



The Corporation of the
Municipality of Magnetawan
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Magnetawan ON POA 1P0
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MUNICIPALITY OF
MAGNETAWAN

OCT 14 2025

PAID

1577 - refund \$250.

APPLICATION FORM

ZONING BY-LAW AMENDMENT

Date Received by Municipality: OCT 14 2025

1) APPLICATION INFORMATION

Name of Applicant: Guy Winterton
Mailing Address: 463 White Tail Rd. Noelville ON P0M 2 N0
Telephone Number (Home): 705-748-3491 Fax Number: _____
Telephone Number (Business): _____ Fax Number: _____

2) REGISTERED OWNER

If the Applicant is not the Registered Owner of the subject lands, then authorization from the Owner is required, as well as the following information:

Owners Name: Guy Kenneth Winterton and Helene Isabelle Savard
Mailing Address: 463 White Tail Rd Noelville ON P0M 2 N0
Telephone Number (Home): 705-748-3491 Fax Number: _____

Correspondence to be sent to: ☒ Owner ☐ Agent ☐ Both

3) MORTGAGES, CHARGES OR OTHER ENCUMBRANCES

Name: NA
Mailing Address: _____
Name: _____
Mailing Address: _____

4) SUBJECT LANDS

Geographic Township: Croft Twp Concession: 2 Lot: 11
Reference Plan: PCL 475 PS Reg. Part/Block/Lot: _____
Street Name and Number: NA
(If corner lot, please include both Street Names)
Water Access only: NA

(Name of Waterbody)

Area of subject lands (ha): _____ Frontage (m): _____ Depth (m): _____

5) **OFFICIAL PLAN / ZONING STATUS**

What is the current designation of the subject lands in the approved Official Plan?

Rural

What is the current Zoning?

Rural (some Environmental Protection Zone in
N/E corner of lot.

6) **REASONS FOR REQUEST**

Please describe the reasons for and extent of, the request:

Severance of lots approved by Council
are slightly under required 25 acres for
Rural Zone

7) **ACCESS**

Are the subject lands accessible by:

- ☐ Provincial Highway
- ☐ Municipal Road (seasonal maintenance)
- ☒ Municipal Road (year round maintenance)
- ☐ Right of Way
- ☐ Unopened Road Allowance
- ☐ Water Access
- ☐ Other (describe) _____

8) **BUILDINGS, STRUCTURES AND USES**

What are the existing buildings on the subject land? NA

What are they used for? _____

Please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building			
Setback from Front Lot Line			
Setback from Rear Lot Line			
Setback from Side Lot Line			
Setback from Side Lot Line			
Height (metres)			
Dimensions			
Floor Area			
Date of Construction			

What is the proposed future use of the subject lands: Possible home sites on 2 of the 4 lots.

Are any buildings or structures to be build on the subject lands?

☒ yes ☐ no
possibly in future.

If yes, please complete the following for each building or structure: NA

	Building One	Building Two	Building Three
Type of Building			
Setback from Front Lot Line			
Setback from Rear Lot Line			
Setback from Side Lot Line			
Setback from Side Lot Line			
Height (metres)			
Dimensions			
Floor Area			
Date of Construction			

When were the subject lands acquired by the current owner? Father bought property in 1957. I acquired on his death in 2002.

How long have the "existing uses" continued on the subject lands? I believe since first deeded in 1890.

9) **SERVICING**

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply <u>NA</u>	☐	☐	☐
Sewage Disposal <u>NA</u>	☐	☐	☐
Frontage on Road	☒	☐	☐

Is storm drainage provided by: ☐ Sewer ☐ Ditch ☐ Swale

☒ Other (describe) Natural water courses

10) **OTHER APPLICATIONS**

Are the subject lands also the subject of an application under the Planning Act for approval of a Plan of Subdivision or a Consent? ☒ yes ☐ no

If yes, what is the file number? 809/12025 Winter ton

What is the status of the application? Approved

Have the subject lands ever been the subject of an application under Section 34 of The Planning Act (rezoning)? ☐ yes ☒ no

If yes, please provide a brief explanation: _____

11) DRAWINGS

Please include a sketch showing the following:

- ☐ the boundaries and dimensions of the subject land;
- ☐ the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the building or structures from the front yard lot line, rear yard lot line and side yard lot lines;
- ☐ the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
- ☐ the current uses on land that is adjacent to the subject land;
- ☐ the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way;
- ☐ if access to the subject land is by water only, the location of the parking and docking facilities to be used; and
- ☐ the location and nature of any easement affecting the subject land.

