

The Municipality of Central Manitoulin

Public Meeting

Agenda

Thursday, August 22nd, 2024 at 6:30 P.M.

Via teleconference

and 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. 2002-07ZBL-24-002
-Applicant/Owner – Manitoulin Meats Inc.
5. Council Comments
6. Public Comments
7. Chair's Closing Remarks
8. Adjournment

MANITOULIN PLANNING BOARD

ZONING BY-LAW AMENDMENT - PLANNING REPORT

August 14, 2024

Applicants/Owners: Manitoulin Meats Inc.
Agent: Matthew Chartrand-Guthrie
File No.: 2-07ZBL-24-002
Property Description: Part Lot 20, Conc. V
being Lot 4 South Side of King Street, Plan 53
(Located at #6187 King Street/Hwy 542)
Township of Carnarvon, Municipality of Central Manitoulin
District of Manitoulin

1. PROPOSAL:

A Zoning Amendment Application has been received from Matthew Chartrand-Guthrie on behalf of Manitoulin Meats to

- i) rezone the subject land from Institutional (I) Zone to Core Commercial (C1) Zone;
- ii) restrict the size of the existing (Fire Hall) building to a maximum of 330 square metres; and
- iii) permit a reduced number of required parking spaces from sixteen (16) to six (6)

to allow for the conversion of the Fire Hall Building to a Retail Store for the sale of meat products, within land described as Part of Lot 20, Conc. V, Being Lot 4, South Side of King Street/Hwy 542 on Plan 53, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin.

2. REASON:

Zoning By-law No. 2002-07 for the Municipality of Central Manitoulin, under Section 7.16 - Institutional (I) Zone does not permit a 'Retail Store'. However Section 7.10 - Core Commercial (C1) does. Section 6.19 - Parking Area Requirements - requires 1 parking space for every 18 square metres of total floor area in a Commercial Zone. The existing building is 278 square metres in size which requires sixteen (16) parking spaces.

Official Plan Policy No. C.1.1.1.4 - Commercial Uses in the Residential Area - states under

- a) *no more than one commercial structure or building will be permitted on any site or in any one location, and the gross floor area of the commercial use will generally not exceed 300 square metres.*

Therefore, an amendment to the Municipal Zoning By-law No. 2002-07 is required.

3. SUBJECT LANDS:

- i) History:

The subject ±809 square metre parcel of land has a frontage of ±20.1 metres on King Street/Hwy 542 and contains the former Municipal Fire Hall Building, located at #6187 King Street/Hwy 542. The Municipality have constructed a new Fire Hall building which is located at #6369 Hwy 542.

This building was considered to be surplus to the needs of the Municipality and the lot was offered for sale. Manitoulin Meats Inc. purchased the land in May 2024.

**ZONING BY-LAW AMENDMENT - 2-07ZBL-24-002
- PLANNING REPORT - August 14, 2024 - Continued**

- ii) Access: There is an existing entrance, #6187 King Street/Hwy 542

The Ontario Ministry of Transportation (MTO) advised, via email on June 5th, 2024:

' We can issue the commercial entrance permit now if the municipality has no concerns. But perhaps it would be best if we simply confirm by way of this email that the Ministry has received a commercial entrance permit application and will issue it upon confirmation that the appropriate commercial zoning is in place.'

By Permit No. EN-2024-54S-00000039 V1, the MTO have issued the applicant a change of ownership permit for the existing entrance, and have advised that a new commercial entrance permit will be required upon confirmation that that the commercial zoning is in place.

- iii) Servicing: Municipal Water and Sewers

The subject land is located within the Mindemoya Drain Catchment Area.

Hydro One advised, via email on July 4th, 2024 that they have no concerns with the application.

- iv) Fire Protection: Municipal Volunteer Fire Department
v) School Bussing: Available but not required
vi) Garbage Collection/ Disposal: Collection available

4. OFFICIAL PLAN (OP) POLICIES:

- i) Current Designation: Residential Area
ii) Proposed Designation: SAME
iii) Comments:

Official Plan Policy C.1.1.1.4 states in part:

' 1. Small scale neighbourhood convenience commercial and personal services uses to serve the daily shopping needs of a neighbourhood will be permitted.'

