

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: April 15, 2026

SUBJECT: Zoning By-law Amendment Application
Blyth – 112 Moonwing Road

Recommendation

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

THAT Council receives the Planning Report dated April 15, 2026, respecting the Zoning By-law Amendment application for the subject property located at 112 Moonwing Road (Blyth); 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 lands that are legally described as Part Lot 15, Concession 9 and are municipally known as 112 Moonwing Road. The subject lands are owned by Gary Blyth.

The purpose and effect of the Zoning By-law Amendment application is to fulfill a condition of provisional Consent that was approved by the Municipality of Magnetawan's Committee of Adjustment, File No. B07/2025. The Consent application proposed to create two new severed lots on the subject lands, in addition to one parcel for the purposes of providing access to an existing lot on the opposite side of the river.

The conditions of provisional Consent included the following:

That the owner obtains approval of a Zoning By-law Amendment to complete the following:

- a. Implement zoning restrictions as outlined in the Environmental Impact Study, prepared by Terrastory Environmental Consulting Inc. dated September 15, 2025.*
- b. Apply site-specific zoning provisions to the parcel to be used for access to the property on the opposite side of the river (shown in purple on Figure 3 of this Report).*

- c. Apply dock provisions for the shoreline lots, including but not limited to a maximum size to ensure no issues with navigability on the river.
- d. Ensure all proposed lots meet the requirements of the Zoning By-law.

The subject lands are shown on Figure 1 and the proposed lot configuration that identifies the proposed lots is shown on Figure 2. The lots that are subject to the Zoning By-law Amendment are identified on Figure 2.

Figure 1: Location of Subject Lands

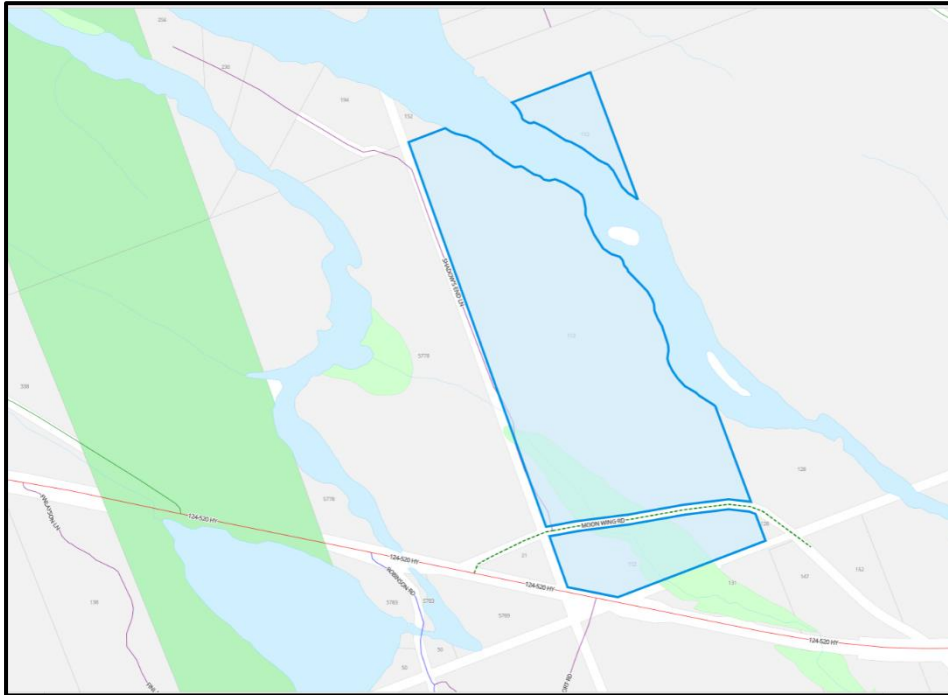
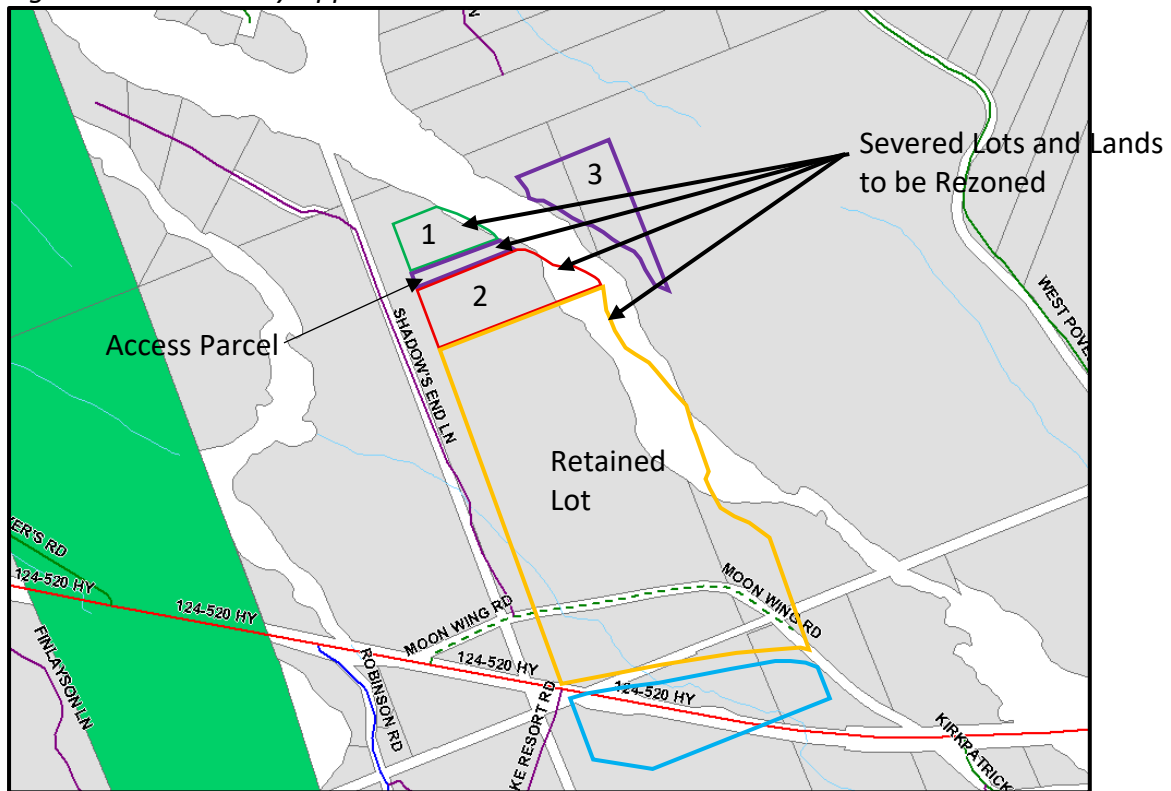


Figure 2: Provisionally Approved Consent Sketch



A copy of the Planning Report that was prepared for the Consent application is included as Attachment 1 to this Report. This Report provides all the background on the proposed lots and the parcel that is to be used for legal access to the existing lot on the opposite side of the river. The parcel to be used for access is located between Severed Lot 1 and Severed Lot 2, as shown on Figure 2.

