

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: August 13, 2025

SUBJECT Consent Applications (Lot Additions) – 1 Rhodes Island, Lots 1 to 5
Registered Plan 139 (Daly), Municipality of Magnetawan

Recommendation

That the Consent application for the subject lands located at 1 Rhodes Island, Lot 1 to 5 Registered Plan (Daly) for the Lot Additions that apply to Lot 1, Lot 2 and Lot 3 to correct existing encroachments for the existing buildings and structures, be provisionally approved based on the application sketch that has been provided and 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 showing the proposed Lot Additions be provided to the Municipality for review and approval;
3. That a registrable description of the resulting lot configuration and a copy of the Reference Plan be deposited to the Land Registry office and be submitted to the Municipality;
4. That the applicant demonstrate compliance with the minimum setbacks in the Zoning By-law following the preparation of the draft survey;
5. 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

Two Consent applications (Lot Additions) have been submitted for the subject lands located at 1 Rhodes Island, Lots 1 to 5, on Registered Plan 139 in the Municipality of Magnetawan. The proposed Lot Additions specifically apply to Lot 1, Lot 2 and Lot 3 on the subject lands. The subject lands are shown on Figure 1, and the existing Lots are shown on Figure 2.

Figure 1: Subject Lands

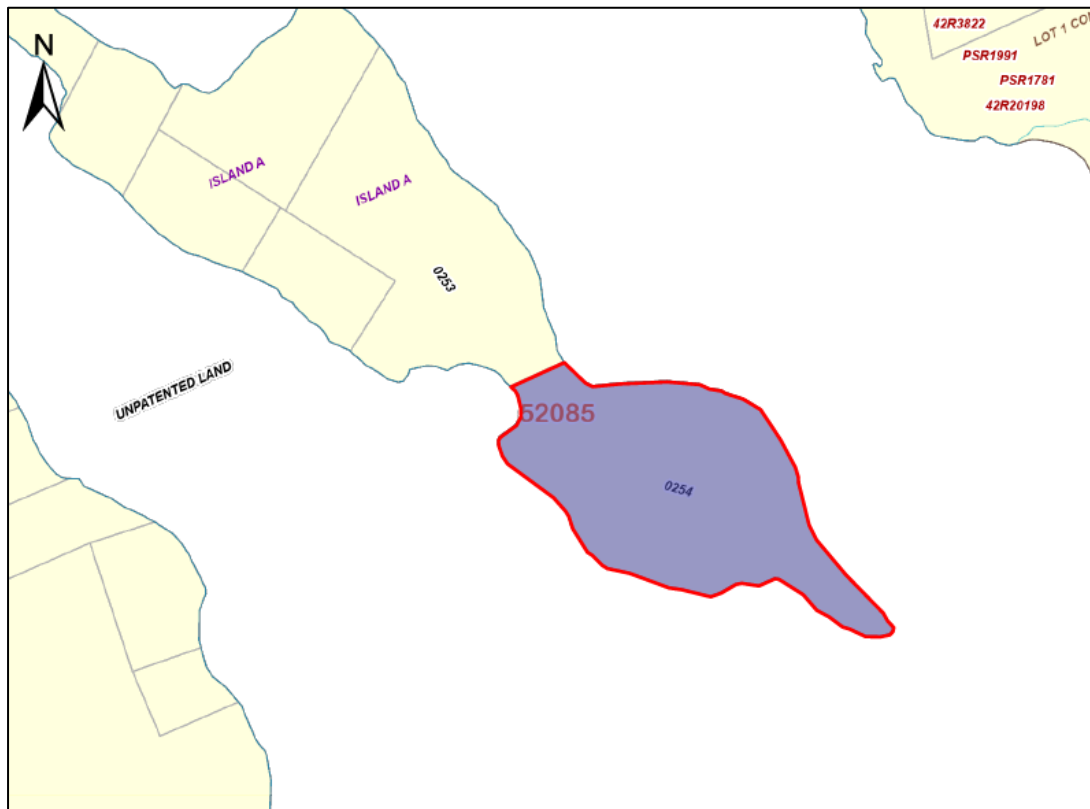
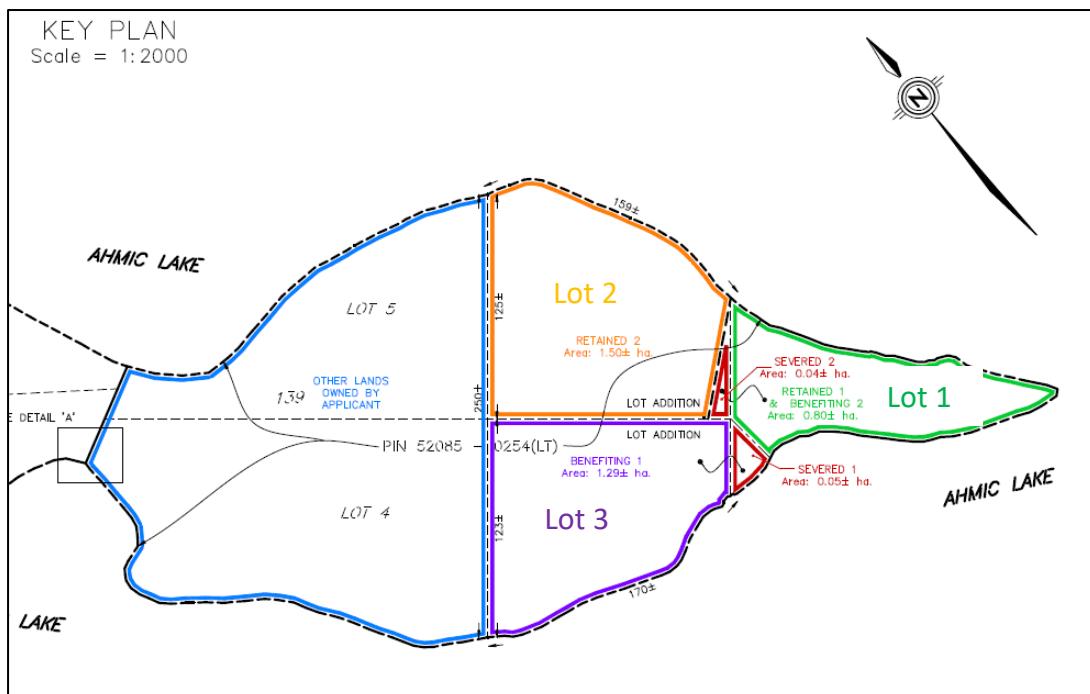


