

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: December 10, 2025

SUBJECT: Zoning By-law Amendment Application
Winterton – Lot 11 Concession 2, Croft Township

Recommendation

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

THAT Council receives the Planning Report dated December 10, 2025 respecting the Zoning By-law Amendment application for the subject property located at Lot 11, Concession 2, Croft Township; 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 Lot 11, Concession 2, Croft Township. There is no municipal address for the subject lands. The owners of the subject lands are Guy Winterton and Helene Savard. The subject lands are shown on Figure 1.

The purpose and effect of the Zoning By-law Amendment application is to fulfill a condition of provisional Consent which was approved, being File No. B09/25. The purpose of the Consent application was to create two new lots on the subject lands and one retained lot. There is also one additional lot that was created on the subject lands as a result of a natural severance (lot divided by an existing road).

A condition of provisional Consent included the following:

That the owners obtain approval of a Zoning By-law Amendment to complete the following:

- a. To rezone the Retained Lot, Severed Lot 1 and Severed Lot 2 to a Rural Exception Zone to recognize the proposed lot areas that do not meet the minimum requirement of 10 hectares; and,*
- b. To rezone the lands within 50 metres of the Other Wetland feature to the Environmental Protection (EP) Zone.*

The subject lands are shown on Figure 1 and the proposed lot configuration that identifies the proposed lots is shown on Figure 2.

Figure 1: Location of Subject Property

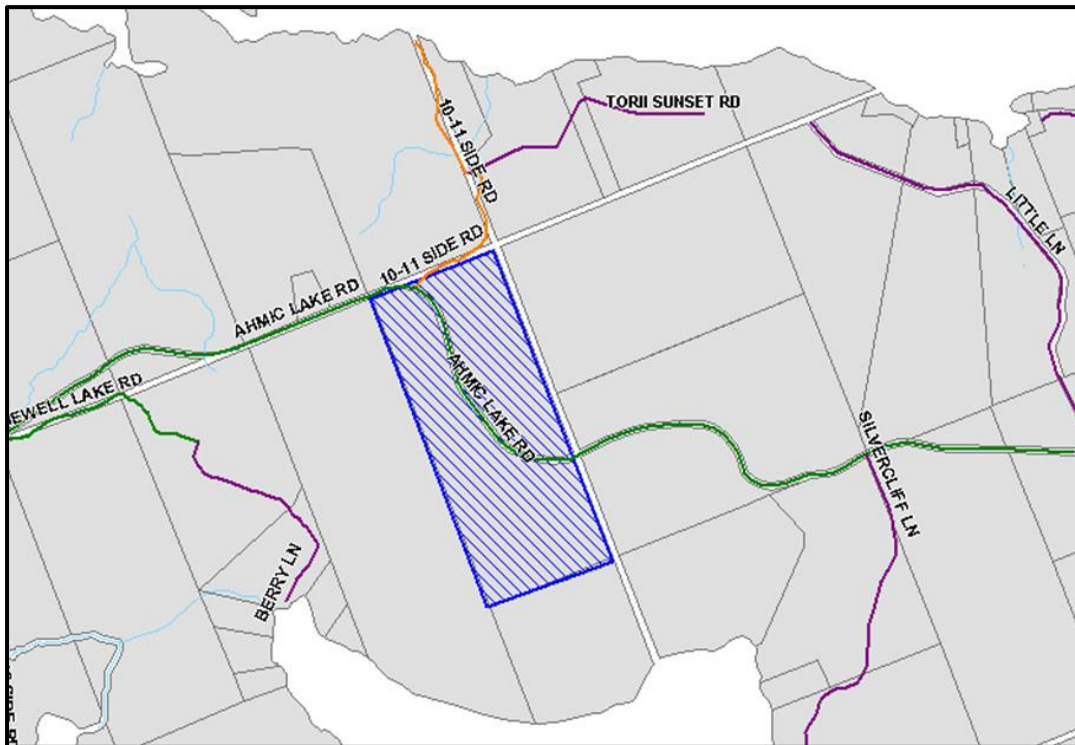
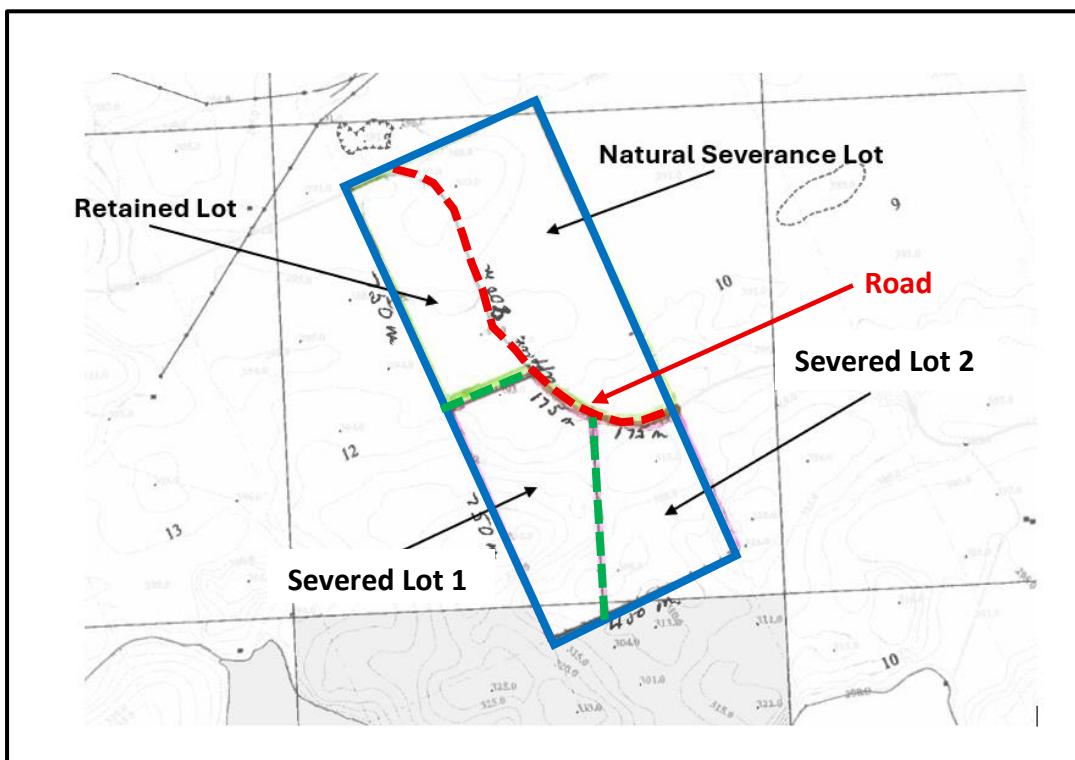