Required Sketch

See attached.

Required Sketch should include the following:

- | | |
|---------------------------|----------------------------|
| ✓ Lot dimensions | ✓ Buildings and Structures |
| ✓ Major Physical Features | ✓ Sewage and Water Systems |
| ✓ Surrounding Land Uses | |

12) PERMISSION TO ENTER

I hereby authorize, the Members of Staff and/or Elected Members of the Council of the Municipality of Magnetawan, to enter upon the subject lands and premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

Oct 10/25
Date

[Signature]
Signature of Registered Owner(s) or Agent

13) FREEDOM OF INFORMATION

I hereby provide authority for any information contained in this application, to be released in accordance with the Freedom of Information Act.

Oct 10/25
Date

[Signature]
Signature of Registered Owner(s) or Agent

14) PAYMENT OF FEE AND DEPOSIT

- | | | |
|--------------------------|-----------------------------------|--|
| ☐ | Application Fee | As per the current Fees and Charges By-law |
| ☐ | Residential Deposit Fee | As per the current Fees and Charges By-law |
| ☐ | Commercial/Industrial Deposit Fee | As per the current Fees and Charges By-law |

The "deposit" shall be used for expenses as defined below. As for the date of this application, I further hereby agree to pay for and bear the entire cost and expense for any engineering, legal, landscape, architectural and/or planning consulting expenses incurred by the Municipality of Magnetawan during the processing of this Application, in addition to the Application Fee set by the Municipality of Magnetawan.

An additional deposit shall be required if the deposit is insufficient to complete the Application.

Oct. 10/25
Date

[Signature]
Signature of Registered Owner(s)

Note: All Invoices for payment shall be sent to the person(s) indicated in Section 2) Owner of this application, unless otherwise requested.

If the Applicant/Owner is a Corporation, the Applicant/Owner shall provide certification that he/she has the authority to Bind the Corporation.

15) AFFIDAVIT

I, Guy Winterton of the NORVILLE in the SUSSEX solemnly declare that all of the above statements contained herein and in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act".

DECLARED BEFORE ME at the town of Norville in the District of
or Sussex this 10 day of October 2025

10/10/25
Date

[Signature]
Signature of Registered Owner(s) or Agent



**MUNICIPALITY OF MAGNETAWAN
COMMITTEE OF ADJUSTMENT
DECISION OF CONSENT WITH REASONS**

AUTHORIZED UNDER SECTION 45 (8) OF THE PLANNING Act, R.S.O. 1990 c.P13

FILE NO. 809/2025 Winterton
Subject of Application: to create on (2) new lot

Date of Decision: August 13, 2025

The Application submitted by Guy Winterton to create two (2) new lots. The subject lands are located at CON 2, Lot 11 former Township Croft now in the Municipality of Magnetawan, which is located on a municipally maintained road, (Roll 4944 030 00403600). The proposed consent application conforms to the Municipality of Magnetawan's Official Plan, Zoning By-law and the Provincial Planning Statement.

Decision: Approved with the following conditions;

- Draft Reference Plans to be approved by the Municipality prior to registration;
- Two (2) true certified paper copies of the registered plans and electronic versions for the proposed severed lots prepared by an Ontario Land Surveyor with a certification that it is a true copy be provided to the Municipality for review and approval which conforms substantially with the applications as submitted;
- Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
- A copy of the original executed transfers (deeds) with all schedules be provided to the Municipality;
- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed Lots and the Retained Lots can be adequately serviced by individual on-site septic systems;
- Payment of all taxes, municipal legal fees, planning fees and fees as per the current Fees and Charges By-law, Park Land Dedication By-law and all other fees associated with the processing of these applications;
- That the Applicant receive confirmation from the Municipality of a suitable location for an entrance to the severed and retained lots from Ahmic Lake Road;
- That the Applicant apply for and be approved for a Zoning By-law Amendment to rezone the proposed severed lots and retained from Rural to Rural Exception Zone to bring the lots into compliance with Zoning By-law and to rezone the lands within 50 metres of the Other Wetland feature to the Environmental Protection Zone;
- The Applicant transfer the 66 foot allowance inclusive of Ahmic Lake Road on the subject lands to the Municipality at no cost to the Municipality.

