



**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

**1. CALL TO ORDER**

Dean Gates assumed Chairmanship and called this meeting to order at approximately 6:04pm in the Maple Room at 250 Clark Street Powassan Ontario.

**LAND ACKNOWLEDGMENT** *"We respectfully acknowledge that we are on the traditional territory of the Anishinaabe Peoples, in the Robinson-Huron and Williams Treaties areas. We wish to acknowledge the long history of First Nations and Métis Peoples in Ontario and show respect to the neighbouring Indigenous communities. We offer our gratitude for their care of, and teachings about, our earth and our relations. May we continue to honour these teachings."*

**2. MEMBERS PRESENT: (alphabetically)**

VICE-CHAIRPERSON	John Borlase (Unincorporated Townships, Ministry Appointee)
SECRETARY-TREASURER	Dave Britton (Councillor Powassan)
CHAIRPERSON	Dean Gates (Unincorporated Townships, Ministry Appointee)
DIRECTOR	Roger Glabb (Powassan Citizen appointee)
VICE SECRETARY-TREASURER	Randy Hall (Councillor Powassan)

**MEMBERS ABSENT** – Nil

**OTHERS PRESENT**

**B1 & B2 MC CONKEY 2024**

Tracy & Mike Chalmers, adjacent landowners

**B8 WILSON 2024**

Jeanette Roberts & Eric Smith, representing the applicant

**B9 WILSON 2024**

Jeanette Roberts & Eric Smith, abutting landowners

**B6 POWASSAN 2024**

Patrick Young, area resident

Keith Hay, area resident

**B12, B13, B14 WILSON 2024**

Tim Gehrke, applicant

Jennifer & Don McArthur, adjacent landowners

**B16 MC CONKEY 2024**

Tony DeSousa, applicant

Shawn Rhodes, adjacent landowner



**MINUTES**  
**Wednesday 3 April 2024**

*Adopted 5 June 2024*  
*in Resolution 30-2024*

(2)

**OTHERS PRESENT** cont'd...

B1 & B2 REVISED MC CONKEY 2024  
B6 POWASSAN 2024  
B7 POWASSAN 2024  
B8 WILSON 2024  
B9 WILSON 2024  
B10 & B11 POWASSAN 2024  
B12, B13 & B14 WILSON 2024  
B15 POWASSAN 2024  
Steve McArthur, Sr Planner, Tulloch – agent  
Mackenzie VanHorne, Planner, Tulloch - agent

**3. ADOPTION OF AGENDA**

On a verbal motion moved by Roger Glabb, seconded by John Borlase, the agenda for this meeting was adopted as circulated.

CARRIED

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

**5. ADOPTION OF MINUTES**

- a) 7 February 2024 (statutory public meeting)
- b) 16 February 2024 (special telecom meeting)

RESOLUTION 13-2024 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) 7 February 2024
- b) 16 February 2024

CARRIED

**6. PRESENTATIONS / DEPUTATIONS**

Sr. Planner of Tulloch Inc (North Bay) requested that the NAPBoard discontinue requiring applicants of Consents for lands in the unincorporated townships to undertake a Consent Agreement to be registered on title to express concurrence with Section 1.1.6 of the Provincial Policy Statement.

John Borlase spoke to the NAPBoard's reasoning for implementing this condition of approval for new lots on lands located in the unincorporated townships as a means to give notice to future owners about compliance with provincial requirements for use of the land. It was noted that the NAPBoard confirmed that the Planning Act authorizes the NAPBoard to require Consent Agreements.

Discussion was held regarding the recent announcement of the Ministry of Municipal Affairs and Housing (MMAH) about its intention to hire Building Officials for inspection of development in the unincorporated townships.



**MINUTES**  
**Wednesday 3 April 2024**

*Adopted 5 June 2024*  
*in Resolution 30-2024*

(3)

- (6.) RESOLUTION 14-2024** Moved by Roger Glabb Seconded by John Borlase  
 THAT pursuant to a request presented by Steve McArthur, Sr Planner with Tulloch Geomatics of North Bay Ontario to the NAPBoard at its meeting on 3 April 2024, seeking discontinuance of the condition of approval calling for a Consent Agreement that requires development and use of new lots will comply with Section 1.1.6. of the Provincial Policy Statement May 2020 to be registered on title of the new lot;  
 BE IT RESOLVED THAT the issuance of a condition of approval requiring a Consent Agreement to be registered on title to give notice that development and use of a new lot on lands located in the unincorporated townships in the jurisdiction of the NAPBoard will comply with Section 1.1.6. of the Provincial Policy Statement May 2020, be suspended until further direction of the NAPBoard on this matter.