The proposed Zoning By-law Amendment includes the following:

- To rezone Severed Lot 1, Severed Lot 2 and the Access Parcel to restrict the size and location of docks due to the width of the Magnetawan River at this location and to avoid any potential navigation issues.
- To require a minimum setback of 30 metres for a septic system from the shoreline on Severed Lot 1 and Severed Lot 2.
- To prohibit buildings and structures on the Access Parcel other than docks because the purpose of this land is to provide access to the existing lot on the opposite side the river.
- To include an area to be zoned Environmental Protection (EP) on Severed Lot 2 due to the presence of Type 1 Fish Habitat that was identified in the Environmental Impact Study; and to include minimum setbacks for future development from the proposed EP Zone and Type 1 Fish Habitat.

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 lands are 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, including lot creation. The existing and proposed residential uses on the lots are permitted in the context of the PPS.

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 proposed lots appear to be large enough to accommodate a private well and septic system.

Section 4.1 of the PPS provides for the long-term protection of Ontario's natural heritage features and areas. There is an Other Wetland located on the subject lands and the proposed Retained Lot. The Retained Lot is already developed, and the proposed Severed Lots are more than 120 metres from a wetland and are therefore not subject to the adjacent lands policies for wetlands.

The subject lands contain identified Fish Habitat along the shoreline in the Official Plan and portions of this area is already located within the EP Zone in the Zoning By-law. Section 4.1.6 of the PPS states that development and site alteration shall not be permitted in Fish Habitat

except in accordance with Federal and Provincial requirements. There are policies in the Municipality's Official Plan that require proposed development to be evaluated within 120 metres of Fish Habitat and therefore an Environmental Impact Study was completed. The Study identified a new portion of the subject lands that is Type 1 Fish Habitat and that is proposed to be rezoned to EP Zone on Severed Lot 2. The Study also included recommended minimum setbacks for future development within this area, and these will also be implemented in the proposed Zoning By-law Amendment.

The Environmental Impact Study also provided recommendations in regard to the Deer Wintering Area (Stratum 2) that was identified on the subject lands. Due to the presence of the river, the Fish Habitat and the Deer Wintering Area (Stratum 2), the Environmental Impact Study included the following recommendations to support the Consent application:

- All vegetation removal to occur between October 1 and March 31.
- No development within specified areas which will be rezoned to restrict development.
- No docks within 10 metres of the identified Type 1 Fish Habitat.
- A minimum setback of 30 metres for future buildings and structures from the identified Type 1 Fish Habitat.
- Septic systems to be located a minimum of 30 metres from the river.

The above noted items are implemented through the Zoning By-law Amendment and a Consent Agreement that is required to be entered into by the owner.

Section 5 of the PPS contains policies related to protecting public health and safety. In accordance with Section 5.2 of the PPS, the subject lands are located outside of hazardous lands and hazardous sites and not effected by a 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 lands are designated Shoreline, Rural and Environmental Protection. There is also Fish Habitat identified along portions of the shoreline, and the subject lands are located within a Deer Wintering Area (Stratum 2).

Permitted uses in the Shoreline designation in the Official Plan are included in Section 5.4.1 and include detached dwellings. Section 5.2 of the Official Plan includes policies for the Rural designation. Permitted uses within the Rural designation include residential dwellings. The existing and proposed residential uses on the lots conform to 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. There is an Other Wetland located on the subject lands and the proposed Retained Lot. The Retained Lot is already developed, and the proposed Severed Lots are beyond the adjacent lands of the wetland feature.

Section 4.7 of the Official Plan includes policies regarding Fish Habitat. Development located within 120 metres of Fish Habitat requires the potential impacts be considered. These areas identified in Schedule B of the Official Plan. The Official Plan requires that new lots shall be sufficiently large to provide an area of at least 10 metres of frontage that is outside of the

significant habitat area. Each of the proposed lots are large enough and have sufficient frontage on the river to meet this requirement.

Fish Habitat policies also specify setbacks of 30 metres from cool or cold-water stream and 15 metres from other streams. The Magnetawan River is considered a watercourse and the Zoning By-law requires a minimum development setback of 20 metres from a watercourse. In addition to the minimum setback from the watercourse, the Environmental Impact Study is recommending a minimum setback of 30 metres for buildings and structures from the area identified as Type 1 Fish Habitat on Severed Lot 2. This minimum setback will be implemented in the Zoning By-law Amendment.

Section 4.6 of the Official Plan includes policies regarding Deer Habitat. Within the significant deer habitat areas shown on Schedule B new lots should avoid areas of dense conifer cover or be of a sufficient size to provide a suitable development area including access and services, outside the most significant deer wintering habitat areas described above. The minimum lot size shall be 90 metres frontage and 90 metres depth. The Deer Wintering Area (Stratum 2) on the subject lands has been evaluated through the Environmental Impact Study.

Due to the presence of the river, the Fish Habitat and the Deer Wintering Area (Stratum 2), the Environmental Impact Study included the following recommendations to support the Consent application:

- All vegetation removal to occur between October 1 and March 31.
- No development within specified areas which will be rezoned to restrict development.
- No docks within 10 metres of the identified Type 1 Fish Habitat.
- A minimum setback of 30 metres for future buildings and structures from the identified Type 1 Fish Habitat.
- Septic systems to be located a minimum of 30 metres from the river.

The above noted items are implemented through the Zoning By-law Amendment and a Consent Agreement that is required to be entered into by the owner.

The Zoning By-law Amendment conforms to the Official Plan.

Municipality of Magnetawan Zoning By-law

The subject lands are located within the Shoreline Residential (RS) Zone and Environmental Protection (EP) Zone in the Zoning By-law.