CERTIFICATION

(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))

I, **Erica Kellogg**, Deputy Clerk of the Municipality of Magnetawan, hereby certify that the above is a true copy of the decision of Council with respect to the application recorded herein. Dated this 14th day of August 2025.

Erica Kellogg, Deputy Clerk – Planning and Development
Municipality of Magnetawan

The last date that this decision may be appealed to the Ontario Land Tribunal is September 2nd, 2025 at 4:30pm.

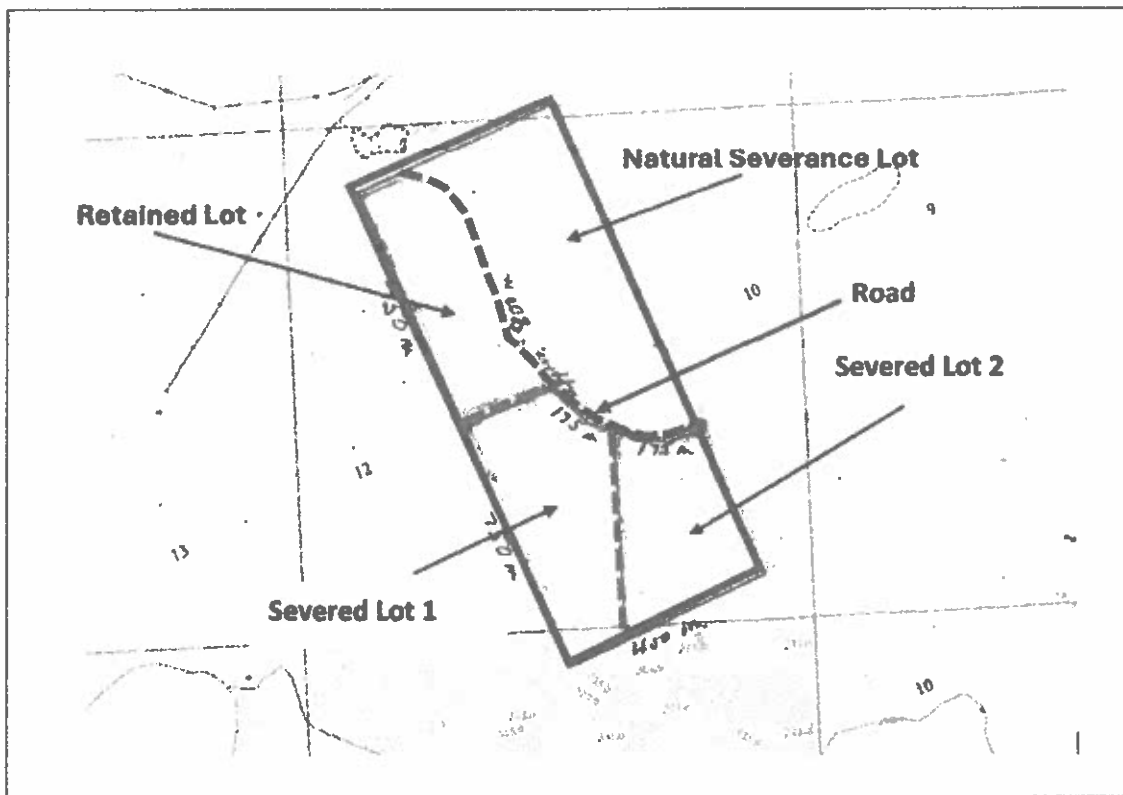
NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)

The Planning Act, R.S.O. 1990, as amended, Section 45(12)

The applicant, the Minister or a specified person or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee of Adjustment by filing a notice of appeal with the Deputy Clerk – Planning and Development either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Magnetawan (Municipality of) as the Approval Authority or by mail to the address on the Notice of Passing no later than 4:30 p.m. on or before the last day of appeal. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to planning@magnetawan.com.

Note: In accordance with Section 45(12) of the *Planning Act* third party appeals by persons or individuals are not permitted. When no appeal is lodged within twenty days after the giving of notice, the decision becomes final and binding and notice to that effect will be issued by the Secretary.

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Based on the proposed lot configuration, Table 1 includes the proposed approximate lot areas and lot frontages.