**CARRIED**

RECORDED VOTE

MEMBER NAME	YEAH	NAY
BORLASE	X	
BRITTON	X	
GATES	X	
GLABB	X	
HALL	X	

**7. CONSENTS & SUBDIVISIONS**

**1. PUBLIC MEETINGS - CONSENTS**

Time Heard	APPLICANTS	B File #	LOCALITY	CONSENT REQUESTED	DISPOSITION
6:45pm 6:50pm	2841061 Ontario Inc.(Khurana)	1/2024 <b>REVISED</b>	MC CONKEY	NEW 12.6ha (31.1ac) LOT with 314.5m frontage 20 <sup>th</sup> Side Road	Resolution 15-2024 for provisional approval
6:45pm 6:50pm	2841061 Ontario Inc.(Khurana)	2/2024 <b>REVISED</b>	MC CONKEY	NEW 8.1ha (20ac) LOT with 203.4m fronting on 20 <sup>th</sup> Side Road	Resolution 15-2024 for provisional approval
6:52pm 7:06pm	Trussler ESTATE c/o John Trussler	6/2024	POWASSAN	0.386ha(0.9ac) side yard LOT ADDITION to Oak St vacant lot	Resolution 16-2024 for provisional approval
7:08pm	CLELLAND Ian	7/2024	EAST MILLS	NEW 2.636 ha (6.51 ac) LOT on East Road [as corrected 5June2024 Res 40-2024]	Resolution 17-2024 for provisional approval
7:09pm	STROEHER Herman	8/2024	WILSON	Permanent Easement from Hwy 522 along 'Northern Lights Rd'	Resolution 18-2024 for provisional approval
7:10pm	VAN OUYEN Owen	9/2024	WILSON	NEW 1.75ha (4.32ac) LOT accessed by easement in B8 WILSON 2024	Resolution 19-2024 for provisional approval
7:11pm	TURCOTT Darren & Lynn	10/2024	POWASSAN	NEW 1ha (2.47ac) LOT on Lindquist Line	Resolution 20-2024 for provisional approval
7:12pm	TURCOTT Darren & Lynn	11/2024	POWASSAN	NEW 1ha (2.47ac) LOT on Lindquist Line	Resolution 20-2024 for provisional approval
7:13pm	GEHRKE Timothy	12/2024	WILSON	0.338ha (0.084ac) side yard LOT ADDITION to 97 Gehrke Golden Gate Rd	Resolution 21-2024 for provisional approval
7:14pm	GEHREK Timothy	13/2024	WILSON	1.752 ha rearyard LOT ADDITION to 97 Gehrke Golden Gate Rd	Resolution 21-2024 for provisional approval
7:15pm	GEHRKE Timothy	14/2024	WILSON	Permanent Easement along Gehrke Golden Glade Rd for access from Hwy 522 to parcels B12 & B13/2024	Resolution 21-2024 for provisional approval
7:16pm	FITZGERALD Barry	15/2024	POWASSAN	NEW 2ha (5ac) LOT on Weiler Line	Resolution 22-2024 for provisional approval
7:18pm	DE SOUSA, Antonio & Rose Marie	16/2024	MC CONKEY	Permanent Easement described as Part 4 Plan 42R22368 to access new lots severed from 353-A Balsam Creek Road in B3 & B4/2020 upheld by OLT 6Sept2023	Resolution 23-2024 for provisional approval



**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

(4)

**(7.) (1.)**

B1 & B2 MC CONKEY 2024

Tracy & Mike Chalmers, adjacent landowners were present regarding their concerns expressed at the public meeting on 7 February 2024 and the revised Consent requests that were presented to this meeting in response to those concerns.

Sr. Planner of Tulloch Inc (North Bay), as agent for the applicants, explained how the revised requests in the subject applications will address the Chalmers' concerns about the wetlands on the new lots and also the question of the road frontage.

