direct Deposit
2731		2021-08-16	08/16COXB	169	MAGUIRE, KELSEY	OUTSTANDING	Direct Deposit
2732		2021-08-16	08/16COXB	211	MOGGY, HUGH	OUTSTANDING	Direct Deposit
2733		2021-08-16	08/16COXB	218	MCDONNELL, DAVID	OUTSTANDING	Direct Deposit
2734		2021-08-16	08/16COXB	220	HAY, DAVID	OUTSTANDING	Direct Deposit
2735		2021-08-16	08/16COXB	221	MAGUIRE, ROBERT	OUTSTANDING	Direct Deposit
2736		2021-08-16	08/16COXB	301	ROBINSON, DEBBIE	OUTSTANDING	Direct Deposit
2737		2021-08-16	08/16COXB	323	WHITE, JACQUELINE	OUTSTANDING	Direct Deposit
2738		2021-08-16	08/16COXB	329	O'BRIEN, CHERYL	OUTSTANDING	Direct Deposit
2739		2021-08-16	08/16COXB	362	SAGLE, EDDY	OUTSTANDING	Direct Deposit
2740		2021-08-16	08/16COXB	364	BOND, RYLE	OUTSTANDING	Direct Deposit
2741		2021-08-16	08/16COXB	365	BOWENMAN, COLE	OUTSTANDING	Direct Deposit
2742		2021-08-16	08/16COXB	370	LENTER, CRYSTAL	OUTSTANDING	Direct Deposit
2743		2021-08-19	08/17COB	163	MacDONALD, ROBERT	OUTSTANDING	Direct Deposit

Total

\$ 24013.37

Payment #	Amount	Date	Batch #	Employee ID	Employee Name	Status	Payment Method
0031136		2021-08-03	08/03COMB	122	HOBBS, ALTON	OUTSTANDING	Cheque
0031137		2021-08-03	08/03COMB	126	MacDONALD, DEBORAH	OUTSTANDING	Cheque
0031138		2021-08-03	08/03COMB	133	BOND, FREDA	OUTSTANDING	Cheque
0031139		2021-08-03	08/03COMB	219	JONES, CHRISTIANNA	OUTSTANDING	Cheque
0031140		2021-08-03	08/03COMB	378	MILLETTE, SHELBA	OUTSTANDING	Cheque
0031141		2021-08-03	08/03COMB	379	QUACKENBUSH, JASON	OUTSTANDING	Cheque
0031142		2021-08-03	08/03COMB	380	ENSE, AVERY	OUTSTANDING	Cheque
2711		2021-08-03	08/03COMB	106	WOOD, STEVEN	OUTSTANDING	Direct Deposit
2712		2021-08-03	08/03COMB	118	COOPER, RONALD	OUTSTANDING	Direct Deposit
2713		2021-08-03	08/03COMB	140	REID, WALTER	OUTSTANDING	Direct Deposit
2714		2021-08-03	08/03COMB	163	MACDONALD, ROBERT	OUTSTANDING	Direct Deposit
2715		2021-08-03	08/03COMB	168	STRONG, GERRY	OUTSTANDING	Direct Deposit
2716		2021-08-03	08/03COMB	169	MAGUIRE, KELSEY	OUTSTANDING	Direct Deposit
2717		2021-08-03	08/03COMB	211	MOGGY, HUGH	OUTSTANDING	Direct Deposit
2718		2021-08-03	08/03COMB	218	MCDOWELL, DAVID	OUTSTANDING	Direct Deposit
2719		2021-08-03	08/03COMB	220	HAM, DAVID	OUTSTANDING	Direct Deposit
2720		2021-08-03	08/03COMB	221	MAGUIRE, ROBERT	OUTSTANDING	Direct Deposit
2721		2021-08-03	08/03COMB	301	ROBINSON, DEBBIE	OUTSTANDING	Direct Deposit
2722		2021-08-03	08/03COMB	323	WHITE, JACQUELINE	OUTSTANDING	Direct Deposit
2723		2021-08-03	08/03COMB	329	OBRIEN, CHERYL	OUTSTANDING	Direct Deposit
2724		2021-08-03	08/03COMB	362	SAGLE, EDDY	OUTSTANDING	Direct Deposit
2725		2021-08-03	08/03COMB	364	BOND, KYLE	OUTSTANDING	Direct Deposit
2726		2021-08-03	08/03COMB	365	BOWERMAN, COLE	OUTSTANDING	Direct Deposit
2727		2021-08-03	08/03COMB	370	LENTIR, CRYSTAL	OUTSTANDING	Direct Deposit

Total : \$25,686.37

156 Arthur Street Box 238  
Manitowaning, ON  
POP 1N0  
705 859 3196 Tel  
705 859 3010 Fax www.Assiginack.ca

**Township of  
Assiginack**

**To:** Council

**From:** Alton Hobbs

**Fax/  
Email**

**Pages:**

**Phone:**

**Date** August 25, 2021

**Re:** Holiday Haven Road Request

**cc:**

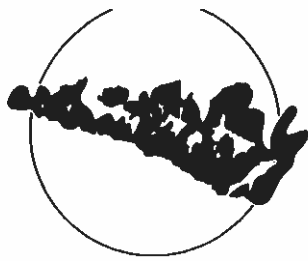
Urgent    For Review    Please Comment    Please Reply    Please Recycle

We have had an inquiry from the owner of 140 Holiday Haven Road for permission to run a private waterline from Lake Manitou to their property. On the attached map, it can be identified as Lot A. The owners of Manitou Resort which draws its water from the lake also supply the residence on the lot identified as Lot B.

A previous term of Council gave the owners of the resort permission to extend their private waterline down the side of Holiday Haven road o their new house. I understand some of the other houses along the road also run private waterlines to the lake but I do not know which ones.

My concern is twofold. Firstly, I worry about having at least two private waterlines running under Holiday Haven Road without drawings to tell us where they are and secondly, I always worry about the MOECP advising us that so many waterlines require a designated water system, with all the operators, inspections, etc that go along with it.

For your consideration.



RECEIVED

AUG 17 2021

August 06, 2021

Municipality of Assiginack  
Mr. Alton Hobbs, CAO  
P.O. Box 238  
Manitowaning ON POP 1N0

NOTICE OF APPLICATION FOR CONSENT

File No. B19-21  
Owners: Marian, Michael and Adrian Murray  
Location: Part Lot 6, Conc. XVII  
Surveyed as Part 2, Plan 31R-3970, Part 1, Plan 31R-643,  
Part 1, Plan 31R-452 and described by Instrument No. T20487  
(Located at #29 and #43 Indian Point Lane)  
Township of Assiginack  
District of Manitoulin

Purpose and Effect: To provide for the creation of a new  $\pm 0.8$  Hec. lot located at #29 Indian Point Lane, for continued seasonal residential uses. This lot will be together with right-of-way to Lower Slash Road, a maintained municipal road.

In order that the application may be properly considered in accordance with requirements set out in Sections 50 and 53 of the Planning Act, would you please fill out the attached questionnaire, returning one to us and keeping the other for your records.

If your Council have any suggestions, information, or conditions to add to the questionnaire form, please send them out in an attached letter.

Last Day for Receiving Comments: August 20<sup>th</sup>, 2021.

Additional information, if required, may be available by contacting the Planning Board Office.

Decision and Appeal

If you wish to be notified of the Decision of Planning Board in respect of the proposed consent, you must make a written request to the Planning Board at the address of the Planning Board Office as stated above.

Any person or public body may, not later than 20 days after the giving of the notice of decision, appeal the decision or any condition imposed by Planning Board or appeal both the decision and any condition to the Ontario Land Tribunal (OLT) or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer of the Planning Board a notice of appeal setting out the reasons for the appeal, accompanied by the prescribed fee prescribed under the Ontario Land Tribunal Act.

If a person or public body that files an appeal of a decision of the Manitoulin Planning Board in respect of the proposed consent does not make written submission to the Manitoulin Planning Board before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

Dated at the Town of Gore Bay this 6<sup>th</sup> Day of August, 2021.



**Please Complete This Form and Return to:  
The Manitoulin Planning Board  
P. O. Box 240  
Gore Bay, Ontario - POP 1H0**

File No. B19-21  
 Owners: Marian, Michael and Adrian Murray  
 Location: Part Lot 6, Conc. XVII  
 Surveyed as Part 2, Plan 31R-3970, Part 1, Plan 31R-643, Part 1, Plan 31R-452 and described by  
 Instrument No. T20487  
 (Located at #29 and #43 Indian Point Lane)  
 Township of Assiginack  
 District of Manitoulin

Return of this form and any additional comments in support of or in objection to this proposal is requested by August 20 2021. If there is insufficient space on this form to fully express councils position please attach a separate letter in addition

<b>MUNICIPAL CONTROLS</b>		Enter Yes or No
Is this proposal in conformity with the Official Plan?		YES
<b>Is this proposal in conformity with the Zoning By-law.</b>		YES
Is this proposal in conformity with the Provincial Policy Statement 2020?		YES
<b>ADDITIONAL INFORMATION</b>		
Which of these services will be available to this land?		
	Hydro	UNDETERMINED
	School Bus	NO
	Municipal Water	NO
	Sanitary Sewers	NO
	Garbage Collection	NO
	Municipal Drains	NO
Do the lots concerned have frontage on a maintained Public Road?		NO
Is this public road snow plowed in the winter?		NO
Do the lots have legal right-of-way to a maintained public road?		YES
Does the location of the access cause any safety concerns?		IRRELEVANT
What is the surrounding land presently used for? To the North - <u>GR</u> To the East - <u>NIA</u> To the South - <u>GR</u> To the West - <u>RURAL</u>		
If this application results in a new building lot, does Council consider the location to be conducive to surrounding development, etc.?		YES
Does Council foresee any new demands for municipal services as a result of this kind of application?		NO
Does Council intend to provide any new municipal services as a result of this application?		NO
<b>RECOMMENDATIONS:</b>		
Has Council passed a By-law that land be set aside for public purpose under Section 42(1) of The Planning Act?		NA
Or, alternatively, does Council wish to require cash-in-lieu of conveyance under Section 42(6) of the Act?		NA
Having regard to the matters noted in the attached application, does Council recommend consent be given?		
If not, why?		YES
<b>Should consent be granted, would Council wish to recommend any specific conditions? If so, please set out, with reasons, on a separate letter.</b>		