Table 1: Proposed Lot Statistics

Zoning Provision	Severed Lot 1	Severed Lot 2	Retained Lot	Natural Severance
Lot Frontage	175 m	175 m	500 m	700 m
Lot Area	9 ha	9 ha	7 ha	13 ha

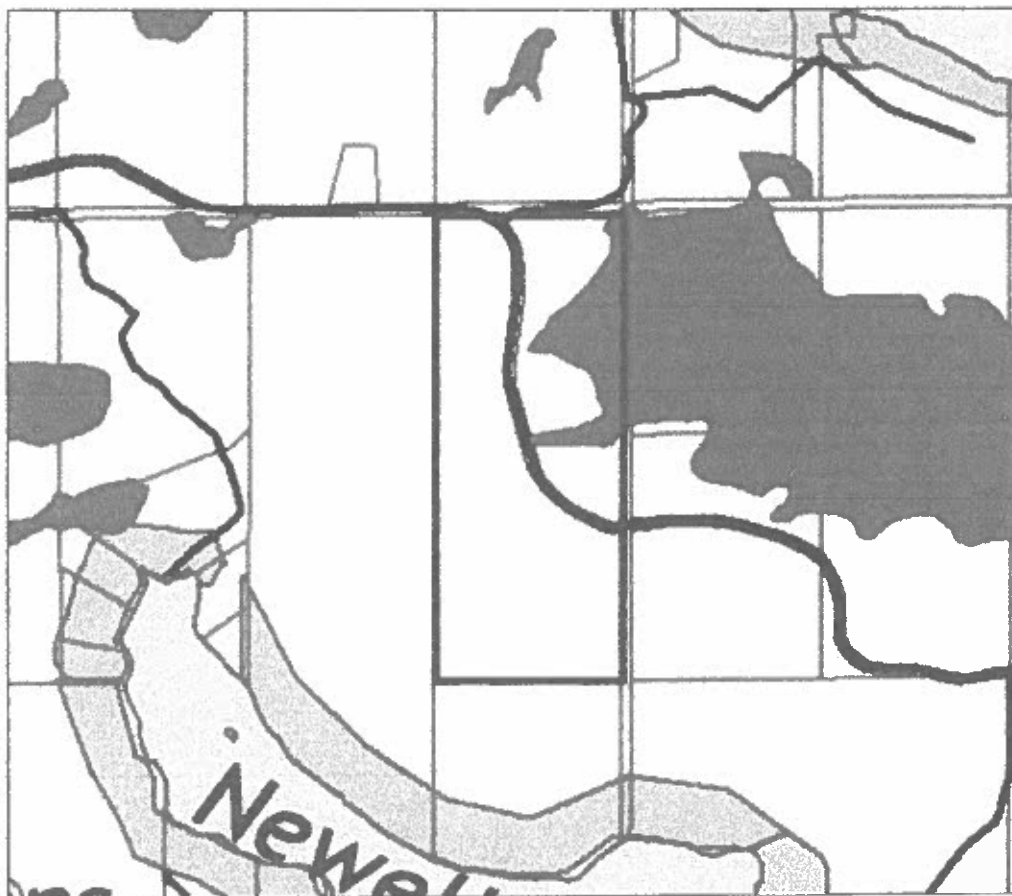
The entirety of the subject lands are vacant. Each of the proposed lots is to have lot frontage on Ahmic Lake Road. Surrounding land uses generally include rural, rural residential and shoreline residential properties.

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

The subject lands are located within the Rural (RU) Zone and the Environmental Protection (EP) Zone.

Section 5.3.1 of the Official Plan includes permitted uses within the Environmental Protection Area. The uses and activities permitted within areas designated as Environmental Protection shall be limited to conservation, forestry, wildlife areas, fishery resource management, public or private parks, and outdoor recreational activities which can be developed without adverse environmental impacts. This area on the subject lands is restrictively zoned in the Zoning By-law as Environmental Protection (EP) and therefore no development is permitted within these areas. The area identified as Environmental Protection Area is shown in green on Figure 3. This area is representative of the Other Wetland.

Figure 3: Environmental Protection Area



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 4.10 of the Official Plan includes policies regarding adjacent lands. The wetland on the subject lands is identified 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 proposed development, including lot creation, 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 a Zoning By-law Amendment be required as a condition of provisional Consent, to expand the Environmental Protection (EP) Zone mapping on the subject lands to include 50 metres around the feature. This will ensure that future buildings and structures will be located at least 50 metres from the mapped boundary of the feature.