RESOLUTION 15-2024 (A)            Moved by John Borlase            Seconded by Roger Glabb

1. THAT the record indicates the following individuals were present for public input at the statutory public meeting on 3 April 2024 regarding Consent application B1 MC CONKEY 2024:
  - Mike and Tracy Chalmers, adjacent landowners expressing questions about the development of the proposed new lots.
2. THAT the following written submissions regarding B1 MC CONKEY 2024 be received for the record:
  - a) MTO email dated 12 October 2023 advising road access for the new lot must be taken from the 20th Side Road, and advising the existing driveway entrance to the retained parcel does not meet MTO setback requirements and therefore future building/land use permits will require relocation a minimum 45m north of the highway intersection.
  - b) MTO email dated 8 March 2024 advises its comments remain the same as presented in the email dated 12 October 2024 for the revised proposed lot size.
  - c) NBMCA letter dated 29 November 2023 advising its desktop review indicates there is sufficient room on the proposed new lot for an initial or replacement Class 4F septic system for a single family dwelling with floor area of 200m<sup>2</sup> or less and 20 fixtures.
3. THAT provisional approval of REVISED Consent application B1/MC CONKEY 2024 be issued with the following condition(s):
  1. That this Consent approval applies to the creation of a NEW 12.6 ha (31.1ac) LOT fronting on the 20th Side Road.

AND THAT a Notice of Decision be issued for the above-noted provisional approval.

CARRIED

RESOLUTION 15-2024 (B)            Moved by John Borlase            Seconded by Randy Hall

1. THAT the record indicates the following individuals were present for public input at the statutory public meeting on 3 April 2024 regarding Consent application B2 MC CONKEY 2024:
    - Mike and Tracy Chalmers, adjacent landowners expressing questions about the development of new lot.
  2. THAT the following written submissions regarding B2 MC CONKEY 2024 be received for the record:
    - a) MTO email dated 12 October 2023 advising road access for the new lot must be taken from the 20th Side Road, and advising the existing driveway entrance to the retained parcel does not meet MTO setback requirements and therefore future building/land use permits will require relocation a minimum 45m north of the highway intersection.
    - b) MTO email dated 8 March 2024 advises its comments remain the same as presented in the email dated 12 October 2024 for the revised proposed lot size.
    - c) NBMCA letter dated 29 November 2023 advising its desktop review indicates there is sufficient room for an initial or replacement Class 4F septic system for a single family dwelling with floor area of 200m<sup>2</sup> or less and 20 fixtures.
  3. THAT provisional approval of REVISED Consent application B2/MC CONKEY 2024 be issued with the following condition(s):
    1. That this Consent approval applies to the creation of a NEW 8.1 ha (20 ac) LOT fronting on the 20th Side Road.
- AND THAT a Notice of Decision be issued for the above-noted provisional approval.

CARRIED



**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

(5)

**(7.1)**

B6 POWASSAN 2024

Patrick Young, area resident, was present to enquire about the timing of development of the subdivision adjacent to the subject lands.

Keith Hay, area resident, was present to enquire about the timing of development of the subdivision adjacent to the subject lands.

Sr. Planner Steve McArthur of Tulloch Inc (North Bay), as agent for the applicants, explained that the subject lot addition returns a parcel of land back to its original location before it was conveyed to the applicant landowner as a rear yard lot addition. Further, Mr. McArthur explained that the subject Consent application does not have any jurisdiction over the timing of the development of the draft plan of subdivision which was approved several years ago.

RESOLUTION 16-2024                      Moved by Dave Britton                      Seconded by Randy Hall

1. THAT the record indicates the following individuals were present for public input at the statutory public meeting on 3 April 2024 regarding Consent application B6/POWASSAN/2024:
  - Patrick Young, adjacent landowner, expressing concerns for proposed development on the recipient lands.
  - Keith Hay, adjacent landowner, expressing concerns for proposed development on the recipient lands.
2. THAT the following written submissions regarding B6/POWASSAN/2024 be received for the record:
  - a) Resolution 2024-89 of Powassan Council at its meeting on 19 March 2024 and the report dated 7 March 2024 by Powassan's contract Planner, PlanScape.
  - b) Resolution 2024-112 of Powassan Council at its meeting on 2 April 2024 amending Resolution 2024-89
3. THAT provisional approval of Consent application B6 POWASSAN 2024 be issued with the following condition:
  1. That this Consent approval applies to the creation of a 0.386ha (0.9 ac) parcel from the rear yard of 384 Main Street, described as Parcel 3149 SEC NS Part Lot 15 Concession 13 (former Twp of Himsworth) registered in PIN 52206-077 (LT), to be conveyed as a side yard lot addition to abutting vacant lands described as Parts 1 and 2 on Reference Plan 42R-14338.\

AND THAT a NOTICE OF DECISION be issued for the above-noted provisional approval.

