



## Committee of Adjustment Agenda December 3, 2025 – 9:00 AM

### MEETING DETAILS

**In-Person Meeting Location:** Mulmur Township Offices, located at 758070 2<sup>nd</sup> Line East

**Phone Connection:** 1 647 374 4685 Canada / 1 647 558 0588 Canada

**Video Connection:** <https://us02web.zoom.us/j/84829988171>

**Meeting ID:** 848 2998 8171

#### 1.0 Call To Order

#### 2.0 Land Acknowledgement

#### 3.0 Approval Of The Agenda

Recommendation: That the agenda be approved.

#### 4.0 Minutes of the Previous Meeting

Recommendation: That the minutes of September 3, 2025 are approved.

#### 5.0 Disclosure Of Pecuniary Interests

#### 6.0 Applications

##### 6.1 B04-2025 Mujunen

Recommendation: That application B04-2025 be approved subject to receiving public and agency comments.

#### 7.0 Adjournment

Recommendation: That the Committee adjourns the meeting at \_\_\_\_\_ to meet again at the call of the Chair.



## **Committee of Adjustment Minutes September 3, 2025 – 2:00 PM**

Present: Janet Horner, Chair  
Earl Hawkins  
Patricia Clark  
Andrew Cunningham  
Kim Lyon  
Tracey Atkinson – CAO/Planner  
Roseann Knechtel – Clerk/Planning Coordinator

### **1.0 Call To Order**

The Chair called the meeting to order at 2:02 p.m.

### **2.0 Land Acknowledgement**

We begin this meeting by acknowledging that we are meeting upon the traditional Indigenous lands of the Tionontati (Petun) and Treaty 18 territory of the Anishinaabe peoples. We recognize and deeply appreciate their historic connection to this place and we also recognize the contributions Indigenous peoples have made, both in shaping and strengthening our community, province and country as a whole.

### **3.0 Approval of the Agenda**

**Moved by Lyon and Seconded by Clark**

That the agenda be approved.

**Carried.**

### **4.0 Minutes of the Previous Meeting**

**Moved by Clark and Seconded by Lyon**

That the minutes of June 4, 2025 are approved.

**Carried.**

### **5.0 Disclosure Of Pecuniary Interests**

Member Andrew Cunningham declared pecuniary interest to item 6.1 B03-2025 KOTYCK and left the room at 2:04 p.m.

### **6.0 Applications**

#### **6.1 B03-2025 KOTYCK**

Planner Tracey Atkinson presented the application of easement and draft conditions for consideration.

The Applicant Natalie Kotyck was in attendance and had no comments. Dave Ritchie, property owner, stated the proposed easement was surveyed but never registered.

### **Moved by Hawkins and Seconded by Clark**

That Application No. B03-2025 submitted by Natalie Kotyck for an easement to provide access to 678178 Centre Road (R#6-04100) over 678126 Centre Road (R#6-04000) be approved subject to the following:

- That the easement applies to an approximate 0.19 ha (0.46 acres) located along the north lot line of Roll#6-04000 and extending south to the benefiting property.
- That the language of the new easement is to the Township solicitor's satisfaction.
- That the 1966 easement of approximately 0.06 ha (0.15 acres) be retired to the satisfaction of the Township.
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2,000.
- The deed for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision; being September 3, 2027 less two weeks for processing for review and approval.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- That the survey for the parcels reflects the approved configuration and is within +/- 5%, of the approved area/dimensions, when rounded to two decimal places.
- Road Widening: The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being a road widening of 3.05 m, along the frontage of Centre Road, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance, and in addition, any

bulged sections. Surveys are to be submitted to the Municipality, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the widening shall be provided to the Municipality for their records. The Municipality shall be consulted prior to commencing a survey to determine the amount of road widening required. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Infrastructure.

- The registered owner shall obtain, from the Municipality, any required entrance approvals.
- An emergency number be installed at each entrance of a retained lot as per County Regulations.
- Parkland: Cash in lieu of parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment.
- Taxes: Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
- NEC: That the language of the new easement is to the satisfaction of the Niagara Escarpment Commission.

