

The Municipality of Central Manitoulin Public Meeting
Agenda
Thursday, August 12th, 2021 at 6:45 P.M. Via
teleconference
at the
MUNICIPAL OFFICE
6020 HWY 542, MINDEMOYA, ONTARIO

1. Electronic meeting called to Order
2. Adoption of the Agenda
3. Opening Remarks
 - a) Chair
4. Application to be Considered
 - i) Zoning By-Law Amendment File No's. 2-07ZBL-21-003
-Applicant/Owner – Sheppard and Sons Construction Inc.
5. Council Comments
6. Public Comments
7. Chair's Closing Remarks
8. Adjournment

MANITOULIN PLANNING BOARD

ZONING BY-LAW AMENDMENT - PLANNING REPORT August 05, 2021

Applicant/Owner:	Sheppard and Sons Construction Inc.
Agent/Solicitor:	Paul Sheppard
File No.:	2-07ZBL-21-003
Property Description:	Lot 27, Conc. 2, Excepting Parts 1 & 2, Plan 31R-1323 Township of Carnarvon, Municipality of Central Manitoulin District of Manitoulin

1. PROPOSAL:

A Zoning Amendment Application has been received from Paul Sheppard on behalf of Sheppard and Sons Construction Inc. to permit a large storage building (30.5 m. X 12.2 m.) which is not accessory to a dwelling, to be located and used in a Rural (R) Zone on land described as Lot 27, Conc. 2, excepting Parts 1 and 2, Plan 31R-1323, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin.

2. REASON:

Zoning By-law No. 2002-07, Section 6.3 - Accessory Structures states:

- a) *An accessory building shall not be erected prior to the erection of a dwelling on the same lot except where it is necessary for the storage of tools and materials for use in connection with the construction of such dwelling and no accessory building shall be used prior to the erection of such dwelling for any other purpose other than storage;*
- f) *No accessory building shall exceed sixty-six (66) square metres and ten (10) metres in height in a residential zone.*

Therefore an amendment is required to permit a storage building larger than 66 Sq. M. in size, which is not accessory to a dwelling, in a Rural Zone.

3. SUBJECT LANDS:

i) History:

The subject land is a ±39.2 Hec. (±96.9 Acres) vacant lot having a frontage of 241 M. on Hill Road, a maintained municipal road. The applicant has owned the lot since February 2021.

The municipal landfill site, surveyed as Parts 1 and 2, Plan 31R-1323, located within Lot 27, Conc. 2 is closed. However, the landfill has a current monitoring program with test wells for the ground water. The Ministry of the Environment (now known as the Ministry of the Environment, Conservation & Parks) D-Series Guidelines provide guidance for land use planning authorities by protecting the health and safety of residents from the potential adverse effects of landfills and dumps in the vicinity.

ZONING BY-LAW AMENDMENT - File No. 2-07ZBL-21-003 - PLANNING REPORT
August 05, 2021 - Continued

Accompanying the application was a Report, prepared by Pinchin Ltd., which under Section 7.0 - Findings and Recommendations states:

'Based on the results of the Guideline D-4 Assessment completed by Pinchin, no potential contamination pathway or nuisance source was identified that is likely to result in potential subsurface impacts at the Site, as a result of the Mindemoya WDS. As such, no subsurface investigation work, remedial or mitigation measures are recommended at this time.'

A copy of the report for forwarded to the Municipality with a copy of the Amendment Application on May 28th, 2021. The documents were reviewed by the Municipal Council on June 10th, 2021 and they advised they have no concerns with the application, as proposed.

- ii) Access: is proposed via an entrance from Hill Road, a maintained municipal road.
- iii) Servicing: is proposed via private individual sewage disposal system and holding tank for water
- iv) Fire Protection: Available (Central Manitoulin Volunteers)
- v) School Bussing: Available
- vi) Garbage Collection/ Disposal: Collection Available

4. OFFICIAL PLAN POLICIES:

- i) Official Plan Designation: Rural Area
- ii) Proposed Designation: Same
- iii) Comments:

The land subject to this proposal will remain designated as being within the Rural Area and all Official Plan Policies applicable thereto will continue to apply.

