

STAFF REPORT

TO: Erica Kellogg, Deputy Clerk – Planning & Development
Municipality of Magnetawan

FROM: Patrick Townes, BA, BEd and Jamie Robinson, BES, MCIP, RPP
MHBC Planning Limited

DATE: October 29, 2025

SUBJECT: Zoning By-law Amendment Application
Alldred - 185 Halls Road East

Recommendation

Based on the land use planning analysis contained in this Planning Report, MHBC Planning Limited recommends:

THAT Council receives the Planning Report dated October 29, 2025 respecting the Zoning By-law Amendment application for the subject property located at 185 Halls Road East (Alldred); and,

THAT Council approves the Zoning By-law Amendment and passes a By-law.

Proposal /Background

A Zoning By-law Amendment application has been submitted for the subject property that is legally described as Lot 8, Concession 10, Chapman Township, and is known locally as 185 Halls Road East. The owner of the subject property is Allison Alldred. The subject property is shown on Figure 1.

The purpose and effect of the Zoning By-law Amendment application is to rezone a portion of the subject property from Extractive Industrial (MX) to Rural (RU) Zone. There was a historic aggregate operation on this portion of the subject property that was subject to a license under the Aggregate Resources Act (ARA). The Ministry of Natural Resources has surrendered the ARA licence and as a result there is no longer an approved aggregate use on the subject property from the Ministry.

The owners are applying to rezone area portion of the subject property to the Rural (RU) Zone so that a residential dwelling can be permitted in the future and to recognize that there is no longer an aggregate use on the subject property. The area to be rezoned is shown on Figure 2.

The subject property contains a garage, sauna, and shed, and based on a review of the aerial imagery, appears to be tree covered. There is a watercourse located on the subject property and an Other Wetland feature identified.