**Carried.**

## **7.0 Adjournment**

**Moved by Lyon and Seconded by Hawkins**

That the Committee adjourns the meeting at 2:24 p.m. to meet again at the call of the Chair.

**Carried.**



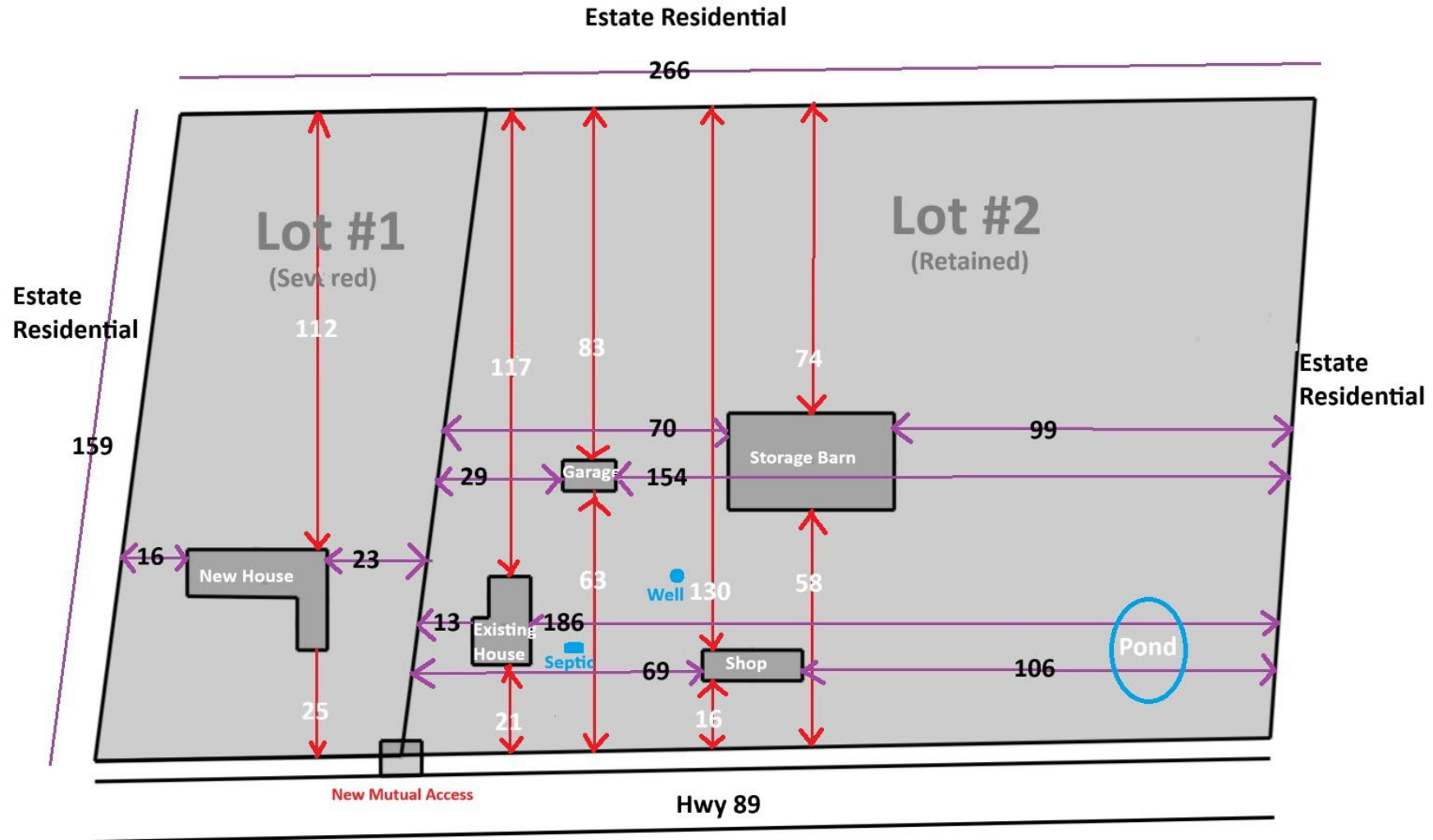


# 2023 AERIAL IMAGEREY





# PROPOSED SEVERANCE



# OFFICIAL PLAN DESIGNATION: ESTATE RESIDENTIAL

## **Lands designated Estate Residential shall include the following:**

1. All lands that are substantially developed for estate residential purposes, primarily by plan of subdivision at Violet Hill and adjacent to the Mansfield Ski Club, including the Pine River Chalets, Hector's Hill, Big Tree Circle and Mountainview developments and the existing larger estate residential lots along Sideroads 15 and 17, in Concession 6 EHS.
2. All other lands that are designated Estate Residential in this Plan, and that are also currently zoned Estate Residential in the Zoning By-law.

## **7.3.3 PERMITTED USES**

- A parking lot in the West Half of Lot 17, Concession 6 EHS (Specific Policy Area 8)
- Uses permitted in all designations (Section 5.38);
- Single detached dwelling;
- one accessory apartment unit in an existing dwelling
- a home occupation;
- a bed and breakfast establishment;
- public parks and public utilities;
- small scale communal recreation facilities, and;
- recreational uses in accordance with Section 5.39.
- one additional single dwelling or one attached accessory dwelling unit.



# ZONING: ESTATE RESIDENTIAL

## 4.4.1 Permitted Uses

- i) *single detached dwelling*
- ii) *additional single dwelling (ASD)* or attached additional dwelling unit or habitable pool house
- iii) *home occupation*

## 4.4.2 Regulations for Permitted Uses

- i) Minimum Lot Area 0.8 ha
- ii) Minimum Lot Frontage 60 m
- iii) Minimum Yard Requirements
  - a) Front Yard 7.5 m
  - b) Interior Side Yard 5 m
  - c) Exterior Side Yard 7.5 m
  - d) Rear Yard 7.5 m
- iv) Maximum Lot Coverage 10%
- v) Maximum Height 10.5 m

# AGRICULTURAL STRUCTURES



# AGENCY COMMENTS

- MTO – Pending.

# PUBLIC COMMENTS

- None received at time of agenda preparation.



# RECOMMENDATION

- That application B04-2025 be approved subject to receiving public and agency comments.





