

Desbarats to Echo Bay Planning Board

October 24th 2023

Agenda

Location: Tarbutt Council Chambers

27 Barr Road South

Time: 7:00 p.m.

ADDENDUM

B. Old Business

- 1. Planner and Staff Report(s) – L2023-11 a and b**
- 2. 2013 Bell Tower Installation Resolution from Laird Township**

C. New Business

- 1. Agricultural Advisory Committee – Members at Large for the Township of Laird and the Township of Macdonald Meredith and Aberdeen Additional.**

Application: L 2023 - 11 A and B

Adam Shipowick

The purpose of this consent is to permit Bell Mobility Inc. (Bell) to receive a correction on Title to address the existing lease arrangement permitting a long-term lease and easement in perpetuity. This will:

- Reflect the severance and the changes in the ownership of the subject lands.
- Protect Bell's ability to continue its telecommunications operations on the subject lands, for the benefit of the surrounding community.

As noted in the attached letter dated August 16 2023 File No. 022472.001135 is part of the correction on Title and rectifies these issues, the owners of Lot (A) and Lot (B) and Bell have agreed to the resolution that meets the approval of all concerned in addressing such lease for a cumulative term of forty-nine (49) years and that Bell surrenders its entire lease hold interest in Lot B, and that Bell can be the applicant to the Planning Board for consent to extend the lease for a cumulative term of forty-nine (49) years.

In summary, the purpose of this application is to rectify the legal arrangement that allows and maintains a telecommunications tower on Lot A. This is a critical component of its wireless communications network in the surrounding area. Furthermore, their submission to prepare two separate application packages: one for long term and one for the easement in perpetuity.

The above reference seeks to protect the conditions that existed prior to the severances that were approved, and does not impede the use of these lands for permitted purpose within the Laird Zoning Bylaw 531.

Recommendation

That the request of the applicant for consent to extend the lease for a cumulative term of forty-nine (49) years be approved and the easement in perpetuity to Bell be over Parts 3 and 4, which reflects the existing condition on what is now Lot B. (See Attachment: Plan of Survey Map referencing proposed lease and easement)

And that a required survey be registered on Title.

Jerry Dolcetti RPP

STAFF REPORT

Case Type: Consent Application

Act Type: Bill 20

File: L2023-11 a and b

Municipality: Laird Township

Applicant: Adam Shipowick (Authorized Agent)

Date Received Complete Application(s): 21st September 2023

Decision Target Date: December 21st 2023

Official Plan Designated: N/A

Zoning By-Law Designated: Agricultural and Summer Cottage under Laird ZBL 531

Proposal: The purpose and intent is to rectify the legal requirement that allows and maintains a telecommunications tower on lot A. The first proposal is to create one easement over lot B of approximately 0.19 hectares for access to the property hosting to the tower. The second proposal is to create one 49 year lease (expiring October 20, 2069) on approximately 0.14 hectares on Lot A.

Background:

Access: Access to the subject property is off Finn's Bay Road. Currently there is no standalone driveway entrance in place on Lot A (lot with tower) with access over lot B (host proposed to host easement).

Services: No privately owned well and septic system is to be affected by these consent proposal(s).

Planning Control Lot Size: Zoning (Summer Cottage and Agricultural)

- Minimum Lot Frontage – 46 m
- Minimum Lot area – 2760 square metres

One Window Review Results:

The subject lands **does not** fall within areas identified as a Provincial Agricultural interest within the Township.

Algoma Public Health: No objections due to nature of consent.

MNRF: No comments due to nature of consent (provide no comments on easements)

Consultation/Circulation:

As per Section 53(5)a. of the Planning Act, notice of the application was given to all assessed owners within 60 metres of the subject property. To date no objections have been received.

Planner/Consultant response: That the request of the applicant for consent to extend the lease for a cumulative term of forty-nine (49) years be approved and the easement in perpetuity to Bell be over Parts 3 and 4, which reflects the existing condition on what is now Lot B. (See Attachment: Plan of Survey Map referencing proposed lease and easement). And that a required survey be registered on Title.

Municipal Survey: No Municipal survey received for consent applications L2023-11 a and b prior to Planning Board meeting on October 24th, 2023.



Jared Brice
Secretary-Treasurer

24th October 2023.
Date

The Corporation of the Township of Laird
Incorporated 1891

Clerk-Treasurer
Phyllis L. MacKay, A.M.C.T.

Mayor
Richard (Dick) Beitz

08 29 2013

Ms. Deborah Williamson
D. A. Williamson & Associates Inc.
5 Prevost Street North
Azilda, ON P0M 1B0

Dear Ms. Williamson:

Re: Proposed Cellular Tower Installation – W4163 Neebish

Further to our recent communications, please be advised that the Township of Laird is in concurrence with the above mentioned cellular tower installation and passed the following resolution at its meeting of August 21, 2013:

“That council advises Bell Mobility that it concurs with the Consultation Summary Report and supports the construction of Bell Site W4163 “Neebish”, as presented.”

Should you require further information please let us know.

Yours truly,



Phyllis L. MacKay
Clerk-Treasurer

Jared Brice

From: Lacey Kastikainen <laceyk@ontera.net>
Sent: Tuesday, October 24, 2023 10:10 AM
To: Jared Brice
Subject: Agricultural Advisory Committee - Member at Large Appointment

Good Morning Jared,

At last evening's special council meeting the following resolution was passed:

"RESOVLED that we appoint Alf Roberts as our member of the public at large to the Agricultural Advisory Committee for the Development of the Desbarats to Echo Bay Planning Board Official Plan."

Alfs Contact Info:



Any questions or concerns please reach out.

Regards,

Lacey Kastikainen

Clerk Administrator
Township of Macdonald, Meredith & Aberdeen Additional
208 Church Street, PO Box 10
Echo Bay, ON. P0S 1C0
t. 705.248.2441
f. 705.248.3091
laceyk@ontera.net



Jared Brice

From: clerk@lairdtownship.ca
Sent: Friday, October 20, 2023 12:02 PM
To: Jared Brice
Cc: Jean Palmer
Subject: RE: Desbarats to Echo Bay Planning Board - Agricultural Advisory Committee - Terms of Reference

Good Morning,

At the October 19, 2023, Council meeting, Council passed the following motion:

Resolution Number: 155-23

Moved By: Todd Rydall

Seconded By: Ed Lapish

“BE IT RESOLVED THAT Council appoints Richard Beitz as the Laird Township member at large for the Agricultural Advisory Committee.”

Carried.

Please let me know if you require anything further.

Sincerely,

Jennifer Errington

Jennifer Errington, Dipl.M.A.

Clerk Administrator

Township of Laird

3 Pumpkin Point Road

Echo Bay, ON

POS 1C0

Phone No. (705) 248-2395

Fax No. (705) 248-1138

Website lairdtownship.ca

From: Jared Brice <Admin@tarbutt.ca>
Sent: September 27, 2023 12:36 PM
To: Lacey Kastikainen - Echo Bay <laceyk@ontera.net>; clerk@lairdtownship.ca; Carol Trainor <clerk@tarbutt.ca>; Janet Maguire <jmaguire@johnsontownship.ca>; Soumaya Ben Miled <sbenmiled@jlrichards.ca>; David Welwood <dwelwood@jlrichards.ca>
Cc: Jean Palmer <planning@tarbutt.ca>
Subject: Desbarats to Echo Bay Planning Board - Agricultural Advisory Committee - Terms of Reference

Good Afternoon All,

At its September 26th, 2023 regular meeting, the Desbarats to Echo Bay Planning Board passed the following resolution:

Resolution 66-2023