The minimum lot area for properties within the Shoreline Residential (RS) Zone is 1.0 hectare and the minimum lot frontage is 90 metres. In accordance with the proposed lot statistics provided in Table 1, the proposed lots that are to be developed in the future meet these requirements.

Table 1: Proposed Lot Size Requirements

Zoning Provision	Zoning Requirement	Severed Lot 1	Severed Lot 2	Retained Lot
Lot Area	1.0 hectare	1.43 hectares	2.11 hectares	34.4 hectares
Lot Frontage	90 metres	110 metres	90 metres	412 metres

A draft Zoning By-law Amendment has been drafted and is included in this Report as Attachment 2. The proposed Zoning By-law Amendment includes the following:

- To rezone Severed Lot 1, Severed Lot 2 and the Access Parcel to restrict the size and location of docks due to the width of the Magnetawan River at this location and to avoid any potential navigation issues.
 - Docks shall have a maximum length of 15 metres.
 - The approximate width of the river at this location is 80 metres. The proposed maximum width of 15 metres is less than 20% of the width which is the typical threshold for narrow water bodies.
 - Docks shall have a maximum width of 3 metres.
 - Docks shall be located a minimum of 3 metres from the interior side lot line and a straight-line projection of the interior side lot line.
- To require a minimum setback of 30 metres for a septic system from the shoreline on Severed Lot 1 and Severed Lot 2.
- To prohibit buildings and structures on the Access Parcel other than docks because the purpose of this land is to provide access to the existing lot on the opposite side the river.
 - A minimum frontage of 10 metres shall be required on Shadows End Lane and a minimum frontage of 10 metres shall be required on the Magnetawan River.
 - A maximum frontage of 20 metres shall be required on Shadows End Lane and a maximum frontage of 20 metres shall be required on the Magnetawan River.
 - These minimum and maximum standards ensure that the size of the Access Parcel is appropriate for the limited use.
- To include an area to be zoned Environmental Protection (EP) on Severed Lot 2 due to the presence of Type 1 Fish Habitat that was identified in the Environmental Impact Study; and to include minimum setbacks for future development from the proposed EP Zone and Type 1 Fish Habitat.

These measures ensure that the recommendations that are applicable to zoning from the Environmental Impact Study are implemented on the proposed lots.

Comments from Departments

Please note limited comments were received at the time this Staff Report was prepared.

Road Department: no comments were received

Fire Chief: Severed and Retained would receive limited services due to the private road providing primary access.

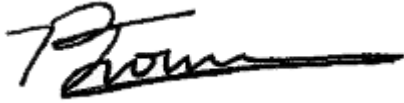
Building Department: no comments were received

By-law Department: no comments were received

Summary

The proposed Zoning By-law Amendment is consistent with the PPS and conforms to the Municipality's Official Plan. The proposed amendment will satisfy a condition of provisional Consent and will implement the recommendations contained within the Environmental Impact Study that was prepared in support of the Consent application. Additional site-specific zoning items are also included to limit dock lengths on the river and to limit the uses on the parcel to be used to access the existing lot on the opposite side of the river.

Respectfully submitted,



Patrick Townes, BA, BEd
Planning Consultant
MHBC Planning



Jamie Robinson, BES, MCIP, RPP
Planning Consultant
MHBC Planning

**Attachment 1
To Planning Report April 15, 2026
Zoning By-law Amendment Application
Blyth – 112 Moonwing Road**

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: November 19, 2025

SUBJECT Consent Application – 112 Moonwing Road (Blyth)
Municipality of Magnetawan

Recommendation

That the Consent application for the subject lands located at 112 Moonwing Road (Blyth) to create two new lots, Severed Lot 1 and Severed Lot 2 as shown on Figure 3 of this Report. In addition to the proposed Severed Lots, it is recommended that an additional parcel be created with a width of 10 to 20 metres to provide access to the lot on the opposite side of the river and be legally tied together so that they cannot be sold separately. In accordance with the recommended lot configuration as shown in Figure 3, the Consent application be provisionally approved so that the lots are in substantial compliance with the sketch, subject to the following conditions:

1. That the applicant meet all financial requirements of the Municipality, including the payment of the balance of any outstanding taxes, including penalties and interest be paid;
2. That a draft survey of the proposed lots be provided to the Municipality for review and approval;
3. That a registrable description of the proposed lots and a copy of the Reference Plan be deposited to the Land Registry office and be submitted to the Municipality;
4. That the owner obtains approval of a Zoning By-law Amendment to complete the following:
 - a. Implement zoning restrictions as outlined in the Environmental Impact Study, prepared by Terrastory Environmental Consulting Inc. dated September 15, 2025.

- b. Apply site-specific zoning provisions to the parcel to be used for access to the property on the opposite side of the river (shown in purple on Figure 3 of this Report).
 - c. Apply dock provisions for the shoreline lots, including but not limited to a maximum size to ensure no issues with navigability on the river.
 - d. Ensure all proposed lots meet the requirements of the Zoning By-law.
5. That the owner enters into a Section 118 Agreement to tie the parcel to be used for access to the property on the opposite side of the river (shown in purple on Figure 3 of this Report) so that the lots cannot be sold separately.
6. That the owner enters into a Consent Agreement to implement the recommendations within the Environmental Impact Study prepared by Terrastory Environmental Consulting Inc. dated September 15, 2025.
7. That the owner provides written confirmation that sufficient capacity exists for treatment capacity for hauled sewage to the satisfaction of the Municipality.
8. That the applicant pay to the Municipality a parkland contribution fee for the new residential lot to be created as cash-in-lieu of a parkland contribution pursuant to Section 53 (13) of the Planning Act, R.S.O. 1990 c. P. 13; and,
9. That the conditions of Consent be fulfilled within two years from the date of the giving of the notice by the Municipality of Magnetawan.

Proposal/Background

A Consent and Easement application has been submitted for the subject lands located at 112 Moonwing Road in the Municipality of Magnetawan. The subject lands are owned by Gary Blyth. The subject lands are shown on Figure 1.

Figure 1: Subject Lands



The purpose and effect of the proposed Consent application is to create two new lots on the subject lands. The subject lands have a lot area of approximately 34 hectares (84 acres) and a portion of the Magnetawan River traverses the subject lands. Without the area occupied by the river, the subject lands would be considered an original 40 hectare (100 acre) lot.