## **Staff Report**

**To:** Council  
**From:** Tracey Atkinson, Planner  
**Meeting Date:** December 3, 2025  
**Subject:** Highway 89 Severance

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### **Purpose:**

The purpose of this report is to:

- Provide an overview of the proposal and summary of background information;
- Provide a recommendation to provide Provision Consent, with associated draft conditions for Council's consideration.

### **Overview:**

#### **Application and Proposal**

The subject lands are known municipally as 507487 Highway 89 and located in Violet Hill, fronting on the north side of Highway 89. The subject property is approximately 4.15 hectares (10.26 acres) in size with approximately 275 metres (900 feet) of frontage on Highway 89.

The land is currently developed with a dwelling, barn (which has been renovated to storage and amenity space), a detached garage and a shop. The property is serviced by an individual private septic and private well, and a driveway providing access from Highway 89.

The application was supported by the following:

- Cover letter
- Site Plan Proposal (2025-10-12)

The application was processed in accordance with the Planning Act and regulations thereunder.

#### **Chronology**

The following is a chronology of the application:

- October 12, 2025 - Applications submitted
- October 14, 2025 Notice of Complete application provided to property owners within 120 metres and agencies
- December 3, 2025 – Statutory Public Notice

### Public Comments

- No public comments were received in advance of this report being written. Public comments may be received at the public meeting and will be included in the agenda package if received in advance.

### Agency Comments

Agencies have been circulated in accordance with the Planning Act. No comments have been received to date as a result of this circulation.

### **Planning Policy and Analysis:**

The application was reviewed with respect to the provincial planning framework, including the Planning Act, A Place to Grow (Growth Plan for the GGH), Provincial Policy Statement, Provincial Planning Statement, County of Dufferin Official Plan, Nottawasaga Valley Conservation Authority regulations, Township of Mulmur Official Plan and Township of Mulmur Comprehensive Zoning By-law. The subject lands are not within the Niagara Escarpment Planning Area.