CARRIED

B7 EAST MILLS 2024

RESOLUTION 17-2024                      Moved by Roger Glabb                      Seconded by John Borlase

1. THAT the record indicates there was no person(s) present for public input to the statutory public meeting on 3 April 2024 regarding Consent Application B7/EAST MILLS/2024.
2. THAT the following written submissions regarding B7/EAST MILLS/2024 be received for the record:
  - a) Email dated 29 Feb 2024 from the East Mills LRB advising it has no concerns with the proposed new lot.
  - b) Letter dated 18 March 2024 from the NBMCA advising there appears to be adequate space to locate an initial and replacement Class 4F septic system for a single family dwelling with floor area of 200m<sup>2</sup> or less and 20 fixtures.
  - c) Email dated 26 March 2024 from Hydro One advising it has no issues to report out its preliminary review of the proposed new lot.
3. THAT provisional approval of Consent application B7 EAST MILLS 2024 be issued with the following condition(s):
  1. That this Consent approval applies to the creation of a NEW 2.636 ha (6.51ac) LOT fronting on East Road.

AND THAT a Notice of Decision be issued for the above-noted provisional approval.

CARRIED



**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

(6)

(7.1)

B8 WILSON 2024

Jeanette Roberts & Eric Smith, were present representing the applicant, were present to observe the proceedings. Steve McArthur, Sr Planner and Planner Mackenzie VanHorn of Tulloch Inc. explained the subject application in relation to Consent Application B9/WILSON/2024.

RESOLUTION 18-2024                      Moved by John Borlase                      Seconded by Roger Glabb

1. THAT the record indicates the following persons were present for public input to the statutory public meeting on 3 April 2024 regarding Consent Application B8/WILSON/2024:
  - Jeannette Roberts, daughter of applicant Herman Stroeher, owner of lands known as 13497-A Hwy 522 (also known locally as 100 Norther Lights Road) accompanied by Eric Smith.
2. THAT the following written submissions regarding B8/WILSON/2024 be received for the record:
  - a) Email dated 24 October 2023 from the MTO Corridor Management Planner advising MTO has no objections to the proposed permanent easement on the basis that Northern Lights Road is likely a long-standing forestry road access over private property, and advising there is not permit on file for Northern Lights Road and MTO is not in a position to issue a highway entrance permit.
3. THAT provisional approval of Consent application B8/WILSON/2024 be issued with the following condition(s):
  1. That this Consent approval applies to the creation of a PERMANENT EASEMENT from Hwy 522 travelling over property known as #13497-A Highway 522 over a privately maintained road known as Northern Lights Road for vehicular and pedestrian access to a NEW lot proposed in Consent application B9/WILSON/2024 to be severed from Northern Lights Resort assigned a civic address of 13497 Hwy 522 West.

AND THAT a Notice of Decision be issued for the above-noted provisional approval

CARRIED

B9 WILSON 2024

Jeanette Roberts & Eric Smith, adjacent landowners, were present to observe the proceedings. Steve McArthur, Sr Planner and Mackenzie VanHorn of Tulloch Inc. explained the subject application in relation to Consent Application B8/WILSON/2024.

RESOLUTION 19-2024                      Moved by John Borlase                      Seconded by Roger Glabb

1. THAT the record indicates the following persons were present for input to the statutory public meeting on 3 April 2024 regarding Consent Application B8/WILSON/2024:
  - Jeannette Roberts, daughter of applicant Herman Stroeher, owner of lands known as 13497-A Hwy 522 (also known locally as 100 Norther Lights Road) accompanied by Eric Smith.
2. THAT the following written submissions regarding B9/WILSON/2024 be received for the record:
  - a) Letter dated 28 January 2022 from the Ministry of the Environment, Conservation and Parks issued Environmental Compliance Approval for 13497 Highway 522 West Northern Lights Resort.
  - b) Email dated 26 March 2024 from Hydro One advising it has no comments of concern for the proposed new lot developed with a single family dwelling.
  - c) Email dated 24 October 2023 from the MTO Corridor Management Planner advising MTO has no objections to the proposed permanent easement on the basis that Northern Lights Road is likely a long-standing forestry road access over private property, and advising there is no permit on file for Northern Lights Road and MTO is not in a position to issue a highway entrance permit.