Figure 1: Location of Subject Property

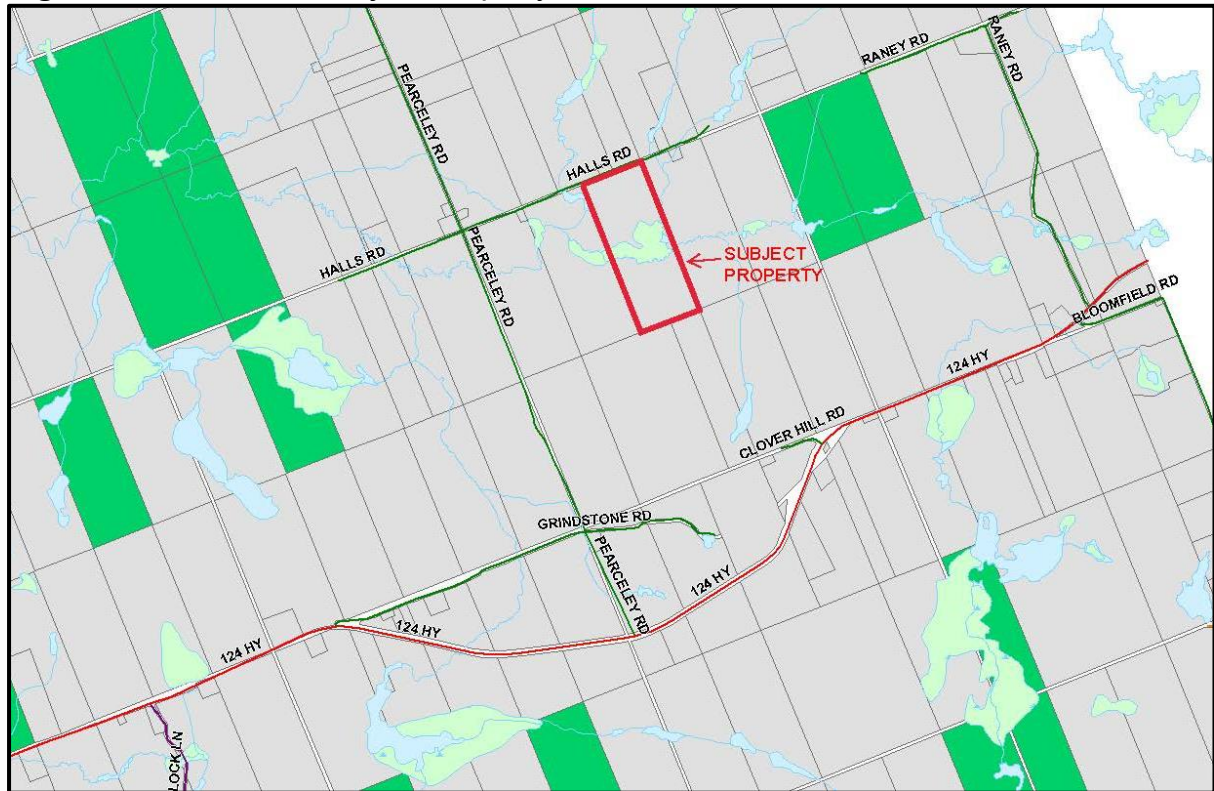
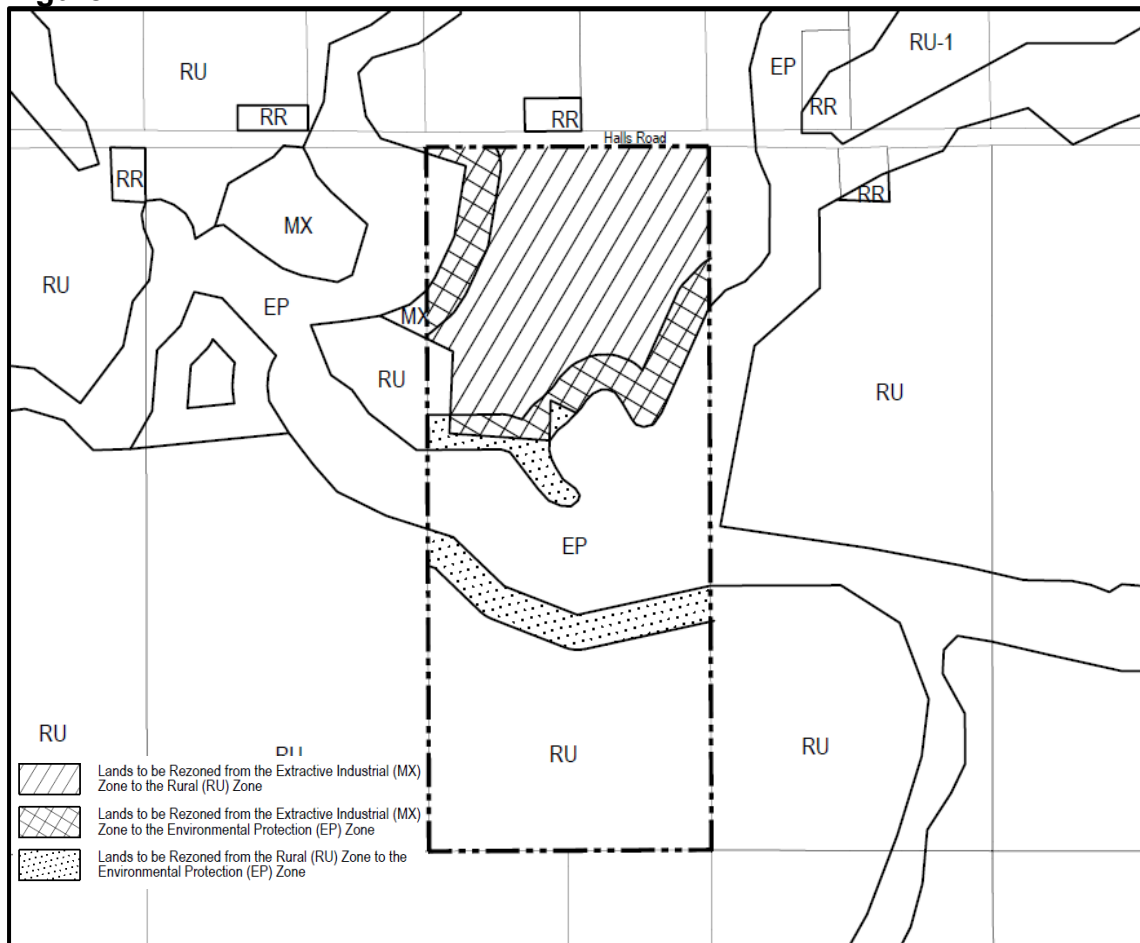


Figure 2: Lands to be Rezoned



Policy Analysis

Provincial Planning Statement

The Provincial Planning Statement (PPS) is a document that provides policy direction on matters of Provincial interest concerning land use planning. Ontario has a policy-led planning system, and the PPS sets the foundation for regulating the development and use of land in the Province. Policies are set out to provide for appropriate development while also protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. When making land use planning decisions, Planning Authorities must ensure that all planning decisions are consistent with the PPS.

The subject property is located outside of a Settlement Area and are considered Rural Lands in the context of the PPS. Section 2.6 of the PPS outlines policies for Rural Lands, which includes residential development.

Section 3.6.4 of the PPS states that individual on-site sewage services and individual on-site water services may be used for a new development provided that site conditions are suitable for the long-term provision of such services with no negative impacts. The property has an existing garage, sauna, shed and septic tank. The subject property appears to be large enough to accommodate a septic system for a future dwelling on the subject property and on the lands to be rezoned.

Section 4.1 of the PPS contains policies related to natural heritage. Section 4.1.6 of the PPS states that development and site alteration shall not be permitted in fish habitat except in accordance with Provincial and Federal requirements. Section 4.1.8 of the PPS contains policies regarding development adjacent to natural heritage features and areas. There is an Other Wetland feature identified on the subject lands and on the property located to the west. These areas are currently zoned Environmental Protection (EP) in the Zoning By-law and development is not permitted within these areas. In the context of the Municipality's Official Plan, adjacent lands are considered to be 50 metres from an Other Wetland that is in excess of 0.8 hectares. The Other Wetland feature is 8 hectares in size.

