



MINUTES
Thursday 24 November 2022

Adopted in Resolution 1-2023 on 2 February 2023

1. CALL TO ORDER

Dean Gates assumed Chairmanship and called this meeting to order at approximately 5:32pm in the Maple Room at 250 Clark Street, Powassan ON P0H 1Z0.

2. MEMBERS PRESENT (alphabetically)

John Borlase		(Unincorporated Townships, Ministry Appointee)
Dave Britton	SECRETARY-TREASURER	(Councillor Powassan)
Dean Gates	CHAIRPERSON	(Unincorporated Townships, Ministry Appointee)
Randy Hall		(Councillor Powassan)

MEMBERS ABSENT

Roger Glabb, (Powassan Citizen appointee)

OTHERS PRESENT

Karin Ann Brent, NAPB Administrative Director

Report 10.1 - B24/WILSON/2022 Revision of Condition MTO

Joe Whitmell, applicant

Rick Miller, agent

3. ADOPTION OF AGENDA

On a verbal motion moved by John Borlase and seconded by Randy Hall, the agenda was adopted as amended to add Items presented in an Addendum Agenda in business Items 6, 8 and 12.

4. DISCLOSURE OF DIRECT OR INDIRECT PECUNIARY INTEREST AND GENERAL NATURE THEREOF - Nil

5. ADOPTION OF MINUTES

a) 26 October 2022 (Public Meeting)

RESOLUTION 95-2022 Moved by Randy Hall Seconded by Dave Britton

THAT the Minutes of the following meeting of the North Almaguin Planning Board, be adopted as circulated:

a) 26 October 2022

CARRIED

6. PRESENTATIONS / DEPUTATIONS

Rick Miller OLS was present with the applicant Joe Whitmell, and spoke as agent for the matter in Consent application B24/WILSON/2022 subject in Item 10.1 of this agenda, arguing that the MTO request for revision to add a condition is not applicable to re-establishing Lot 12 Concession 14. Mr. Miller referenced the 1996 Consent that granted a registered easement for access to four (4) lots south of Lot 12, and offered an extract of a draft letter from MTO that indicates the easement right of way requested in B49/1996 was approved without limitations on 26 February 1997.



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7. 1. PUBLIC MEETINGS - CONSENTS

NAME	B File #	LOCALITY	CONSENT REQUESTED
Jardine, Jean	33/2022	POWASSAN	CREATE a 0.0941 ha PARCEL to be conveyed as a lot addition to 505 Valleyview Drive West (back lot, lot addition)

B33/POWASSAN/2022

Secretary-Treasurer Dave Britton confirmed that the posters of the Notice of Meeting were posted on site.

RESOLUTION 96-2022 Moved by Dave Britton Seconded by Randy Hall

WHEREAS at its meeting on 26 October 2022 the matter in Consent Application B33/POWASSAN/2022 requesting creation of a 0.0941 ha (0.23 ac) parcel to be conveyed as a lot addition to an abutting property municipally known as 505 Valleyview Drive West was presented for public input, however after the meeting it was discovered that the applicant/agent did not post the statutory requirement to post the Notice of Meeting laminate posters at the subject site, thereby negating the results of that public meeting;

AND WHEREAS the giving of Notice of Meeting was re-issued according to the O. Regulation, putting the matter to this public meeting on 24 November 2022 for public comment;

NOW THEREFORE the matter in Consent Application B33/POWASSAN/2022 requesting creation of a 0.0941 ha (0.23 ac) parcel to be conveyed as a lot addition to an abutting property municipally known as 505 Valleyview Drive West presented to the public meeting on 24 November 2022 for public input, be received as prescribed in the Planning Act, R.S.O. 1990, c. P.13, along with any comments and/or written submissions received at the statutory public meeting held on Wednesday 26 October 2022 be referred to the Municipality of Powassan for its Council's comments.

AND THAT once the Powassan Council's comments are issued, the requested Consent be referred to the next available public meeting of the NAPBoard for its disposition on the requested Consent.

CARRIED

2. PUBLIC MEETINGS - SUBDIVISION APPLICATIONS - Nil

3. REPORTS re CONSENT or SUBDIVISION APPLICATIONS presented at prior Public Meeting – Nil



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8. CORRESPONDENCE

1. Email dated 18 November 2022 sent at 9:51pm from Pat Hole for Charles Weller expressing opposition to the respective conditional approvals issued on 26 October 2022 for Consent files B26/EAST MILLS/2022, B27/EAST MILLS/2022 and B28/EAST MILLS/2022 seeking 2 new lots on Cadden Lake on land accessed by an existing permanent easement.
2. Copy of Powassan Council Resolution 2022-329 issued on 22 November 2022 regarding Item 10.3 on the main agenda for this meeting, seeking revision to a condition of approval regarding secondary vehicle access/egress for future development of the retained parcel.
3. Email dated 23 November 2022 from MTO regarding Item 10.1 requesting that the conditions of approval requested to be added to the Notice of Decision B24/WILSON/2022 be approved, and providing detailed explanation of the circumstances that instigated MTO's request for the conditions relayed in the NAPBoard staff report.

