

The Municipality of Central Manitoulin

Public Meeting

Agenda

Thursday, November 27th, 2025 at 6:30 P.M.

Via teleconference &

at the

MUNICIPAL OFFICE

6020 HWY 542, MINDEMOYA, ONTARIO

1. 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. 2024-12ZBL-25-001
-Applicant/Owner – JONATHAN MCDONALD & DARA MUSSAR
5. Council Comments
6. Public Comments
7. Chair's Closing Remarks
8. Adjournment

MANITOULIN PLANNING BOARD

ZONING BY-LAW AMENDMENT – PLANNING REPORT November 21st, 2025

Applicants: Jonathan McDonald and Dara Mussar
File No. 2024-12ZBL-25-001
Property: Lot 2 Concession XIV, (#116 Sand Road)
Township of Campbell, Municipality of Central Manitoulin
District of Manitoulin

1. PROPOSAL:

A Zoning Amendment Application has been received from Jonathan McDonald and Dara Mussar to permit an existing storage shed to remain in the front yard/in front of the existing dwelling which is accessory to the primary residential use. The storage shed (± 4.9 m. X ± 3.0 m.) is located having a setback of 8.0 metres from the front lot line (from Sand Bay Road).

2. REASON:

The landowners have started construction of the dwelling (± 19.0 m. X ± 8.0 m.) and placed ten (10) other structures accessory to the ongoing farm related residential use, within the property including the storage shed which is the subject of the amendment application.

The Municipal Zoning By-law, No. 2024-12, under Section 6.3 - Accessory Uses states in part:

'Where this By-law provides that land may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or accessory use incidental thereto, except that:

b) Except as may be provided herein any accessory building shall be erected with a front line setback not less than twenty (20) meters [or 65.6 feet] or to the rear of the established building line of the main building, whichever is less, and shall comply with the other yard requirements of the zone in which such building is situated and such accessory uses shall not occupy more than fifteen per cent (15%) of the lot area.'

The storage shed, as shown on the application sketch dated October 10th, 2025, is proposed to remain in the front yard/ in front of the established building line of the main building (the dwelling). Therefore, an Amendment is required to bring the property into conformity with the Municipal Zoning By-law.

3. SUBJECT LANDS:

i) History:

The subject parcel of land (Lot 2, Concession XIV, Township of Carnarvon) was created by Consent to Sever File No. B35-14 in 2014, when it was severed from Lot 3, Concession XIV.

The subject parcel of land has a frontage of ± 402 m. on The Sand Road, a maintained Municipal Road, and a depth of ± 1005 m., thereby containing an area of ± 40 hectares.

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The current use of the land is Agricultural/Farm and Residential, and includes eleven (11) structures as identified on the application sketch, being: (1) a dwelling currently under construction (permitted by Building Permit No. 2024-23), (2) the storage shed, (3) a sauna, (4) a travel trailer, (5) a fish hut, (6) a chicken coop, (7) a pig pen, (8) a water tower, (9) an outhouse (which is to be removed), (10) a wood shed, and (11) a wood shed.

The landowners have owned the property as Joint Tenants since August 14th, 2024.

- ii) Access: Access is via an existing entrance, #216 The Sand Road, a maintained municipal road.

The Ministry of Transportation (MTO) was circulated for comments during the preliminary review. Cameron Cole, Corridor Management Planner for MTO, advised that the subject property is outside the MTO's permit control area (PCA); therefore, they have no comments to provide.

- iii) Servicing: The property is serviced by a private individual well and a private individual septic system. The application was accompanied by a Completion Notice, Number 402-24-SP010, from the Public Health Sudbury and Districts, dated July 4th, 2025.

Electricity is available from hydro lines along The Sand Road. Hydro One was circulated during the preliminary review of the application for comments. S. Salt, Hydro One, advised that Hydro One does not have any concerns with the application and that they have an unregistered easement over the property; do not require an easement; and has no poles on the property.