Figure 2: Proposed Lot Configuration Sketch



The proposed amendment is to rezone the Retained Lot, Severed Lot 1 and Severed Lot 2 from the Rural (RU) Zone to Rural Exception Ten (RU-10) Zone to recognize the

proposed lot areas for each lot. The resulting lot frontages do not meet the minimum lot area for the Rural (RU) Zone.

There is an existing wetland on the Natural Severed Lot on the east side of Ahmic Lake Road. The existing wetland is currently reflected in the zoning as the Environmental Protection (EP) Zone. The amendment is to also expand the Environmental Protection (EP) Zone mapping on the subject lands to include a 50 metre setback surrounding a wetland feature as a result of the environmental policies in the Official Plan. This area is included in the draft Zoning By-law Amendment which has been attached to this Report.

The subject lands are currently vacant. The surrounding land uses include rural, rural residential and shoreline residential properties.

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.

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 subject lands are currently vacant and each of the lots appear to be large enough to accommodate a septic system for a future dwelling and septic system.

Section 4 of the PPS contains policies related to the wise use and management of resources. The subject lands contain an Other Wetland, a Deer Yard (Stratum 1) and Candidate Life Science ANSI.

Section 4.1 of the PPS contains policies related to natural heritage. Section 4.1.5 of the PPS, development and site alteration shall not be permitted in Significant ANSI and Significant Wildlife Habitat, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The PPS does not include policies regarding Other Wetlands. The ANSI identified on the subject lands is not categorized as a “significant” feature. A Deer Yard is considered as Significant Wildlife Habitat. Policies regarding these features are included in the Municipality’s Official Plan and are discussed in the following section of this Report.

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 property is 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 primarily designated Rural and the area in the north-east portion of the subject lands are designated Environmental Protection. The area that is designated as Environmental Protection includes an Other Wetland, a Deer Yard (Stratum 1) and a Candidate Life Science ANSI.

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 and subject to the expanded Environmental Protection (EP) Zone are located within adjacent lands to an Other Wetland feature.

