



Municipality of
Magnetawan



Municipality of Magnetawan

Background Report:

Official Plan and Zoning By-law Review and Update

February 23, 2022





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1.0 Introduction

In mid-2021, the Municipality of Magnetawan initiated the process to update the Municipality of Magnetawan Official Plan (MMOP) and Zoning By-law. As part of that process, EcoVue Consulting Services Inc. (EcoVue), in tandem with Municipality's OP Update Steering Committee, have been collecting background information that will inform the changes to be made to the MMOP. This report will provide a summary of information that has been reviewed and discuss the direction for the new Official Plan and Zoning By-law.

1.1 Official Plan Update

An Official Plan is the primary tool for guiding land use planning within a municipality. A municipal Official Plan sets out policies regarding how land in a community will be used and establishes a framework of goals and objectives that direct growth within a 20-year horizon. Although it is focused primarily on land use, the Official Plan must be all-inclusive in its direction by including economic, environmental, and cultural themes within the goals and objectives. These goals and objectives provide direction to municipal staff and Council, landowners, developers and the community at large.

The proposed update to the Municipality of Magnetawan Official Plan (MMOP) will be based on an outlook to 2042, and provide an update to the current Official Plan that was adopted by Council and approved by the Ministry of Municipal Affairs and Housing (MMAH) in 2012. A number of changes to Provincial policies have occurred since the current OP was adopted in 2010 – most notably, updates to the *Planning Act*, the 2020 Provincial Policy Statement, and the A Place to Grow: Growth Plan for Northern Ontario (2011). Modifications to the MMOP will be made to bring the Plan into conformity with these documents, where necessary.

As required under Section 26 of the *Planning Act*, the Official Plan Update project was introduced to Council on July 21, 2021. A Stakeholder Open House was held on October 20, 2021, where the project was introduced to important community groups and initial comments, concerns, and priorities for the OP/ZBL update were gathered. A Public Open House was held on November 18, 2021, to obtain preliminary input from residents.

This Background Report provides a summary of comments received during the initial public consultation.

The information provided in this report should not be considered exhaustive. It is our intention to continue to gather information throughout the Official Plan Update in order to ensure that the final document encapsulates all policies and regulations, including those that may be implemented during the update process.

Further public and community stakeholder sessions will be held in the coming months to solicit comments and questions from residents and stakeholders. Comments and suggestions from residents and community stakeholders will influence the introduction of new policies and updates to existing policies. Once the Official Plan final draft is created, a Statutory Public Meeting will take place for the Plan to be presented to the public and to allow for a review of the document.

1.2 Zoning By-law Update

In addition to the update of the Magnetawan Official Plan, EcoVue and municipal staff will be working together to update the Municipality's Zoning By-law. A Zoning By-law implements the Official Plan policies, goals and objectives by regulating the use of land within a community.

The Zoning By-law regulates how land may be used, where buildings and structures can be located, lot sizes, setback requirements, building heights and parking requirements. In addition to a new text document, the update will also include the introduction of Zoning Schedules (maps) that identify zones across the Municipality. The zones on the schedule will correspond with a set of regulations outlined in the By-law.



2.0 Municipality of Magnetawan - Regional Context

The Municipality of Magnetawan covers an area of approximately 532 km² located along the shores of the Magnetawan River in the Almaguin Highlands region of the Parry Sound District. The Municipality is a single-tier municipality situated along Highway 520, approximately 45 minutes north-west of Huntsville, and 1 hour south of North Bay.

The main Village of Magnetawan features a traditional downtown core surrounded by low-density residential development, mostly in the form of single detached dwellings. There are a variety of other uses located within the Village, such as commercial (e.g. Algonquin Fine Foods), institutional (e.g. the Magnetawan Historical Museum), and industrial uses. The other rural settlement area within the Municipality of Magnetawan is the Hamlet of Ahmic Harbour, which hosts a variety of commercial/tourist, residential, and industrial uses.

According to the 2021 Census, the population of Magnetawan is 1,753. This represents a 20.7% increase from the 2016 census. According to the 2016 Census, the median age of residents within the Municipality is 57.4 years old, 17 years older than the Provincial average.