The subject lands are comprised of lands on the north and south side of Moonwing Road; and on both sides of the Magnetawan River. The proposed severed lots have lot frontage on the Magnetawan River and frontage on Shadow's End Lane. It is understood that the lands on the opposite side of the Magnetawan River and Moonwing Road are eligible for a natural severance. The owner also applied for an access easement near the proposed boundary between Severed Lot 1 and Severed Lot 2 in order to provide access to the lot created by way of natural severance on the other side of the Magnetawan River.

For the proposed severed lots and the retained lot (excluding the natural severance lots), Table 1 provides a summary of the lot areas and lot frontages. The proposed lot configuration is shown on Figure 2. Severed Lot 1 is outlined in green, Severed Lot 2 is outlined in red, the Retained Lot is outlined in orange, and the lots created by natural severances are outlined in purple and blue.

Table 1: Proposed Lot Statistics

Zoning Provision	Severed Lot 1	Severed Lot 2	Retained Lot
Lot Frontage	110 metres	90 metres	412 metres
Lot Area	1.8 hectares	2.5 hectares	27 hectares

Figure 2: Proposed Lot Configuration

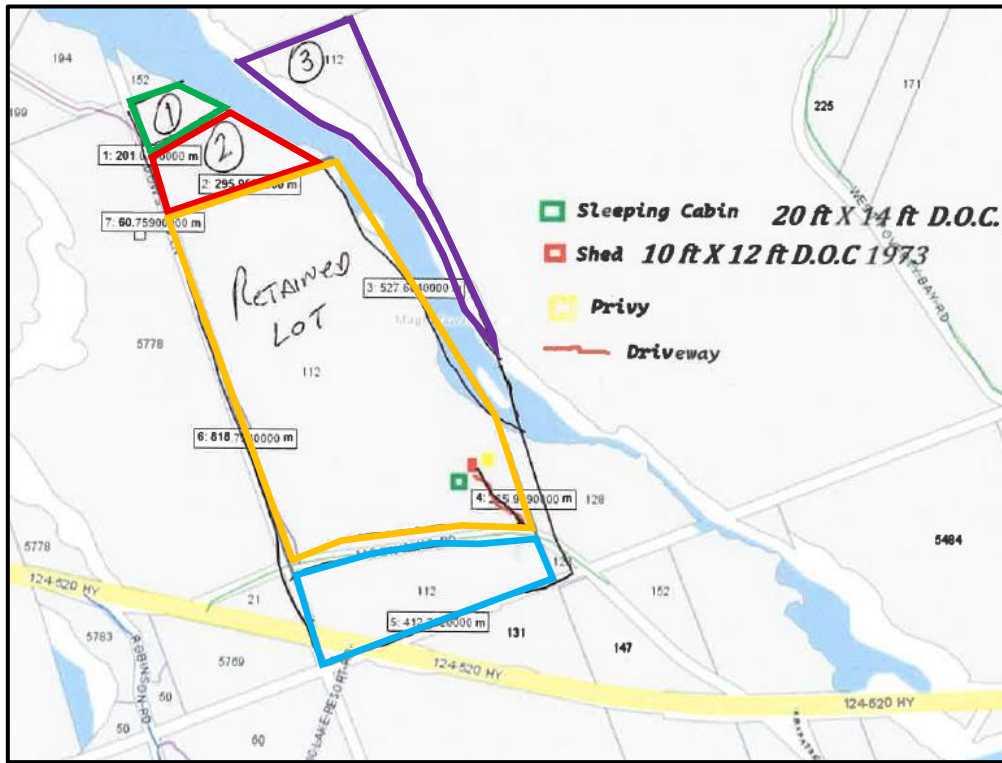


Table 1: Proposed Lot Areas and Lot Frontages

Zoning Provision	Severed Lot 1	Severed Lot 2	Retained Lot
Lot Frontage	110 metres	90 metres	412 metres
Lot Area	1.8 hectares	2.5 hectares	34.4 hectares

Severed Lots 1 and 2 have lot frontage on the Magnetawan River and are accessed by Shadows End Lane which is privately maintained but municipally owned. The Retained Lot has lot frontage on the Magnetawan River and can be accessed from Shadows End Lane or Moonwing Road which is identified as a municipally maintained road.

The subject lands are located within the Shoreline, Rural and Environmental Protection designation in the Official Plan. The Environmental Protection designation is representative of other wetland that is identified on the subject lands. There is also Fish Habitat identified along portions of the shoreline, and the subject lands are located within a Deer Wintering Area (Stratum 2). Due to the presence of Fish Habitat and a Deer Yard, a Scoped Environmental Impact Study was requested to be submitted with the application.

The subject lands are currently located within the Shoreline Residential (RS) Zone, Environmental Protection (EP) Zone, and Rural Residential (RR) Zone.

The owner has indicated that there is an existing dwelling and accessory building on the proposed Retained Lot. The location of the existing development on the Retained Lot is identified on Figure 2.

The surrounding land uses generally include rural, rural residential and shoreline residential uses.

Following a review of the application, including the proposed easement to provide legal access to the one natural severance lot on the opposite side of the river, Planning Staff are suggesting an alternative to the easement. The proposed easement is likely to be used by vehicles and could include a docking facility on the river, in order to provide legal access to the one natural severance lot on the opposite side of the river, identified as the purple lot in Figure 2. It is recommended that a separate parcel be created that has a width of 10 to 20 metres, between the boundary between Severed Lot 1 and Severed Lot 2 instead of the easement. This parcel would not be counted as an additional lot because Planning Staff are recommending that it be legally tied to the purple lot shown on Figure 2 by way of a Section 118 Agreement. These lots would need to be sold together legally. By creating a separate parcel, the Municipality can apply site-specific zone provisions to prohibit buildings and structures and to include maximum dock size/locations on the shoreline of the river as well. In this case a separate parcel is more appropriate based on how the previously proposed easement could be used.

The recommended lot configuration including the additional parcel is shown on Figure 3. The recommended parcel and lot on the opposite side of the river are outlined in purple on Figure 3. A zoomed in image of the purple lot is shown in Figure 4.

