

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: July 29, 2025

SUBJECT: Zoning By-law Amendment Application – Pickerel Point LLC
c/o Denis Lachance, Part Lot 11, Concession 3 and 4, Parcel 699
S/S

Recommendation

Based on the land use planning analysis contained in this Report, the following is recommended:

THAT Council receive the Planners Report dated July 29, 2026, respecting the Zoning By-law Amendment application for 195 10th and 11th Sideroad, Part Lot 11, Concession 3 and 4, Parcel 699 S/S (Pickerel Point LLC c/o Denis Lachance); and,

THAT Council deny the Zoning By-law Amendment application based on the analysis included in the Planners Report or that Council defer the application to enable the applicant to revise the proposal.

Proposal /Background

A Zoning By-law Amendment application has been submitted on the subject property legally described as Part Lot 11, Concession 3 and 4, Parcel 699 S/S and municipally known as 195 10th and 11th Sideroad. The subject property is accessed via 10th and 11th Sideroad and has lot frontage on the shoreline of Ahmic Lake. The legal owner of the subject property is Pickerel Point LLC, and the application was submitted by Denis Lachance.

The subject property has a lot area of approximately 48.8 hectares (120.7 acres) and has approximately 830 metres of lot frontage on Ahmic Lake. The location of the subject property is shown on Figure 1, and an aerial image of the subject property is shown on Figure 2.

Figure 1: Location of the Subject Lands



Figure 2: Aerial of the Subject Lands



The following applies to the subject property:

- Designated primarily as Rural and Shoreline in the Official Plan.
- There is mapped fish habitat on the most westerly portion of the shoreline.
- Zoned Shoreline Residential (RS), Rural (RU), Environmental Protection (EP) and Extractive Industrial (EX) Zone in the Zoning By-law.
- Surrounding land uses include rural development and shoreline residential development.

The purpose and effect of the Zoning By-law Amendment application is to permit the construction of a two-storey boathouse (with a guest cabin) and a guest cabin on the subject property. The owners are proposing the following on the subject property:

- A new boathouse including a number of components, including a covered deck, boat storage area, guest cabin, docks and decks with an overall approximate width of 32 metres, length of 25 metres and a height of 7.6 metres.
 - The proposed width of the boathouse component (3 boatslips) is approximately 15 metres and a length of 13 metres, facing the west direction.
- A new guest cabin (in the second storey of boathouse) with a size of 103 square metres (1,101 square feet). The guest cabin component in the boathouse contains washroom facilities.
- A new guest cabin (on land) located 6 metres from the shoreline with a size of 52 square metres including the deck area. The guest cabin includes washroom facilities.

An amendment to the Zoning By-law is proposed to rezone the subject property to a site-specific Shoreline Residential Exception XX (RS-XX) Zone to recognize the proposed boathouse and the various components, and the guest cabin located close to the shoreline.

The Zoning By-law Amendment is necessary for the following reasons:

1. To increase the permitted width of a boathouse when measured parallel to the shoreline – the overall proposed width of the boathouse structure, including all decks and docks is 32 metres, and the building itself (from wall to wall) is 25 metres. A maximum width of 15 metres is permitted.
2. To permit a guest cabin on the second storey of the boathouse with a size of 103 square metres and to include washroom facilities. The maximum permitted size of a guest cabin is 40 square metres, and a guest cabin is not to include any water and sewage services.
3. To permit a guest cabin with a minimum setback of 6 metres from the shoreline, a size of 52 square metres including a balcony, and to include washroom facilities. The maximum permitted size of a guest cabin is 40 square metres, and a guest cabin is not to include any water or sewage services. Further, a guest cabin is required to meet the required front yard of the RS Zone which is 15 metres.