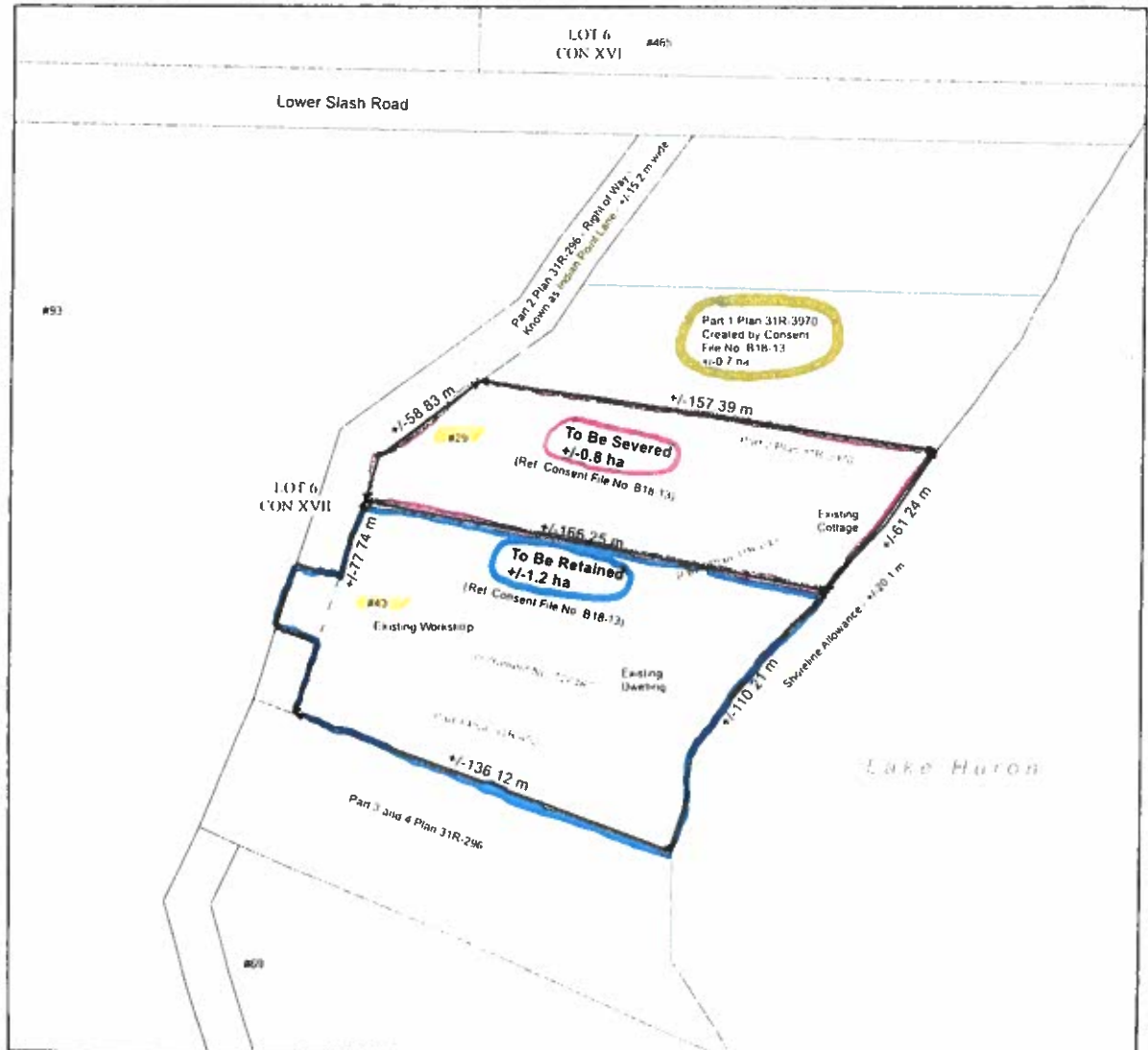
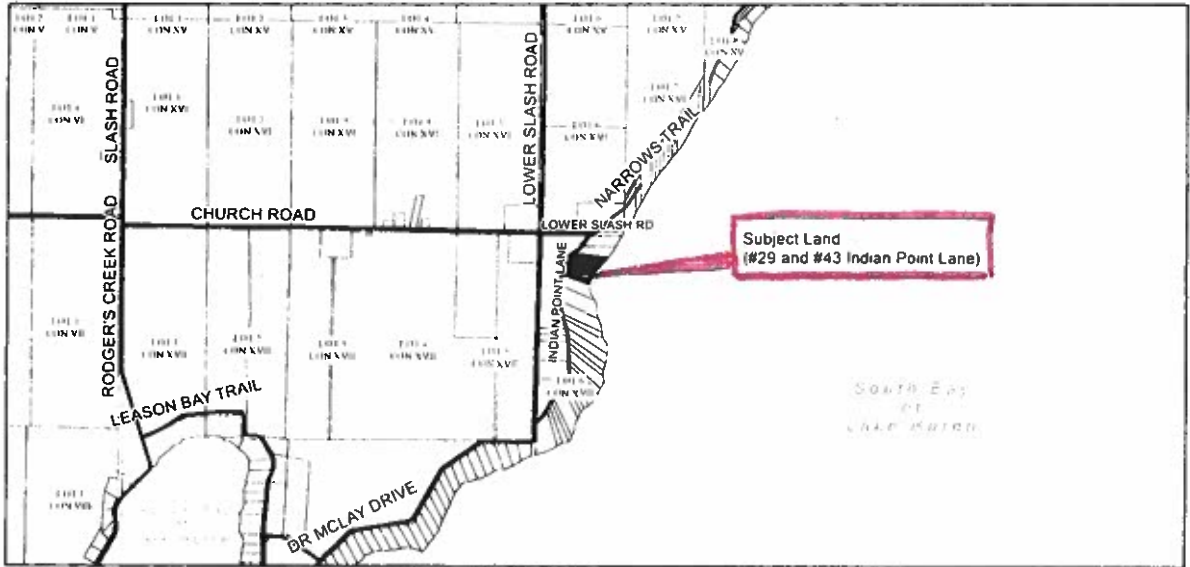
Date: August 13 2021 Signed: \_\_\_\_\_

Title: COUNCIL DEPUTY CLERK

Municipality/Township of ASSIGINACK

Part Lot 6 Concession XVII  
 Being Part 2 Plan 31R-3970, Part 1 Plan 31R-643,  
 Part 1 Plan 31R-452, and Instrument No. T20487  
 (#29 and #43 Indian Point Lane)  
 Township of Assiginack  
 Municipality of Assiginack  
 District of Manitoulin

FILE NO: B19-21



RECEIVED  
AUG 16 2021

MPP Randy Pettapiece  
[randy.pettapiece@pc.ola.org](mailto:randy.pettapiece@pc.ola.org)

August 16, 2021

**RE: Relationship with MPAC**

---

Dear MPP Pettapiece,

At the regular meeting of Council held on August 5, 2021, Perth County Council passed the following resolution brought forward from a Notice of Motion:

WHEREAS municipal governments in Ontario are obliged to receive property assessment services from the Municipal Property Assessment Corporation (MPAC); and

WHEREAS municipalities are funding the mandatory services of MPAC; and

WHEREAS the work of MPAC directly affects the equitability of property taxation in Perth County and in Ontario; and

WHEREAS the Government of Ontario has announced in its 2021 Ontario Budget, that it will be undertaking a Property Assessment and Taxation Review which will address MPAC's performance and will seek the input from all benefiting municipalities; and

WHEREAS the Council of the County of Perth endorses Ontario's expressed intention for a review, including a review of the accuracy and stability of property assessments and the strengthening of governance and accountability of MPAC; and

WHEREAS the County of Perth acknowledges that an evaluation of MPAC is warranted given there have been a number of performance and level of service concerns that need to be addressed;

NOW THEREFORE, be it resolved by the Council of the County of Perth:

THAT Staff be given direction to research and prepare a report in anticipation of the Province's request for input that achieves the following:

- Reviews the details of the financial performance (e.g., balance sheet and income statement reviews) of the Municipal Property Assessment Corporation to support our understanding of the viability of the Corporation and its alignment of spend and assets for their defined mission, mandate and objectives;

- Reviews level of service parameters and performance levels (e.g., key indicators related to accuracy, timeliness, process efficiencies, consistency of outcomes, land use classification revisions, and missed properties) of MPAC efforts in Perth County, collaborating with the lower tier municipalities of Perth County to support with data collection; and
- Clarifies the current governance model and accountabilities of MPAC's Board of Directors, including accountabilities for their performance and means of complaint submission and resolution.

AND THAT, a letter, including a copy of this resolution, be distributed to MPP Randy Pettapiece, Perth-Wellington; Hon. Steve Clark, the Minister of Municipal Affairs and Housing; and all municipalities in Ontario.

We thank you for your advocacy on this matter and look forward to supportive responses from our municipal counterparts and officials from all levels of government.

Sincerely,



Jim Aitcheson, Warden  
The Corporation of the County of Perth

CC:

Hon. Steve Clark – [Steve.Clark@pc.ola.org](mailto:Steve.Clark@pc.ola.org)  
Ontario Municipalities



August 17, 2021

## Media Release

RECEIVED  
AUG 17 2021

**The Federation of Northern Ontario Municipalities (FONOM), the Northwestern Ontario Municipal Association, and the Northern Ontario Service Deliverers Association jointly discussed the crisis of Homelessness, Mental Health, and the Opioid Crisis with the Provincial Government. FONOM President Danny Whalen, NOMA Executive Member Rick Dumas, and NOSDA Vice-Chair Mark King shared with the seven Provincial Minister, Associate Minister, and a Parliamentary Assistant the experiences in our communities during the Annual AMO Conference. The Municipal organizations believe the three topics are intertwined, and our presentation clarified that to the ministries. Danny Whalen commented, *“this was the first time our three Organizations have collaborated on any issue,”* and *“with the impact these issues are having in our communities, working together is imperative.”***

The organizations appreciate the efforts, of all the agencies working to help and support those addicted to opioids. In some districts, over 30 agencies are providing some assistance. But we would like to see more coordination with Municipalities/DSSAB’s or consolidation of these agencies with the input of Municipalities/DSSAB’s and local stakeholders. As we believe, a streamlined agency would be able to put the combined funds to better use. We hope these agencies would willingly work this out between themselves. Danny Whalen commented, *“But if not, we would ask that our local Ontario Health Teams, in consultation with Municipalities/DSSAB’s and local stakeholders, support a province-wide strategy that supports such consolidation.”*

Mayor Dumas shared, *“The province must apply a rural and northern lens and work in collaboration with ministries to construct a plan for affordable and supportive housing”* and asked, *“for the province to develop a housing strategy for the North and capital funding to address the shortage of affordable housing.”*

Councillor King thanked the Province for the significant commitment this government has made in allocating 3.8 billion dollars over the next ten years. But the organizations called on the Province to take an all of government approach, to manage and find made in the North solutions to the Mental Health and Addictions Crisis. They called on the Premier to establish a Northern Ontario Joint Partnership table to manage the Mental Health and Addictions Crisis in Northern Ontario. King commented, *“we want to work with this government to ensure the right resources are put in the right communities to reach people who need the resources where they live”*, further *“above all, we ask that this government recognize municipalities and NOSDA as a partner in our collective efforts to address the growing mental health and addiction challenges.”*

FONOM President  
Danny Whalen  
705-622-2479

NOMA President  
Wendy Landry  
807- 626-6686

NOSDA Chair  
Michelle Boileau  
705-465-5026

# Assiginack Museum Advisory Committee

Box 238  
Manitowaning, Ontario  
P0P 1N0

RECEIVED  
AUG 18 2021

August 5, 2021

The Assiginack Museum Advisory Committee is in favour of and supports any actions in regards to the removal of dead or dying trees withing the Manitowaning Cenotaph grounds as deemed necessary by Council and Municipal staff for the ongoing care and appearance of of the Cenotaph site.