3.0 Official Plan for the Municipality of Magnetawan, 2012

Section 26.1 of the *Planning Act* that requires the municipality to revise its Official Plan no less frequently than 10 years after it comes into effect as a new official plan, and every five years thereafter, unless the plan has been replaced by another new official plan. This policy is in place to ensure that the Official Plan:

- a) conforms with provincial plans, including the Provincial Policy Statement 2020 (PPS) and the Growth Plan for Northern Ontario, 2011 (Growth Plan), or does not conflict with them, as the case may be;
- b) has regard to matters of provincial interests; and
- c) that it conforms to other provincial policy documents issued under the *Planning Act*.

The Municipality of Magnetawan Official Plan has not been updated since it was adopted and granted final approval in 2012.

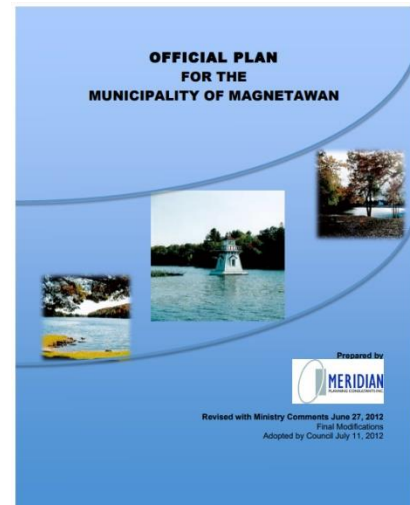
There have been a number of changes to Provincial plans and policy documents since the approval of the plan 10 years ago.

To ensure conformity with the PPS, policies to be addressed in the revised Official Plan include, but are not limited to:

- Policies to ensure the adequate provision of employment opportunities and the adequate provision of a full range of housing, including affordable housing;
- Policies to establish minimum targets for affordable housing;
- Policies to support the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- Policies to encourage public service facilities to be co-located in community hubs; and
- Policies that identify goals, objectives and actions to mitigate greenhouse gas emissions and to provide for adaptation to a changing climate, including through increasing resiliency.

EcoVue has reviewed the current Official Plan to determine areas that can be improved through the update process, including (but not limited to):

1. Determining the feasibility of policies for diversified housing options within the Municipality, including (but not limited to) tiny homes, row housing, etc.;
2. Identifying and promoting employment land districts (see the Provincial Policy Statement section below) in order to provide an adequate land inventory for possible future employment uses (e.g. manufacturing, prestige industrial, etc.);
3. Providing the greatest possible flexibility for redevelopment within the floodplains of hydrologic features within the Municipality, including the Magnetawan River floodplain;
4. Providing clarity relating to Short Term Accommodations, and provide the Municipality with the authority to require a license to operate short term rentals such as "Airbnbs";





5. Incorporating policies within the Official Plan which provide Council the flexibility to create and implement a Community Improvement Plan (CIP) within Magnetawan;
6. Clarifying policies related to Natural Heritage and Natural Hydrologic Features, including updating technical requirements when proposing new land uses or buildings/structures; and
7. Mapping - improving on the existing Official Plan schedule by incorporating more detailed mapping schedules for greater clarity regarding general development policies.

From an amendment perspective, the Municipality has not amended the MMOP since adoption in 2012.

4.0 Municipality of Magnetawan Zoning By-law No. 2001-26

The policies of the MMOP are implemented through the Municipality of Magnetawan Zoning By-law No. 2001-26, as amended.

EcoVue has reviewed the current Zoning By-law to determine areas that can be improved through the update process, including (but not limited to):

1. Review Zones within the shorelines areas and evaluate the possibility of reducing setbacks in favour of additional development. The review would look at provisions related to: lot area, shoreline and street frontage, public and private road access standards, etc.;
2. Introduce provisions for Additional Residential Units (ARU), in conformity with updates to the *Planning Act*, Provincial policy permits an ARU within the residential dwelling, in abuilding accessory to the residential dwelling or both; and
3. Provide policies related to undersized lots – due to a majority of lots within the Village of Magnetawan being approximately 0.5 acres or smaller, property development including septic installment and replacement becomes increasingly difficult. Providing undersized lot policies relating to reduced setbacks for applicable lots would assist in promoting development within the village.