Figure 3: Existing and Proposed Development

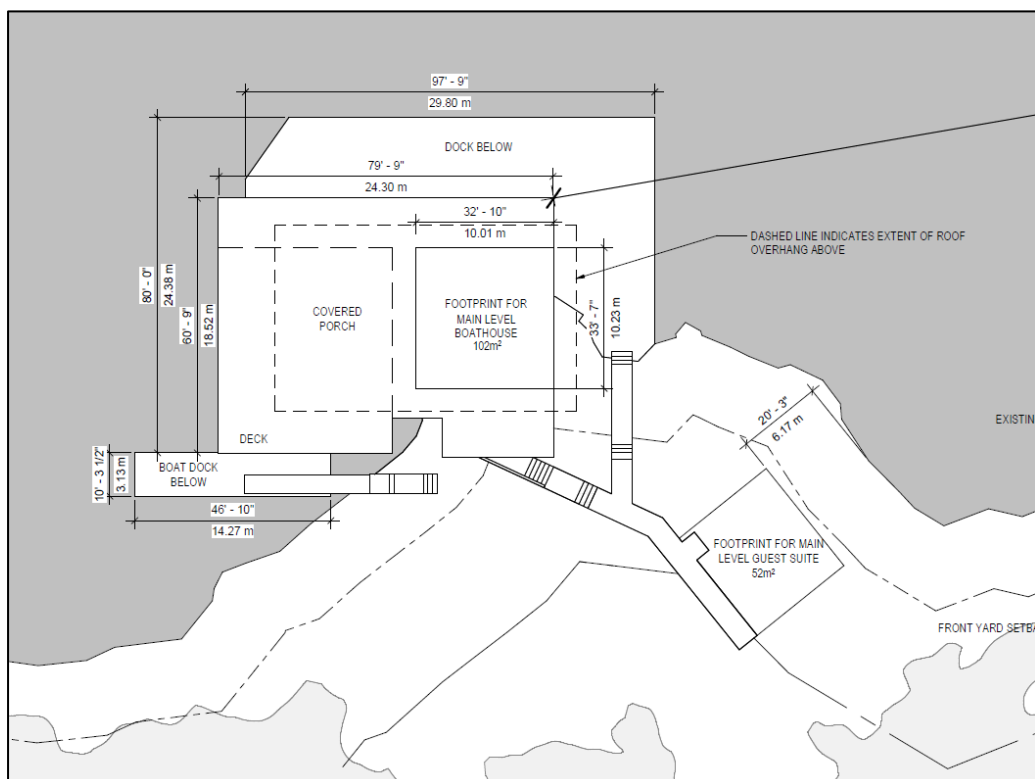
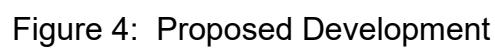
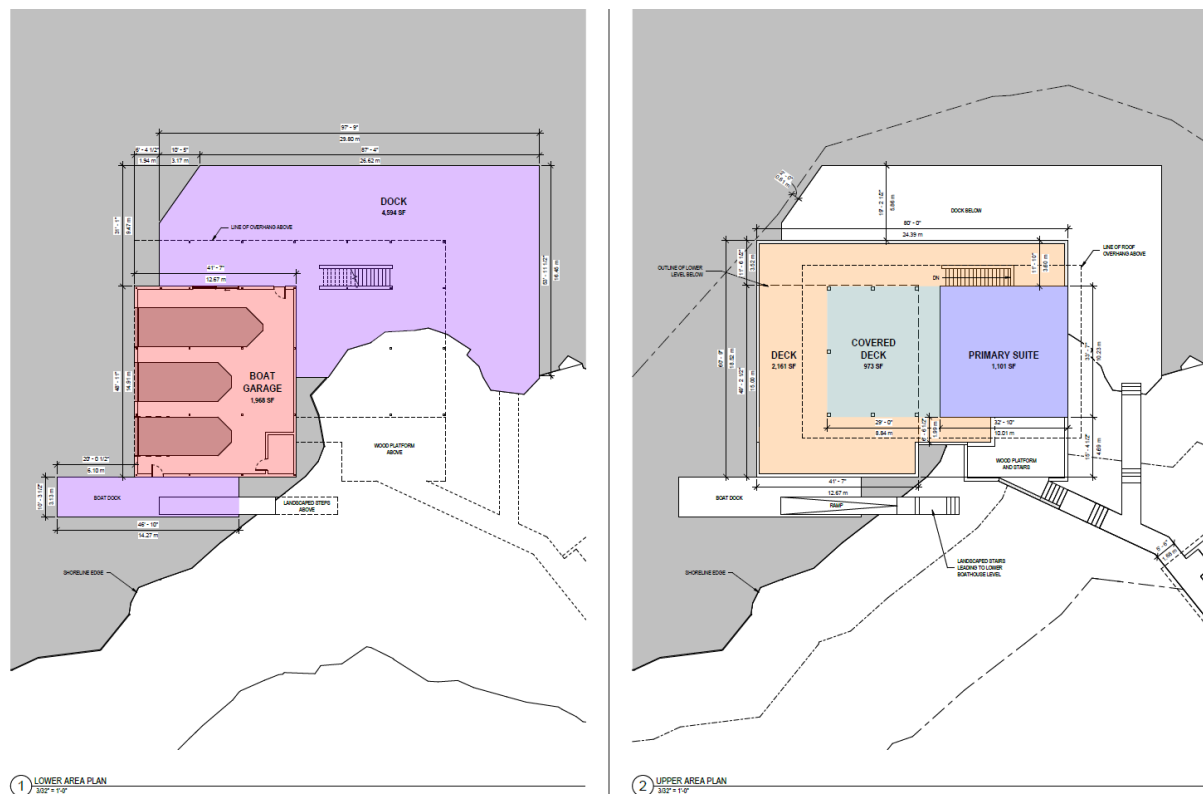