Section C.5.1. - Permitted uses in the Rural Area states:

- ' 1. Permitted uses will include agriculture, farm-related and secondary uses as well as resource based activities, such as forestry, and other rural uses that are not appropriate in Urban Areas, Village Areas, Shoreline Areas, or Agriculture Areas, as well as limited residential development in accordance with consent policies of Section F.4.4.4, where appropriate; and
- 5. The specific permitted and accessory use will be established in the Zoning By-law.'

ZONING BY-LAW AMENDMENT - File No. 2-07ZBL-21-003 - PLANNING REPORT
August 05, 2021 - Continued

According to the application the applicant is proposing to use the building for the storage of equipment and supplies associated with the construction company and farm related equipment and supplies (25%); maple syrup supplies (25%); forestry equipment and firewood (25%); and personal items like boat(s), car(s), snowmobile(s), (25%).

The proposed amendment is considered to be in conformity with Official Plan Policies.

5. ZONING BY-LAW (BY-LAW NO. 2002-07):

- i) Current Zoning: Rural (R) Zone
- ii) Proposed Zoning: Same
- iii) Comments:

The subject land is to remain as presently zoned. This proposal to amend Zoning By-law No. 2002-07, Section 6.3 a) and f), if approved, will permit on a Site Specific basis, an oversized storage building in a Rural (R) Zone which is not accessory to a dwelling.

6. PROVINCIAL POLICY STATEMENT (PPS) 2020

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. There does not appear to be any conflict or adverse impacts to policies expressed by the Provincial Policy Statement.

7. RECOMMENDATIONS:

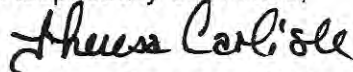
From satellite imagery (attached) it would appear that the area where the applicants propose to locate the storage building has a few bushes/trees which may protect the visual impact this large structure could have.

It is recommended that Council, while reviewing this proposal, have regard for not only the increased size of the proposed structure but also the uses that would be permitted.

Based on the aforementioned analysis the Application for Amendment to permit the oversized storage building in a Rural (R) Zone, on a Site Specific may be supported by Council if in their judgement the proposal is favourable to the well being of the Municipality and all planning criteria has been satisfied.

The Public Meeting must be held as scheduled. However, Council may defer Decision should they wish to consider any comments, concerns, or objections that may result from the Public Meeting.

Respectfully Submitted,



Theresa Carlisle, ACST
Secretary-Treasurer
Mpbcarlisle@bellnet.ca

THE MUNICIPALITY OF CENTRAL MANITOULIN

BY-LAW NO. 2021-15

Being a By-law to Amend Zoning By-law No. 2002-07

Being a By-law for the purpose of amending Zoning By-law No. 2002-07, being a By-law, to regulate the Use of Land of the Municipality of Central Manitoulin, under the Authority of Section 34 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended.

Whereas, the Municipality of Central Manitoulin, 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, Council deems it appropriate to concur, whereby Restricted Area Zoning By-law No. 2002-07 is amended despite Subsection 6.3 a) and f), to permit a large storage building (30.5 m. X 12.2 m.) which is not accessory to a dwelling, to be located and used in a Rural (R) Zone on a Site Specific bases within land described as Lot 27, Conc. 2, excepting Parts 1 and 2, Plan 31R-1323, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin, as registered in the Land Registry Office for the Registry Division of Manitoulin (31).

And Whereas, upon considering representations in respect to the zoning proposal and the report of the Secretary-Treasurer of the Manitoulin Planning Board, the Council of the Municipality of Central Manitoulin, deems it advisable to amend Zoning By-law No. 2002-07, as amended.

Now Therefore, the Council of the Municipality of Central Manitoulin, enacts as follows:

- (1) Section 8, Special Provisions, of the Restricted Area Zoning By-law No. 2002-07 is hereby amended to add the following **Subsection 8.102**

Notwithstanding the uses permitted in a Rural (R) Zone as set out in Section 7.2 of the Restricted Area Zoning By-law No. 2002-07 and despite Subsection 6.3 a) and f), permits a large storage building having a maximum size of 372 Sq. M. which is not accessory to a dwelling on a Site-Specific bases to be located and used as identified on attached Schedule "A", within lands described in Subsection (2).

