

The Municipality of Central Manitoulin

Public Meeting

Agenda

Thursday, May 13th, 2021 at 7:15 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-21-001
-Applicant/Owner – 1216435 ONT. LTD./BRUCE CRUICKSHANK
5. Council Comments
6. Public Comments
7. Chair's Closing Remarks
8. Adjournment

MANITOULIN PLANNING BOARD

ZONING BY-LAW AMENDMENT - PLANNING REPORT May 03, 2021

Applicant/Owner: 1216435 Ontario Limited
Agent/Solicitor: Bruce Cruickshank
File No.: 2-07ZBL-21-001
Related Files: B01-21
Property Location: Part Lots 13, 14 and 15, Conc. VII
(Cress Road)
Township of Carnarvon
Municipality of Central Manitoulin
District of Manitoulin

1. PROPOSAL:

A Zoning Amendment Application has been received from Bruce Cruickshank on behalf of 1216435 Ontario Limited to prohibit residential uses and to prohibit any structures to be used for livestock within the ± 76 Hec. parcel of land described as being Part of Lot 13, Conc. VII excepting Part 1, Plan 31R-1400 and the south \pm half of Lots 14 & 15, Conc. VII excepting two existing lots located at #155 and #187 Cress Road, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin.

2. REASON:

The subject land is located within a designated Prime Agriculture Area. An Aggregate Site is identified within 300 metres of the subject land. Approval of the proposed Amendment will ensure there would be no sensitive uses/residential uses within the vicinity of the existing Aggregate Site and will protect the Agriculture viability of the proposed crop farm uses.

Consent to Sever, File No. B01-21, has been conditionally approved subject to Zoning By-law No. 2002-07 for the Municipality of Central Manitoulin being amended. The applicant has therefore made an application to amend Zoning By-law No. 2002-07 to fulfill a condition of consent approval, as imposed by the Manitoulin Planning Board.

3. SUBJECT LANDS:

i) History:

The applicant has owned the subject land since September 2020.

Consent Application, File No. B01-21 provided for the creation of a new ± 1.0 Hec. lot containing a dwelling, a garden shed, a fuel storage building, and two open sheds. This new lot has not been surveyed to date. The resulting ± 76 Hec. retained parcel of land is subject to Amendment.

The applicant has advised that:

'We are involved in crop agriculture only with our family farm, and the former livestock barns are of no use to us.'

There is a bank barn, a horse barn, an open shed, two grain storage bins, and a tarp structure located within this land.

**ZONING BY-LAW AMENDMENT - 2-07ZBL-21-001
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- ii) Access: is via Cress Road, a maintained municipal road; a civic address number is proposed to be obtained to identify the subject land.
- iii) Servicing: there is a private well located within the subject land; there is no septic system; no new services are proposed.
- iv) Fire Protection: Municipal Volunteer Fire Department
- v) School Bussing: Available
- vi) Garbage Collection/ Disposal: Collection available

4. OFFICIAL PLAN POLICIES:

- i) Current Designation: Prime Agriculture Area
- ii) Proposed Designation: Same
- iii) Comments: The land subject to this proposal will remain designated as being within a Prime Agriculture Area and all Official Plan Policies applicable thereto will continue to apply.

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

- i) Current Zoning: Agriculture (A) and Conservation (02)
- ii) Proposed Zoning: Same
- iii) Comments: There will be no change in the present zoning. The proposed amendment to Comprehensive Zoning By-law No. 2002-07, if approved, on a Site Specific basis, will prohibit residential uses and will prohibit any structures (existing or proposed) to be used for livestock.

6. PROVINCIAL POLICY STATEMENT (PPS) 2020

Section 3.0 - Protecting Public Health and Safety states:

'Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards'.

An approved amendment, as proposed, would be consistent with this policy.

7. RECOMMENDATIONS:

Providing there are no extenuating circumstances or additional information to be considered and based on the aforementioned analysis, it is recommended the subject application for Zoning By-law Amendment, which will fulfill a condition of consent to sever, File No. B01-21, be approved by Council.

Respectfully Submitted,



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

THE MUNICIPALITY OF CENTRAL MANITOULIN

BY-LAW NO. 2021-09

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 to fulfill conditions of Consent File No. 801-21, (conditionally approved by the Manitoulin Planning Board) and by Special Provision prohibit residential uses and to prohibit any structures to be used for livestock within the ± 76 Hec. parcel of land described as being Part of Lots 13, Cone. VII excepting Part 1, Plan 31R- 1400 and the south \pm half of Lots 14 & 15, Cone. VII excepting two existing lots located at #155 and #187 Cress Road, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin.

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 to:

- (1) Amend Section 8, Special Provisions, of the Restricted Area Zoning By-law No. 2002-07, to add the following Subsection 9.00

to prohibit residential uses and to prohibit any structures to be used for livestock within the ± 76 Hec. parcel of land within a Prime Agriculture Area, and Agriculture (A) Zone, within land described under Subsection (2);
- (2) Subsection (1) applies to that parcel of land described as being Part of Lots 13, Cone. VII excepting Part 1, Plan 31R-1400 and the south \pm half of Lots 14 & 15, Cone. VII excepting two existing lots located at #155 and #187 Cress Road, 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 Agriculture (A) Zone and the Conservation (02) 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 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 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 Local Planning Appeal Tribunal (LPAT) 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 2021-09 passed by the Council of the Municipality of Central Manitoulin on the _____ day of _____, 2021.

Clerk



Mayor - Richard Stephens

Part Lot 13 Concession VII excepting Part 1 Plan 31R-1400 and
Part Lots 14 and 15 Concession VII
Township of Carnarvon
Municipality of Central Manitoulin

CAO/Clerk - Ruth Frawley