The applicant is proposing to convert the existing ±278 square metre sized building into a retail store to sell meat products to the neighbourhood and surrounding areas. This proposal is considered to conform to the Commercial uses of the designated Residential Area.

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

- i) Current Zoning: Institutional (I) Zone
ii) Proposed Zoning: Core Commercial (C1) Zone,
iii) Comments:

The proposed amendment to Comprehensive Zoning By-law No. 2002-07, if approved, will i) rezone the subject land from Institutional (I) Zone to Core Commercial (C1) Zone; ii) restrict the size of the existing (Fire Hall) building to a maximum of 330 square metres; and iii) permit a reduced number of required parking spaces from sixteen (16) to six (6).

ZONING BY-LAW AMENDMENT - 2-07ZBL-24-002
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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. Land use planning decisions made by municipalities must be consistent with the PPS.

Policies expressed by the PPS encourages development which will promote opportunities for economic development. There does not appear to be any conflict or adverse impacts to policies expressed by the PPS. This proposal is considered to be in conformity with the PPS 2020.

7. RECOMMENDATIONS:

The subject property is located near the Anglican Church (at #6201 Hwy 542), which has been designated as a Heritage Site by the Municipality of Central Manitoulin. A copy of the Notice has been sent to the attention of the Municipal Heritage Committee.

The applicant, Mr. Chartrand-Guthrie, advised today that the westerly side yard setback of the existing building is only ± 0.305 metres. The side yard setback for the C1 zone is 3.0 metres. Therefore Council may wish to consider including an amendment to permit the reduced westerly side yard from 3.0 metres to 0.305 metres (of 2.7 metres).

Council may wish to review Section 6.17 - Loading Space Requirements, Section 6.19 Parking Area Requirements, Section 6.20 - Planting Strips, and any policies regarding signage to ensure that all planning criteria as contained in the Zoning By-law has been satisfied.

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 may be approved by Council, if in their judgement the proposal is favourable to the advancement and well being of the Municipality and does not cause any undesirable affects on the Planning Area. i.e. access and/or safety issues.

Following the Public Meeting and Council Meeting and when a decision is made by Council, please notify this office via email or fax, and mail the originals. We will then proceed immediately to give Notice of Council's Decision, which must be given within 15 days, as required by the Planning Act of Ontario, Sec. 34(18).

Respectfully Submitted,



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

THE MUNICIPALITY OF CENTRAL MANITOULIN

BY-LAW NO. 2024-25

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, as amended, rezones from Institutional (I) Zone to Core Commercial (C1) Zone; ii) restricts the size of the existing (Fire Hall) building to 330 square metres; and iii) permits a reduced number of required parking spaces from sixteen (16) to six (6).

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) rezones from Institutional (I) Zone to Core Commercial (C1) Zone;
- (2) Section 8, Special Provisions is hereby amended to add the following Subsection **8.113**
 - i) to restrict the size of the existing (Fire Hall) building to a maximum gross floor area of 330 square metres; and
 - ii) to permit a reduced number of required parking spaces from sixteen (16) to six (6)
 - iii) to permit a reduced westerly side yard setback for the existing building from 3.0 metres to 0.305 metres

to allow for the conversion of the Fire Hall Building to a Retail Store for the sale of meat products, within land described in Subsection (3);

- (3) Subsections (1) and (2) apply to that parcel of land described as Part of Lot 20, Cone. V, Being Lot 4, South Side of King Street on Plan 53, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin, as registered in the Land Registry Office for the Registry Division of Manitoulin (31).
- (4) All other uses, performance standards and provisions of Restricted Zoning By-law 2002-07, which apply to the Core Commercial (C1) Zone hereby apply to the land described under Subsection (3) of this By-law.
- (5) That it is hereby certified that this amending By-law is in conformity with the Official Plan for the District of Manitoulin.
- (6) Schedule "A" hereto attached shall be considered to be part of this By-law.
- (7) 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 Land Tribunal (OLT) 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 _____ 2024.

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 2024-25 passed by the Council of the Municipality of Central Manitoulin on the ___ day of _____, 2024.

Clerk

**Part Lot 20 Concession V
Being Lot 4 South Side King Street Plan 53
(#6187 King Street/Highway 542)
Township of Carnarvon
Municipality of Central Manitoulin
District of Manitoulin**

Mayor - R. Stephens

CAO/Clerk - D. Deforge