A motion in support of this was made at the Assiginack Museum Committee meeting held on August 4, 2021.

Sincerely,

Alice Pennie  
Committee Chair  
Museum Advisory Committee

RECEIVED  
AUG 23 2021



August 4, 2021

Sanjay Coelho  
Ministry of the Environment, Conservation and Parks - Environmental Policy Branch  
40 St Clair Avenue West, Floor 10  
Toronto, ON M4V1M2  
[mecp.landpolicy@ontario.ca](mailto:mecp.landpolicy@ontario.ca)

**RE: ERO 019-2785**

Dear Mr. Coelho

The following is the submission from Gravel Watch Ontario (GWO; [gravelwatch.org](http://gravelwatch.org)) in response to the request for comments on the Proposed Land Use Compatibility Guideline, Ministry of Environment, Conservation and Parks (March 2021) ERO 019-2785.

**About Gravel Watch Ontario**

Gravel Watch Ontario is a province-wide coalition of citizen groups and individuals that acts in the interests of residents and communities to protect the health, safety, quality of life of Ontarians and the natural environment in matters that relate to aggregate resources.

GWO recognizes the obligation to protect agricultural lands, water resources and the natural environment, all of which are essential for building a climate-resilient Ontario for future generations. GWO works with and on behalf of our members and communities throughout the province to advocate that policies regulating aggregate extraction not result in permanent loss of farmland or rural landscape amenities and do not damage the integrity of the water resources supplied by the rural landscape. Gravel Watch Ontario has commented on government planning and aggregate policies for over 15 years.

We understand that ERO notice 019-2785 links to four separate compliance initiatives. GWO's submission focuses on aggregate resources as it pertains to these draft Land Use Compatibility Guidelines. In general, GWO found the information regarding aggregate to be scattered throughout various sections of the document, often unclear or contradictory, making it particularly onerous on the reviewer to sift through and sort out the intent and nature of land use compatibility as it relates to aggregate operations. The ensuing discussion has *italicized and indented* the instructions identified in the Guideline with GWO's comments following thereafter for ease of reference.

## 1. INTRODUCTION & CONTEXT

### 1.1 Overview

#### **GWO Concern/Issue – Preferential Treatment of Aggregate Class 3 Major Facilities over Sensitive Land Uses**

*The objective of the current EPA D-6 Guideline is to “prevent or minimize the encroachment of sensitive land use upon industrial land and vice versa, as these two types of land uses are normally incompatible due to possible adverse effects on sensitive land use created by industrial operations.”*

*The overview of the Land Use Compatibility Guideline states that “the Guideline is to be applied to achieve and maintain land use compatibility between major facilities and sensitive land uses when a planning approval under the Planning Act is needed in the following circumstances:*

- *A new or expanding sensitive land use is proposed near an existing or planned major facility, or*
- *A new or expanding major facility is proposed near an existing or planned sensitive land use.”*

Although the Compatibility Guideline requires equal application by both a major facility and a sensitive land use, they are not treated equally throughout the document. For example, Section 2.8 of the Guideline, demonstration of need is to be carried out by proponents of sensitive land uses only. In Appendix D, the Area of Influence (AOI) and the Minimum Distance Separation (MDS) for are not applicable to land use decisions for new or expanding aggregate operations.

The Guideline also identifies aggregates as a sector which has had a history of ongoing and frequent complaints. Situating aggregate operations near sensitive land uses under exempted and exclusive rules does not achieve compatibility.

#### **GWO Recommendation #1**

- Apply the Guideline in the same manner for new or expanding aggregate operations as for sensitive land uses.

### 1.2 General Approach to Planning for Land Use Compatibility

#### **GWO Concern/Issue -- Co-existence and Compatibility Not Conceptually Related**

*“Land Use compatibility is achieved when major facilities and sensitive land uses can co-exist and thrive for the long-term within a community through planning that recognizes the locational needs of both.”*

The terms compatibility and co-existence are not conceptually the same. Compatibility denotes relations that are well-suited, friendly and harmonious. Co-existence, on the other hand, denotes tolerance and forbearance. Inferring these terms are correlated sets the stage for further conflict, lengthy appeals and increased costs for all parties.



In Section 3.8, the concept of co-existence as meaning tolerance is confirmed.

*“.....after a major facility has obtained its necessary planning approvals to be located in an area that may be close to a sensitive land use (e.g. a residential development), or vice versa..... the tools available to the Ministry (MECP) to deal with contaminants from the facility as well as technical solutions may be limited..... which may result in a situation where the sensitive land use has to co-exist with ‘minor impacts’ from the major facility over the long term..... and subsequent complaints about adverse affects (noise, dust and odour) may be directed to the municipality”.*

Minor impacts are not defined but the sensitive land use is expected to tolerate the resulting adverse effects for the long term. Long term consequences can result in societal costs associated with health and safety or environmental degradation. It’s an unfair practice to expect the public to tolerate long term consequences.

Use of the term co-existence does not align with federal international agreements regarding sustainable development and climate change which strive for a balance between the various sectors of society. This balance is also reflected in Ontario’s environment, climate change and planning frameworks.

#### **GWO Recommendation #2:**

- Maintain the conceptual distinction between compatibility and co-existence.
- Distinguish between minor and major impacts.
- Ensure the MECP Guideline aligns with national and international agreements as well as the provinces’ social, environmental and climate change responsibilities.

### **1.3 Guiding Hierarchy for Land Use Compatibility Planning**

**GWO Concerns/Issues – The PPS not being read in its’ entirety.**

*“Separation of incompatible land uses is the preferred approach to avoiding land use compatibility issues. The Guideline state that this approach is consistent with PPS 1.1.5.6”*

The PPS speaks to the incompatibility of sensitive residential land use with existing aggregate operations. GWO believes that the reverse is also true as per Case Law - Capital Paving v Wellington (County) 2010 Carswell Ont. Paragraph 6....

*“it is fair to say the PPS speaks to incompatibility of sensitive residential use with earlier operations, and the reverse is also true, that a proposed pit may be incompatible with prior residential use”.*

Although the Guideline in Section 1.7.1 generally supports fulfillment of provincial interests identified in the PPS, missing throughout the document is identification to the pertinent PPS clauses which direct consideration for development to (1) consider social and environmental impacts, and (2) only permit development once potential impacts have been addressed.

**GWO Recommendation #3:**

- Apply the same requirement for new or expanding major facilities near established and planned sensitive land uses as for sensitive land uses being proposed near major facilities.
- Consistently apply all relevant PPS clauses.

**GWO Concern/Issue – Ambiguous Terminology and Lack of Meaningful Public Involvement**

*“When avoidance (i.e. separation) alone is not possible, minimizing and mitigating potential impacts may provide a basis for a proposal. If minimization is not viable, the proposed incompatible land use should not be enabled, and related planning or development applications should not be approved”*

GWO supports this Guideline. The term ‘should’, however, is indefinite and subject to interpretation and ambiguity.

**GWO Recommendation #4:**

- Change the word ‘should’ to ‘shall’ to provide clear direction to ensure incompatible uses are not enabled nor approved.

*“Planning authorities, proponents and the surrounding communities ‘should work together’ to achieve land use compatibility”.*

Working together is a viable approach to achieving compatibility. ‘Should work together’ implies relationship building, collaboration and compromise. Appendix C, however, outlines best practices for relationship building as merely communicating with members of the public. Communication relates to the informing stage of planning engagement conventions as depicted on Step 3 of the Arnstein’s Ladder of Public Participation (<https://www.citizenshandbook.org/arnsteinsladder.html>.) ‘Informing’ is generally a one-way communication strategy that rarely results in even minor adjustments. Informing does not denote, nor reflect the concept of ‘working together’. Society’s legal and institutional framework that sanctions planning decisions has increasingly recognized the benefit of various engagement measures for practical deliberations that include various perspectives and encourages dialogue to promote understanding among stakeholders’ values and interests. The role of the public to bring forth community values is critical. It is also critical to consider the concept of ‘working together’ as relationship building and collaboration in regards to the Duty to Consult with Indigenous Peoples.

**GWO Recommendation #5:**

- Change ‘should work together’ to ‘shall work together’.
- Enable collaboration to achieve the desired outcome of compatibility.
- Clearly identify the government’s responsibility for the Duty to Consult with Indigenous Peoples and ensure it is implemented at the outset of development when changes in land use are being considered.

## **1.6 Roles and Responsibilities**

### **1.6.1 Planning Authorities**

*Planning authorities must not approve development proposals where there are irreconcilable incompatibilities (i.e. adverse effects with no feasible required mitigation measures). Land use planning decisions that result in incompatibility may create ongoing issues for all parties, including municipalities to address noise and odour complaints and other impacts.*

**GWO supports the above guideline.**

**GWO Concern/Issue – Increased responsibility on the planning authorities**

*Planning authorities also undertake planning exercises which must address land use compatibility, such as comprehensive reviews of OPs, development of secondary plans and reviews of zoning by-laws. To address land use compatibility, OP policies and land use designations....must be up-to-date and in accordance with this Guideline.*

Updating OPs and zoning by-laws is a daunting task which puts pressure on planning authorities' capacity requirements and ultimately for increasing property taxes. Although mandated under the same Planning Act as municipalities, Local Planning Authorities in rural and unorganized territories do not have the corresponding human and financial resources to carry out basic planning functions, let alone up-dates to OPs and zoning by-laws in regards to this Guideline.

#### **GWO Recommendation #6:**

- Do not overburden planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to carry out high level planning functions.

## **2. TOOLS TO ASSESS LAND USE COMPATIBILITY**

### **2.1.1-3 Areas of Influence and Minimum Set Back Distances**

**GWO Concern/Issue –**

#### **Preferential Treatment Given to Aggregate Operations**

An influence area approach to minimize land use conflicts for aggregate resource extraction has long been recognized. The 1986 Guideline on Implementation of the Mineral Aggregate Resources Policy Statement (Ministry of Natural Resources) states that:

*"An influence area is the area surrounding a pit or quarry where the impacts of the operation may be felt on the environment, nearby residents and land uses. The influence area concept is intended to protect existing or designated sensitive land uses from proposed pits or quarries and existing or designated pits or quarries from encroachment by sensitive uses ..."*

Guideline Section 1.2 recognizes that sensitive land uses located too close to a major facility could experience environmental impacts as well as risks to public health and safety. Similarly, Section 2.1.3 states that:

*“proposals should not result in sensitive land uses being located in MSDs as adverse effects are highly likely to occur.”*

While a planning authority may determine that an Area of Influence may be smaller (based on supporting studies), it must never be smaller than the MSD in the Guideline. However, while recognizing that some above-ground equipment such as crushers, ready-mix concrete plants and asphalt plants may require ECA's, the Guideline states:

*The AOI and MSD in the Guideline are not applicable to land use decisions for new or expanding aggregate operations proposed near sensitive land use.*

And, Section 2.2 states:

*Aggregate Operations (Aggregate extraction, Resource Extraction, Other mineral quarries) identified as Class 3 (AOI 1,000 m/MSD 500 m) AOI and MSD only applies to new or expanding sensitive land use proposals near major facility aggregate operations.*

In addition, the Aggregate Resources Ontario Provincial Standards (AROPS) refers to measurement of separation as the distances to sensitive receptors, not to the property boundary of a sensitive land use as recommended in Section 2.4 and in relation to Section 3.3 “At-receptor mitigation is not recognized by the Ministry to mitigate odour and dust impacts” and in Appendix B.1 “the Ministry-developed AOIs in this Guideline should address both noise and vibration...separation distances for noise are larger than vibration so covering noise impacts will cover vibration impacts” which fails to account for any future expansions of the aggregate operation or changes to the site plan.