5.0 Provincial and Other Local Documents

5.1 One Window Planning Service

Within the Province of Ontario, final approvals related to Official Plans and Official Plan Amendments within single-tier municipalities are administered through the Ministry of Municipal Affairs and Housing (MMAH). MMAH has initiated the One Window Planning Service (OWPS) to provide comments and recommendations related to planning policy to municipalities using “one voice”.

Once the Municipality of Magnetawan has finalized the new Official Plan at the local-level, the Plan will be submitted to MMAH for review and final approval. MMAH will review the document for conformity with the overarching Provincial Policies, and provide comments from the interested Provincial agencies. MMAH will also provide the final approvals of the new Official Plan for the Municipality of Magnetawan.

It is our intention to engage with MMAH throughout the entire Official Plan Update process to ensure timely approvals of final documents.

5.2 Planning Act, R.S.O. 1990

Land use planning in the Province of Ontario is guided by the *Planning Act, R.S.O. 1990*, as amended. According to the *Planning Act*, municipal land use decisions must be consistent with provincial planning documents issued under the *Planning Act* (i.e. the Provincial Policy Statement, 2020). The *Planning Act* is also the legislation that gives authority to municipalities to develop and adopt their own Official Plans to guide land use and future development.

5.2.1 Section 16(3) – Additional Residential Units

Section 16(3) of the *Planning Act* was approved in 2011 and requires that all municipalities include policies that allow for the development of additional residential units for single detached, semi-detached or rowhouse dwelling units. Policies related to additional residential units must also allow for the development of these units in both the main building and in a building or structure ancillary to a detached house, semi-detached house or rowhouse on the same property. In addition, Section 35.1 of the *Planning Act* requires that municipalities include zoning provisions that further implement the requirements of Section 16(3).

In order to comply with the *Planning Act*, the new Official Plan and Zoning By-law will have policies and provisions that permit the additional residential units “as of right”. However, the details of the limitations of size, scale, and location have yet to be determined. The future draft Official Plan and Zoning By-law will include proposed provisions for comment and review by the public.

5.2.2 Section 28 – Community Improvement Plans

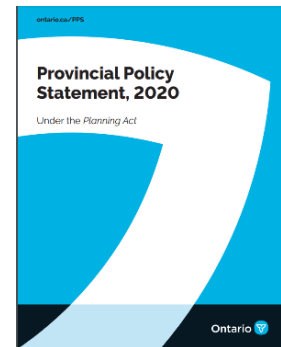
Section 28 of the *Planning Act* outlines the process municipalities must undergo in order to implement Community Improvement Plans and delineate Community Improvement Plan Areas.

In order to comply with the *Planning Act*, the new Official Plan will have policies which allow the Municipality to create and implement a Community Improvement Plan (CIP) for the Municipality of

Magnetawan. The CIP will allow the Municipality to implement various financial incentives, loans, and grants to assist with the redevelopment of and reinvestment into the community. However, the details of any proposed financial incentives, loans, and grants have yet to be determined. The future draft Official Plan will include proposed provisions for comment and review by the public.

5.3 Provincial Policy Statement (2020)

The current Provincial Policy Statement (PPS) came into effect in 2020 and replaced the 2014 PPS. The PPS provides a policy framework for land use within the Province of Ontario. It is the responsibility of the local planning authority to uphold the policies pertaining to land use planning and development. In particular, Section 3(5) of the *Planning Act* states that all decisions made by Council or other administrative bodies "shall be consistent with" the Provincial Policy Statement.