Figure 5: Components of Proposed Boathouse



The drawing shown in Figure 5 was requested from the agent in order to illustrate the different components of the proposed boathouse. As shown, the boathouse component used for the storage of boats is only a portion of the footprint of the overall structure and faces a westerly direction. The guest cabin portion of the building is not associated with the boathouse. Staff have concerns that the application and proposed development is not a boathouse, but rather a shoreline building that is not contemplated by the Zoning By-law or Official Plan, a component of which is a boathouse.

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. Resource-based recreational uses, including recreational dwellings and accessory uses (i.e. boathouses and guest cabins) are permitted.

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. Planning for stormwater management includes integration with sewage and water services to ensure that the systems are optimized and minimizing or preventing increases in contaminate loads and minimizing erosion and changes in water balance. The existing and proposed development is to be serviced by individual on-site sewage services and individual on-site water services.

Section 4.1 of the PPS outlines policies for natural heritage. The subject lands are not located in or adjacent to any significant natural heritage features as shown in the Municipality of Magnetawan schedules to the Official Plan. There are areas on the subject lands identified as Fish Habitat, however these features are located approximately 600 metres to the west from the location of the proposed boathouse on the western portion of the subject property. 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. The Municipality's Official Plan identifies that adjacent lands from Fish Habitat shall be 120 metres, therefore the location of the proposed boathouse and guest cabin are outside of these adjacent lands.

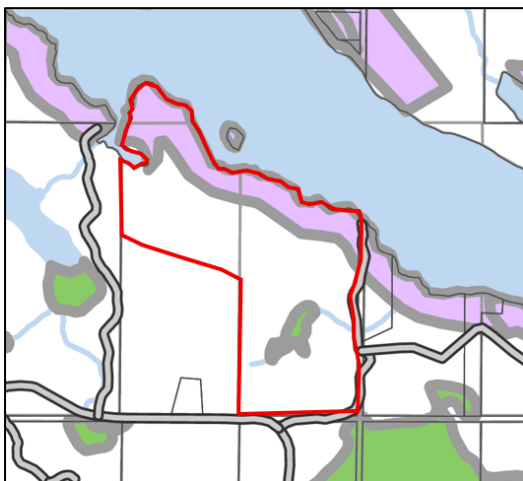
From a PPS policy perspective, the proposed application is consistent with the PPS.