- iv) Fire Protection: is available from the Municipal Volunteer Fire Department

- v) School Bussing: is available.

- vi) Garbage Collection/Disposal: Garbage Collection is available.

4. OFFICIAL PLAN (OP) POLICIES:

- i) Current Designation: Agriculture Area

- ii) Proposed Designation: SAME

- ii) Comments:

The Official Plan for the District of Manitoulin (under the jurisdiction of the Manitoulin Planning Board) under Section C.4.1 - Permitted Uses for Agriculture Areas -states in part:

'1. The primary use of land will be for agricultural uses, agriculturally-related uses and secondary agricultural uses including:

h). associated on-farm building and structures, including accommodations for full time farm labour when the size and nature of the operation requires additional employment

7. The specific uses permitted and accessory uses will be established in the Zoning Bylaws.'

The applicants are not proposing any additional development at this time. The current existing uses are considered to be consistent with the policies of the Official Plan.

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5. ZONING BY-LAW (BY-LAW 2024-12):

- i) Current Zoning: Agricultural (A) Zone
- ii) Proposed Zoning: SAME
- ii) Comments:

The Municipal Zoning By-law No. 2024-12 under Section 6.3 - Accessory Uses states in part:

'Where this By-law provides that land may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or accessory use incidental thereto, except that:

b) Except as may be provided herein any accessory building shall be erected with a front line setback not less than twenty (20) meters [or 65.6 feet] or to the rear of the established building line of the main building, which ever is less, and shall comply with the other yard requirements of the zone in which such building is situated and such accessory uses shall not occupy more than fifteen per cent (15%) of the lot area.

j) Travel trailers may only be used in accordance with this section in zones that permit residential use, must be clearly secondary to the residential use and be permitted by the Trailer Licensing By-Law (2023-07).'

By-law No. 2023-07 being the License Exemptions of the Municipality of Central Manitoulin Trailer and Recreational Vehicle By-law No. 2023-07 states under Section 3.0:

' 3.3 A recreational trailer or recreational vehicle located on a property that contains a dwelling unit does not require a license. An additional dwelling unit on the property will be permitted to have a trailer with a maximum of Two (2) trailers per property.'

From information available, the existing travel trailer would conform to the provisions of the Trailer By-law 2023-07.

The proposed amendment to Comprehensive Zoning By-law 2024-12, if approved, will permit the existing storage shed (± 4.9 m. X ± 3.0 m.) to remain in its current location being in the front yard/in front of the existing dwelling (under construction) having a front yard setback of 8.0 metres.

The proposed amendment does/will not permit the remaining structures that are currently in the front yard/in front of the dwelling and closer than twenty (20) metres to the front lot line (the sauna, fish hut, and the two wood sheds), to remain as located.

The Municipality has advised the applicants that these four (4) structures will be required to be moved to new locations to conform to the provisions of the Municipal Zoning By-law.

The landowners have advised that they intend to move these accessory structures in order to conform, and propose to do so when there is snow on the ground to permit the use of skis for moving the structures.

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6. NATURAL HERITAGE:

There is an Unevaluated Wetland identified at the northern part of the subject property.

The Official Plan under Section D.4.2-3 - Unevaluated Wetlands of the Official Plan (OP) states in part:

'Development and site alteration will not be permitted within a Unevaluated Wetland (UW). Development or site alteration may be permitted on land adjacent to a UW, provided the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no impacts to hydrologic functions that cannot be adequately mitigated. For the purposes of this policy, the extent of adjacent lands will be defined as 120 metres.'

The Unevaluated Wetland is approximately 700 metres from the dwelling, which is the nearest structure on the property and approximately 760 metres from the storage shed located in the front yard. It is entirely outside the required 120 metre buffer distance to adjacent land. As no site alteration or development is proposed within the Unevaluated Wetland or within the adjacent lands, no negative impact on its hydrological or ecological functions is anticipated.