Figure 3: Recommended Lot Configuration

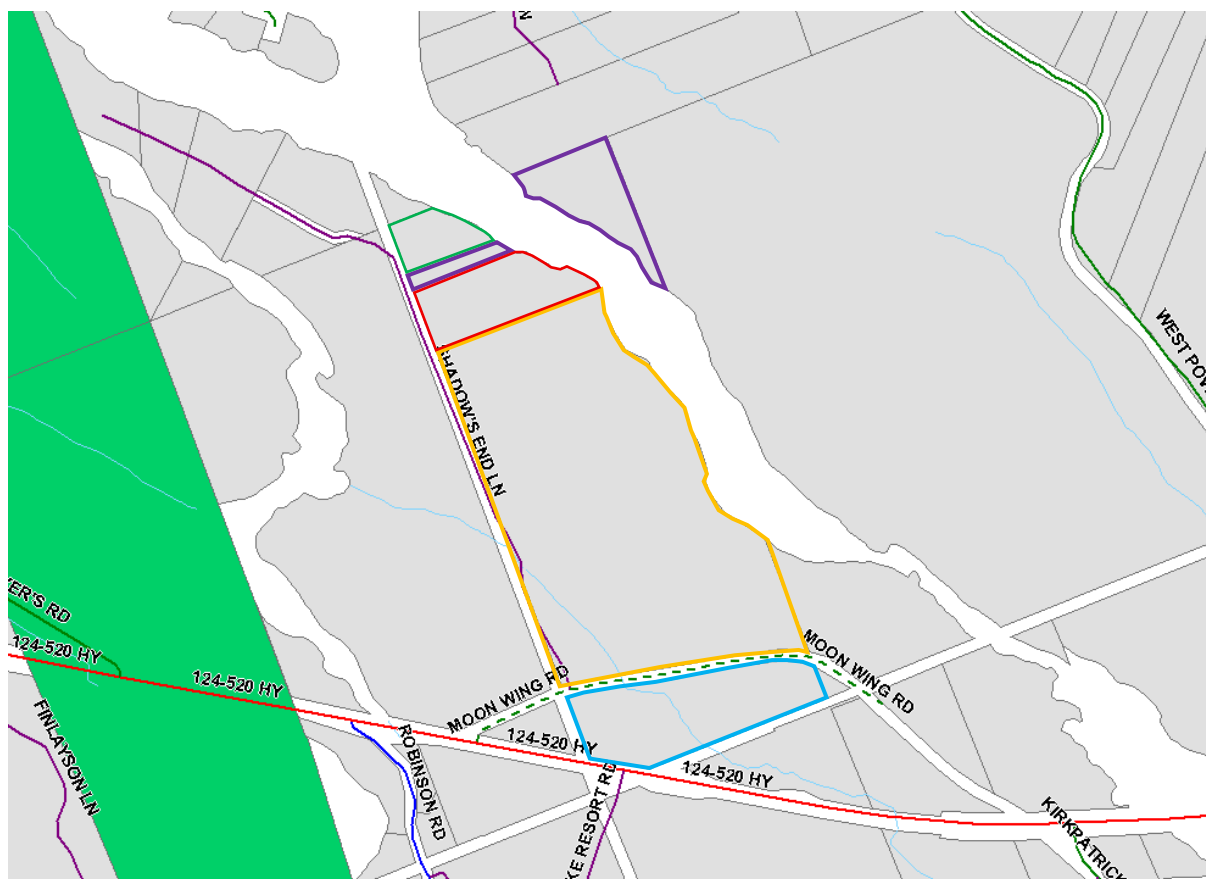
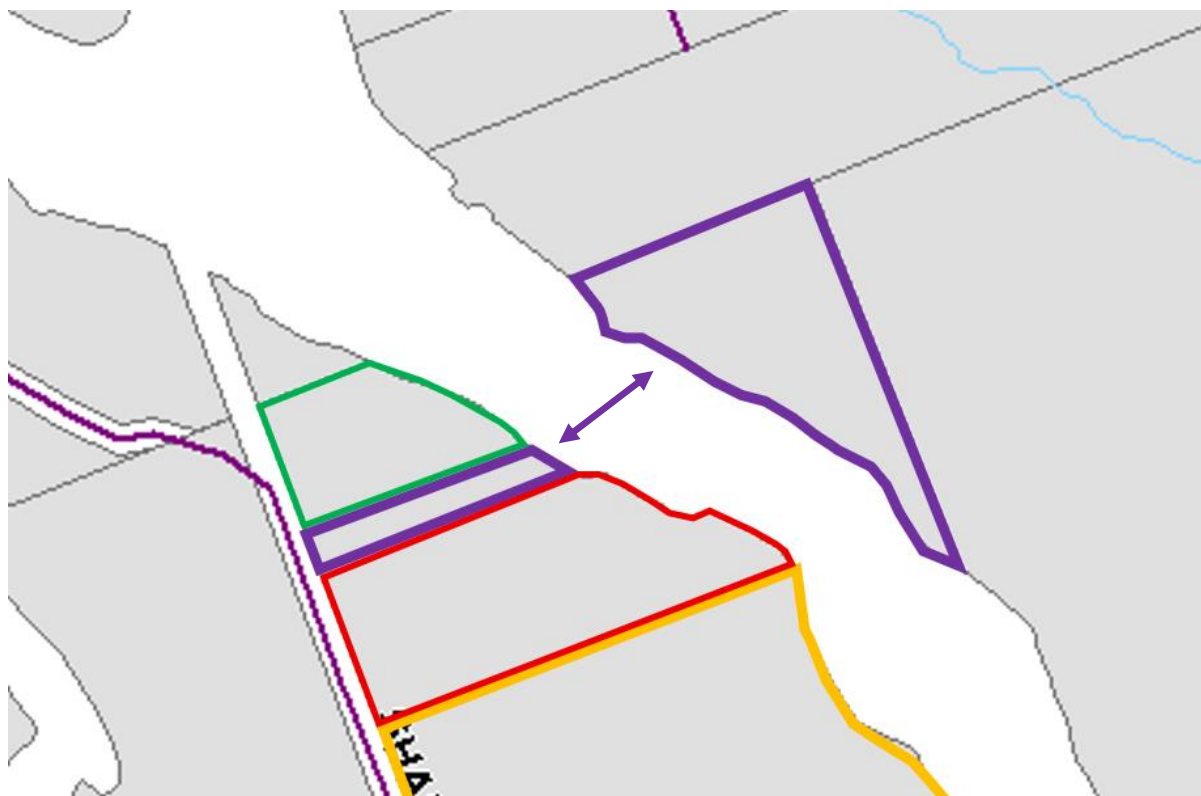


Figure 4: Proposed Access Parcel



Policy Analysis

Provincial Planning Statement

The Provincial Planning Statement (PPS) came into effect on October 20, 2024. The PPS is the statement of the government's policies on land use planning and is intended to provide policy direction on land use matters which are in the Provincial interest. All land use planning decisions are required to be consistent with the PPS.