**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

(7)

(RESOLUTION 19-2024 cont'd...)

3. THAT provisional approval of Consent application B9/WILSON2024 be issued with the following condition(s):
  1. That this Consent approval applies to the creation of a NEW 1.75 ha (4.32 ac) LOT taken from Northern Lights Resort, to be accessed by a permanent easement across abutting private property with civic address 13497-A Highway 522 as processed in Consent application B8/WILSON/2024 for pedestrian and vehicular access to Highway 522 via a privately maintained road known as Northern Lights Road.

AND THAT a Notice of Decision be issued for the above-noted provisional approval.

CARRIED

B10 & B11 POWASSAN 2024

Steve McArthur, Sr. Planner and Planner Mackenzie VanHorn of Tulloch Inc. explained the subject application in relation to Consent Applications.

RESOLUTION 20-2024                      Moved by Dave Britton                      Seconded by Randy Hall

1. THAT the record indicates there was no person(s) present for present public input received at the statutory public meeting on 3 April 2024 regarding Consent Applications B10/POWASSAN/2024 or B11/POWASSAN/2024.
2. THAT the following written submissions regarding B10/POWASSAN/2024 and B11/POWASSAN/2024 be received for the record:
  - a) Letter dated 4 May 2023 from the NBMCA advising the new lots each appear to have adequate space to locate an initial and replacement Class 4F septic system for a single family dwelling with floor area of 200m<sup>2</sup> or less and 20 fixtures.
  - b) Email dated 26 March 2024 from Hydro One advising it has no comments of concern about servicing the new lots.
  - c) Report dated 7 March 2024 from the Powassan's contract Planner with PlanScape.
  - d) Powassan Council Resolution 2024-90 advising its concurrence with the proposed new lots, subject to the following conditions:
    - (i) Issuance of a driveway entrance permit for each of the new lots;
    - (ii) Confirmation that school bus service is available for the new lot location;
    - (iii) Any conditions of the natural gas pipeline authority are met.
3. That provisional approval of Consent applications B10/POWASSAN/2024 and B11/POWASSAN/2024 each be issued with the following condition(s):
  1. That this Consent approval applies to the creation of a NEW 1ha (2.47 ac) LOT fronting on Lindquist Line.
  2. Municipality of Powassan issuing a driveway entrance permit for the new lot;
  3. Confirmation that school bus service is available for the new lot location; and
  4. Any conditions of the natural gas pipeline authority are met.

AND THAT a Notice of Decision be issued for the above-noted provisional approvals for B10/POWASSAN/2024 and B11/POWASSAN/2024 respectively.

CARRIED



**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

(8)

**(7.1)**

B12, B13, B14 WILSON 2024

Tim Gehrke, applicant, was present along with Jennifer & Don McArthur, adjacent landowners that intend to purchase the lot addition parcels requested in Consent Applications B12 & B13 WILSON 2024, and whom will benefit from the permanent easement requested in Consent application B14/WILSON/2024.

RESOLUTION 21-2024                      Moved by John Borlase                      Seconded by Roger Glabb

1. THAT the record indicates the following persons were present for input to the statutory public meeting on 3 April 2024 regarding Consent Applications B12/WILSON/2024, B13/WILSON/2024 and B14/WILSON/2024:
  - Tim Gehrke, applicant for the subject Consent applications;
  - Dan and Jennifer McArthur, purchasers of the requested lot addition parcels in B12 and B13 WILSON 2024
2. THAT the following written submissions regarding B12/WILSON/2024 and B13/WILSON/2024 and B14/WILSON/2024 be received for the record:
  - a) Email dated 11 March 2024 from MTO Corridor Management advising it has no concerns with the Hwy 522 entrance of private road Gehrke's Golden Glade Road, noting there is a valid private road entrance on file.
3. THAT provisional approval of Consent applications be granted as follows:

B12/WILSON/2024 for a 0.338ha (0.84 ac) parcel to be conveyed as a side yard lot addition to 97 Gehrke Golden Glade Road;

B13/WILSON/2024 for a 1.752ha (4.33ac) parcel to be conveyed as a rear yard lot addition to 97 Gehrke Golden Glade Road; and

B14/WILSON/2024 for a permanent easement traversing Gehrke's Golden Glade Road to provide vehicular and pedestrian access to Highway 522 for interior private properties along Gehrke's Golden Glade Road.

