

DECISION

With respect to the Township of McGarry Official Plan

Subsection 17(34) of the *Planning Act*

I hereby approve the repeal of the Township of McGarry and all subsequent amendments thereto, pursuant to By-law 2024-16, insofar as this official plan is in effect;

I hereby approve the Township of McGarry Official Plan adopted by By-law 2024-016 subject to the following modifications with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

1. Page 6, section 2.2 Growth Management, and paragraph 3 is modified and paragraph 4 is deleted to read:

The primary means for reviewing the adequacy of the Township's supply of land and expansions to the Urban Settlement Area will be the 10-year review process. Proposed amendments to the Plan to expand the Urban Settlement Area in advance of the 10-year review process will be evaluated for public benefit on the basis of the following criteria:

~~a) Sufficient opportunities for growth are not available through intensification, redevelopment, and designated growth areas to accommodate the projected needs over the identified planning horizon;~~

a) The need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;

b) The infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;

~~c) The need for growth at the proposed location, based on the rationale outlined in a comprehensive review;~~

c) Whether the new or expanded settlement areas comply with the minimum distance separation formulae.

d) The costs and benefits of permitting growth at the proposed location; and

e) The implications for municipal servicing and other services.

~~Notwithstanding the above, the Township may adjust the Urban Settlement Area boundary outside of a comprehensive review provided that there is no net~~

~~increase in settlement area lands, the adjustment supports intensification and redevelopment, and the lands are appropriately serviced.~~

2. Page 13, section 3.1.1 Community Gardens, Greenhouses, and Temporary Farmers' Markets, policy 2) is modified to read:

2) Commercial greenhouses are not included in the above policy and shall be located in the **Rural** Employment or Rural designations.

3. Page 17, section 3.2.2 Commercial, policy 3) is modified to read:

3) In recognition of the existing character of the area, low to medium density residential development shall be permitted. Home-based businesses may be permitted, accessory to an existing residential use. Accessory dwelling units may be permitted in the **Employment Commercial** area when accessory to a commercial or institutional use. Mixed-use buildings that provide for the integration of two or more permitted uses, other than industrial shall also be permitted.

4. Page 18, section 3.3 Employment, title, paragraph 1, policy 3) and policy 6) are modified to read:

3.3 **Rural** Employment

The **Rural** Employment area is generally located west of Virginiatown at the Armistice Mine Site and east of Kearns, both locations along Highway 66. The **Rural** Employment area will be protected and preserved for current and future uses, including its proximity to goods movement corridors, and shall allow for a variety of commercial and industrial uses which provide employment in the Township. It is the intent of this Plan to encourage growth of the business function of this area by promoting the expansion of commercial and industrial uses and by encouraging investment in community improvements.

3) Permitted industrial uses shall include but not be limited to railyards and transportation, warehousing, processing, manufacturing, logistics operations, distribution, fabricating, and storage. In addition, certain other compatible uses are permitted, such as commercial uses accessory to industrial uses, commercial uses primarily serving the **industrial Rural Employment** area, wholesale uses, office uses, other quasi-industrial, or service or business uses, and commercial uses which require large sites for storage.

6) Improvements to the **Rural** Employment area will be encouraged by such means as CIPs, business improvement areas, redevelopment, renovation, and land assembly programs, and by the construction of new commercial buildings.

5. Page 19, section 3.4.1 Rural Residential Uses, policy 3) is modified to read:

3) Development shall be located to ensure that ~~the impact on natural heritage features will be minimal~~ there will be no negative impacts on natural heritage features in accordance with Sections 4.3 and 4.4.

6. Page 21, section 3.4.5 Mineral Mining is modified by adding policy 5) which reads:

5) Development and activities in, or on adjacent lands to known mineral deposits, known petroleum resources and significant areas of mineral potential which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

a) resource use would not be feasible; or

b) the proposed land use or development serves a greater long-term public interest; and

c) issues of public health, public safety and environmental impact are addressed.