All applications made under the *Planning Act*, must be consistent with the PPS. The subject lands are considered as Rural Lands in the context of the PPS. Section 2.6 establishes permitted uses for Rural Lands within municipalities. Section 2.6.1 c) identifies residential development, including lot creation where site conditions are suitable for the provision of appropriate sewage and water services. Lot creation for the purposes of residential uses is a permitted use on the subject lands. Resource-based recreational uses are also permitted on shoreline residential lots.

Section 3.6.4 of the PPS states that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. The proposed lots appear to be large enough to accommodate a private well and septic system.

Section 4.1 of the PPS provides for the long-term protection of Ontario's natural heritage features and areas. There is an Other Wetland located on the subject lands and the proposed Retained Lot. The Retained Lot is already developed, and the proposed Severed Lots are more

than 120 metres from a wetland and are therefore not subject to the adjacent lands policies for wetlands.

Due to the presence of Fish Habitat and a Deer Yard, a Scoped Environmental Impact Study was requested to be submitted with the application. The Study was prepared by Terrastory Environmental Consulting Inc., dated September 15, 2025. The conclusions of the Study support the creation of the Severed Lots, in accordance with the following:

- All vegetation removal to occur between October 1 and March 31.
- No development within specified areas which will be rezoned to restrict development.
- No docks within 10 metres of the identified Type 1 Fish Habitat.
- A minimum setback of 30 metres for future buildings and structures from the identified Type 1 Fish Habitat.
- Septic systems to be located a minimum of 30 metres from the river.
- Other items to be implemented in a Consent Agreement.

It is recommended that the conditions of provisional Consent include the requirement to obtain a Zoning By-law Amendment to implement additional development restrictions for the specific areas identified in the Study and to require a Consent Agreement to require future owners to implement the mitigation measures as outlined in the Study.

Subject to the recommended conditions of provisional Consent, the proposed Consent 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 Official Plan address the environment, cultural and built heritage, natural resources and servicing and transportation.

The subject lands are located within the Shoreline, Rural and Environmental Protection designation in the Official Plan. The Environmental Protection designation is representative of an other wetland that is identified on the subject lands. There is also Fish Habitat identified along portions of the shoreline, and the subject lands are located within a Deer Wintering Area (Stratum 2).

The location of the proposed Severed Lots and the Retained Lot are connected to the shoreline. Permitted uses in the Shoreline designation in the Official Plan are included in Section 5.4.1 and include detached dwellings.

Section 5.4.2 of the Official Plan includes policies regarding shoreline development and states that new lots should be no smaller than 1 hectare with 90 metres of water frontage. The proposed lots meet these requirements.

Section 7.1.1 of the Official Plan contains consent criteria that are applicable to Consent applications. Table 2 below summarizes the Consent policies.

Table 2: Official Plan Section 7.7.1 Summary

Policy 7.7.1 Severance Criteria	Does the Application Conform?
a) A registered plan of subdivision is not necessary for the orderly development of the lands.	A Plan of Subdivision is not required. A Consent application is appropriate for the creation of two new lots on the subject lands in accordance with the policies of the Official Plan.
b) The lot size and setback requirements will satisfy specific requirements of this Plan and meet the implementing zoning by-law requirements.	<p>The proposed Severed Lots and Retained Lot meet the lot requirements in the Zoning By-law.</p> <p>Site-specific zone provisions are recommended for the new parcel in place of the proposed easement, to prohibit buildings and structures and to allow the Municipality to establish dock provisions. This area is outlined in purple on Figure 3.</p>
c) The proposed lot must front on a publicly maintained road or, within the Shoreline designation, between existing lots on an existing private road with a registered right-of-way to a municipally maintained road or be a condominium unit, which may be created on private roads having access to a municipal year round road.	Severed Lots 1 and 2 have lot frontage on the Magnetawan River and are accessed by Shadows End Lane which is privately maintained but municipally owned. The Retained Lot has lot frontage on the Magnetawan River and can be accessed from Shadows End Lane or Moonwing Road which is identified as a municipally maintained road.
d) Lots for hunt camps, fishing camps, wilderness tourist camps or similar uses may be permitted on unmaintained municipal road allowances or on private right of ways to publicly maintained roads provided that the appropriate agreements are in place to ensure that the Municipality has no liability with respect to the use of these roads.	This policy is not applicable.
e) The lot must have road access in a location where traffic hazards such as obstructions to sight lines, curves or grades are avoided;	No traffic impacts are anticipated as a result of the proposed lots. An entrance would be required for the proposed easement or the separate parcel to access the purple lot on the opposite side of the river shown on Figure 3.
f) The lot size, soil and drainage conditions must allow for an adequate building site and to allow for the provision of an adequate means of sewage disposal and water supply, which meets the requirements of the Building Code, the lot must have safe access and a	<p>The existing development on the proposed Retained Lot is serviced with a well and septic system.</p> <p>The proposed Severed Lots appear large enough to accommodate septic systems.</p>

Policy 7.7.1 Severance Criteria	Does the Application Conform?
building site that is outside of any flood plain or other hazard land.	
g) Notwithstanding subsection c), lots created for seasonal or recreational purposes may be permitted where the access to the lot is by a navigable waterbody provided that Council is satisfied that there are sufficient facilities for mainland parking and docking.	Planning Staff are recommending that a separate parcel be created and tied with the purple lot on the on the opposite side the river to provide legal access.
h) Any lot for permanent residential use shall be located on a year round maintained municipal road or Provincial highway.	The Severed Lots are shoreline residential lots. Severed Lots 1 and 2 have lot frontage on the Magnetawan River and are accessed by Shadows End Lane which is privately maintained but municipally owned. The Retained Lot has lot frontage on the Magnetawan River and can be accessed from Shadows End Lane or Moonwing Road which is identified as a municipally maintained road.
i) In the Rural designation, new lots created by consent shall be limited to the following: <ul style="list-style-type: none"> i. The Township will permit the creation of up to eight new lots per year. The new lots must comply with the regulations as set out in the implementing Zoning By-law. ii. two lots per original hundred acre lot; iii. one lot for each 50 acre parcel which existed as of the date of approval of this Plan; and iv. infilling between existing residences within 300 metres of each other on the same side of a municipal road or Provincial highway 	This policy is not applicable. The proposed lots are connected to the shoreline and therefore considered to be located within the Shoreline designation.
j) The creation of any lot will not have the effect of preventing access to or land locking any other parcel of land.	<p>The proposed lot configuration will not prevent access to any other parcel of land nor prevent any other parcel from obtaining water access.</p> <p>Planning Staff are recommending that a separate parcel be created and tied with the purple lot on the on the opposite side the river to provide legal access.</p>
k) Any severance proposal on land adjacent to livestock operations shall meet the Minimum	The subject lands are not adjacent to livestock operations.