Although Guideline Section 4 recommends planning mechanisms to assist in the implementation of land use compatibility, Section 66 of the ARA is highly restrictive of municipal authority such as municipal site plan controls and development permits. Both the PPS (Section 2.5.2.4) as well as the ARA (Section 12.1 (1.1) prohibit municipalities from issuing zoning by-laws to restrict the depth of extraction while Guideline Section 4.1 recommends adverse impacts on sensitive land uses to be considered at the Official Plan (OP) and zoning stage. Section 13 of the ARA, however, allows the Minister, at any time, to rescind or vary a condition of a licence, amend a licence or require a licensee to amend the site plan. A licensee may also make the same requests of the Minister at any time. These unknown operational impacts cannot be adequately assessed or determined at the planning/approval stage. The question then becomes...how can a planning authority be responsible for approvals of an industrial extractive zoning when site plans can be changed at the licensing stage and throughout the life of the license for which the planning authority has no control?

**GWO Recommendation #7:**

- For new or expanding aggregate operations:
  - Apply the prescribed AOI and MSD required for Class 3 Major Industrial Facilities proposed near Sensitive Land Uses,
  - Measure separation distances (AOI and MSD) from the property boundary of the proposed aggregate operation (Class 3 Major facility) and from the property boundary of the existing sensitive land use to accommodate future expansions of the major facility,

- Adhere to the Guideline for a Class 3 Major Facility (as identified in Section 2.2 Table 1) with the understanding that some aggregate operations may cause adverse effects beyond the MSD of 500 M and in some cases, beyond the AOI of 1000 M
- Be subject to the steps in Section 2.5 for a proposed or expanding major facility that is within the AOI or MSD of an existing or planned sensitive land use.
- Recognize Section 2.9 of the Decision Tree for Land Use Compatibility that may result in a proposed Major Facility not going ahead if expected adverse effects cannot be minimized and/or mitigated to the level of no adverse effects.

## **2.8 Demonstration of Need**

### **GWO Concern/Issue – Preferential Treatment Given to Aggregate Producers – no balance**

*The demonstration of need.....is only required by proponents of sensitive land uses.*

*When considering new sensitive land uses near mineral aggregate areas, planning authorities must consider active aggregate operations, zoning which permits future aggregate operations and, where provincial information is available, deposits of mineral aggregate resources.*

The concern in this Section is the nature and regional distribution of aggregate since there are areas throughout the province where distribution of aggregate is ubiquitous. “Freezing” land has the potential to restrict settlement to narrow confines. This situation does not take into consideration future generations, which is antithetical to the United Nations concepts and definitions pertaining to ‘development that meets the needs of the present without compromising the needs of future generations’<sup>1</sup>. Freezing land also creates the risk for mega-quarry development that can lead to long term and irreversible impacts. There is little data available regarding aggregate reserves yet the focus is to open up new lands closer to market as a means to reduce transportation costs for the producer. Lands nearest to market are also lands nearest or adjacent to residential or farm lands which places the risk of long term and irreversible impacts onto the sensitive land use.

An unbalanced approach to demonstration of need will perpetuate conflict, constrained relations, and more appeals, thereby increasing costs for government, the proponent and the general public which is contradictory to the stated purpose of this Guideline.

### **GWO Recommendation #8**

- Apply the same requirement for Demonstration of Need in the same manner to new or expanding major facilities as for sensitive land uses being proposed near major facilities.
- Ensure compatibility is a two way process.

The Guideline further states:

*Compatibility studies should be prepared by the proponent.....the planning authority is responsible to review compatibility....If in house expertise is not available, the planning authority should consider having a peer review of studies at the expense of the proponent.*

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<sup>1</sup> World Commission on Environment and Development. Our Common Future. Oxford, UK. Oxford. University Press. 1987.

### **GWO Recommendation #9**

- Should a planning authority conduct a review of a proponent's compatibility study with in-house expertise, the expense should be borne by the proponent.

### **3. COMPLIANCE**

#### **GWO Concern/Issue – The public is expected to tolerate impacts for the long term Increased municipal responsibility to deal with complaints**

*“Per its compliance framework, the Ministry may refer incidents related to compatibility issues that stem from planning decision to a more appropriate level of government or agency (e.g. municipality).....after a major facility has obtained its necessary planning approvals to be located in an area that may be close to a sensitive land use (e.g. a residential development), or vice versa..... the tools available to the Ministry (MECP) to deal with contaminants from the facility as well as technical solutions may be limited..... may result in a situation where the sensitive land use has to co-exist with ‘minor impacts’ from the major facility over the long term..... and subsequent complaints about adverse affects (noise, dust and odour) may be directed to the municipality”.*

Conceptual alignment regarding co-existence as being compatible is applicable here. Refer to Section 1 regarding terminology. Co-existence and compatibility are not conceptually the same and compatibility is a two-way process.

Refer to page 3 regarding the discussion pertaining to Section 1.2 and the lack of distinction between minor and major impacts. Shifting EPA compliance to the planning authority puts pressure on municipal capacity requirements which ultimately puts pressure on increasing municipal property taxes thereby shifting the financial responsibility to the public. In areas outside municipal boundaries, the role of Local Planning Boards is not mentioned and the public in these areas have no avenue available to have their concerns or complaints dealt with appropriately given the capacity limitations of Planning Boards. Similar to Section 2, how can planning authorities be responsible for compliance issues when site plans can be changed at the licensing stage and throughout the life of the aggregate operations which is outside the planning authorities' jurisdiction?

### **GWO Recommendation #10**

- Ensure compatibility goes both ways.
- Do not overburden planning authorities with EPA compliance issues.
- Review the viability and effectiveness of Local Planning Boards to deal with EPA complaints and compliance issues.

## **4.0 IMPLEMENTATION AND PLANNING TOOLS**

### **4.3.1 Municipal By-laws**

#### **GWO Concern/Issue**

- **Increased workload for planning authorities and risk of increasing property tax burden**
- **Lack of reference to fly rock as a contaminant**

*Onus is on the municipality to enforce by-laws that would prevent and respond to land use compatibility issues.*

Development and enforcement of by-laws regarding EPA compatibility issues puts further pressure on planning authorities' capacity requirements and risk of increase to local property taxes. As stated above, once the license has been approved, the planning authorities' oversight is limited by the PPS and the ARA. In addition, Local Planning Boards do not have the capacity for by-law enforcement. The public in these areas must rely on the good will of the self-reporting aggregate producers to comply with compatibility issues.

#### **GWO Recommendation #11:**

- **Do not overburden planning authorities' capacity and planning budgets.**
- **The province needs to review the viability and effectiveness of Local Planning Boards to not only develop by-laws but to carry out their enforcement.**

#### **GWO Recommendation #12:**

- **MECP to take responsibility for monitoring and compliance regarding their mandate for the environment as it relates to major facilities.**

## **APPENDIX - D – SECTOR SPECIFIC RELATED TO AGGREGATES**

#### **GWO Concern/Issue**

- **Preferential Treatment of Aggregate Industry**
- **PPS not being referred to in its entirety**
- **Recognition of the differences between planning and licensing stages**

Overall, aggregate operations are depicted as having priority over sensitive land uses. This imbalance includes the following:

- **AOIs and MSDs are not applicable to land use decisions for new or expanding aggregate operations proposed near sensitive land uses,**
- **Not requiring demonstration of need,**
- **PPS clauses are not being applied consistently, and**
- **Grey areas exist between the planning and licensing functions.**

The PPS favours a balanced approach regarding the potential for social and environmental impacts. Pertinent PPS clauses that consider the EPA state that development is to only be permitted when public health & safety, air quality and climate change have been addressed. Incompatibility in terms of noise, air, contaminants and vibration relate to public health and safety or environmental degradation and

although they are potential impacts of aggregate operations, they are not fully addressed by this Guideline.

Within this section, the planning authority is to consider compatibility as per the PPS and the ARA.

*Planning authorities....should also take into consideration that through the licensing process under the Aggregate Resource Act (ARA), MNR also has requirements to assess potential impacts on existing nearby land uses and whether it is feasible to mitigate potential impacts through that process.*

The ARA is not a feasible mechanism to address compatibility because it is proponent driven. Although addressing public concerns regarding potential impacts from operations are the proponent's responsibility under the ARA, the purposes of the ARA are to manage, control and regulate aggregate resources and operations to "minimize" the adverse impact on the environment. Compatibility between land uses is a government planning function and a responsibility that relates to public interest and community well-being. As a business, the proponent's corporate responsibility is to their shareholders and business profitability. The ARA and accompanying AROPS are not planning but operational documents and focus on the merits of the proposed pit's operations.

#### **GWO Recommendation #13**

- Be explicit regarding all compatibility requirements.
- Clearly identify that the PPS is to be read in its' entirety.
- Aggregate operations should not take precedence over municipal planning.
- Recognize the difference between the planning and licensing functions.

#### **GWO Concern/Issue – Preferential Treatment of Aggregate Operations**

*"Planning authorities must consider the potential for adverse effects from aggregate operations (including existing, planned and potential future operation), such as traffic to and from the facilities, and noise and dust from blasting, crushing or other operations, for proposals that require a planning approval."*

The Guideline also requires planning authorities to consider impacts for future aggregate operations where zoning is approved, deposits of mineral aggregate resources where provincial information is available, as well as dormant, licenced pits and quarries and un-rehabilitated "legacy" sites. Although the surficial geology maps identify location and extent of aggregates, quality is not always well defined, only the range and nature of the deposit. Determining quality requires further testing through bore holes and analysis of the material. Under this Guideline aggregate operations can freeze land for potential (not predicted) development even though the operation may not be permitted or even feasible given the quality or quantity of the material in particular locations. Freezing land would be detrimental to a cohesive society, compatible relations and future generations.

#### **GWO Recommendation #14:**

- Consider equity and the balance of land uses and opportunities for future generations.

Appendix D does not consider other potential adverse effects from aggregate operations such as the potential for groundwater and surface water contamination. Since these adverse effects on sensitive



land uses are not specified in the Guidelines, there may be confusion for planning authorities when considering approvals for rezoning of aggregate operations.

**GWO Recommendation #15:**

- Clearly indicate that MECP Guidelines relate to noise, dust, odour and vibrations only.
- Clearly indicate that planning authorities need to consider all adverse effects when considering planning proposals.