RESOLUTION 97-2022 Moved by John Borlase Seconded by Dave Britton

THAT the following item(s) of correspondence presented to the North Almaguin Planning Board at its meeting on Thursday 24 November 2022, be received:

- a) Email dated 18 November 2022 sent at 9:51pm from Pat Hole for Charles Weller expressing opposition to the respective conditional approvals issued on 26 October 2022 for Consent files B26/EAST MILLS/2022, B27/EAST MILLS/2022 and B28/EAST MILLS/2022 seeking 2 new lots on Cadden Lake on land accessed by an existing permanent easement.
- b) Copy of Powassan Council Resolution 2022-329 issued on 22 November 2022 regarding Item 10.3 on the main agenda for this meeting, seeking revision to a condition of approval regarding secondary vehicle access/egress for future development of the retained parcel in Consent application B32/POWASSAN/2021.
- c) Email dated 23 November 2022 from Laurel Muldoon Corridor Management Senior Project Manager with Northeast Region of MTO, confirming MTO's request to add conditions of approval to the Notice of Decision issued on 26 October 2022 for Consent application B24/WILSON/2022, and providing definitive reasoning for MTO's request in regard to applicable law for highway entrance permits and development of land fronting on provincial highways.

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9. BUSINESS ARISING FROM PREVIOUS MINUTES – Nil

10. NEW BUSINESS

1. B24/WILSON/2022 Revision of Conditions in Notice of Decision

Report to the NAPBoard at its meeting on 24 November 2022 seeking revision to the Notice of Decision to add conditions requested by the Ministry of Transportation (MTO)

RECOMMENDATION

1. That the Notice of Decision issued on 26 October 2022 to Consent application B24/WILSON/2022 be revised to add the conditions of approval requested by MTO for Lots 12 and 13 Concession 14 Wilson Township, as set out in the comment section of the report.
2. That the requests issued by MTO that are appropriate for Lot 11 Concession 14 Wilson Township be presented to the NAPBoard for its consideration of applicable conditions in any Notices of Decision that are issued for Consent files B14 and B15/WILSON/2022 respectively.

RESOLUTION 98-2022 Moved by John Borlase Seconded by Dave Britton

That pursuant to the staff Report presented to the NAPBoard at its meeting on 24 November 2022:

1. That the Notice of Decision issued on 26 October 2022 to Consent application B24/WILSON/2022 be revised to add a condition to require MTO approval for an MTO Driveway Entrance Permit for the retained Lot 13 Concession 14 Wilson Township.
2. That the following presentations to the NAPBoard at its meeting on 24 November 2022, be received for information:
 - (a) The deputations by OLS Rick Miller and applicant Joe Whitmell responding to MTO's request to add conditions of approval to the Notice of Decision for Consent Application B24/WILSON/2022 issued on 26 October 2022;
 - (b) Rick Miller and Joe Whitmell's distribution of a copy of the MTO comments issued on 15 January 1997 for Consent B049/96 involving Lots 11, 12 & 13 Concessions 13 and 14 Wilson Township for a permanent easement to provide access to four (4) properties;
 - (c) Rick Miller's provision of a copy of Reference Plan 42R-21611 defining the permanent easement that intersects with Lot 12 Concession 14 and meanders through Lot 11 Concession 14, prepared out Consent file B30/WILSON/2020.
3. That the email dated 23 November 2022 from Laurel Muldoon Corridor Management Senior Project Manager with Northeast Region of MTO, confirming MTO's request to add conditions of approval to the Notice of Decision issued on 26 October 2022 for Consent application B24/WILSON/2022, and providing definitive reasoning for MTO's request in regard to applicable law for highway entrance permits and development of land fronting on provincial highways, be received for information.



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4. That the requests issued by MTO by various emails issued in November 2022 from Laurel Muldoon, MSc. Corridor Management Senior Project Manager, that are appropriate for Lot 11 Concession 14 Wilson Township and respectively Lot 12 Concession 14 Wilson Township, be presented to the NAPBoard for its consideration of applicable conditions in any Notices of Decision that are issued for Consent files B14 and B15/WILSON/2022 (Lot 11 Con 14) and B17/WILSON/2022 (Lot 13 Conc 14) and B18/WILSON/2022 (Lot 12 Conc 14) respectively.