Policy 7.7.1 Severance Criteria	Does the Application Conform?
Distance Separation Formula I in accordance with the MDS Guidelines and shall demonstrate that the proposed water supply has not been contaminated from agricultural purposes.	

The Official Plan includes policies regarding adjacent lands to other wetland features, Deer Habitat and Fish Habitat.

There is an Other Wetland located on the subject lands and the proposed Retained Lot. The Retained Lot is already developed, and the proposed Severed Lots are beyond the adjacent lands of the wetland feature.

Due to the presence of Fish Habitat and a Deer Yard, a Scoped Environmental Impact Study was requested to be submitted with the application. The Study was prepared by Terrastory Environmental Consulting Inc., dated September 15, 2025. The conclusions of the Study support the creation of the Severed Lots, in accordance with the following:

- All vegetation removal to occur between October 1 and March 31.
- No development within specified areas which will be rezoned to restrict development.
- No docks within 10 metres of the identified Type 1 Fish Habitat.
- A minimum setback of 30 metres for future buildings and structures from the identified Type 1 Fish Habitat.
- Septic systems to be located a minimum of 30 metres from the river.
- Other items to be implemented in a Consent Agreement.

It is recommended that the conditions of provisional Consent include the requirement to obtain a Zoning By-law Amendment to implement additional development restrictions for the specific areas identified in the Study and to require a Consent Agreement to require future owners to implement the mitigation measures as outlined in the Study.

Subject to the recommended conditions of provisional Consent, the proposed Consent application conforms to the Official Plan.

Municipality of Magnetawan Zoning By-law

The subject lands are located within the Shoreline Residential (RS) Zone and Environmental Protection (EP) Zone in the Zoning By-law. The minimum lot area for properties within the Shoreline Residential (RS) Zone is 1.0 hectare and the minimum lot frontage is 90 metres. All of the proposed lots meet these requirements.

It is recommended that a separate parcel be created that has a width of 10 to 20 metres between the boundary between Severed Lot 1 and Severed Lot 2. This would not be counted as an additional lot because Planning Staff are recommending that it be legally tied to the purple lot shown on Figure 3 on the opposite side of the river, by way of a Section 118 Agreement. By creating a separate parcel, the Municipality can apply specific zone provisions to prohibit buildings and structures and to include maximum dock size/locations as well. In

this case a separate parcel is more appropriate based on how the previously proposed easement could be used.

A Zoning By-law Amendment is recommended to implement restrictions as outlined in the Environmental Impact Study and to implement site-specific provisions for the proposed parcel to access Lot #3 on the opposite side of the river.

Comments from Departments

The following comments have been received:

Road Department: Shadows End Lane is privately maintained but municipally owned, an Entrance Permit will be required for new driveways off Shadows End Lane and Moonwing.

Fire Chief: No concerns.

Building Department: No concerns.

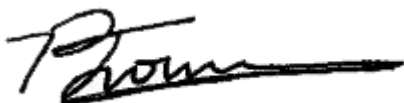
By-law Department: No concerns.

Summary

Subject to the recommended conditions of provisional Consent, the Consent application is consistent with the PPS and conforms to the Municipality's Official Plan. It is recommended that proposed Consent application be provisionally approved, subject to the conditions outlined in this Report.

The recommendation includes an additional parcel to be created and to be used to access the purple lot shown on Figure 3 on the opposite side of the river. It is recommended that this parcel be tied together with the property on the opposite side of the river so that they cannot legally be sold separately.

Respectfully submitted,



Patrick Townes, BA, BEd
Planning Consultant
MHBC Planning



Jamie Robinson, BES, MCIP, RPP
Planning Consultant
MHBC Planning

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN
BY-LAW NO. 2026 -**

Being a By-law to amend By-law No. 2001-26, as amended, the Zoning By-law for the Corporation of the Municipality of Magnetawan with respect to lands located at Concession 9, Part Lot 15 PCL 16252 SS REG 82 45AC 1320 00FR, municipally known as 112 Moonwing Road, Croft (Blyth 030 00220100).

WHEREAS the Council of the Corporation of the Municipality of Magnetawan is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the *Planning Act*, R.S.O. 1990;

AND WHEREAS the owner of the subject lands has filed an application with the Municipality of Magnetawan to amend By-law 2001-26, as amended;

AND WHEREAS the Council of the Corporation of the Municipality of Magnetawan deems it advisable to amend By-law No. 2001-26, as amended, to rezone a portion of the subject lands from the Shoreline Residential (RS) Zone and the Environmental Protection (EP) Zone, to the Shoreline Residential Exception Forty Three (RS-43) Zone and to the Shoreline Residential Exception Forty Four (RS-44) Zone and to add a new portion to the Environmental Protection (EP) Zone;

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1. That Schedule 'A-2', to Zoning By-law No. 2001-26 as amended, is further amended by zoning a portion of the subject lands legally described Concession 9, Lot 15 PCL 16252 SS REG 82 45AC 1320 00FR, municipally known as 112 Moonwing Road, Croft Township, Municipality of Magnetawan, from the Shoreline Rural (RS) Zone and the Environmental Protection (EP) Zone, to the Shoreline Residential Exception Forty Three (RS-43) Zone, to the Shoreline Residential Exception Forty Four (RS-44) Zone and a new portion to the Environmental Protection (EP) Zone as shown on Schedule 'A' attached forming part of this By-law.
2. That Section 4.2.4 of Zoning By-law No. 200-26 as amended, is further amended by adding the following:

4.2.4.32 Shoreline Residential Exception Forty Three (RS-43) Zone

Notwithstanding the provisions and permitted uses of this By-law to the contrary, within the Shoreline Residential Exception Forty-Three (RS-43) Zone, the following shall apply:

1. *A dock shall have a maximum length of 15 metres;*
2. *A dock shall have a maximum width of 3 metres;*
3. *A dock shall be setback a minimum of 3 metres from an interior side lot line and the straight-line projection of the interior side lot line;*

4. *A dock shall be located a minimum of 10 metres from an Environmental Protection (EP) Zone on the shoreline;*
 5. *Buildings and structures shall be located a minimum of 30 metres from an Environmental Protection (EP) Zone on the shoreline; and,*
 6. *Septic systems shall be setback a minimum of 30 metres from a watercourse or waterbody.*
3. That Section 4.2.4 of Zoning By-law No. 200-26 as amended, is further amended by adding the following:

4.2.4.33 Shoreline Residential Exception Forty Four (RS-44) Zone, as amended Lot 15, Concession 9, PCL 16252 SS REG 82 45AC 1320 00FR, Croft Township (112 Moonwing Road)

Notwithstanding the provisions of this By-law to the contrary, within the Shoreline Residential Exception Forty-Four (RS-44) Zone the following shall apply:

1. *A maximum of 1 dock shall be permitted;*
2. *A dock shall have a maximum length of 15 metres;*
3. *A dock shall have a maximum width of 3 metres;*
4. *A dock shall be setback a minimum of 3 metres from an interior side lot line and the straight-line projection of the interior side lot line;*
5. *No buildings and structures shall be permitted other than one (1) dock;*
6. *A minimum frontage of 10 metres shall be required on Shadows End Lane and a minimum frontage of 10 metres shall be required on the Magnetawan River; and,*
7. *A maximum frontage of 20 metres shall be required on Shadows End Lane and a maximum frontage of 20 metres shall be required on the Magnetawan River.*

This By-law shall take effect on the date of its passage, subject to the provisions of Section 34 (30) and (31) of the *Planning Act* (Ontario).

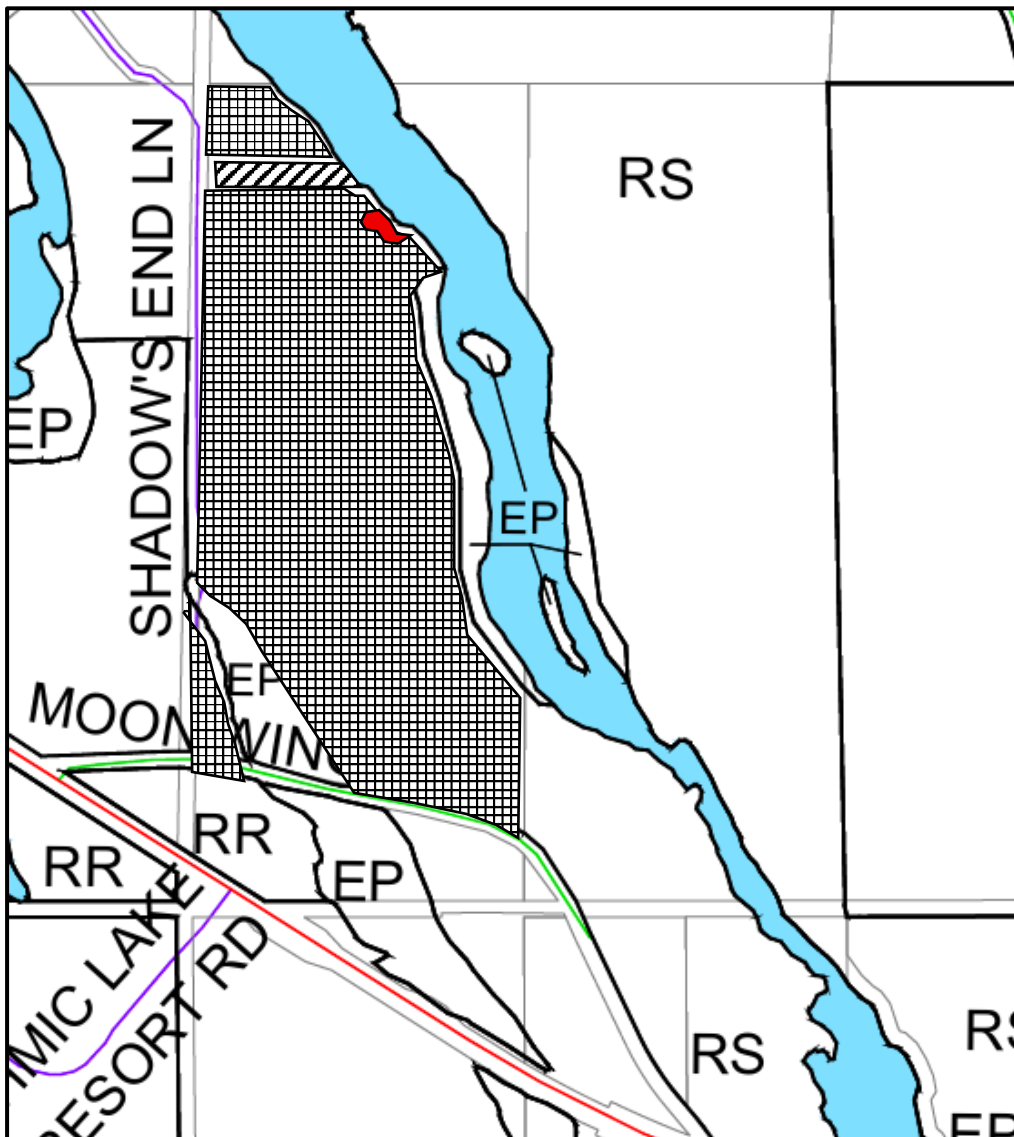
READ A FIRST, SECOND AND THRID TIME, passed, signed and the Seal of the Corporation affixed hereto, this 15th day of April, 2026.




**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Sam Dunnett, Mayor

Kerstin Vroom, CAO/Clerk

SCHEDULE 'A'
Part Lot 15, Concession 9,
Croft Township
Municipality of Magnetawan



-  Lands to be Rezoned from the Shoreline Residential (RS) Zone to the Shoreline Residential Exception Forty Three (RS-43) Zone
-  Lands to be Rezoned from the Shoreline Residential (RS) Zone to the Shoreline Residential Exception Forty Four (RS-44) Zone
-  Lands to be Rezoned from the Shoreline Residential (RS) Zone to the Environmental Protection Zone

This is Schedule 'A' to Zoning By-law 2026-
Passed this 15th day of April 2026.

Mayor

CAO/Clerk