Section 4.5 of the PPS includes policies regarding mineral aggregate resources. Section 4.5.1.1 of the PPS states that mineral aggregate resources shall be protected for long-term use and, where Provincial information is available, deposits of mineral aggregate resources shall be identified. There was a historic aggregate operation on this portion of the subject property that was subject to a license under the Aggregate Resources Act (ARA). The Ministry of Natural Resources has surrendered the ARA licence and as a result there is no longer an approved aggregate use on the subject property from the Ministry. There is another ARA Licence shown on the property to the west however based on a review of the Ministry of Natural Resources licence database, it also does not appear to be an active ARA licence.

Chapter 5 of the PPS contains policies related to protecting public health and safety. In accordance with Section 5.2 of the PPS, the subject property is located outside of hazardous lands and hazardous sites and not effected by a dynamic beach hazard, flooding hazard or erosion hazard.

The Zoning By-law Amendment application is consistent with the PPS.

Municipality of Magnetawan Official Plan

The Municipality's Official Plan provides policy direction on growth and development within Magnetawan. The policies in the Plan address the environment, cultural and built heritage, natural resources and servicing and transportation. In accordance with Schedule A of the Official Plan, the subject property is designated as Agricultural, Environmental Protection, and Rural. The lands to be rezoned are primarily located within the Agricultural designation. Schedule A also identifies that area as being subject to an Existing ARA Licence (which has been surrendered). There is also a fish habitat identified along the watercourse on the subject property as well as the Other Wetland feature, which is included within the area designated as Environmental Protection.

Section 5.2 of the Official Plan includes policies for the Rural designation. Permitted uses within the Rural designation include residential dwellings. Section 5.2.3 of the Official Plan includes policies for agricultural uses. The future development of a residential dwelling on the subject property and within the lands to be rezoned conforms to the permitted uses of the Official Plan.

Section 4 of the Official Plan includes general land use policies, including policies regarding wetlands and other natural heritage features and areas. The lands to be rezoned on the subject property are located within adjacent lands to an unclassified wetland feature and fish habitat.

The wetland on the subject property is identified as an Other Wetland, and in accordance with Section 4.10 of the Official Plan, adjacent lands are considered lands within 50 metres of the boundary of the Other Wetland. Potential impacts as a result of future buildings and structures must be considered within these adjacent lands. The owners have not submitted an Environmental Impact Study to investigate the Other Wetland, therefore it is recommended that the proposed rezoning incorporate an expanded Environmental Protection (EP) Zone boundary around the Other Wetland to the extent of 50 metres. This will ensure that future buildings and structures will be located at least 50 metres from the mapped boundary of the Other Wetland feature.

Section 4.7 of the Official Plan includes policies regarding fish habitat. Setbacks of 30 metres from cool or cold-water streams and 15 metres from other streams are required. The incorporation of the expanded Environmental Protection (EP) Zone boundary will ensure that future buildings and structures are located more than 50 metres from the Other Wetland feature and a further setback from the watercourse itself.

It is recommended that the Environmental Protection (EP) Zone on the subject property be expanded by 50 metres on the subject property. The proposed Zoning By-law Amendment conforms to the Official Plan.

Municipality of Magnetawan Zoning By-law

The purpose and effect of the Zoning By-law Amendment application is to rezone a portion of the subject property from Extractive Industrial (MX) to Rural (RU) Zone. There was a historic aggregate operation on this portion of the subject property that was subject to a license under the Aggregate Resources Act (ARA). The Ministry of Natural Resources has surrendered the ARA licence and as a result there is no longer an approved aggregate use on the subject property from the Ministry.

The owners are applying to rezone area portion of the subject property to the Rural (RU) Zone so that a residential dwelling can be permitted in the future and to recognize that there is no longer an aggregate use on the subject property

The subject property has a lot area of approximately 40 hectares and has a lot frontage of approximately 400 metres. The minimum lot area for the RU Zone is 10 hectares, and the minimum lot frontage is 134 metres. The subject property meets the lot requirements for the Rural (RU) Zone.

As noted in the Official Plan section of this report, it is recommended that the Environmental Protection (EP) Zone on the subject property be expanded by 50 metres on the subject property.

The draft Zoning By-law Amendment has been prepared and is attached to this report.

Comments from Departments

Road Department: No concerns

Fire Chief: No concerns

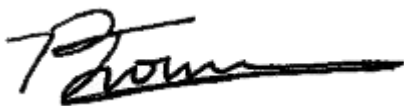
Building Department: No concerns

By-law Department: No concerns

Summary

The proposed Zoning By-law Amendment is consistent with the PPS and conforms to the Municipality's Official Plan. Based on the proposal, the subject property is appropriate for the future development of a residential dwelling. It is recommended that the application be approved, and the draft Zoning By-law Amendment be passed.

Respectfully submitted,



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