

## **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 16, 2025

SUBJECT: Zoning By-law Amendment Application - Woodruff  
c/o E.J. Williams Surveying Limited, Lot 24, Concession 10,  
Reference Plan 42R21817 Part 1

---

### **Recommendation**

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

**THAT** Council receive the Planners Report dated April 16, 2025 respecting the Zoning By-law Amendment application for Lot 24, Concession 10, Reference Plan 42R21817 (Nancy and William Woodruff c/o E.J. Williams Surveying Limited); 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 located on Lot 24, Concession 10, Reference Plan 42R21817 which are locally known as 309 Miller Road. The owners of the subject lands are Nancy and William Woodruff, and the application was submitted by E.J. Williams Surveying Limited.

The owners obtained a provisional Consent approval to create one new lot on the subject lands. One of the conditions of provisional Consent included the requirement to obtain approval of a Zoning By-law Amendment application.

The purpose and effect of the Zoning By-law Amendment application is to satisfy a condition of provisional Consent. The application proposes to rezone the proposed Severed Lot, from the Rural (RU) Zone to the Rural Residential (RR) Zone to permit future rural residential uses and to recognize the proposed lot area and lot frontage.

The proposed lot area of approximately 4 hectares (10 acres) does not meet the minimum lot area required in the RU Zone following the Consent application. The proposed lot frontage of approximately 124 metres also does not meet the minimum lot frontage of 134 metres required in the RU Zone.

The location of the subject lands is shown on Figure 1, and the location of the proposed Severed Lot and the lands to be rezoned are outlined in red on Figure 2.