AND THAT a Notice of Decision be issued for the above-noted provisional approvals for B12/WILSON/2024, B13/WILSON/2024 and B14/WILSON/2024 respectively.

CARRIED

B15 POWASSAN 2024

Mackenzie VanHorn of Tulloch Inc. explained the subject application in relation to Consent Application.

RESOLUTION 22-2024                      Moved by Dave Britton                      Seconded by Randy Hall

1. THAT the record indicates there was no person(s) present for input to the statutory public meeting on 3 April 2024 regarding Consent Application B15/POWASSAN/2024.
2. THAT the following written submissions regarding Consent application B15/POWASSAN2/2024 be received for the record:
  - a) MDS prepared by Tulloch Geomatics Planner M VanHorn;
  - b) Powassan Council Resolution 2024-91 advising concurrence with request for conditions of approval:
    - (i) Powassan issuance of driveway entrance permit for the severed lot;
    - (ii) Confirmation that school bus service is available for the subject location;
    - (iii) Confirmation from the NBMCA that installation of a septic system is feasible for the new lot.
  - c) Report of the Powassan contract planner Planscape advising the requested new lot will comply with the 2020 PPS, Growth Plan for Northern Ontario, Powassan Official Plan and Zoning Bylaws;
  - d) Email dated 26 March 2024 from Hydro One advising it has no comments of concern with servicing the proposed new lot.





**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

(9)

**(7.1) (RESOLUTION 22-2024 [B15 POWASSAN 2024] cont'd..)**

- e) Letter dated 20 March 2024 from the North Bay Mattawa Conservation Authority advising no objection to the proposed new lot, reporting that its comments are based on Ontario Regulation 332/12 of the Ontario Building Code for a 3 bedroom dwelling (less than 20 fixture units and less than 200 m<sup>2</sup>, 4F filter bed of 21.3 m<sup>2</sup> and a 3600 L tank), soil percolation of T-50 min/cm, and a daily design sewage flow of 1600 L/day:
  - i) the retained Lot being 38.2ha (94.39 acres) currently has a hunt camp and a Class 1 Sewage System; and that there are two (2) suitable locations were observed on the retained portion to accommodate a sewage system;
  - ii) the proposed severed lot of 2.0ha (4.94 acres) is currently vacant and there are two (2) suitable locations to accommodate a sewage system.
- 3. THAT provisional approval of Consent application be issued with the following conditions:
  - 1. That this Consent approval applies to the creation of a NEW 2ha (5.0 ac) LOT fronting on Weiler Line.
  - 2. Municipality of Powassan issuing a driveway entrance permit for the new lot.
  - 3. Confirmation that school bus service is available for the new lot location.

AND THAT a Notice of Decision be issued for above-noted provisional approval.

CARRIED

B16 MC CONKEY 2024

Tony DeSousa, applicant, was present to observe the consideration of the subject Consent application. Shawn Rhodes, adjacent landowner, was present to observe the consideration of the subject Consent application and requested confirmation about the proposed permanent easement in regard to access to the new lots proposed in Consent Applications B3 and B4 MC CONKEY 2020 issued provisional approval by the Ontario Land Tribunal (OLT) on 6 September 2023.