### Planning Act

The Planning Act, R.S.O. 1990 as amended and regulations thereunder set out the process for assessing application for consent, and speak to the inclusion of conditions of provisional consent.

Township staff have assessed the criteria and are satisfied that the proposed severance, with the proposed conditions, satisfy the Planning Act.

### Provincial Policy Statement and Planning Statement

In 2024 the Provincial Planning Statement (PPS) came into effect on October 20, 2024. The Planning Act (section 5) requires that the lot creation be consistent with the policy statement in effect at the time of the Council decision on the application.

The proposed severance was reviewed with respect to the high-level provincial policies.

The application has been assessed and found to be consistent with the PPS currently in effect, with the conditions as drafted.

It is noted that the proposed development would obtain access from a Provincial highway, and as such the Ministry of Transportation is the applicable road authority and responsible for all entrance permits associated with future development of the subject lands.

### Dufferin County Official Plan

The subject lands are within the Community Settlement Area of the County of Dufferin Official Plan, 2017. A small woodland is identified in the most south-westerly corner of the subject lands. A sand and gravel resource area is located west of the settlement area.

The County plan was designed as a high-level policy document, recognizing that the local level Official Plans were in effect at the time of the County's first plan being developed. The plan echoes provincial policy and provides specific growth-related policies for the settlement area. The Plan has been recently amended to provide more specific policies, as well as being reviewed for PPS, 2024 conformity.

Dufferin County was circulated on the application.

### Mulmur Township Official Plan

The Township Official Plan, 2012 designates the subject lands as 'Estate Residential', within the 'Settlement Area (Community Boundary)'.

The Community Boundary and Estate Residential designation allow for a range of small scale uses, including the single detached dwelling that would be permitted through the creation of a building lot. The zoning by-law further limits the permitted uses.

Section 7.2.4 of the Community designation permits infilling and intensification, and lots supported by private water and waste disposal on site. The specific policies for Violet Hill, in section 7.2.B provides that the "standards and requirements for that area must reflect the original, intended estate residential purposes.... Re-development and infilling, and the consolidation of existing, undersized lots shall generally be encouraged, where opportunities exist.

An Official Plan review has been initiated by the Township to update the Plan as a result of the new PPS, 2024 and County amendments.

The Township Plan contains more detailed policies related to how the community will be developed. It includes specific policies on the rural character of the community, acceptable forms of growth, servicing, safety, protection of its resources and impacts on its residents.

RURAL CHARACTER: The Township of Mulmur Council provided clear direction as it relates to rural character, in preparation of the new Official Plan. The current Official Plan includes the following policy:

#### **5.25 Rural Character**

*Mulmur will preserve the scenic resources and rural character of the Township. A visual impact assessment shall be required for any development proposals under the Planning Act where there is a potential for visual impacts, to ensure that the built form does not predominate over the natural environment. The Township will limit light pollution and conserve energy by protecting a dark sky. A lighting study shall be required for development proposals under the Planning Act where there is a potential for dark-sky infringement.*

AGRICULTURAL BUILDINGS: Recent Provincial legislative changes to allow on-farm diversified uses and agriculture-related tourism uses has resulted in discussions related to party barns and the use of large agricultural structures on residential parcels.

The applicant, through its cover letter and pre-consultation, has expressed an interest in maintaining the barn and using it for family purposes and storage (accessory to a residential use)

Council affirmed its commitment to rural character and provided the following direction on June 7, 2025, where it discussed farm buildings to be removed as a condition of severance.

The Official Plan contains policies with respect to conflicting land uses, including sections 2.0: Purpose and various policies related to specific uses that may be accommodated in a barn (5.39: Recreation Activities, 5.44: Home Based Business, 7.2.4: Second dwelling)

Section 5.35 (vii) of the Official Plan contains general development criteria that apply to all development in the Township, and specifically states that “uses permitted by this Plan may be allowed provided that....