**Figure 1: Location of Subject Lands**

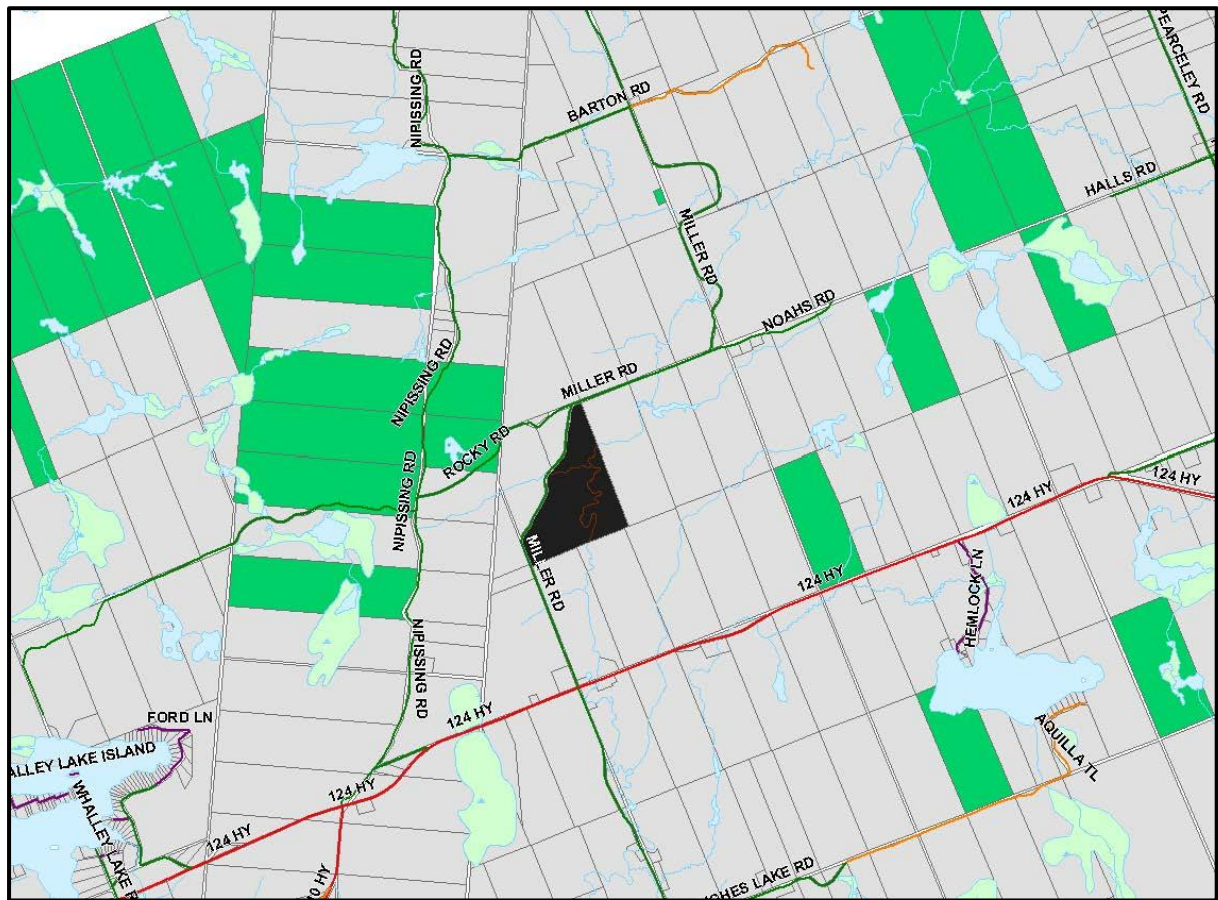
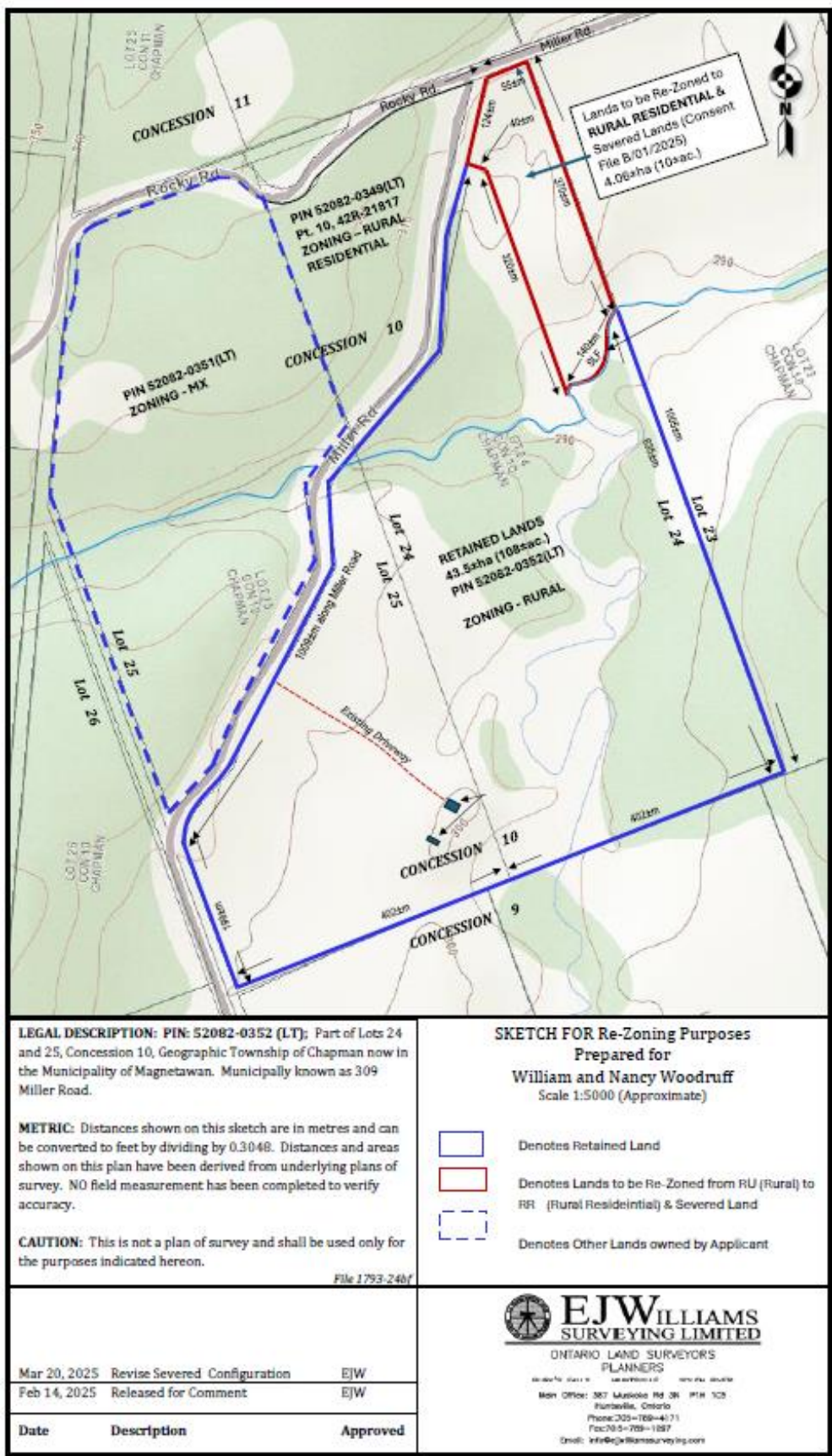