RESOLUTION 23-2024                      Moved by Roger Glabb                      Seconded by John Borlase

- 1. THAT the record indicates the following persons were present for input to the statutory public meeting on 3 April 2024 regarding Consent Applications B16/MC CONKEY/2024:
  - Tony DeSousa, applicant for Consent application B16/MC CONKEY/2024;
  - Shawn Rhodes, adjacent landowner
- 2. THAT the following written submissions regarding Consent application B16/MCCONKEY/2024 be received for the record:
  - a) Email dated 28 March 2024 from Paul Gastaldi, lawyer for adjacent property owner Shawn Rhodes noting that the Notice of Meeting should indicated that the legal description for the proposed new lot in file B3/2020 (OLT Order 22-0003110) comprises Parts 2 and 3 in Reference Plan 42R-22368; and also requesting that the NAPBoard place a condition of approval on B3/2020 to preclude access of the owners of that new lot from entering the property via the existing easement described as Part 2 on 42R-10484.
  - b) Email dated 2 April 2024 from Howard Oldham, solicitor for the applicants of B16 MC CONKEY 2024, responding to the email from lawyer Gastaldi and opining that the request to preclude access to the new lot in B3/2020 upheld in (OLT Order 22-0003110) cannot be legally achieved and confirmed the DeSousa have legal right of way over Part 2 42R-10484.
  - c) Email dated 2 April 2024 from Paul Gastaldi, lawyer for the adjacent property owner Shawn Rhodes, clarifying his comments about servient tenement proposed for the easement sought in B16/MC CONKEY/2024, and re-iterating his request that the NAPBoard apply a condition that driveway access to the new lot in B3 MC CONKEY 2020 be located on the south boundary of the proposed easement along the north boundary of the new lot described as Parts 2 and 3 on Reference Plan 42R-22368.



**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

(10)

**(7.1) (RESOLUTION 23-2024 [B16 MC CONKEY 2024] cont'd..)**

3. THAT provisional approval of Consent application B16/MC CONKEY/2024 be issued with the following conditions:
  1. That this Consent approval applies to the creation of a permanent easement over lands described as Part 4 on Reference Plan 42R-22368 for vehicular and pedestrian access to the new lots respectively approved in Consent application B3 MC CONKEY 2020 (Parts 2 and 3 on 42R-22368) and B4 MC CONKEY/2020 (Part 1 on 42R-22368) both upheld in OLT Order 22-0003110 issued 6 September 2023, ~~as well as the parcel described as Part 5 on 42R-22368 being part of the retained lands municipally known as 353-A Balsam Creek Road.~~ [wording retracted in Res 29-2024 at special telecom meeting 24April2024]

AND a Notice of Decision be issued for Consent Application B16/MC CONKEY/2024.

CARRIED

**2. PUBLIC MEETINGS - SUBDIVISION APPLICATIONS – Nil**

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

**8. CORRESPONDENCE**

- a) Notice from the Ministry of Natural Resources and Forestry dated March 15, 2024 presenting its “Inspection of 2024-2025 Annual Work Schedule for Nipissing Forest”.
- b) Notice of digital notifications via email and inviting the NAPBoard to register for future email notices for forest Management Planning notifications.
- c) Copy of draft Powassan By-law at its second reading, that includes a directive regarding Council Member honorariums that affects local boards.

RESOLUTION 24-2024 Moved by Roger Glabb Seconded by John Borlase

THAT the following items of information presented to the NAPBoard at its meeting on 3 April 2024, be received for information:

- a) Notice from the Ministry of Natural Resources and Forestry dated March 15, 2024 presenting its “Inspection of 2024-2025 Annual Work Schedule for Nipissing Forest”.
- b) Notice of digital notifications via email and inviting the NAPBoard to register for future email notices for forest Management Planning notifications.
- c) Copy of draft Powassan By-law at its second reading, that includes a directive regarding Council Member honorariums that affects local boards.

CARRIED

RESOLUTION 25-2024 Moved by Roger Glabb Seconded by John Borlase

WHEREAS the North Almaguin Planning Board was originally struck by Ontario Regulation circa 1984 and continues to be an autonomous quasi-judicial body to provide planning services prescribed in Sections 50, 51, 53 and 57 of the Ontario Planning Act as assigned to the unincorporated townships of East Mills, Hardy, McConkey, Patterson, Pringle and Wilson and the Municipality of Powassan (amalgamated former Towns of Powassan, Trout Creek and Township of South Himsworht);

AND WHEREAS the Minister of Municipal Affairs and Housing issued an Order on 1<sup>st</sup> September 2020 revising the North Almaguin Planning Area to retract the Township of Nipissing, and also confirming the composition of the North Almaguin Planning Board (NAPBoard) to comprise three (3) members to be appointed by the Municipality of Powassan and two (2) members representing the unorganized territory included in the North Almaguin Planning Area to be appointed by the Minister of Municipal Affairs and Housing;