- (2) Subsection (1) applies to that parcel of land described as being Lot 27, Conc. 2, excepting Parts 1 and 2, Plan 31R-1323, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin, as registered in the Land Registry Office for the Registry Division of Manitoulin (31).
- (3) All other uses, performance standards and provisions of Restricted Zoning By-law 2002-07, which apply to the Rural (R) Zone which are not specifically varied hereby continue to apply to the land described under Subsection (2) of this By-law.
- (4) That it is hereby certified that this amending By-law is in conformity with the Official Plan for the Manitoulin Planning Area.
- (5) Schedule "A" hereto attached shall be considered to be part of this By-law.
- (6) This by-law shall come into force in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990 Chapter P. 13 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 Municipal Clerk together with the prescribed fee.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS ___ DAY OF _____ 2021.

Richard Stephens, Mayor

Ruth Frawley, CAO/Clerk

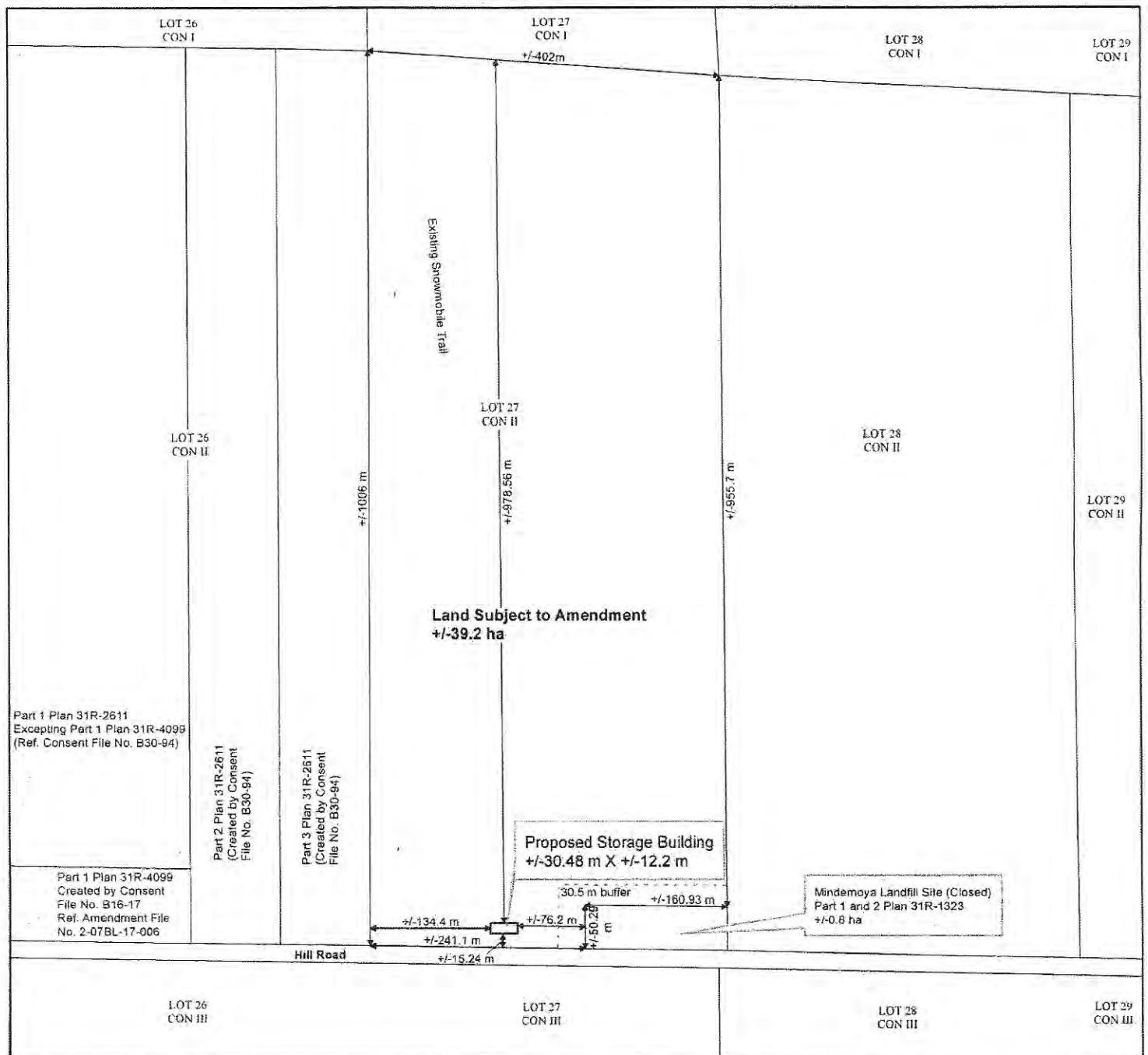
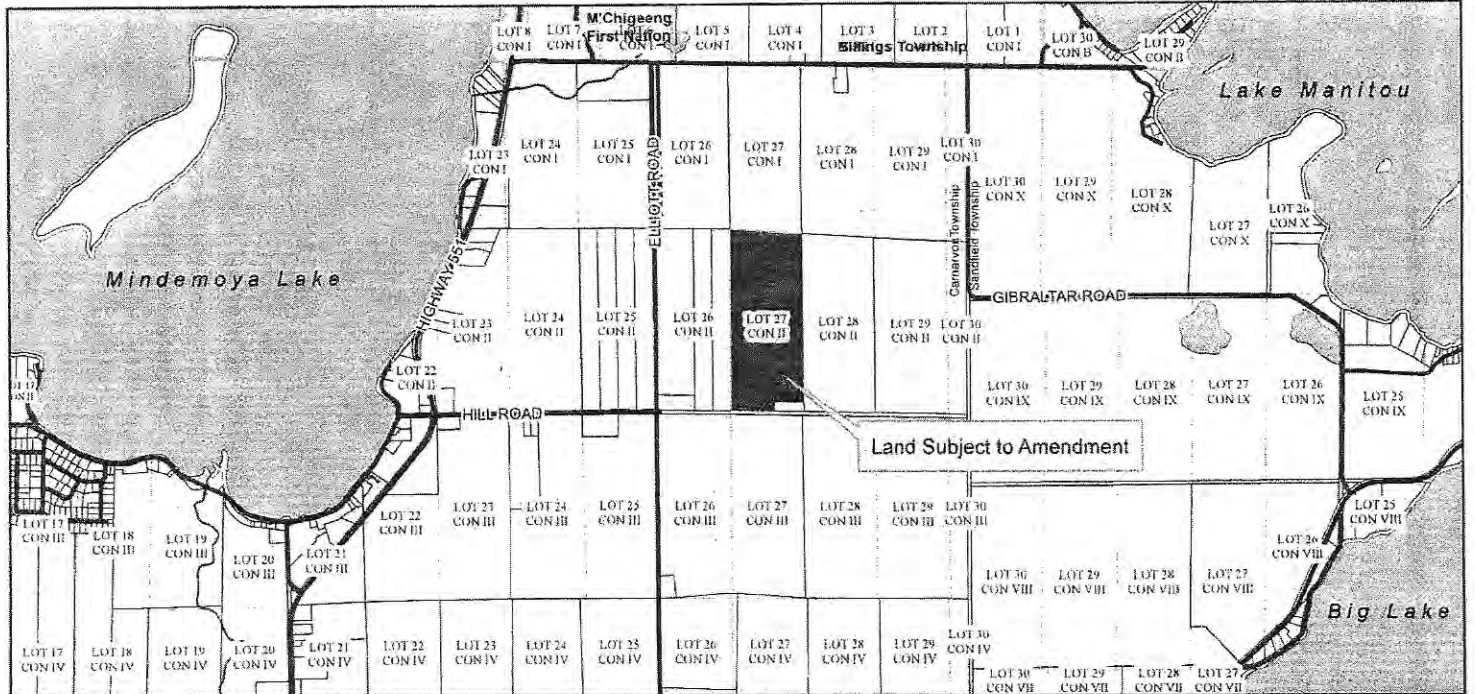
I, _____, Clerk of the Municipality of Central Manitoulin, hereby certify that the foregoing is a true copy of By-law 2021-15 passed by the Council of the Municipality of Central Manitoulin on the ____ day of _____, 2021.