CARRIED

A revised Notice of Decision was issued for Consent B24/WILSON/2022

2. B16/PATTERSON/2022 Revision of Conditions in Notice of Decision

Report to the NAPBoard at its meeting on 24 November 2022 requesting revision to Condition 3.1 in Notice of Decision issued 25 August 2022.

RECOMMENDATION

That the NAPBoard Notice of Decision issued on 25 August 2022 be revised in condition of approval 3.1 to identify a lot frontage of 109.9 m (360.56 ft) on Highway 534.

RESOLUTION 99-2022 Moved by Randy Hall Seconded by Dave Britton

THAT pursuant to the Report to the NAPBoard at its meeting on 24 November 2022 requesting revision to Condition 3.1 in Notice of Decision issued 25 August 2022:

1. That the NAPBoard Notice of Decision for Consent application B16/PATTERSON/2022 issued on 25 August 2022 be revised in condition of approval 3.1 to identify a lot frontage of 109.9 m (360.56 ft) on Highway 534.

CARRIED

A revised Notice of Decision was issued for Consent B16/PATTERSON/2022.

3. B32/POWASSAN/2021 Revision of Conditions in Notice of Decision

Report to the NAPBoard at its meeting on 24 November 2022 requesting revision to conditions of approval. Resolution 2022-320 was passed by Powassan Council on 22 November 2022.

RECOMMENDATION

That Condition 3.5 in the Notice of Decision for Consent request B32/POWASSAN/2022 issued on 10 February 2022 and corrected in Condition 3.1 for the legal description details, be further revised to cite the following directives for frontage on Corkery Street, and any secondary emergency access/egress determined for development of the retained parcel:



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- 3.5 a) That vehicular access/egress to the retained parcels be done through a legal road frontage achieved by the property owners processing the closure and purchase of the unopened road allowance of McKenzie Street situated between Lots 13 and 14 on Registered Plan M-9; and
b) That any secondary emergency access/egress be determined through the site plan approval and building permit processes for development of the retained parcel.

RESOLUTION 100-2022

Moved by Dave Britton

Seconded by Randy Hall

That pursuant to the staff Report to the NAPBoard at its meeting on 24 November 2022 and Powassan Council Resolution 2022-329 supporting revision to conditions of approval in the Notice of Decision issued for Consent B32/POWASSAN/2021:

That Condition 3.5 in the Notice of Decision for Consent request B32/POWASSAN/2021 issued on 10 February 2022 and corrected on 17 March 2022 in Condition 3.1 for the legal description details, be further revised to cite the following directives for frontage on Corkery Street, and any secondary emergency access/egress determined for development of the retained parcel:

- 3.5 a) That vehicular access/egress to the retained parcels be done through a legal road frontage achieved by the property owners processing the closure and purchase of the unopened road allowance of McKenzie Street situated between Lots 13 and 14 on Registered Plan M-9; and
b) That any secondary emergency access/egress be determined through the site plan approval and building permit processes for development of the retained parcel.

CARRIED

A revised Notice of Decision was issued for B32/POWASSAN/2021

4. B34 & B35/HARDY/2021 - Revision of Conditions in Notice of Decision

Report to the NAPBoard at its meeting of 24 November 2022 requesting revision to Condition 3.1 in each Notice of Decision.

RECOMMENDATION

1. That condition 3.1 in the Notice of Decision for Consent file B34/HARDY/2021 be revised as follows:
“That this approval applies to the severance of a new 4.90 ha (12.11 ac) lot fronting on North Road, severed from lands known as 1883 North Road.
2. That condition 3.1 in the Notice of Decision for Consent file B35/HARDY/2021 be revised as follows:
“That this approval applies to the severance of a new 8.73 ha (21.57 ac) lot fronting on North Road, severed from lands known as 1883 North Road.”
3. That revised Notices of Decision for Consent files B34 and B35/HARDY/2021 respectively, be issued.



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RESOLUTION 101-2022 Moved by John Borlase Seconded by Randy Hall

THAT pursuant to the staff Report to the NAPBoard at its meeting of 24 November 2022 requesting revision to Condition 3.1 in each respective Notice of Decision:

1. That condition 3.1 in the Notice of Decision for Consent file B34/HARDY/2021 be revised as follows: “That this approval applies to the severance of a new 4.90 ha (12.11 ac) lot fronting on North Road, severed from lands known as 1883 North Road.”
2. That condition 3.1 in the Notice of Decision for Consent file B35/HARDY/2021 be revised as follows: “That this approval applies to the severance of a new 8.73 ha (21.57 ac) lot fronting on North Road, severed from lands known as 1883 North Road.”
3. That revised Notices of Decision for Consent files B34 and B35/HARDY/2021 respectively, be issued.

