

The Municipality of Central Manitoulin

Public Meeting

Agenda

Thursday, August 22nd, 2024 at 6:45 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-24-003
-Applicant/Owner – Jerry and Debra Shippet
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: Jerry and Debra Shippet
File No.: 2-07ZBL-24-003
Related Files: Consent to Sever File No's. B56-01 and
By-law Amendment No. 2002-06
Property Description: Part Lot 5, Conc. VI
Surveyed as Part 4, Plan 31R-1524 and Part 1, Plan 31R-3123
(Located at #1290 Perivale Road East)
Township of Campbell, Municipality of Central Manitoulin
District of Manitoulin

1. PROPOSAL:

A Zoning Amendment Application has been received from Jerry and Debra Shippet to permit a reduced front yard setback of 5.7 metres from 9.0 metres for a proposed addition to the existing dwelling, in a Shoreline Residential (SR) Zone, within lands described as Part of Lot 5, Conc. VI, surveyed as Part 4, Plan 31R-1524 and Part 1, Plan 31R-3123, Township of Campbell, Municipality of Central Manitoulin, District of Manitoulin.

2. REASON:

The Municipal Zoning By-law No. 2002-07 under Section 7.7.2 - Shoreline Residential (SR) Zone requires a minimum front yard setback of 9.0 metres. Therefore an amendment to the Municipal Zoning By-law is required for the addition to the dwelling.

3. SUBJECT LANDS:

i) History:

In 2001 by Consent to Sever, File No. B56-01, a lot addition of Part 1, Plan 31R-3123 to Part 4, Plan 31R-1524 was approved by the Manitoulin Planning Board. In 2002 by By-law Amendment No. 2002-06 the subject land was rezoned from Commercial Recreational Zone to Shoreline Residential Zone. The applicants have owned the subject ±0.27 Hec. parcel of land since December 2011.

Building Permit No. CM2012-05 was approved for a renovation/repair to the existing single family detached dwelling and Building Permit No. CM2017-10 was issued for the demolition and replacement of a garage. There have been no Building Permits issued for the shed (±2.4 m. X ±3.0 m.) or for the deck (±9.14 m. X ±4.3 m.).

The applicants wish to put an addition (±3.3 m. X ±7.5 m.) on to the north side of the existing dwelling and need a reduced front yard setback of 5.7 metres.

ii) Access: is via an existing entrance, #1290 Perivale Road East, a maintained municipal road

The Ontario Ministry of Transportation (MT) advised via email on July 23rd, 2024 that the subject land is not located within their permit control area; therefore have no comments or concerns.

**ZONING BY-LAW AMENDMENT - 2-07ZBL-24-003
- PLANNING REPORT - August 14th, 2024 - Continued**

- iii) Servicing: According to the application services consist of a private well and a private individual septic system

The Public Health Unit do not provide comments on Amendment Applications.

Hydro One advised that they have no concerns with the application and that the land owners should get in touch with 'One Call' before they dig and get proper locates as there may be Hydro, Bell, Amtelecom, Eastlink or Persona lines in the ground.

- 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: Shoreline Area
- ii) Proposed Designation: SAME
- iii) Comments:

There does not appear to be any adverse effects to the policies of the Official Plan if approval is given for a reduced front yard setback.

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

- i) Current Zoning: Shoreline Residential (SR) Zone
- ii) Proposed Zoning: SAME
- iii) Comments:

The proposed amendment to Comprehensive Zoning By-law No. 2002-07, if approved as requested, will permit an addition to the front (north) side of the existing single family detached dwelling having a reduced front yard setback of 1.5 metres (9 metres to 7.5 metres).

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.

No new uses are being proposed for the subject land. Therefore, 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.

**ZONING BY-LAW AMENDMENT - 2-07ZBL-24-003
- PLANNING REPORT - August 14, 2024 - Continued**

7. RECOMMENDATIONS:

There have been no comments or concerns received as a result of the formal circulation of the application.

Based on the aforementioned analysis the Application for Amendment to permit a reduced front yard setback 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 or can be satisfied.

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

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. 2024-26

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, permits a reduced front yard setback of 5.7 metres from 9.0 metres for a proposed addition to the existing dwelling, in a Shoreline Residential (SR) Zone, within lands described as Part of Lot 5, Conc. VI, surveyed as Part 4, Plan 31R-1524 and Part 1, Plan 31R-3123, 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:

- (1) Section 8, Special Provisions, is hereby amended to add the following Subsection **8.114**

permits a reduced front yard setback of 5.7 metres from 9.0 metres for a proposed addition (3.3 m. X 7.5 m.) to the existing single detached dwelling, in a Shoreline Residential (SR) Zone, within lands described under Subsection (2);

- (2) Subsection (1) applies to that parcel of land described as being as Part of Lot 5, Conc. VI, surveyed as Part 4, Plan 31R-1524 and Part 1, Plan 31R-3123, 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 2002-07, which apply to the Shoreline Residential (SR) 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.
- (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 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 2024-26 passed by the Council of the Municipality of Central Manitoulin on the ____ day of _____, 2024.

Clerk

Part Lot 5 Concession VI
Surveyed as Part 4 Plan 31R-1524 and Part 1 Plan 31R-3123
(#1290 Perivale Road East)
Township of Campbell
Municipality of Central Manitoulin
District of Manitoulin

Mayor - R. Stephens

CAO/Clerk- D. DeForge