**WHAT'S MISSING IN THE GUIDELINES**

**1. Fly Rock**

The Guideline does not include fly rock as a discharge from quarry blasting and the adverse effect on sensitive land uses. Ontario Regulation 244/97 under the ARA which pertains to fly rock was approved on November 2020 and should be addressed in the Guideline.

**2. Cumulative Effects**

Aggregate extraction is often described as a temporary or interim use even though aggregate licenses are granted with no end date (in perpetuity) and gravel pits and quarries can lie dormant for decades. It is the local property owners, residents and communities which are in the location for the long term and will have to live with the consequences. MNR's siloed approach to assessing aggregate operations and pit licenses is maladaptive to deal with the long term consequences that can result from the expansion of aggregate operations. A project specific lens is not adequate to determine the incremental effects from past, present and future human actions. It is misleading to not consider the full potential of social and environmental impacts from all development occurring in a region, not merely from one operation but how that operation relates within the locational context.

**GWO Recommendation #16:**

- Include land use compatibility provisions to protect sensitive land uses and the environment from the adverse impacts of fly rock.
- Consider the cumulative effects of past, current and future developments before there are unsightly and irreversible effects.

**CONCLUSION**

The long standing recognition of the inherent incompatibility between sensitive land uses and industrial lands goes back in history to when land use activities that generated noise, smell, unsanitary or hazardous conditions were walled off from civic activities and living spaces as a means to regulate compatibility. Whether a sensitive land use proposes to expand near an existing aggregate operation, or whether an aggregate operation proposes to expand near an existing sensitive land use, the effects will be the same. Planning was and is the mechanism to provide guidance to reduce the risk for social and environmental impacts and/or conflicts associated with land use decisions.

Compatibility is a two-way process and must be reflected throughout the document. Aggregate extraction, by its very nature, is not a renewable resource and therefore cannot be considered a

sustainable resource. The Guideline should align with global concepts of sustainable development and the underlying tenants of corporate social responsibility and adherence to good planning. The Guideline should be applied by the municipality when considering planning applications for new and expanding pits and quarries near sensitive land uses where the effects on and of climate change and the health and safety of communities and future generations can be considered. The ARA proponent-driven, site-specific studies of the aggregate licencing process should not be substituted for good planning. Unless the Guideline is applied to aggregate operations as Class III industrial facilities without exemption, and planning authorities are given the tools and human and financial resources to carry out the expectations in this Guideline, land use compatibility and the potential for conflict with nearby sensitive land uses cannot be resolved.

## **SUMMARY OF RECOMMENDATIONS**

### **GWO Recommendation #1**

- Apply the Guideline in the same manner for new or expanding aggregate operations as for sensitive land uses.

### **GWO Recommendation #2:**

- Maintain the conceptual distinction between compatibility and co-existence.
- Distinguish between minor and major impacts.
- Ensure the MECP Guideline aligns with national and international agreements as well as the provinces' social, environmental and climate change responsibilities.

### **GWO Recommendation #3:**

- Apply the same requirement for new or expanding major facilities near established and planned sensitive land uses as for sensitive land uses being proposed near major facilities.
- Consistently apply all relevant PPS clauses.

### **GWO Recommendation #4:**

- Change the word 'should' to 'shall' to provide clear direction to ensure incompatible uses are not enabled nor approved.

### **GWO Recommendation #5:**

- Change 'should work together' to 'shall work together'.
- Enable collaboration to achieve the desired outcome of compatibility.
- Clearly identify the government's responsibility for the Duty to Consult with Indigenous Peoples and ensure it is implemented at the outset of development when changes in land use are being considered.

### **GWO Recommendation #6:**

- Do not overburden planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to carry out high level planning functions.

**GWO Recommendation #7**

- That new or expanding aggregate operations:
  - Apply the prescribed AOI and MSD required for Class 3 Major Industrial Facilities proposed near Sensitive Land Uses,
  - Measure separation distances (AOI and MSD) from the property boundary of the proposed aggregate operation (Class 3 Major facility) and from the property boundary of the existing sensitive land use to accommodate future expansions of the major facility,
  - Adhere to the Guideline for a Class 3 Major Facility (as identified in Section 2.2 Table 1) with the understanding that some aggregate operations may cause adverse effects beyond the MSD of 500 M and in some cases, beyond the AOI of 1000 M
  - Be subject to the steps in Section 2.5 for a proposed or expanding major facility that is within the AOI or MSD of an existing or planned sensitive land use.
  - Recognize Section 2.9 of the Decision Tree for Land Use Compatibility that may result in a proposed Major Facility not going ahead if expected adverse effects cannot be minimized and/or mitigated to the level of no adverse effects.

**GWO Recommendation #8**

- Apply the same requirement for Demonstration of Need in the same manner to new or expanding major facilities as for sensitive land uses being proposed near major facilities.
- Ensure compatibility is a two way process.

**GWO Recommendation #9**

- Should a planning authority conduct a review of a proponent's compatibility study with in-house expertise, the expense should be borne by the proponent.

**GWO Recommendation #10**

- Ensure compatibility goes both ways.
- Do not overburden planning authorities with EPA compliance issues.
- Review the viability and effectiveness of Local Planning Boards to deal with EPA complaints and compliance issues.

**GWO Recommendation #11:**

- Do not overburdening planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to not only develop by-laws but to carry out their enforcement.

**GWO Recommendation #12:**

- MECP to take responsibility for monitoring and compliance regarding their mandate for the environment as it relates to major facilities.

**GWO Recommendation #13**

- Be explicit regarding all compatibility requirements.
- Clearly identify that the PPS is to be read in its' entirety.
- Aggregate operations should not take precedence over municipal planning.
- Recognize the difference between the planning and licensing functions.

**GWO Recommendation #14:**

- Consider equity and the balance of land uses as well as opportunities for future generations.

**GWO Recommendation #15:**

- Clearly indicate that MECP Guidelines relate to noise, dust, odour and vibrations only.
- Clearly indicate that planning authorities need to consider all adverse effects when considering planning proposals.

**GWO Recommendation #16:**

- Include land use compatibility provisions to protect sensitive land uses and the environment from the adverse impacts of fly rock.
- Consider the cumulative effects of past, current and future developments before there are unsightly and irreversible effects.

**REFERENCES:**

Arnstein's Ladder of Public Participation, found at:  
(<https://www.citizenshandbook.org/arnsteinsladder.html>.)

EPA D-Series Guidelines

- D-1 Land Use and Compatibility
- D-1-1 Land Use Compatibility: Procedure for Implementation
- D-1-2 Land Use Compatibility: Specific Applications
- D-1-3 Land Use Compatibility: Definitions
- D-6 Compatibility between Industrial Facilities
- D-6-1 Industrial Categorization Criteria
- D-6-3 Separation Distances

Government Documents:

- Aggregate Resources Act Regulations, Amendments 2020
- Aggregate Resources of Ontario Provincial Standards, Amendments 2020
- Provincial Policy Statement 2020
- Ontario Planning Act
- Mineral Aggregate Resources Policy Statement and Guideline on Implementation
- Ontario Environmental Protection Act (EPA)

World Commission on Environment and Development. Our Common Future, Oxford, UK. Oxford. University Press. 1987.

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# **Mark L. Dorfman, Planner Inc.**

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219 - 50 Westmount Road North, Waterloo, ON, N2L 2R5  
Telephone: 519-888-6570 ~ Facsimile: 519-888-8382 ~ E-mail: [dmark@mldpi.ca](mailto:dmark@mldpi.ca)

**June 21, 2021**

**Report to: Township of Ramara Committee of the Whole**  
**Subject: Proposed Land Use Compatibility Guideline**  
**Ministry of Environment, Conservation and Parks (MECP)**

## **Recommendations**

1. That the Committee of the Whole receive the Report, 'Proposed Land Use Compatibility Guideline', dated June 21, 2021, as presented by Mark Dorfman; and
2. The Township of Ramara shall submit this Report and Recommendations to the Ontario Ministry of the Environment, Conservation and Parks under Environmental Registry of Ontario Number 019-2785, prior to July 3, 2021, to [meccp.landpolicy@ontario.ca](mailto:meccp.landpolicy@ontario.ca)

At its meeting held on June 7, 2021, the Committee of the Whole passed a motion requesting "A report regarding the Aggregate sections of the proposed Land Use Compatibility Guidelines".

On May 4, 2021, MECP published the proposed Guidelines for public consultation. This is one of four initiatives that were issued at the same time. These initiatives are intended "to strengthen compliance tools that hold polluters accountable and create consistent guidelines to prevent and address noise and odour issues."

Submissions to MECP are to be made on or before July 3, 2021.

## **EXISTING D-SERIES GUIDELINES**

The MECP intends to update and replace the D-Series Guidelines related to land use compatibility that has existed since July 1995. The existing Guideline D-6, "Compatibility Between Industrial Facilities and Sensitive land uses" applies to the land use planning process "to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another".

The D-6 Guideline does not apply to pits and quarries if there are site specific studies related to an aggregate application. Otherwise, as I understand, when an official plan/ amendment and zoning bylaw/amendment are considered for new sensitive land uses encroaching on an existing pit or quarry, the D-6 Guideline should be used by the municipality. Although not clearly enunciated in the D-6 Guideline, I believe that the D-6 Guideline should be used when the municipality is considering planning applications for new and expanding pits and quarries.



## **THE PROPOSED LAND USE COMPATIBILITY GUIDELINE**

### **Overview**

The proposed Guideline focuses on official plan and zoning bylaw updates; applications to amend the official plan, the zoning bylaw, site plan applications, and plan of subdivision applications. It is clearly stated that the municipality should use the Guideline where a new or expanding sensitive land use is proposed near an existing or planned major facility and where a new or expanding major facility is proposed near and existing or planned sensitive land use.

A **Major Facility** includes Resource Extraction Activities. A **Sensitive Land Use** is a building, amenity area or outdoor space, such as dwellings, day care centres, health and education facilities, public parks, harbours.

The Guideline is used to enable certain land uses to coexist in the long-term. Compatibility is two ways: it means that adverse effects such as noise, dust, odour and vibration from Major Facilities on Sensitive Land uses can be achieved, and that complaints from nearby Sensitive Land Uses do not add costs to Major Facilities for mitigation after the fact.

### **COMPATIBILITY METHODOLOGY**

- (a) Municipalities are guided to determine **Areas of Influence ("AOIs")** and **Minimum Separation Distances ("MSDs")** surrounding existing or planned Major Facilities that are established by the Province. The AOI for Aggregate Operations is 1,000 metres. The MSD for Aggregate Operations is 500 metres. **The AOI and the MSD only apply to new or expanding Sensitive Land Use proposals near a Major Facility aggregate operation.** (See Table 1, pages 23 to 25).
- (b) The Municipality is directed to undertake a **Compatibility Study** if a development proposal is in an AOI of 1,000 metres. The Compatibility Study assesses where potential noise, dust, odour and vibration adverse effects are very likely to occur and incompatible development should not normally take place in the minimum 500 metre MSD.
- (c) A **Demonstration of Need Study** is required by the municipality to determine whether there is an identified need for the proposed Sensitive Land Use in the proposed location in the AOI, and if alternative locations outside the AOI have been evaluated and there are no reasonable alternative locations. Mitigation Measures would be needed to ensure no adverse effects or potential impacts and no Sensitive Land Use in the MSD.