CARRIED

Revised Notices of Decision for Consents B34 and B35/HARDY/2021 were issued.

5. Direction to Cancel the Liability Insurance Policy to Change the Term to the NAPBoard Fiscal Year

The NAPBoard has a fiscal year that runs from 1st January through 31st December. It would be prudent to have its liability policy run in tandem to that year. The current policy is paid in full. The refund for the cancellation will be put forward for payment of the new policy that runs with the fiscal year.

RECOMMENDATION

That the Administrative Director issue a letter to broker Timothy Hutcheson of Knox Hutchison Insurance to have the current MIS liability policy terminate at midnight 31st December 2022 and renew midnight 1st January 2023 to align the policy term with the NAPBoard fiscal year.

RESOLUTION 102-2022 Moved by Dave Britton Seconded by John Borlase

WHEREAS the NAPBoard has a fiscal year that runs from 1st January through 31st December, and it would be prudent to have its liability policy run in tandem to that year;
AND WHEREAS the current policy runs from 1st July to 1st July annually, and is paid in full;
AND WHEREAS the broker has advised that a refund for the cancellation could be put forward toward payment of the new policy that runs with the fiscal year;
NOW THEREFORE BE IT RESOLVED THAT the Administrative Director be directed to issue a letter to broker Timothy Hutcheson of Knox Hutchison Insurance to direct that the current MIS liability policy terminate at midnight on 31st December 2022 and immediately renew midnight 1st January 2023 to align the policy term with the NAPBoard fiscal year.

CARRIED



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11. FINANCIAL REPORT

1. Financial Status from 1st January to 31 October 2022

Resolution 103-2022 Moved by Dave Britton Seconded by Randy Hall

THAT the following Report of the Financial status of the NAPBoard, be received for information:

- a) 1st January 2022 to 31 October 2022

CARRIED

12. CLOSED SESSION (Pursuant to Subsections 239(2)(a) (e) and (6) of the Municipal Act, 2001, S.O.2001, C.25)

THAT pursuant to subsections 239(1) and (3.1) of the *Municipal Act*, 2001, S.O. 2001, C.25, that the North Almaguin Planning Board hereby resolves to close a portion of its meeting on 26 October 2022, to consider the following matters:

- Subsection 239 (1):
 - (b) a matter involving identifiable individual(s)
 - (k) criteria or instruction to be applied to any negotiation by the board

At approximately 07:20pm, the NAPBoard moved into Closed Session pursuant to:

RESOLUTION 104-2022 Moved by Dave Britton Seconded by John Borlase

THAT pursuant to subsections 239(1) and (3.1) of the *Municipal Act*, 2001, S.O. 2001, C.25, that the North Almaguin Planning Board hereby resolves to close a portion of its meeting on 26 October 2022, to consider the following matters:

- Subsection 239 (1):
 - (b) a matter involving identifiable individual(s)
 - (k) criteria or instruction to be applied to any negotiation by the board

CARRIED

At approximately 7:40pm, the NAPBoard rose and returned to Open Session on a verbal motion by Dave Britton and Randy Hall. The following directive Resolutions were issued.



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RESOLUTION 105-2022 Moved by John Borlase Seconded by Dave Britton

THAT the NAPBoard hereby authorizes the following expenditures for :
\$100.00 gift cards for each of the NAPBoard Members, staff and the contract Planner;
\$100.00 gift cards to thank Terry Lang for his extra IT/AV assistance during the period when COVID required meeting access via media as well as his ongoing technical support to the NAPBoard;
\$250.00 donation to the Powassan Community programs operating at 250 Clark and coordinated by Kathie Hogan; and
\$250.00 donation to the Trout Creek Booster Club for their community programs.

AND THAT the gift cards be purchased and cheques for the community program gifts be issued in the month of December 2022.

CARRIED

RESOLUTION 106-2022 Moved by Dave Britton Seconded by Randy Hall

THAT the following respective monetary bonuses be extended to NAPBoard staff for their diligent efforts applied to their work during the year 2022:
Employee #002 - \$1000.00
Employee #005 - \$250.00
AND THAT these bonuses be issued with the last payroll for the year 2022 in December.

CARRIED

13. NEXT MEETING: - Thursday 2 February 2023 at 6:00pm

14. ADJOURNMENT – 7:47pm

“Dean Gates”

“Dave Britton”

Chairperson Dean Gates

Secretary-Treasurer Dave Britton