

THE MUNICIPALITY OF CENTRAL MANITOULIN

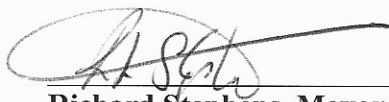
BY-LAW NO. 2023-15

**Being a By-law to Adopt Amendment Number 2-07OPA-23-001 to
The Official Plan for the District of Manitoulin**

The Council of the Municipality of Central Manitoulin, in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, hereby ENACTS as follows:

1. Amendment Number 2-07OPA-23-001 to the Official Plan for the District of Manitoulin (attached) is hereby adopted and made part of the Official Plan.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 25th DAY OF May 2023.**


Richard Stephens, Mayor


Denise Deforge, CAO/Clerk

I, _____, Clerk of the Municipality of Central Manitoulin, hereby
certify that the foregoing is a true copy of By-law 2023-15 passed by the Council
of the Municipality of Central Manitoulin on the 25th day of May,
2023.

Clerk

AMENDMENT NO. 2-07OPA-23-001

TO THE

OFFICIAL PLAN

FOR THE

DISTRICT OF MANITOULIN

I, Denise DeForge, CAO/Clerk of the Municipality of Central Manitoulin do hereby certify that this is a true copy of adopted Official Plan Amendment No. 2-07OPA-23-001.

Denise DeForge,
CAO/Clerk

AMENDMENT NO. 2-07OPA-23-001

TO THE

OFFICIAL PLAN

FOR THE

DISTRICT OF MANITOULIN

The attached explanatory text and Schedule 'A', constitutes Amendment No. 2-07OPA-23-001 to the Official Plan for the District of Manitoulin.

The following Amendment to the Official Plan for the District of Manitoulin consists of two parts:

PART A **THE PREAMBLE** - consists of the purpose, location and basis for the Amendment and does not constitute part of the actual Amendment.

PART B **THE AMENDMENT** - including the text and Schedules, sets out the actual Amendment.

PART A THE PREAMBLE

1. Purpose

The purpose of the Application is to *Amend the Official Plan (OP)* for the District of Manitoulin to permit a commercial type retail store/warehouse of 371 square metres in size in a Prime Agriculture Area accessory to the existing dwelling, which is larger than permitted by OP Policy C.4.1.4 and G-27-119 of 250 square metres within certain lands, as shown on 'Schedule A' attached.

2. Location

The lands affected by the Amendment are described as being Lot 6, Conc. XI, excepting Part 2 on Hwy Plan P-2314-18, as described in Instrument No. T14583, located at #361 Hartley Side Road South, 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. Basis

The current use of the subject ±40 Hec. parcel of land is farm-related residential. An Entrance permit has been issued from the maintained municipal road, known as Hartley Side Road South in 2022.

Official Plan Policy C.4.1.4 states:

'Agriculture related commercial and industrial uses directly related to, and supportive of an agricultural operation are permitted, provided the following policies are considered:

- a. the agriculture related commercial or industrial operation is of a small scale and cannot reasonably be located in a non-agriculture designation and is required in close proximity to the farm operation;*
- b. such uses will be located to conform with the Minimum Distance Separation Formula;*
- c. an amendment to the Zoning By-law is approved;*
- d. the agriculture related commercial or industrial use will not require large volumes of water nor generate large volumes of effluent and will be serviced with appropriate water supply and sewage treatment facilities;*
- e. the agriculture related commercial and industrial uses will be located and designed to minimize potential adverse impacts including noise, visual, odours, and air emissions, upon nearby residential or other sensitive uses by buffering measures such as landscaping, berming and building setback and layout; and*
- f. the location of agriculture related commercial and industrial uses must provide for appropriate access and minimum sight distances in either direction along a municipal road.'*

PART A THE PREAMBLE - Continued

The Official Plan under Section G-27-119 defines 'small scale' as:

'when used in the context of businesses, offices and industries, means those commercial or industrial uses that do not exceed the following:

- a) employs no more than the equivalent of five (5) full time employees in addition to the owner;*
- b) occupies a structure not exceeding 250 square metres in area; and*
- c) Outdoor storage and display is limited to an area not greater than 750 gross square metres.'*

PPS Section 2.3.3 - Permitted Uses states:

'In Prime Agriculture areas, permitted uses and activities are:

- agriculture uses, agriculture related uses and on farm diversified uses.'