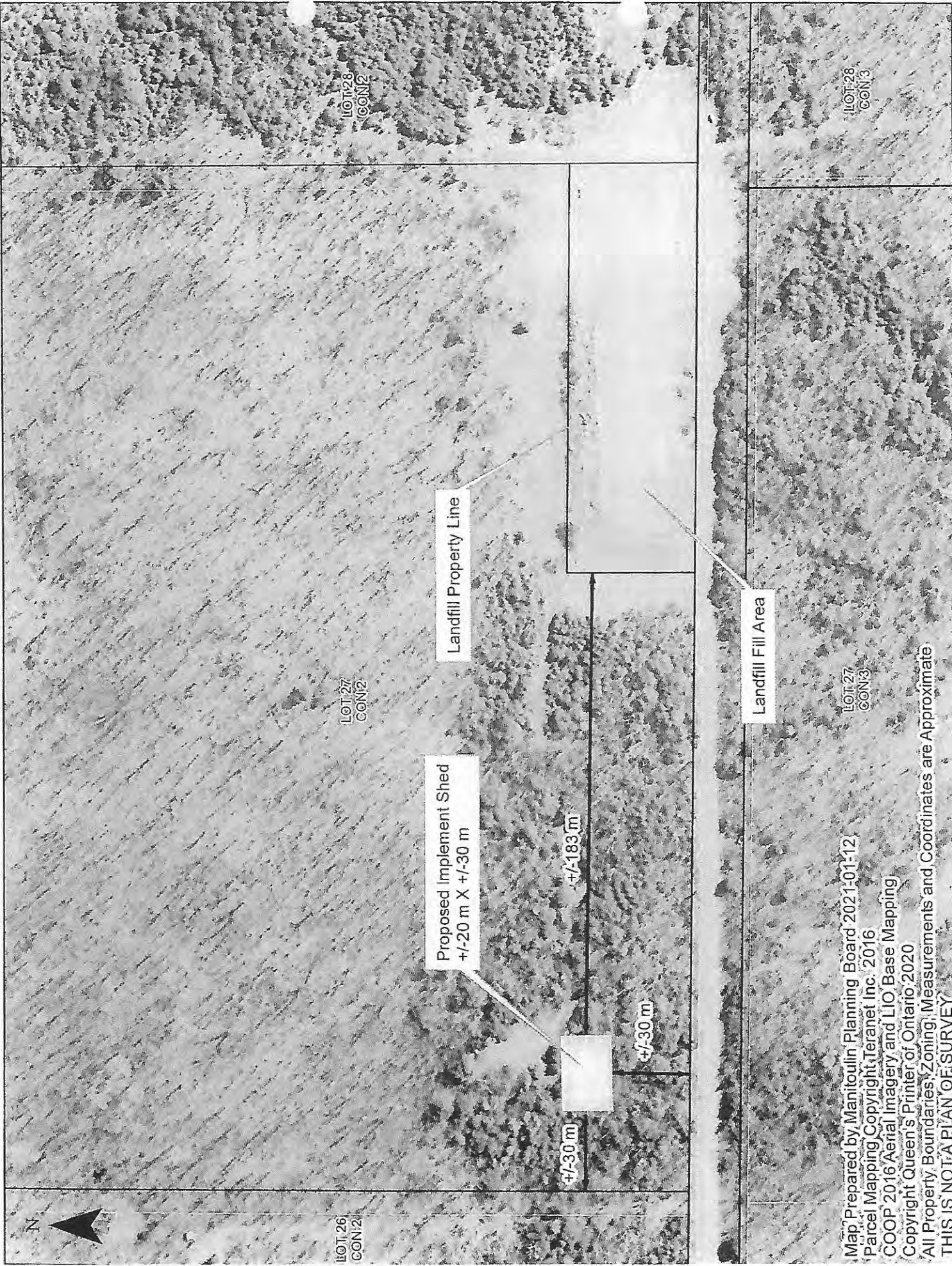
Clerk

Part Lot 27 Concession II
 Excepting Parts 1 and 2 Plan 31R-1323
 Township of Carnarvon
 Municipality of Central Manitoulin
 District of Manitoulin

R. Stephens, Mayor

R. Frawley, CAO/Clerk





Map Prepared by Manitoulin Planning Board 2021-01-12
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