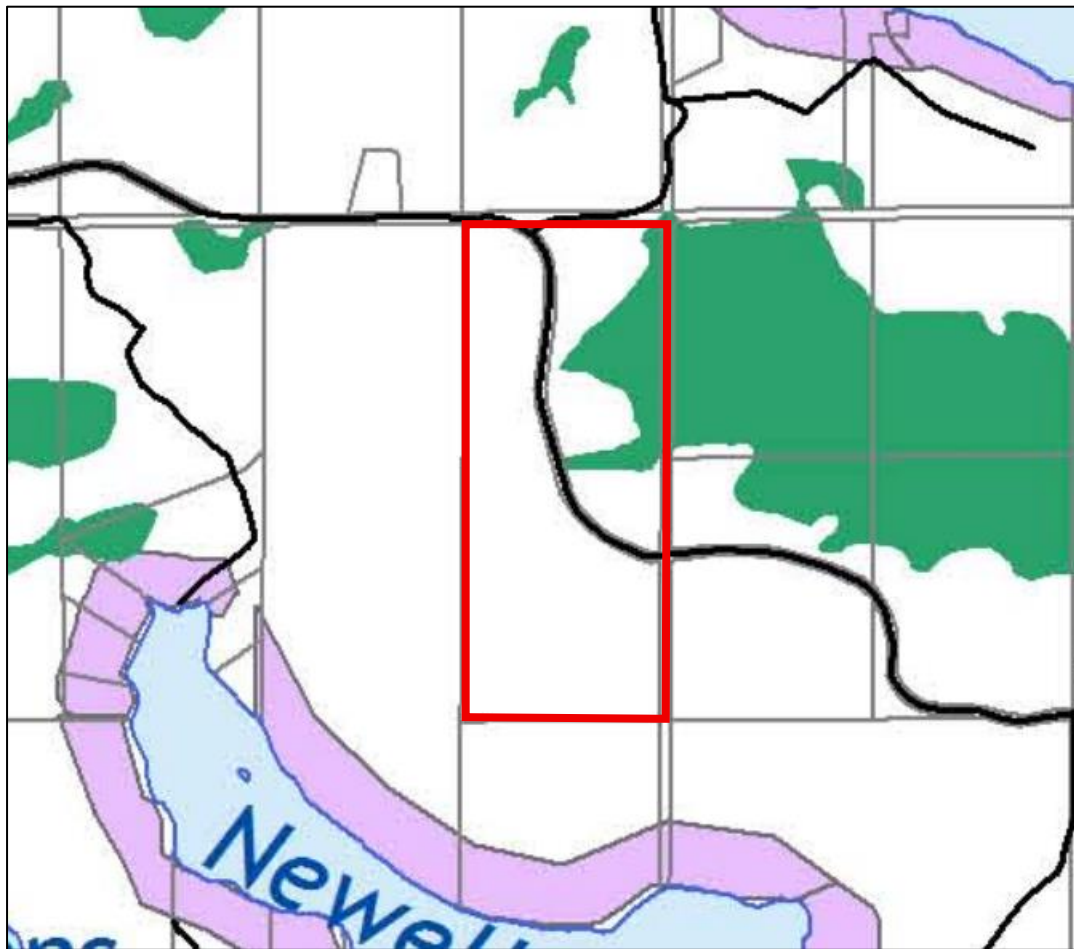
Section 4.5 of the Official Plan includes policies regarding Wetlands. No development or site alteration will be permitted in or within 120 metres of any areas identified as potential Provincially Significant Wetlands until an evaluation is completed by a qualified wetland evaluator using the Ontario Wetland Evaluation System.

Section 4.6 of the Official Plan includes policies regarding Deer Habitat. Within the significant deer habitat areas shown on Schedule B outline a minimum lot size shall be 90 metres of frontage and 90 metres depth. The proposed lots all meet the minimum size requirements.

Section 4.10 of the Official Plan includes policies regarding adjacent lands. The wetland on the subject lands identifies as an Other Wetland, and in accordance with Section 4.10 adjacent lands are considered lands within 50 metres of the boundary of the Other Wetland. Potential impacts as a result of the proposed development must be considered within these adjacent lands. The amendment is to expand the Environmental Protection (EP) Zone mapping on the subject lands to include 50 metres around this feature because there has not been a study completed. Development will not be permitted within this area as a result of the rezoning. The location of the existing Other Wetland is shown in green on Figure 3 (within the Environmental Protection designation).

Section 5.2 of the Official Plan includes policies for the Rural designation. Permitted uses within the Rural designation include residential dwellings. The future development of for residential uses conforms to the permitted uses of the Official Plan.

Figure 3: Environmental Protection Area



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

Municipality of Magnetawan Zoning By-law

The proposed amendment is to rezone the Retained Lot, Severed Lot 1 and Severed Lot 2 from the Rural (RU) Zone to Rural Exception XX (RU-XX) Zone to recognize the proposed lot areas for each lot. The resulting lot frontages do not meet the minimum lot area for the Rural (RU) Zone. The minimum lot area requirements for the Rural (RU) Zone is 10 hectares. The proposed lot sizes are provided in Table 1.

Table 1: Proposed Lot Size Requirements

Zoning Provision	Zoning Requirement	Severed Lot 1	Severed Lot 2	Retained Lot
Lot Area	10 hectares	9 hectares	9 hectares	7 hectares
Lot Frontage	134 metres	175 metres	175 metres	500 metres

A minimum lot area for the proposed lots of 7 hectares is recommended.

As referenced in the previous section of this Report, the current Environmental Protection (EP) Zone is being expanded to include an additional 50 metres to encompass the adjacent lands surrounding the Other Wetland feature.

The draft Zoning By-law Amendment is attached to this Report.

Comments from Departments

Road Department: No comments received at the time of this report

Fire Chief: No concerns

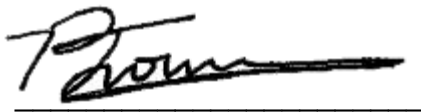
Building Department: No concerns

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 amendment will recognize the lots that were provisionally approved that are suitable for a future dwelling and rural land uses. By expanding the EP Zone, development will be prohibited within adjacent lands of an Other Wetland feature. It is recommended that the application be approved, and the draft Zoning By-law Amendment be passed.

Respectfully submitted,



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