7. PROVINCIAL PLANNING STATEMENT (PPS) 2024:

Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policies issued under the Act. Land use planning decisions made by municipalities must be consistent with the Provincial Planning Statement (PPS) 2024.

Section 4.3 - Agriculture of the PPS states in part:

'4.3.2 Permitted Uses

1. In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance.

...

4. A principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).'

From the information available, the existing use of the property (i.e. a farm with a principal dwelling) would be consistent with the PPS. 2024.

8. NORTHERN ONTARIO GROWTH PLAN (NOGP):

Section 3.(5) of the Planning Act requires that decisions affecting planning matters "shall conform to" provincial plans issued under the Act. The Northern Ontario Growth Plan (NOGP) is a regional plan issued under the act that provides guidance to align provincial decision making in Northern Ontario. Land use planning decisions made by municipalities in Northern Ontario must be consistent with the NOGP.

Section 2.3.3 Agriculture, Aquaculture and Food Processing of the Northern Ontario Growth Plan encourages the development of local agriculture as part of a growing and diverse economy. From information available, the farm-related residential use would conform to the NOGP.

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9. RECOMMENDATIONS:

The Municipality have advised, via email on June 16th, 2025 that they have no concerns with the application. On October 16th, 2025, the Municipality advised that an Occupancy Permit for the dwelling has been issued.

The Municipality may wish to follow-up with the land owners at later time, when there is snow on the ground, to ensure that the sauna, fish hut, and the two wood sheds have been removed or relocated as required.

Providing there are no extenuating circumstances or additional information to be considered and based on the aforementioned analysis, the subject application for Zoning By-law amendment may be approved by Council, if in their judgement the proposal is favourable to the advancement and well-being of the Municipality, and providing there is conformity to the current Municipal Zoning By-law No. 2024-12.

Respectfully Submitted,



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

THE MUNICIPALITY OF CENTRAL MANITOULIN

BY-LAW NO. 2025-24

Being a By-law to Amend Zoning By-law No. 2024-12

Being a By-law for the purpose of amending Zoning By-law No. 2024-12, 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. 2024-12 is amended:

to permit by Special Provision on a Site-Specific basis ,the existing storage shed (±4.9 m. X ±3.0 m.) to remain in its current location being in the front yard/in front of the existing dwelling having a front yard setback of 8.0 metres, within land described as Lot 2 Concession XIV, (#116 Sand Road), Township of Campbell, 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) Amends Section 7.1 - Agriculture (A) Zone of the Restricted Area Zoning By-law No. 2024-12 to add the following Special Provision No. A-32: *to permit the existing storage shed (±4.9 m. X ±3.0 m.) to remain in its current location on a site specific basis, being in the front yard/in front of the existing dwelling having a front yard setback of 8.0 metres, in an Agriculture (A) Zone, within land described under subsection (2);*
- (2) Subsection (1) applies to Lot 2 Concession XIV, (#116 Sand Road), Township of Campbell, 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 2024-12 which apply to the Conservation (02) Zone hereby 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, under the jurisdiction of the Manitoulin Planning Board.
- (5) Schedule "A" hereto attached shall be considered to be part of this By-law. 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 _____, 2025

Mayor – Richard Stephens

CAO/Clerk – Denise Deforge

I, _____, Clerk of the Municipality of Central Manitoulin, do hereby certify that the foregoing is a true copy of By-Law No. 2025-24, which was passed by the Municipality of Central Manitoulin Council on the ____ day of _____, 2025.

Clerk

Lot 2 Concession XIV
 (#116 Sand Road)
 Township of Campbell
 Municipality of Central Manitoulin
 District of Manitoulin

THIS IS SCHEDULE "A" TO BY-LAW NO. 2025-24
 PASSED ON THE _____ DAY OF _____ 2025.

Mayor - R. Stephens

Clerk - D. DeForge