Technical advice was requested from the The Ontario Ministry of Agriculture, Forestry and Rural Affairs (OMAFRA), as part of the review of the application. OMAFRA provided guidance with 'On Farm Diversified Uses (OFDU)' and criteria that must be met in order to support the agriculture-related commercial type use in a Prime Agriculture Area. The maximum area for a OFDU where an existing farm has a separate farm-related enterprise are allowed to be 2% of the overall lot area or 1.0 Hectare, whichever is less. The proposed OFDU does not exceed the recommended maximum size in OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agriculture Areas.

Mr. Hollands, agent for the application, advised that 2 or 3 employees are expected once the store is operational in a couple of years. He also advised that customer parking will be made available on-site.

The minimum distance separation (MDS) formula calculation was completed and there are no concerns with the proposed 'On Farm Diversified Uses (OFDU)' in the vicinity of the residential uses.

There is a simultaneous application for Zoning By-law Amendment, File No. 2-07ZB-23-001. If approved a commercial type retail store/warehouse, of 371 square metres in size and a weigh scale of 110 square metres in size will be permitted in an Agriculture (A) Zone accessory to the existing dwelling, which is larger than permitted by Zoning By-law No. 2022-07 of sixty-six (66) square metres.

The applicant is proposing to construct a commercial type retail store/warehouse, having a size of 371 square metres in a Prime Agriculture Area which is larger than permitted.

Therefore an Official Plan Amendment is required. By approving an Official Plan Amendment and a Zoning By-law Amendment the applicant will be permitted the uses as proposed.

PART B THE AMENDMENT

All of this part of the document entitled Part B The Amendment, which consists of the following text and Schedule 'A', constitutes Amendment No. 2-07OPA-23-001 to the Official Plan for the District of Manitoulin.