(vii) Development does not result in the potential for predictable and significant land use conflicts, including conflicts with agricultural, extractive industrial and industrial operations.

The existing barn would not meet Minimum Distance Separation formula calculations, and it is noted that it is located within a settlement area. By reducing the arable land through the creation of a building lot, the agricultural use of the barn is further reduced and the potential conflict further increased.

### Mulmur Township Zoning By-law

The subject lands are zoned Estate Residential in the Comprehensive Zoning By-law. The standard setbacks and lot requirements in the Estate Residential zone are as follows:

#### 4.4.1 Permitted Uses

- i) *single detached dwelling*
- ii) *additional single dwelling (ASD) or attached additional dwelling unit or habitable pool house*
- iii) *home occupation*

#### 4.4.2 Regulations for Permitted Uses

- i) *Minimum Lot Area* 0.8 ha
- ii) *Minimum Lot Frontage* 60 m
- iii) *Minimum Yard Requirements*
  - a) *Front Yard* 7.5 m
  - b) *Interior Side Yard* 5 m
  - c) *Exterior Side Yard* 7.5 m
  - d) *Rear Yard* 7.5 m
- iv) *Maximum Lot Coverage* 10%
- v) *Maximum Height* 10.5 m

The proposed severed and retained lots would comply with the lot requirements.

The zoning by-law has the following requirement for frontage on a maintained road in section 3.9.2, which is also satisfied.

Uses that are accessory to a residential use are also permitted. The barn enjoys legal non-conforming status, however, with the further reduction of land proposed by the severance, the uses permitted in the barn should be further assessed with respect to the appropriate uses and scale.

### Access

Section 5.36(f) of the Official Plan includes the following policy related to Lot Creation:

*Approval of entrances to all new building lots shall be obtained in advance of the creation of the lot, in accordance with the Township's Entrance Policy or, in the case of County Roads and Provincial Highways, the policies and requirements of the appropriate road authority. Highway 89 is a controlled access highway and applications for severances involving direct access to Highway 89 are discouraged and will be subject to the criteria and policies of the Ministry of Transportation;*

The Township's Director of Infrastructure has reviewed the application, and has no concerns with the proposed shared driveway, in this instance. It is noted that the Township's entrance permit requires a minimum setback to a lot line and that shared driveways, especially on smaller lots can become problematic and create neighbour issues, and are generally not supported.

In this instance, MTO is the approval authority of the entrance, the shared driveway provides adequate room on each side for snow storage, and the shared driveway is sufficient to allow two parallel maintained areas.

### **Strategic Plan Alignment:**

**It's in our Nature: Grow** - We commit to developing a framework to shape our Township in a manner that protects our agriculture, natural resources and our rural character. We will embrace technology, support energy conservation, climate change mitigation and assess environmental impacts in our decision-making process to grow the Township in a sustainable manner.

### **Financial Impacts:**

The costs of the proposed development are expected to be funded through the development application and secured through financial commitments through the conditions of approval, if required. It is noted that the Township is limited by the



Development Charges legislation related to certain capital costs associated with growth. The draft conditions include specific financial obligations, including parkland dedication and taxes and any costs associated with the application being paid.

**Environmental Impacts:**

The subject lands have a small woodlot identified. They have not been identified as being part of a Natural Heritage System or containing hazard areas.

The subject lands are not regulated by the Conservation Authority.

**Recommendation:**

The proposed lot creation is generally in conformity with the intent and direction of the Township of Mulmur Official Plan and represents good planning, by providing an infilling opportunity and making good use of land that has is not available for agricultural or rural land uses, subject to addressing the conflicting land use potential caused by the existing barn.

It is recommended:

That all written submissions received in regards to the application and all oral submissions made at the Public Meeting held on December 3, 2025 relating to the application have been taken into consideration as part of deliberations and final decisions;

That pursuant to Section 53(5) of the Planning Act, no further public notification is required;

That proposed consent application, dated October 3, 2025, be given provision consent subject to the conditions as appended.