AND WHEREAS its Council has appointed two (2) Councillors and one (1) citizen to represent the Municipality of Powassan;



**MINUTES**  
**Wednesday 3 April 2024**

**Adopted 5 June 2024**  
**in Resolution 30-2024**

(11)

**8. cont'd... (RESOLUTION 25-2024 cont'd...)**

AND WHEREAS on 19 March 2024, the Council of the Municipality of Powassan By-law f2024-05 was given first and second reading, and this by-law includes a directive regarding Council Member honorariums that affects local boards, as follows:  
"4. (a) *That the Mayor, Deputy Mayor, and Councillors appointed to Agencies, Boards or Commissions where other Municipal representatives or Provincial appointees receive a stipend for attending meetings be directed to accept the remuneration and direct that it be payable to the Municipality of Powassan on their behalf.*"

BE IT RESOLVED THAT in the event that the subject clause is enacted by third reading of the subject Powassan Bylaw 2024-05, NAPBoard staff is hereby directed to obtain a legal opinion on:

- (a) The provincial legislation that authorizes a municipal Council to issue the proposed directive; and
- (b) The authority of a municipality to receive the stipend (honorariums) funds issued to individual persons appointed by the municipal Council to serve on autonomous quasi-judicial bodies; and
- (c) The NAPBoard as an autonomous quasi-judicial body issuing a T4 for taxation on the stipend (honorariums) funds and whether the municipality would also then be required to issue a secondary T4 on that same earning.

CARRIED

**9. BUSINESS ARISING FROM PREVIOUS MINUTES- Nil**

**10. NEW BUSINESS**

1. Report: Updates out of Review of Schedules, A, D, G & E of the NAPB Financial Bylaw 1-2024  
Report to the NAPBoard meeting of 3 April 2024 presenting revised fees set by the NAPBoard Financial Bylaw.

RECOMMENDATION

That a by-law be enacted to repeal and replace the NAPBoard Financial By-law 1-2024 enacted 7 February 2024, to implement the fees set out in Appendix A of this report presented to the NAPBoard at its meeting on 3 April 2024; and that the approved fees to be effective the day of enacting the new by-law.

RESOLUTION 26-2024 Moved by Roger Glabb Seconded by John Borlase

THAT the Report to the NAPBoard meeting of 3 April 2024 presenting revised fees in a draft by-law to repeal and replace the NAPBoard Financial By-law 1-2024 enacted 7 February 2024, be deferred and referred back to staff for further review.

CARRIED

**11. FINANCIAL REPORT**

- a) **Financial Report of the 1<sup>st</sup> quarter 2024 activity**  
(distributed at the meeting 3 April 2024)

RESOLUTION 27 2024 Moved by Dave Britton Seconded by Randy Hall

THAT the financial report of the activity during the 1<sup>st</sup> quarter of this fiscal year, presented to the NAPBoard at its meeting on 3 April 2024, be received for information.

CARRIED

**12. CLOSED SESSION(Pursuant to subsection 239(1)(2) (3.1) of the Municipal Act)**

Subsection 239 (1) & 239 (2):

- (b) a matter involving identifiable individual(s);
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- (k) criteria or instruction to be applied to any negotiation by the board.



**MINUTES**  
**Wednesday 3 April 2024**

*Adopted 5 June 2024*  
*in Resolution 30-2024*

---

(12)

(12.)

At approximately 8:13pm, the NAPBoard resolved into a closed session by passing:

RESOLUTION 28-2024 Moved by Dave Britton Seconded by John Borlase

THAT pursuant to subsection 239 (1) (3.1), the NAPBoard at its meeting on 3 April 2024 resolve into a Closed Session to consider:

Item (b): matter(s) about identifiable individual(s); and/or

Item (e): litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and/or

Item (k): matter(s) about criteria or instruction to be applied to any negotiation of the board.

CARRIED

At approximately 8:27, the NAPBoard returned to Open Session on a verbal motion by John Borlase, seconded by Roger Glabb.

No motions resulted from the Closed Session.

13. NEXT MEETING – scheduled for 5 June 2024

14. ADJOURNMENT – 8:28pm

“Dean Gates”

“Dave Britton”

---

CHAIRPERSON Dean Gates

---

SECRETARY-TREASURER Dave Britton