Proposed development within 1 kilometre of an Ontario Mineral Inventory (OMI) site will require consultation with the Ministry of Energy and Mines.

7. Page 31, section 4.3.4 Fish Habitat, policy 1) is modified to read:

1) Development and site alteration shall not be permitted in ~~identified~~ fish habitat except in accordance with provincial and federal requirements. All water features including permanent or intermittent streams, headwaters, seasonally flooded areas, municipal or agricultural surface drains, lakes and ponds (except human-made off-stream ponds), should initially be considered fish habitat unless it can be demonstrated to the satisfaction of the township that the feature does not constitute fish habitat as defined by the *Fisheries Act*.

8. Page 32, section 4.5.1 Cultural Heritage Resources, policy 1) is modified to read:

1) All new development permitted by this Plan shall conserve significant cultural heritage resources and shall, wherever possible, incorporate these resources into any new development plans. No development on or adjacent to a protected heritage property shall be permitted unless the heritage attributes of the property will be

conserved. In addition, all new development will be planned in a manner which preserves and enhances the context in which cultural heritage resources are situated.

9. Page 33, section 4.5.2 Archaeological Resources, policy 6) is modified to read:

6) The Township shall **engage early with and** consider the interests of First Nations and Indigenous communities in conserving cultural heritage and archaeological resources.

10. Page 33, section 4.5.3 Marine Heritage Resources, policy 1) is modified to read:

1) A marine archaeological survey to be conducted by a licensed marine archaeologist pursuant to the Ontario Heritage Act ~~may~~ **shall** be required if partially or fully submerged marine features or items of cultural heritage value are identified and impacted by shoreline and waterfront developments.

11. Page 41, section 5 Infrastructure, is modified by adding policy 4) which reads:

4) The Township shall plan for and protect corridors and rights-of-ways for infrastructure to meet current and projected needs. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities.

12. Page 46, section 5.2.3 Private Services, policy 6) is modified, and policy 9) is added to read:

6) For consent applications, ~~in certain circumstances, where a new lot is proposed on individual on-site sewage and water systems which would be less than 1 hectare in size or~~ where **other** concerns are identified, ~~the Township may require the proponent to undertake~~ a hydrogeological study or assessment **will be required which demonstrates that site conditions are suitable for the provision of such services with no negative impacts or assessment**, prior to approval of the severance.

9) Where more than 5 lots or units are proposed on communal or individual on-site sewage and water systems, a hydrogeological assessment which demonstrates that site conditions are suitable for the provision of such services

with no negative impacts, and a servicing options statement indicating such services are appropriate, will be required.

13. Page 51, section 6.3.3 Site Plan Control, policy 2) e) is modified, and policy 3) is added to read:

2) e) Rural Employment Designation

3) Site Plan control does not apply for residential development proposals of up to 10 units unless the parcel of land includes any land in a prescribed area.

14. Page 53, section 6.3.8 Pre-Consultation, policy 1) is modified to read:

1) Council encourages pre-consultation for development applications for which the Township is the approval authority. **~~Council may pass a by-law requiring pre-consultation for certain types of applications.~~**

15. Page 55, section 6.4.1 Plan of Subdivision and Condominium, policy 9) is modified to read:

9) In approving a draft plan of subdivision, it ~~may be~~ **is** required that the approval lapses at the expiration of a specified time period, being not less than 3 years. The approval time period may be extended, prior to its expiration in accordance with provisions of the *Planning Act*.

16. SCHEDULE A – URBAN AREA, DESIGNATIONS, and SCHEDULE B – RURAL AREA, DESIGNATIONS are modified by renaming the INDUSTRIAL designation to RURAL EMPLOYMENT in the legend to read:

INDUSTRIAL RURAL EMPLOYMENT

Dated at Toronto this 29th day of SEPTEMBER, 2025.



Sean Fraser
Assistant Deputy Minister
Municipal and Housing Operations Division
Ministry of Municipal Affairs and Housing