**Submitted by: Tracey Atkinson, BES MCIP RPP, M.M Dipl.  
CAO/Planner**

Schedule A – Draft Conditions

Schedule B – Cover Letter

Schedule C – Site Plan



**Notice of Complete Application and Public Meeting**  
**B04-2025 Mujunen**  
**Meeting Date: December 3, 2025**

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O.1990 c.P.13, as amended*. The meeting may be attended in person or electronically.

**Meeting Details**

**In-Person Meeting Location:** Mulmur Township Offices, located at 758070 2nd Line East

**Phone Connection:** 1 647 374 4685 / 1 647 558 0588

**Video Connection:** <https://us02web.zoom.us/j/84829988171>

**Meeting ID:** 848 2998 8171

**Meeting Date and Time:** December 3, 2025 at 9:00 AM

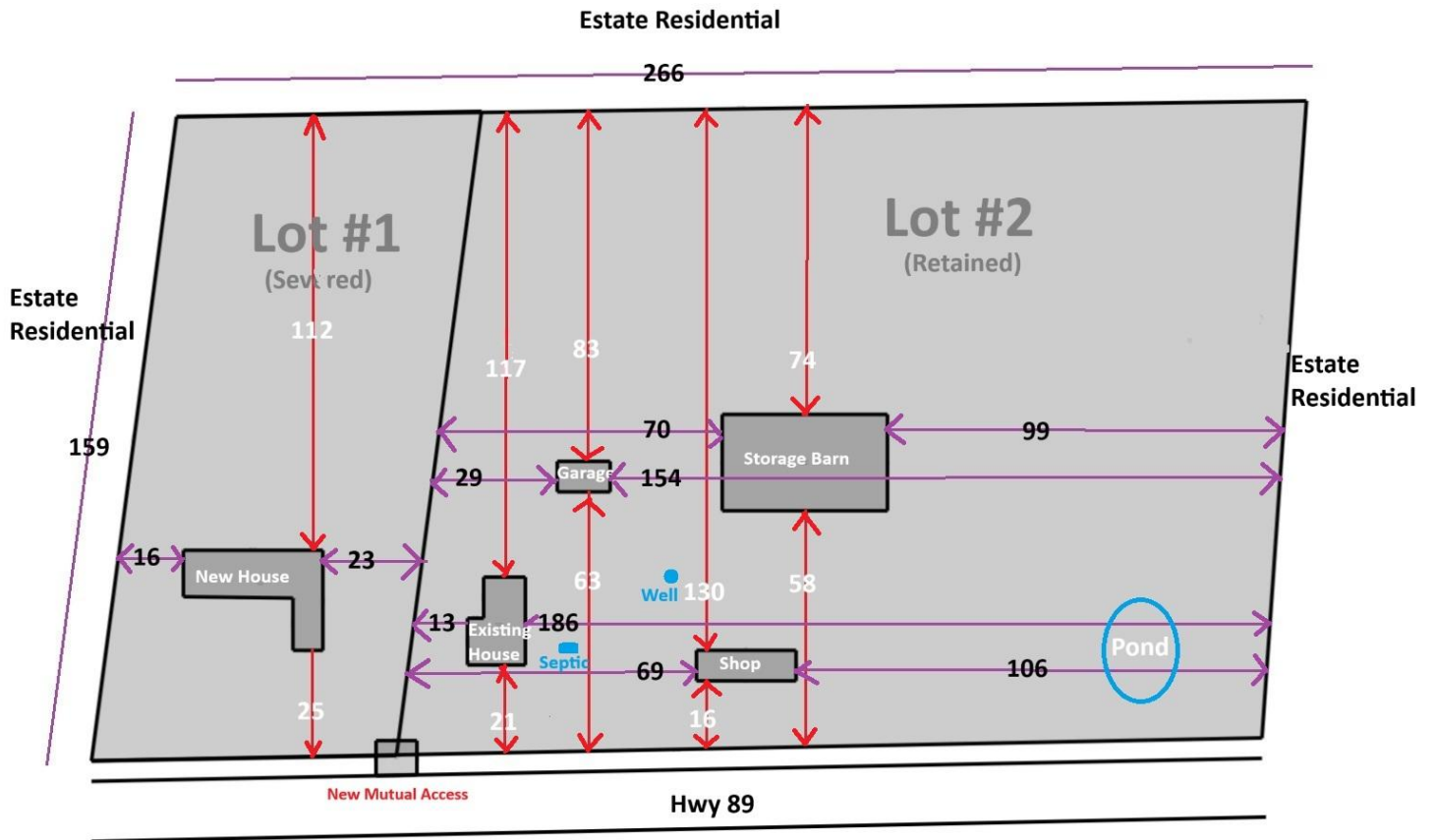
**Application Number:** B04-2025

**Owner / Applicant:** Ari & Virpi Mujunen / Andry Pinsky

**Location:** CON 4 E E PT LOT 1 / 507487 Highway 89 (R#2-01600)

**Purpose:** Creation of a building lot approximately 1.19 ha (2.9 acres) in size from a 4.15 ha (10.26 acre) parcel.

**NOTE:** If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written or oral submissions to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.



Additional information is available for public inspection by request.  
 Tracey Atkinson, Planner: 705-466-3341x222 | [planning@multmur.ca](mailto:planning@multmur.ca)  
 Dated: October 27, 2025

Ari & Virpi Mujunen

507487 Hwy 89

Mulmur, ON L9V 0P3

September 9, 2025

Town of Mulmur

[Planning Department or Clerk's Office]

758070 2nd Line East

Mulmur, ON L9V 0G8

Re: Application for Severance and Retention of Existing Barn

Dear [Planning Department / Town Clerk],

We are writing to formally apply for the severance of our property in order to build a new home on the severed portion. We have also discussed with the Town the matter of our barn, located on the retained property, which we would very much like to keep.

It is our understanding that the current by-laws allow for barns to remain on properties where the retained parcel is at least five acres in size. In our case, the retained parcel will be approximately seven acres, and we respectfully submit that the barn should continue to be permitted.

#### Use and Restoration of the Barn

When we purchased the property, the barn was in extremely poor condition. Until about three years ago, it was unusable due to unsafe floors and debris left by previous owners. It required nine 12-yard bins of waste and scrap metal to clean out before it could be safely used.