Notable changes to the PPS include:

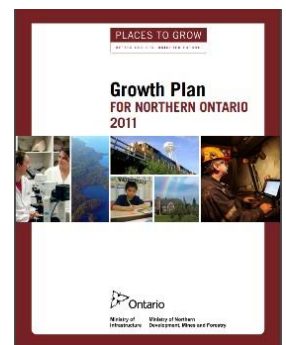
- Identification, protection and maintenance of the vitality of employment areas¹;
- Protection of economic uses i.e., industrial uses and manufacturing uses;
- Adjustments to settlement boundaries through a comprehensive review;
- Greater emphasis to plan for increased housing options including both market-based and affordable development types;
- Provisions to encourage green infrastructure and practices that will help communities prepare for the impacts of climate change; and,
- Increased emphasis on indigenous consultation.

New policies that ensure consistency with the policies of the PPS will be incorporated into the updated Official Plan.

5.4 A Place to Grow: Growth Plan for Northern Ontario (2011)

The Municipality of Magnetawan is included in Growth Plan for Northern Ontario 2011 (Growth Plan 2011) area, prepared under the Places to Grow Act, 2005. The Growth Plan is intended to guide decision making about growth that promotes economic prosperity, environmental stewardship, and strong, sustainable communities for northerners. Although the PPS provides overall policy direction on matters of Provincial interest related to land use and development, the Growth Plan prevails where there is a conflict with two exceptions: natural environment and human health.

The Growth Plan for Northern Ontario took effect on March 3, 2011. It is the responsibility of the Municipality of Magnetawan to ensure the updated Official Plan is in conformity with the Growth Plan.



¹ Employment areas are currently not included in the MMOP. As such, employment areas should be identified within the updated Official Plan.

5.5 Regional Economic Development Strategic Plan (RED Plan)

In 2018, the Municipality of Magnetawan partnered with the Burk's Falls and Area Community Economic Development Committee and the Central Almaguin Economic Development Association, including their municipal members, to create a regional approach to economic development to maximize opportunities for economic, business, and community development.

The RED Plan focuses on three pillars: the land, the people, and the legacy. Under the 'people' pillar actionable items associated with the Official Plan include: short-term housing; preparing a long-term housing development plan; and establishing a range of housing options for the aging population. It will be important to incorporate these goals related to housing within the updated MMOP.



6.0 Stakeholder Engagement and Community Consultation

It is important to consult with landowners, business owners, community organizations and all residents throughout the Official Plan and Zoning By-law review and update process to ensure everyone has a voice and all concerns are heard.

Engaging with the public, First Nations and other key stakeholders, will enable the Municipality of Magnetawan Council, Staff and EcoVue to identify and respond to various issues and interests that should be addressed in the Official Plan and Zoning By-law update. It is our intention that consultation will take place throughout the entire process of the Official Plan and Zoning By-law update.

With technology playing a bigger role in our lives, it is important to include various formats of digital communication, in addition to in-person consultation, in order to reach as many members of the community as possible.

One such way information can be exchanged is through the Municipality of Magnetawan Official Plan update webpage. All documents relevant to this process together with opportunities for comments have been included on the webpage. The project team has also taken advantage of social media to provide updates on milestones and update-related events.

With this in mind, Municipal staff and EcoVue developed a Public Consultation Strategy that involved the following:

1. Introductory Kiosk at the local Farmer's Market (August, 2021)
2. Various surveys provided online throughout the process
3. Stakeholders Workshop (October 20, 2021)
4. Public Open House (November 18, 2021)
5. Council Roundtable (November 24, 2021)

EcoVue will continue to work with the Municipality of Magnetawan to ensure that all information is distributed and available for all residents.

6.1 Public Issues Identification

During the Public Consultation Strategy, a number of issues and key considerations were raised that should be considered during the update and review process. Some of those issues/considerations are as follows:

- **Undersized Lots within the Village**
 - There are various lots within the settlement boundary of Magnetawan that are not large enough to accommodate development with the setbacks or minimum dwelling unit area outlined in the current Zoning By-law;
 - Tiny Homes – various residents expressed support for Tiny Homes, but request limitations such as maximum number of tiny homes permitted on a property, a maximum unit area to still be considered a ‘tiny home’, etc.
- **Short Term Rentals**
 - Causing issues with enforcement; unit renters not complying with municipal by-laws and causing disturbances on neighbouring properties;

"Many issues not currently addressed. Rentals exceed design capacity for septic, no inspection for fire safety, landfill use, business licence, taxation, dwelling zoning limit exceeded beyond what is allowed. Cottage, garage with sleeping, boathouse or bunkie with sleeping. Beds = rental \$"

"Excessive boating, less respect for lake wildlife, lack of understanding of boating safety, right of way, wake, noise issues"

Residents at the Open House expressed capacity concerns with septic systems on properties used for STRs;

- Look into licensing possibilities.