#### **The Township of Ramara recommends:**

1. **that the Land Use Compatibility Guideline should apply to new or expanding Aggregate Operations that are near existing and planned Sensitive Land Uses, as well as new or expanding Sensitive Land Uses.**



2. that the Minimum AOIs and the Minimum MSD should apply where there are new or expanding Aggregate Operations near existing or planned Sensitive Land Uses, as well as new or expanding Sensitive Land Uses.
3. that if the Municipality is required to undertake a Compatibility Study, the Municipality should not be required to pay for the total cost of a Compatibility Study where there are planning applications for new or expanding Aggregate Operations and new or expanding Sensitive Land Uses.
4. that if the Municipality is required to undertake a Demonstration of Need Study, the Municipality should not be required to pay for the total cost of a Demonstration of Need Study for proposed Sensitive Land Uses in the AOI and MSD of the existing Aggregate Operations.
5. that if the Municipality is required to pay for the required Compatibility and Need Studies, it is appropriate that the Municipality may deny the acceptability of planning applications.
6. that the Land Use Compatibility Guideline shall be used by the Municipality to assess the appropriateness of licence and planning applications under the *Aggregate Resources Act* and the *Planning Act* and approve or deny according to good planning, conformity and consistency.

#### **AGGREGATE SECTOR CONSIDERATIONS (APPENDIX D)**

In the existing Ramara Official Plan, Schedule "D" identifies in the order of 12,560 hectares of land as "High Potential Mineral Aggregate Resource Areas" (HPMARAS). This represents 30% of the Ramara's total land area. The total HPMARA consists of predominately bedrock resources. The HPMARA excludes designated Settlement Areas. The boundary of the HPMARA is located a minimum of 1,000 metres from existing and planned Sensitive Land Uses such as designated Settlement Areas, designated Shoreline Residential Areas, First Nation Reserve lands, and Provincially Significant Wetlands. The HPMARA is consistent with the spirit of the D-6 Guideline.

There are 14 licenced Quarries and 8 licenced Pits in Ramara that annually produce in the order of 3 million tonnes of aggregate on 1,660 hectares. Ramara is one of the top 10 producers in the provincial Growth Plan Area.

In Ramara, 13 of the 14 licenced quarries are located within the identified HPMARAs, thereby achieving the objective of land use compatibility with designated residential sensitive land use areas. The only quarry that is not within an HPMARA is currently proposing to expand its aggregate operation within the 1,000 metre AOI and the 500 metre MSD. This matter is scheduled to be heard by the Ontario Land Tribunal.



Following from the above recommendations, the following issues arising from Appendix D - Aggregate Sector Considerations raise several issues and recommendations for improvements to the proposed Land Use Compatibility Guideline.

**Issues Regarding Noise, Dust and Odour Emissions and Other Adverse Effects**

- (a) On page 77, it is suggested that municipalities “will also need to consider other potential *adverse effects*, such as the potential for groundwater and surface water contamination, which are not discussed specifically in this section”. This statement is very general and applies to all Major Facilities proposed in a municipality. Ramara understands that there are other adverse effects or impacts on Sensitive Land Uses and that these are not included as considerations in these proposed Guidelines. This raises confusion when considering Major Facilities in general and Aggregate Operations specifically.

**7. The Township of Ramara recommends that the second paragraph on page 77 should be deleted.**

- (b) On page 79, there is a caution addressed to municipalities when considering Aggregate Operations:

It is important to plan land uses surrounding aggregate resources in a way that both prevents adverse impacts to *sensitive land uses* and ensures the long-term protection of aggregate resources.

The Township of Ramara Official Plan policies implement this approach by keeping Aggregate Operations away from settlement areas, shoreline residential areas and First Nation Reserves and provides opportunities within the identified HPMARAs for continued Aggregate Operations in the long-term.

**8. The Township of Ramara agrees with this caution and recommends that the proposed Guideline include the Ramara Official Plan case as one successful example for achieving this land use objective.**

- (c) On page 79, the second sentence in the first paragraph, as stated, raises a major concern for the Township of Ramara:

*Planning authorities* must consider the potential for *adverse effects* from aggregate operations (including existing, planned and potential future operations), such as traffic to and from the facilities, and noise and dust from blasting, crushing or other operations, for properties that require a planning approval.

I interpret this to mean that the Municipality is directed when assessing a planning application for Sensitive Land Uses, such as residential, that the Municipality is responsible for determining adverse effects as defined in the *Environmental Protection Act*. It is evident from this statement that the province expects that existing, planned and potential Aggregate Operations should have priority over Sensitive Land Uses. The





direction to the Municipality is onerous since it implies that an environmental impact assessment is required for any planning approval including a consent, minor variance or even one dwelling.

9. **The Township of Ramara disagrees that the Aggregate Operations should take precedence in municipal planning. Since the Aggregate Operation is the potential source of adverse effects, the adverse effect assessment must be undertaken by the aggregate proponent whether an Aggregate Operation is new or it is expanding near Sensitive Land Uses.**

- (d) On page 79, the second paragraph reiterates the provincial interest in Provincial Policy Statement 2020. In particular, policy 1.2.6.1 in PPS2020 sets out the provincial interest to balance the planning and development of Major Facilities and Sensitive Land Uses in order to avoid, minimize or mitigate adverse effects of Major Facilities. The effects are broader and include contaminants other than odour and noise and also the policy is to minimize risk to public health and safety, and to always ensure economic viability of Major Facilities.

Policies 2.5.2.4 and 2.5.2.5 in PPS2020 direct Municipalities to protect *mineral aggregate operations* and under certain "requirements" allow development and activities within identified mineral aggregate resource areas. These provincial policies are well understood. The paragraph continues with the caution that "these requirements are in addition to what is recommended in this Guideline."

This is interpreted to always mean that Aggregate Operations and Aggregate Resource protection take precedence over development of sensitive uses.

10. **The Township of Ramara reiterates that Aggregate Operations should not take precedence in municipal planning. Ramara has realized the balance between land uses and provides 12,560 hectares for protected Mineral Aggregate Resources.**

- (e) On page 79, paragraph 3 confirms that the onus is on the Municipality to demonstrate that new or expanding Sensitive Land Uses conform with the provincial AOIs and MSDs for existing or planned Aggregate Operations. This implies that if the Municipality has identified protected provincial Mineral Aggregate Resources required for planned Aggregate Operations, these areas essentially are unavailable for other development such as residential.

In many Municipal Official Plans, Mineral Aggregate Resources are identified as an overlay of existing designated settlement areas and built-up areas. This Guideline should be clear that to avoid potential adverse effects, the Ramara Official Plan model should be encouraged in all Municipalities



**11. The Township of Ramara recommends that paragraph 3 on page 79 should be modified to add an option that municipalities should identify protected Mineral Aggregate Resources in appropriate areas beyond designated settlement areas and residential clusters in order to avoid potential adverse effects and land use incompatibility.**

(f) On pages 79 and 80, the first sentence in paragraph 4 clearly enunciates the provincial objective:

The AOI and MSD in the Guideline are not applicable to land use decisions for new or expanding aggregate operations proposed near *sensitive land uses*. *Planning authorities* are required to address land use compatibility with respect to new or expanding operations, as required by the PPS.

This means that when a Municipality receives a planning application to amend the Official Plan and/or the Zoning Bylaw for an Aggregate site, the Municipality cannot use the AOIs and MSDs to separate the new or expanding aggregate operation from existing residential areas. Simply stated, the new or expanding aggregate operation can locate within 1,000 metres or even 500 metres, or less from an existing stable residential area.

In Ramara's experience, this direction is not acceptable and this municipality has already made the planning decision when identifying Mineral Aggregate Resource Areas, that aggregate operations are not appropriate within 1,000 metres of existing and planned residential areas.

**12. The Township of Ramara strongly disagrees with the provincial direction that existing and expanding aggregate operations are not required to consider land use compatibility and may locate within 1,000 metres of existing and planned residential areas that are sensitive land uses.**

(g) On page 80, reference is made to the role of the MNR "to assess potential impacts on existing nearby land uses and whether it is feasible to mitigate potential impacts through that process". Under the *Aggregate Resources Act* and the aggregate regulation and standards, the proponent for a licence is only required to consider an area of 120 metres surrounding the proposed licenced area for most impacts.

**13. The Township of Ramara disagrees that there should never be a distinction between land use compatibility addressed in the *Aggregate Resources Act* and under the *Planning Act*. The AOIs and MSDs should be applied in both directions.**



- (h) The proposed Land Use Compatibility Guideline does not include an important contaminant emanating from Aggregate Quarries. The contaminant is fly rock. On January 1, 2022, Rule 22 of subsection 0.13 in Ontario Regulation 244/97 under the *Aggregate Resources Act*, comes into effect. It stipulates that an aggregate licensee shall ensure that the quarry is in compliance with the Rule as follows:

a licensee shall take all reasonable measures to prevent fly rock from leaving the site during blasting if a sensitive receptor is located within 500 metres of the boundary of the site.

Fly Rock discharge from a quarry blasting is a contaminant and it is likely to cause an adverse effect under the *Environmental Protection Act*. The Act requires that the licensee must report forthwith to the MECP if the contaminant may likely cause an adverse effect. The Ministry may issue an order for remediation and preventative measures. Currently, there is no provincial policy, regulation or guideline that protects the environment, people, property and natural heritage features on land and in the air and water from the discharge of fly rock from a quarry.

- 14. The Township of Ramara recommends that the MECP should modify the proposed Guideline to include land use compatibility provisions to adequately protect the environment beyond quarry sites from the possible adverse impacts of fly rock during blasting operations.**

Respectfully submitted,



**Mark L. Dorfman, F.C.I.P., R.P.P.**



RECEIVED

AUG 24 2021

August 10, 2021

Dear Township of Assiginack,

The Manitoulin Island Clinician Recruitment & Retention Committee (MICRRC) is comprised of municipalities and townships across Manitoulin Island. Our committee works to provide physicians and allied health care professionals to work in our communities. We continue to implement an effective recruitment and retention plan that includes the development of promotional and marketing tools, attendance and interaction with physicians, medical learners and health care professionals.

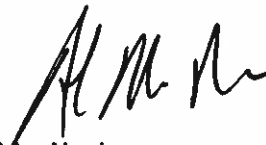
Enclosed is a list of all the contribution requests for 2021 along with an invoice for your community. We are sending this letter out to all of our partners, and since your community has already made a contribution for the 2021 calendar year, then we would like to take this time to say thank you. Your contribution will support the full time position of our Recruiter who not only recruits but also supports our local physicians with their locum needs. Moving forward, the MICRRC will be sending a letter of support with a request for funds in December so you can have the information as you enter into budget deliberations in the new year. Should you have any questions regarding your contribution, please do not hesitate to contact us.

As a contributor, we invite you to select a representative to join our committee. The MICRRC meets quarterly; March, June, September and December each year. If your council has any questions, I am happy to present or attend a council meeting. On behalf of the committee, we would like to thank you for your continued support.