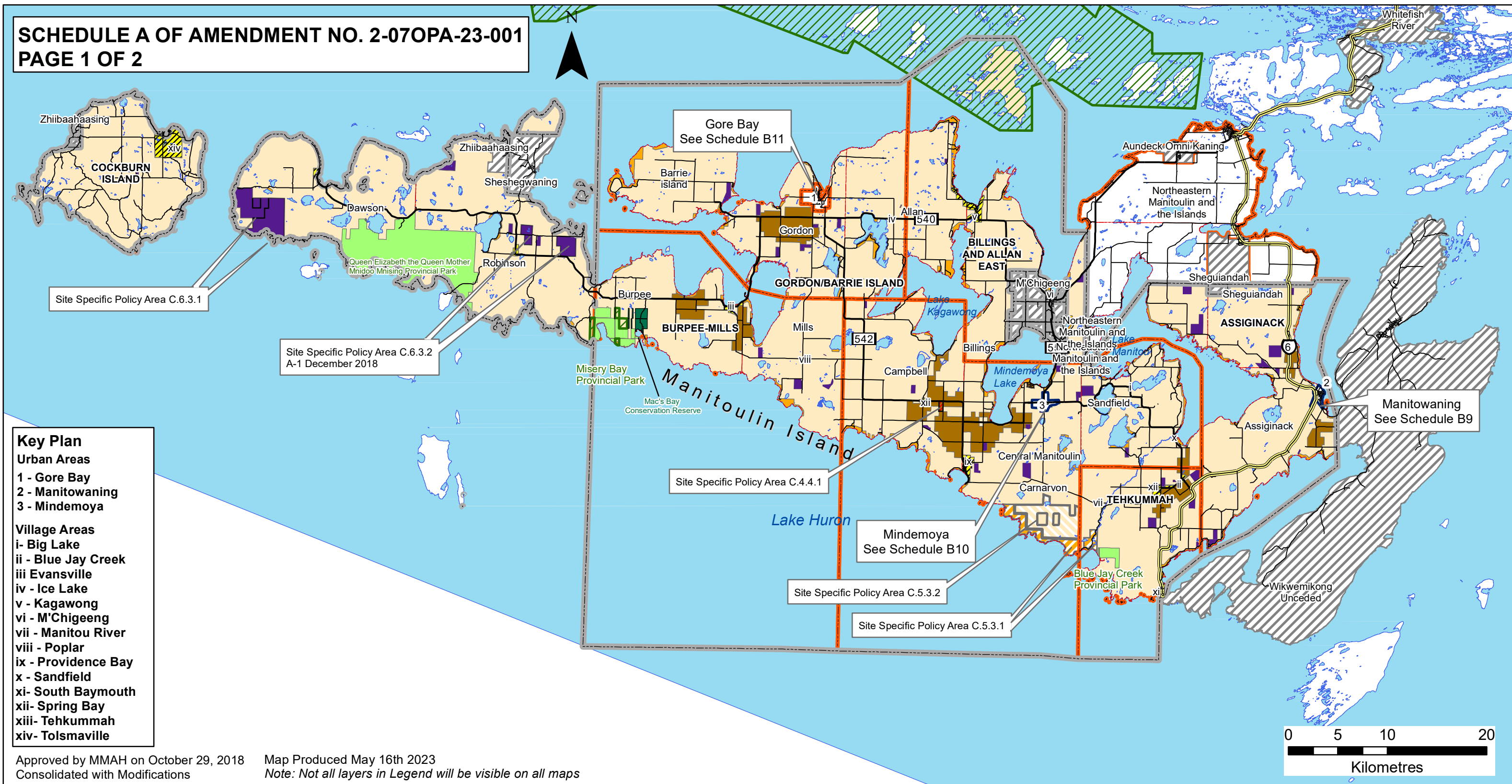
DETAILS OF THE AMENDMENT

Schedules to the Official Plan for the District of Manitoulin are amended as follows:

- a) Official Plan "Schedule B6" entitled '*District of Manitoulin Official Plan Schedule B6 Municipality of Central Manitoulin Land Use*' is hereby amended by adding a Site Specific Policy Area C.4.4.1 as shown on Schedule 'A' attached hereto, being a ±40 Hec. parcel of land described as being Lot 6. Conc. XI excepting Part 2 on Hwy Plan P-2314-18, as described in Instrument No. T14583, located at #361 Hartley Side Road South, Township of Campbell, Municipality of Central Manitoulin, District of Manitoulin.

- b) Official Plan "Schedule B" entitled '*Land Use Key Map*' is hereby amended by adding a Site Specific Policy Area C.4.4.1 as shown on Schedule 'A' attached hereto, being land approximately 40 Hec. and described as being Lot 6. Conc. XI excepting Part 2 on Hwy Plan P-2314-18, located at #361 Hartley Side Road South, Township of Campbell, Municipality of Central Manitoulin, District of Manitoulin.

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan for the District of Manitoulin.



**District of Manitoulin
Official Plan
Schedule B
Land Use Key Map**

Legend

	Highway 6		Urban Settlement Boundary
	Secondary Highway		Provincial Park
	Local Road		Proposed Provincial Park
	First Nation Reserve		Water Body
	Manitoulin Planning Area		Conservation Reserve
	Municipal Boundary		Geographic Township