Since then, we have restored the barn and now use it exclusively for family purposes, particularly with our seven children and thirteen grandchildren. It has become a place for gatherings such as birthdays and Christmas, as well as for recreational activities including:

Playing music (piano, guitar, drums) with friends

Hockey shooting practice

Badminton and billiards

Indoor play for children when it rains

Bicycle riding and storage

The upper level is used recreationally and for storage (bicycles, canoes, kayaks), while the lower level is used to store lawn tractors, snowmobiles, trailers, farm equipment, salvaged building materials, and our son's motorsports equipment.

Before beginning any restoration, we engaged a barn expert, who confirmed that the structure was sound and worth preserving. To date, we have invested approximately \$19,000 in repairs, including:

Roof leaks and replacement metal panels: \$500

Exterior wood cladding: \$1,000

Barn doors: \$2,500

Windows: \$1,500

Foundation work: \$2,000

Wood floors: \$12,000

Planned work includes repainting the roof, repairing exterior cladding, replacing additional windows and doors, and addressing foundation work on the north side.

#### Heritage and Intentions

We see the barn as a historical asset and a testament to the craftsmanship of over a century ago. We believe dismantling it would be a significant loss.

We want to emphasize that the barn has never been used for commercial purposes, nor do we intend to use it commercially. At the time of purchase, we understood that the estate residential zoning did not permit commercial activity or housing animals. While we once briefly considered hosting weddings, we decided against this, recognizing the implications of zoning, licensing, and potential impact on neighbors.

In conclusion, we respectfully request approval for the proposed severance, with the barn remaining on the retained parcel. We believe our use and restoration of the barn align with the Town's by-laws and values of preserving Mulmur's rural and historic character.

Thank you for your time and consideration. We would be pleased to provide any additional information required in support of our application.

Sincerely,

Ari Mujunen

Virpi Mujunen



## 266