Sincerely,



Alyssa Spooney  
*Recruitment Coordinator*  
North Shore and Manitoulin Island  
[aspooney@nshn.care](mailto:aspooney@nshn.care)  
705-461-0097



Al MacNevin  
*Chair*  
MICRRC  
[amacnevin@townofnemi.on.ca](mailto:amacnevin@townofnemi.on.ca)

**Manitoulin Island Clinician Recruitment & Retention Committee  
(MICRRC)**

<b>Community</b>	<b>2021 Contribution</b>	<b>Date Received</b>
NEMI	\$ 7,000	
Assiginack	\$ 3,000	June 2021
Gordon/Barrie Island	\$ 1,500	
Central Manitoulin	\$ 7,000	July 2021
Gore Bay	\$ 3,500	
Burpee and Mills	\$ 1,500	April 2021
Billings	\$ 3,000	
Tehkummah	\$ 1,000	May 2021
MHC	\$ 7,000	August 2021
<b>Total</b>	<b>\$ 34,500</b>	

## Assiginack Economic Development Officer Report: September 2021

Summary of data for ongoing projects, the business economy, tourism, stakeholder relations, marketing, and/or business attraction initiatives.

### **1. Proposed Assiginack Arts and Events Multi-purpose Centre (AAEC)**

Assiginack recently conducted an open 3 week survey regarding the demand for an Arts and Events Multi-purpose Centre in the downtown core sector of Manitowaning, and the type of revenue generating activities and events desired by primarily local tax payers.

There were 55 responses to the monkey survey, the data indicated a strong demand for such a community driven multi-purpose centre. The survey also indicated a demand for year-round activities with music concerts and live theatrical performances being rated the highest respectively followed by local produce/product markets, various art-based summer camps, and weekly classes.

This survey results were the final element needed to complete the Assiginack Arts and Events Committee Feasibility Study and Strategic Business Plan which is a requirement to apply for Government funding for such a build.

Phase one applications to both FedNOR and NOHFC have been completed.

### **AAEC Link To Local Community and Overall Business Economy**

The AAEC Benefits & Overall Need

### **How will AAEC Increase quality to life - Benefit the Community?**

- Create a 'drawing card' community anchor for new development
- Drive economic impact through increased tourism – traffic to the area
- Increasing local participation of volunteers in community life
- Better connect organizations and businesses to each other
- Attract more talented and skilled people to live and work in the community
- The AAEC platform will create an all-ages and income accepting space which will help build more inclusive and understanding communities
- Help reduce health care costs – via encourage social networking
- Build stronger sense of local pride and sense of place
- Creating an aesthetically beautiful architectural experience and legacy for the community

### **How will AAEC Increase quality to life - Benefit the Individual?**

- Reducing isolation, increasing community engagement and social interaction
- Reducing stress, improving individual health and wellbeing
- Enhancing the ability to work with others and communicate ideas
- Providing opportunities for learning and personal growth
- Improving self-expression and creativity
- Increasing individual opportunity and propensity to be involved in the arts
- Improving learning, problem-solving, leadership skills
- Improving social skills and collaboration
- Achieving higher academic achievement
- Improving entrepreneurial and professional skills

Assiginack business growth is not only challenged by the current lack of year-round traffic to the Township but also by the availability of adequate housing, availability of commercial space to rent or lease, and availability of commercial property to purchase.

However, the AAEC will create a new innovate public year-round access indoor market and gallery space for entrepreneurs to flourish their home-based businesses from.

The current business community will also grow as the AAEC gains momentum.

AAEC is also the significant springboard initiative that will drive the following progressive Assiginack undertakings:

- A. Currently working on compiling an investment profile ready for potential investors.
- B. Secure further funding for Hwy 6 'Tourism Booth' to be open year-round as a 'NEW' investment attraction Business.
- C. Continue to pursue funding to increase Local Pocket Parks and Trails.
- D. Secure funding for a Manitowaning Lakeshore Engineer Study and Development.
- E. Obtain funding to develop a High Falls Observatory and Park.
- F. 2023-24 Weekend Heritage Fair Plan and Funding

PROJECT	FEDNOR	NOHFC	OMAFRA	CHC	OTF	Heritage / Culture	ICIP	ASSIG	TOTAL\$
<b>Hwy Building</b>							100,000	?	100,000
<b>OPTION 1</b> Pavilion + Pathway (Sept 15/21 Result)				100%					137,000
<b>OPTION 2</b> Waterfront Downtown Core Engineered Study (*Will INCLUDE launch, beach, and buildings too)	45%		45% (RED)					25,000 (10%)	113,000
*137,00 for pavilion / walkway added to study fee									137,000
									=
									<b>250,000</b>
AAE Centre	40%		50%		+ Int.? 100%	+ Interior Finishes Sound, Fixtures etc. ? 50%		125,000 (10%)	1.25Mill
High Falls Walkway	40%		50%					40,000 (10%)	400,000

**ABOVE: Assig. \$190,000 plus overruns for 2022-23 Budget**





RECEIVED  
AUG 26 2021

August 26, 2021

To the various municipalities across Manitoulin Island

To whom it may concern:

I am writing you in my capacity as the Communications and Development Co-ordinator of the Manitoulin Health Centre. As you may know, we have undertaken a renovation and expansion of the Mindemoya Emergency Department to better serve our patients, including our summer and seasonal residents. These improvements include:

- a clean line of sight to patient areas from the nursing station;
- greater patient confidentiality during a visit;
- a dedicated mental health observation suite;
- an extra bed in the trauma area;
- a larger chemotherapy suite and an infectious disease suite, complete with anteroom.

When complete, the Mindemoya Emergency Department will be a space which is larger, safer, more comfortable and welcoming for our patients, the doctors and nurses who provide much needed care. The renovations are scheduled for completion in July of 2022.

As part of our ongoing fundraising efforts, we will be launching a 50/50 draw mid September, fingers crossed!

We will be marketing via all the traditional means. I am hoping however, that you may be able to provide us with a little extra help. I am asking if you could include as part of your next utility/tax billing or other correspondence you may have with your residents, an insert highlighting the initiative. I can provide you with all the "stuffers" so there is no additional work required on behalf of your staff.

On behalf of the Manitoulin Health Centre, thank you for your consideration. I can be reached at the hospital at (705) 368-2300 ext 2335, on my cell at (705) 348-0961 or by email at [ktimmermans@mhc.on.ca](mailto:ktimmermans@mhc.on.ca). Thank you for your consideration.

Yours truly,

*Kelly Timmermans*

KELLY (KT) TIMMERMANS  
Communications and Development Co-ordinator  
Manitoulin Health Centre

Manitowaning Agricultural Society

P.O. Box 116  
Manitowaning Ontario  
POP 1N0

August 26 2021

Dear Friends

This year would be the 145<sup>th</sup> year of holding the Manitowaning Fall Fair, due to the Covid-19 pandemic, we have made the very difficult decision to postpone this year's fall fair till 2022. Therefore the 145<sup>th</sup> annual Fall Fair for Manitowaning will be on September 9<sup>th</sup> & 10 of 2022.

We would like to take this time to thank you very much for all of your past donations, which has ensured the continuation of oldest fall fair in Northern Ontario. We hope that we will be able to continue to count on your support in the coming years.

The executive and directors would like to wish you a safe year in these uncertain times.