Land Use Designations

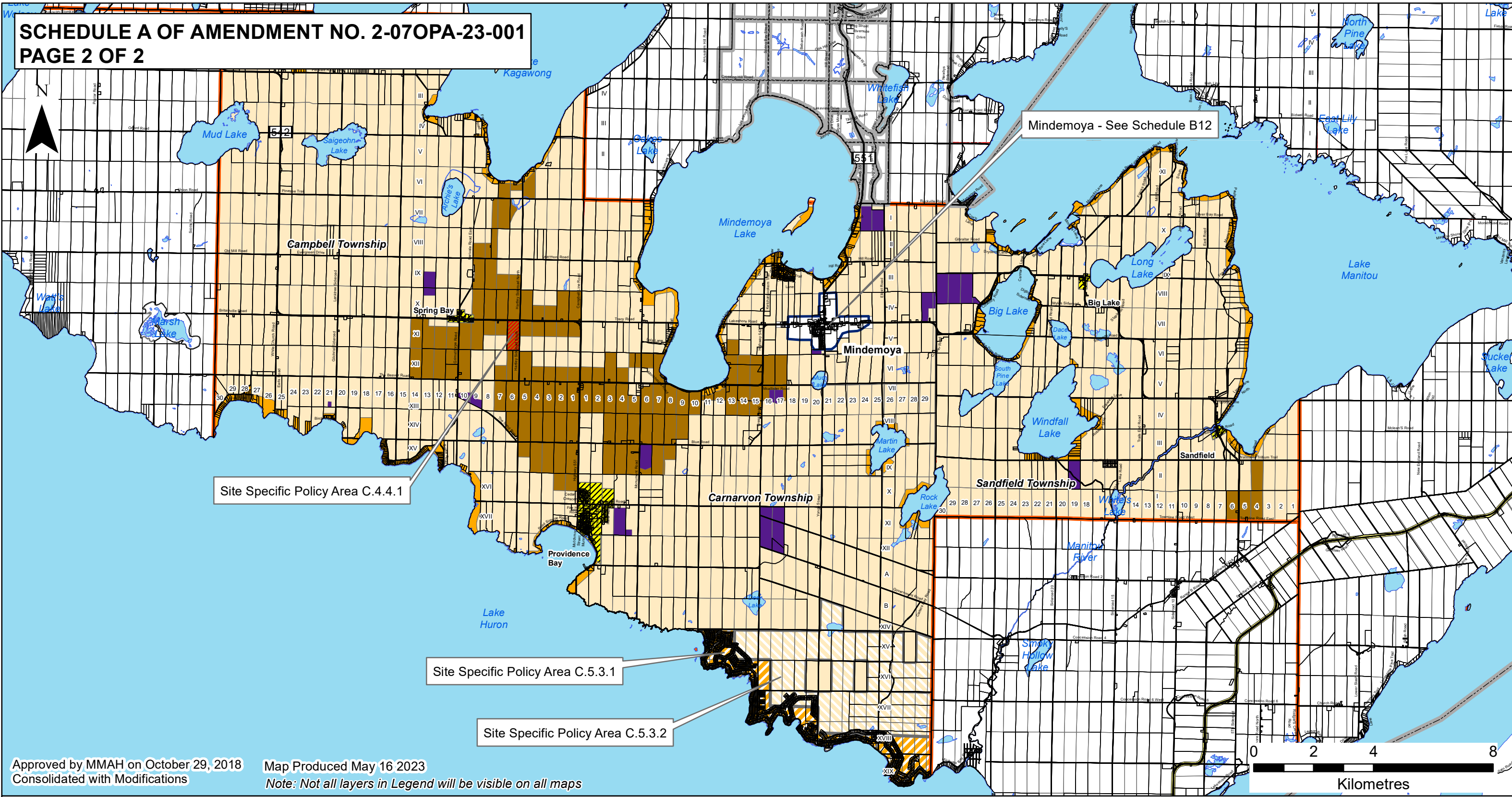
	Village Area
	Shoreline Area
	Agriculture Area
	Rural Area
	Aggregate Resource Area

Urban Land Use Designation

	Arterial Commercial Area		Residential Area
	Community Facility Area		Waterfront Area
	Core Commercial Area		
	Employment Area		
	Future Development		
	Open Space Area		

This schedule is for general illustration purposes only. For boundary interpretation please contact the District of Manitoulin Planning Board. This schedule is intended to be interpreted in conjunction with the other schedules and policies of this Official Plan.





Approved by MMAH on October 29, 2018
Consolidated with Modifications

Map Produced May 16 2023
Note: Not all layers in Legend will be visible on all maps

**District of Manitoulin
Official Plan
Schedule B6
Municipality of
Central Manitoulin
Land Use**

Highway 6

Secondary Highway

Local Road

First Nation Reserve

Manitoulin Planning Area

Municipal Boundary

Urban Settlement Boundary

Provincial Park

Proposed Provincial Park

Water Body

Conservation Reserve

Geographic Township

Village Area

Shoreline Area

Agriculture Area

Rural Area

Aggregate Resource Area

Arterial Commercial Area

Community Facility Area

Core Commercial Area

Employment Area

Future Development

Open Space Area

Residential Area

Waterfront Area

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