Figure 2: Existing Lots



The subject lands are owned by Patrick and Sarah Daly, and the applications have been submitted on their behalf by E.J. Williams Surveying Limited. The Lots on the subject lands were created through a Plan of Subdivision (Registered Plan 139) and the surveyor's certificate was signed in 1912.

- 1) A portion of Lot 2 is proposed to be added to Lot 1 to correct an encroachment issue for an existing building (identified as a log cabin and deck on the application sketch shown on Figure 3).
- 2) A portion of Lot 1 is proposed to be added to Lot 3 to correct an encroachment issue for existing buildings (identified as cottages 'A', 'B' and 'C' on the application sketch shown on Figure 3).

Figure 3: Proposed Lot Additions and Existing Development



- All the Lots have lot frontage on Ahmic Lake with parking and docking facilities at Ahmic Marine. Lot 1 and Lot 3 are currently developed, and Lot 2 is vacant. There is no new development proposed as a result of the Lot Addition applications.

Page 3 of 5

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.

In the context of the PPS, the subject lands are considered as Rural Lands. Residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services is included as a permitted use. There are no new lots being proposed (or new buildings and structures) as part of the applications, and the existing shoreline development is also a permitted use in the context of the PPS on Rural Lands (resource-based recreational use).

The proposed Lot Additions are 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.

In accordance with the schedules of the Official Plan, the subject lands are located within the Shoreline designation. Section 5.2.2 of the Municipality's Official Plan contains policies regarding residential development and states:

Limited new permanent residential development shall be permitted in the Rural Areas, preferably in close proximity to other residential uses as infilling on existing roadways where school busing and municipal winter maintenance is presently being provided. Scattered or isolated development that would result in an increase in municipal servicing costs shall be discouraged. Residential subdivisions are not permitted in the Rural Areas.

New lots should have a minimum lot area size of 1.0 hectares (2.47 acres).

The existing shoreline residential uses are permitted within the Shoreline designation and the resulting lots following the proposed Lot Additions are larger than 1 hectare in lot area.

The policies contained within Section 7.1.1 of the Official Plan to evaluate Consent applications pertain to the creation of new lots. In this case, there are no new lots being created and there are no new buildings or structures being proposed. The proposed Lot Additions are technical in nature and serve the purpose of correcting encroachments amongst the lot lines of Lot 1, Lot 2 and Lot 3.

The proposed Lot Additions conform to the Official Plan.

Municipality of Magnetawan Zoning By-law

The subject lands are located within the Shoreline Residential (SR) Zone in the Zoning By-law. The minimum lot area for properties within the SR Zone is 1.0 hectare and the minimum lot frontage is 90 meters. As a result of the proposed Lot Additions, Lot 1, Lot 2 and Lot 3, each of the lots will continue to meet the minimum zone requirements

of the SR Zone. The proposed Lot Additions will correct existing encroachments between the lot lines for the buildings and structures that currently exist. The revised lot lines have been located in a manner where the minimum interior side yard of 3.5 metres is achieved, which is the minimum setback for buildings within the SR Zone.

Comments from Departments

Road Department: No comments received as of the date of this report.

Fire Chief: Limited Service Agreement Required due to water access lots.

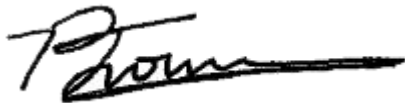
Building Department: No Concerns

By-law Department: No comments received as of the date of this report.

Summary

Subject to the recommended conditions of provisional Consent, the Consent applications (Lot Additions) are consistent with the PPS and conform to the Municipality's Official Plan. The purpose of the proposed Lot Additions are to correct encroachment issues for existing development on the subject lands. There are no new lots proposed as a result of the applications and there are no new buildings or structures proposed. It is recommended that proposed Consent application be provisionally approved, subject to the conditions outlined in this Report.

Respectfully submitted,



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