- **Additional Residential Dwellings**

- Public seems to generally support the creation of Additional Residential Dwellings (commonly referred to as Secondary Dwellings) on residential properties; however, with requests for specific provisions (some of which are conflicting):

"I think that second dwellings are a good idea on the main street. For example, I think that apartments should be allowed to be built in the hotel space above the Grill & Grocery. This would help allow the business to succeed in the off season. As well on some of the lots that are at 1/2 an acre the municipality could allow the lot to be subdivided for a second dwelling. This may help ensure the families inhabit the village, keeping our school and businesses functioning. In former years, families used to be much bigger. Families often have only 1 or 2 children. So it makes sense to allow properties that are 1/2 an acre to be subdivided so that two home could be built on them";

"My Ahmic cottage owners have had rooms above boathouses. I'm in favour of this provided the boathouse room has a compostable toilet (or some other green solution). I am not in favour of a second house or trailer on a 1acre lot, eg 10 George Street, Magnetawan. If the property is 2acres or larger, I have less concern. Septic tanks and beds need room to function properly. No townhouses or semi-detached! I moved here to get away from that and have some privacy".

- Therefore, clarification on lot requirements will be required if Additional Residential Dwellings are to be supported in the OP/ZBL Update.

- **Tiny Homes**

- Similar to Additional Residential Dwellings, residents seem to be supportive, but with specific provisions:

"There shouldn't be restrictions on how small you can build but definitely on the number of dwelling units per lot (or lot size for larger lots). I wouldn't want to see essentially 'subdivisions' pop up where at one time only one more typically sized building would be allowed. There should be reasonable limits on the number of dwellings allowed on a lot based on the size of the lot".

- Residents have also expressed concern with regulating Tiny Homes:

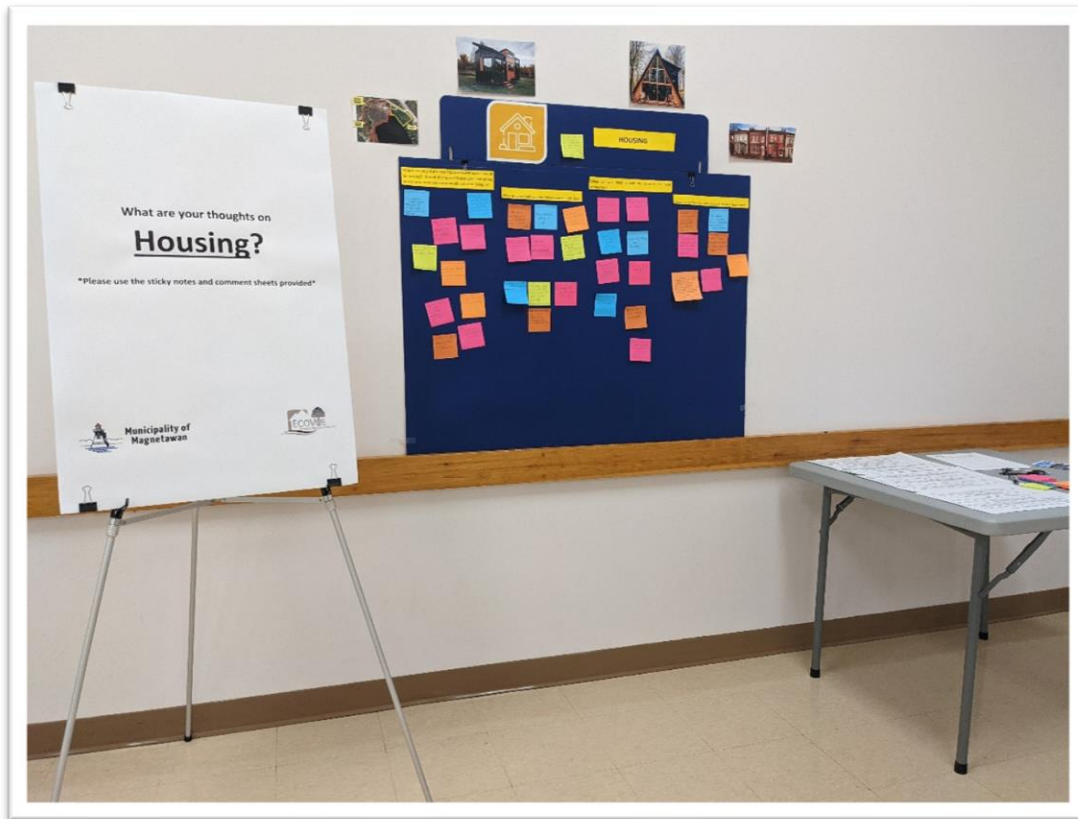
"I don't think it makes sense to have different regulations for different types of dwellings. Look at trailers are dwelling units but are not assessed as such for property tax purposes. Different regulations for different size dwellings opens the door for litigation, community friction, enforcement issues."