Figure 2: Proposed Severed Lot and Lands to be Rezoned (outlined in Red)



## **Area Context**

The following is a summary of the surrounding land uses:

**North:** Existing rural and rural residential uses.

**East:** Existing rural and rural residential uses.

**South:** Existing rural and rural residential uses.

**West:** Existing License B Pit and rural uses.

## **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. Residential development, where site conditions are suitable for the provision of appropriate sewage and water service is included as a permitted use.

Section 3.6 of the PPS outlines policies for sewage, water, and stormwater. Where municipal sewage services and municipal 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 Severed Lot is vacant, and new development is proposed to be serviced by a private well and septic system. The proposed Severed Lot appears large enough to accommodate these future services.

Chapter 4 of the PPS contains policies related to the wise use and management of resources. There is a watercourse adjacent and to the south of the proposed Severed Lot that is identified as containing Fish Habitat. 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. Further, Section 4.1.8 of the PPS specifies that development and site alteration is not permitted on lands adjacent to fish habitat unless the ecological function of the adjacent lands has been evaluated, and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. This area is already restrictively zoned, and no new development is permitted on these lands in the future. The proposed Severed Lot is large in size and provides for future building locations setback from the watercourse. No development is proposed through this application and the existing watercourse

adjacent to the subject property is Environmental Protection, restricting development. As a result, an Environmental Impact Study is not required.

The proposed Zoning By-law Amendment 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 the schedules of the Official Plan, the proposed Severed Lot is designated as Rural and there is mapped fish habitat to the south of the proposed Severed Lot.

Rural residential uses are permitted within the Rural designation. The proposed lot size and lot frontage is representative of a rural residential lot in the Rural designation.

The fish habitat area is already restrictively zoned, and no new development is permitted on these lands in the future. The proposed Severed Lot is large in size and provides for future building locations setback from the watercourse. No development is proposed through this application and the existing watercourse adjacent to the subject property is Environmental Protection, restricting development. As a result, an Environmental Impact Study is not required.

The proposed Zoning By-law Amendment conforms with the Official Plan.

#### Municipality of Magnetawan Zoning By-law

The proposed Severed Lot is currently located within the RU Zone. A condition of provisional Consent required the applicant to obtain approval of a Zoning By-law Amendment. The Zoning By-law Amendment is required to rezone the subject property from RU Zone to the RR Zone to recognize the proposed lot area and lot frontage of the Severed Lot.

The proposed Severed Lot has a lot area of approximately 4 hectares (10 acres) and the minimum lot area for the RU Zone is 10 hectares. The minimum lot area for the RR Zone is 1 hectare and therefore the amendment is required.

The proposed Severed Lot has a lot frontage of approximately 124 metres and the minimum lot frontage for the RU Zone is 134 metres. The minimum lot frontage for the RR Zone is 60 metres.

The proposed lot area of approximately 4 hectares (10 acres) and the proposed lot frontage of 124 metres is an appropriate size for the RR Zone and would facilitate rural residential development on the proposed Severed Lot in the future.

#### **Comments from Departments**

The following comments were received on the application:

Road Department: No Comments were received at the time this Staff Report was prepared.

Fire Chief: No Comments were received at the time this Staff Report was prepared.

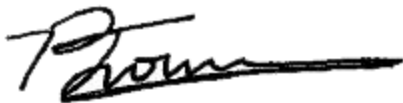
Building Department: No Comments were received at the time this Staff Report was prepared.

By-law Department: No Comments were received at the time this Staff Report was prepared.

### **Summary**

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement, conforms to the Municipality's Official Plan, is appropriate and represents good planning. The proposed Zoning By-law satisfies the condition of provisional Consent for the owners and rezones the proposed Severed Lot to the RR Zone.

Respectfully submitted,



---

Patrick Townes, BA, BEd  
Planning Consultant  
MHBC Planning



---

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