Sincerely

W. Holmes  
President

# Ontario's Enhanced COVID-19 Vaccine Certificate



September 1, 2021

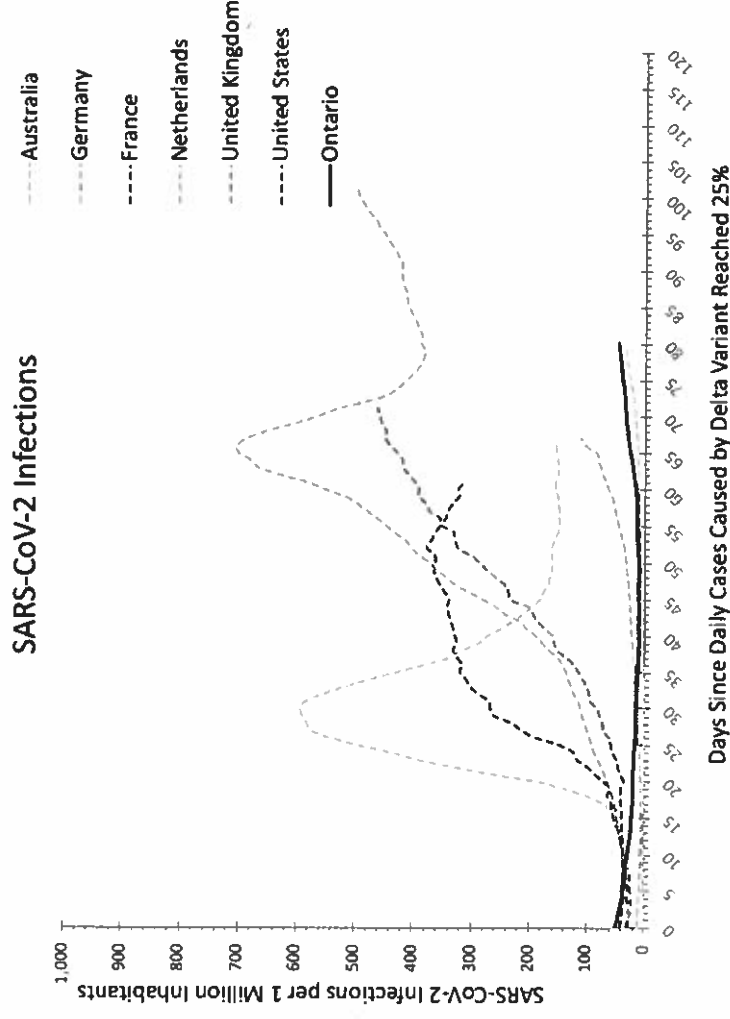
Ontario 

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SEP 01 2021

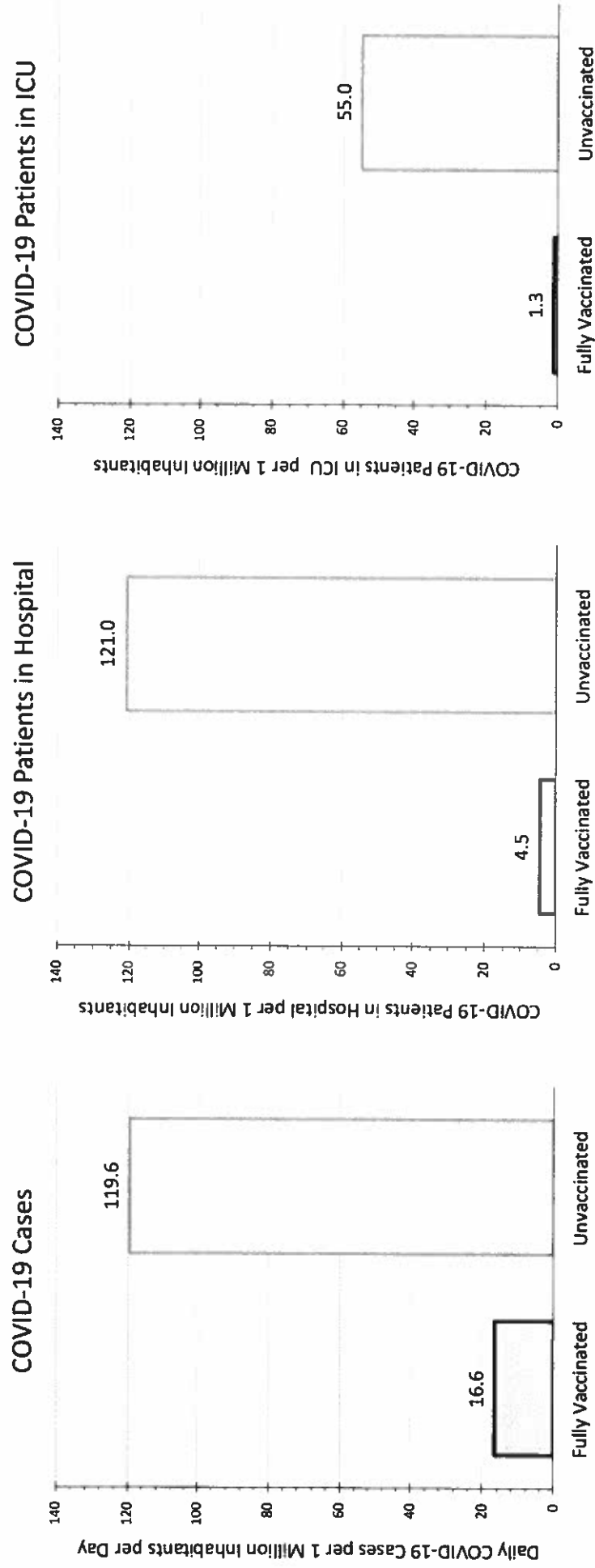
# Ontario's Cautious Approach is Working

- Like other peer jurisdictions, Ontario is in the fourth wave of the COVID-19 pandemic.
- Ontario's cautious approach to re-opening has slowed the growth of the virus.
- Ontario's cautious approach has included the following:
  - Maintaining public health measures like masking while indoors;
  - Pausing the exit from the Roadmap to Reopen;
  - Releasing the most comprehensive, far-ranging mandatory vaccination policies in the country; and
  - Becoming the first jurisdiction in Canada to approve a third dose for vulnerable populations.



# Vaccines Remain our Best Defense

Unvaccinated people have a 7-fold higher risk of symptomatic COVID-19 disease, a 27-fold higher risk of being in the hospital and 42-fold higher risk of being in the ICU compared to the fully vaccinated



3 Analysis: Secretariat of the Science Advisory Table (<https://covid19-sciencetable.ca/ontario-dashboard/>)  
 Data: <https://data.ontario.ca/> and CCM plus; estimates of patients in hospital and ICU are age standardized

# Mandatory Vaccination Policies

- Ontario has released the most comprehensive and far-ranging mandatory vaccination policies in the country.
- To protect vulnerable patients and staff in high-risk settings, the Chief Medical Officer of Health issued a Directive on August 17, 2021, mandating the following effective September 7, 2021:
  - Hospitals and home and community care service providers to have a COVID-19 vaccination policy for employees, staff, contractors, students and volunteers; and
  - Ambulance services to have a COVID-19 vaccination policy for paramedics.
- This is similar to the vaccination policy requirements in place for long-term care homes announced on May 31, 2021.
- The Ministry of Education has also introduced a vaccination disclosure policy for all publicly-funded school board employees, as well as staff in private schools and all staff in licensed child care settings for the 2021-22 school year. Teachers must either show a negative test or show that they are vaccinated.
  - COVaxON will be used to safely and securely confirm the vaccination status of students, enabling rapid case and contact management to limit disruptions in the event of cases or outbreaks and keep kids in class.
- Vaccination policies are also being mandated and will be implemented in other higher-risk settings such as:
  - Post-secondary institutions;
  - Licensed retirement homes;
  - Women's shelters; and
  - Congregate group homes and day programs for adults with developmental disabilities, children's treatment centres and other services for children with special needs, and licensed children's residential settings.

# Current Context: Vaccine Receipts



Currently, vaccine receipts are available in PDF form to be downloaded or printed.



The Delta variant and the recent experience of other jurisdictions has demonstrated the need for additional steps to further increase vaccination rates, ensure enhanced protection in public settings for individuals who are fully vaccinated, and keep businesses open.



The province will provide Ontarians with a trusted service on vaccination certificates by providing access to their existing vaccine information in a trusted, digitally readable format.



## Purpose of Enhanced Vaccination Certificate Services

- 1. Individual control:** Ensures Ontarians can obtain and use their vaccination certificate info when and how they choose
- 2. Privacy enhancements:** Strengthens and protects Ontarians' privacy
- 3. Stability for businesses:** A tool to help keep businesses open and reduce burden on businesses by introducing new technology.
- 4. Foundational capability:** Prepares for interoperability and integration with federal vaccine passport for international travel
- 5. Interoperability:** Standard technology enables status to be read across jurisdictions in Canada

# Settings Where Patrons Must be Fully Vaccinated

- Starting September 22, 2021, Ontarians will need to be fully vaccinated (two doses plus 14 days) and provide their proof of vaccination along with photo ID to access certain public settings and facilities.
- This approach focuses on higher-risk indoor public settings where face coverings cannot always be worn and includes:
  - Restaurants and bars (excluding outdoor patios, as well as delivery and takeout);
  - Nightclubs (including outdoor areas of the establishment);
  - Meeting and event spaces, such as banquet halls and conference/convention centres;
  - Facilities used for sports and fitness activities and personal fitness training, such as gyms, fitness and recreational facilities with the exception of youth recreational sport;
  - Sporting events;
  - Casinos, bingo halls and gaming establishments;
  - Concerts, music festivals, theatres and cinemas;
  - Strip clubs, bathhouses and sex clubs
  - Racing venues (e.g., horse racing).
- These requirements would not apply to outdoor settings where the risk of transmission is lower, including patios, with the exception of outdoor nightclub spaces given the risk associated with the setting.



# Considerations/Exemptions

- At no time will anyone be prevented from accessing necessary medical care, food from grocery store, basic medical supplies or other essentials based on vaccination status. This includes voting in the upcoming federal election.
- Unvaccinated people with medical exemptions and people under 12 years old will be permitted to enter these settings.
- A negative COVID-19 test or recent COVID-19 infection will not entitle a person to enter these settings, with narrow, time-limited exceptions for testing (e.g. for wedding or funeral receptions).
- In the coming weeks Ontario will establish processes for individuals with no email or health card/ID, as well as support implementation of vaccine certificates for Indigenous communities whether or not they have opted to enter their data into COVax, while maintaining Indigenous data governance, control, access, and possession principles.
- Individuals with a green photo OHIP card, can log in to the provincial portal to download or print an electronic COVID-19 vaccine receipt (PDF). Individuals will need their green photo OHIP card, date of birth, and postal code. Those who have a red and white health card can call the Provincial Vaccine Booking Line at 1-833-943-3900 to receive a copy of their vaccination receipt by email.
- Those who received their first or second dose of the COVID-19 vaccine out of province should contact their local public health unit to record their information and receive proper documentation.
- For questions about how to access vaccination records, Ontarians can contact the Provincial Vaccine Information Line at 1-888-999-6488 (TTY for people who are deaf, hearing-impaired or speech-impaired: 1-866-797-0007). Information is available in more than 300 languages and this line is available 8 a.m. to 8 p.m., seven days a week.

# Enhanced Vaccination Certificate Services

1 Proof of Immunization Required

2

Certificate with QR Code and Verification App

(POLICY EFFECTIVE SEPTEMBER 22)

## Overview

People are required to be fully vaccinated (two doses based on approved vaccines + 14 days) and prove their vaccination status to enter prescribed facilities (visual verification of receipt until future services provided)

## Description

- Ontarians currently have access to paper/PDF receipt that includes all their clinical vaccination information
- The receipt includes user's name, date of birth, last four digits of health card, date, vaccination dose, vaccination type, and authorizing org., etc.
- Ontarians will be required to show their paper/PDF receipt at the entrance of prescribed settings for visual inspection along an appropriate piece of ID

## Overview

Certificates will be issued that meet the Smart Health Card standard and include a unique QR code containing similar information as the current paper/ PDF certificate.

The province will develop and launch a new app that businesses and facilities can use to scan and validate unique QR codes

## Description

- A standardized QR code provides a method for users to easily share certificate info digitally when scanned
- The province will develop a verification app to the market that scans the QR code on a holder's vaccine certificate
- The verification service will return the holder's vaccine status based on business rules set by the province and limit the data displayed (e.g. simple yes/no + name when scanned)



From September 22, Ontarians will be required to provide proof of vaccination status along with a piece of ID to enter prescribed settings. Ontario will develop and provide additional tools to improve user experience, efficiency and business supports in the coming weeks, including establishing exception processes for clients with Red and White Health Card, or COVID ID, or clients who have a photo health card but did not provide it at time of vaccination.

# User Journey: Visual Receipt Verification

## Step 1 – Proof of Immunization Required

- Prior to launch the QR codes and verification app, the vaccine receipts currently provided to Ontarians through the Ontario.ca portal will be verified in conjunction with a government issued piece of ID.

### 1 Proof of Immunization Required (EFFECTIVE SEPTEMBER 22)

PAPER OR PDF VACCINE RECEIPT

SAMPLE USER JOURNEY



Jane received all doses of her WHO-approved COVID-19 vaccine and **receives a vaccine receipt** (through digital portal or service desk)

Jane receives the **provincially issued vaccination receipt** which she prints or stores on a mobile device as a PDF (in October, the receipt will have a QR code)

Jane now has her vaccine receipt, ready to be used as **proof-of-vaccination**

Jane displays her vaccine receipt along with another piece of **physical identification** (e.g., photo health card or driver's licence)

Organizations and venues visually verify the **vaccine certificate** and **physical ID**

# User Journey: Digital Vaccine Certificate

## Step 2 – Enhanced Certificate with QR Code and Verification App

- Once the verification app launches, organizations and venues will scan unique QR codes on vaccine certificates to verify their authenticity and simplify the user experience.

### 2 Certificate with QR Code and Verification App (OCTOBER 22)

#### VACCINE CERTIFICATE WITH QR CODE

##### SAMPLE USER JOURNEY



John received all doses of his WHO-approved COVID-19 vaccine and **requests a vaccine certificate** (through digital portal or service desk)

John receives the provincially issued and signed vaccination certificate (PDF with **QR code beside text**) which he prints or stores on a mobile device (such as Apple Wallet) as a PDF

John now has version of his vaccine certificate where the QR code contains **similar information as is printed on the certificate**

John **presents** his vaccine certificate by displaying the QR code for scanning along with an appropriate piece of ID

A **provincially provided application** reads the QR code, verifies it originated from a trusted source, and displays John's status based on provincial guidelines