- **Environmental stewardship**

- Residents expressed concern with development adjacent to natural features such as wetlands and lakes. In particular, residents on the major lakes in the Municipality (Ahmic, Cecebe, and Horn) are concerned with lake water quality and over-development of the shoreline.

- There is also concern with tree cutting, and the potential impacts of uncontrolled tree clearing on private land
- **Support for local businesses**
 - Residents want more services (health, social, financial, etc.) within the Municipality in order to attract new residents, which will, in turn, bolster the local business community.
 - There is support for a municipal grant or incentivization system in order to attract more business to the Village.

We will continue to expand this list through public consultation throughout the review and update process.



7.0 Mapping Updates

As a part of the Official Plan and Zoning By-law update, revisions will be made to the Land Use maps (schedules) of the Municipality of Magnetawan Official Plan and Zoning By-law.

The revised land use Schedule for the MMOP is based on Schedule A to the current Official Plan, and provides some additional designations. Proposed designations identified on Schedule "A" to the Official Plan include the Core Area (Downtown), Employment Areas, Future Development, and Environmental Protection.

The revised Zoning By-law schedules, using the current Zoning Schedules, will identify and assign additional zones, where necessary, to all properties within the Municipality based on existing uses and the overarching land use designation in the MMOP.

Both the revised Official Plan schedules and Zoning By-law schedules will be made available when the draft documents are circulated for review.

8.0 Conclusions

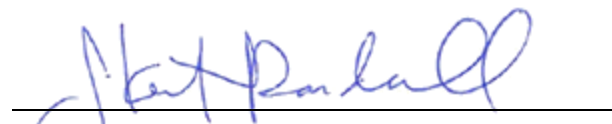
Official Plans are the primary guiding land use planning tool in a municipality. The Official Plan provides a framework of goals and objectives to direct growth. It is important to update them to reflect the most current goals and visions of the Village as well as the current provincial plans.

There are many policies and regulations within provincial, municipal or agency documents and guidelines that the municipality must address as part of the Official Plan and Zoning By-law update. The information provided in this report is not exhaustive. It is our intention to continue to gather information throughout the Official Plan and Zoning By-law update process to ensure the Official Plan and Zoning By-law encapsulate all policies and regulations, as well as the general goals and objectives of the residents and stakeholders. At this point, the information obtained in our initial meeting has provided us with a strong basis for conducting future stakeholder and roundtable sessions.

We look forward to gathering further information and integrating new ideas into draft policies as the Official Plan and Zoning By-law update process continues.

Respectfully submitted,

ECOVUE CONSULTING SERVICES INC.



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