Municipality of Magnetawan Official Plan

The Zoning By-law Amendment application was submitted prior to May 2026 when the new Official Plan was approved by the Ministry of Municipal Affairs and Housing, and therefore the policies of the previous Official Plan have been reviewed as part of the policy review and the application.

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. Schedule A (Land Use Map) of the Official Plan identifies the subject property as being designated Rural and Shoreline. Figure 6 includes an excerpt of Schedule A of the Official Plan.

Figure 6: Excerpt of Schedule A of Official Plan



Section 5.2 of the Official Plan contains policies for Rural Areas in the Municipality and states that the permitted uses include residential dwellings and accessory uses provided they are in close proximity to other residential uses and existing roadways.

Section 5.4 of the Official Plan contains policies for the Shoreline designation and states that permitted uses include detached dwellings and accessory uses. A boathouse and guest cabin is considered a permitted use on the subject property.

Section 4.7 of the Official Plan states that new development or site alteration shall have no negative impact on fish habitat or functions. Section 4.10 establishes 120 metres from the boundary of a significant fish habitat area as adjacent lands within which potential impacts of a development proposal must be considered. The proposed shoreline building is located approximately 600 metres from the adjacent fish habitat area and therefore are located beyond the adjacent lands.

One objective of the Official Plan is to control the density and intensity of development on the lakes in order to protect the natural features and visual qualities of the shoreline.

Section 4.3 of the Official Plan includes policies regarding surface water quality and states that a natural shoreline vegetation buffer shall be preserved within at least 20 metres of the shoreline wherever possible. The required minimum front yard of the RS Zone in the implementing Zoning By-law is 15 metres. It is recommended that the proposed guest cabin (on land) be relocated to at least 15 metres from the shoreline in order to conform to the policies of the Official Plan. There was no justification provided to support the location of the guest cabin at 6 metres from the shoreline. In addition, the site visit confirmed that the guest cabin could be located on the subject property that would comply to the Zoning By-law.

This application has been submitted following a housekeeping amendment to the Zoning By-law that permits two-storey boathouses and a guest cabin on the second storey of a boathouse.

While the Zoning By-law document has been updated to include as-of-right permissions for two-storey boathouses, the Official Plan does not contain specific policies upon which to evaluate proposals for boathouses that exceed the size requirement of a boathouse.

The proposed width of the boathouse component of the shoreline building complies to the maximum width requirements in the Zoning By-law, however in this proposal it is the other components of the building, including the docks, decks, covered boat storage area and guest cabin that result in the exceedance of the maximum width permissions in the Zoning By-law.

The boathouse component used for the storage of boats is only a portion of the overall footprint, and the design of the structure is not typical of a boathouse where the boat storage component area is included on the first storey, and the guest cabin portion is located directly above. The proposed structure contains two separate components, a boathouse where the boats are stored and a guest cabin beside it, resulting in the larger overall size/width and visual impact from the lake. It is recognized that the subject property has a large lot frontage compared to other shoreline properties on the lake. It is staff's opinion the extent of the relief from the Zoning By-law sought for the shoreline building and the requested proximity of the guest cabin to the shoreline would not conform to the Official Plan, specifically Objective 4 in Section 3.0 of the

Official Plan. This objective is to “ensure that development in the shoreline areas maintains the character of the existing development, preserves the natural features of the shoreline and does not exceed the biological or recreational carrying capacity of any waterbody.”

Following a site visit and viewing other properties on the lake, it is clear that there are existing two-storey boathouses located on the shoreline of Ahmic Lake. These range from historic two-storey boathouses that have existed for a long period time and also new two-storey boathouses that have been constructed as recently as this year.

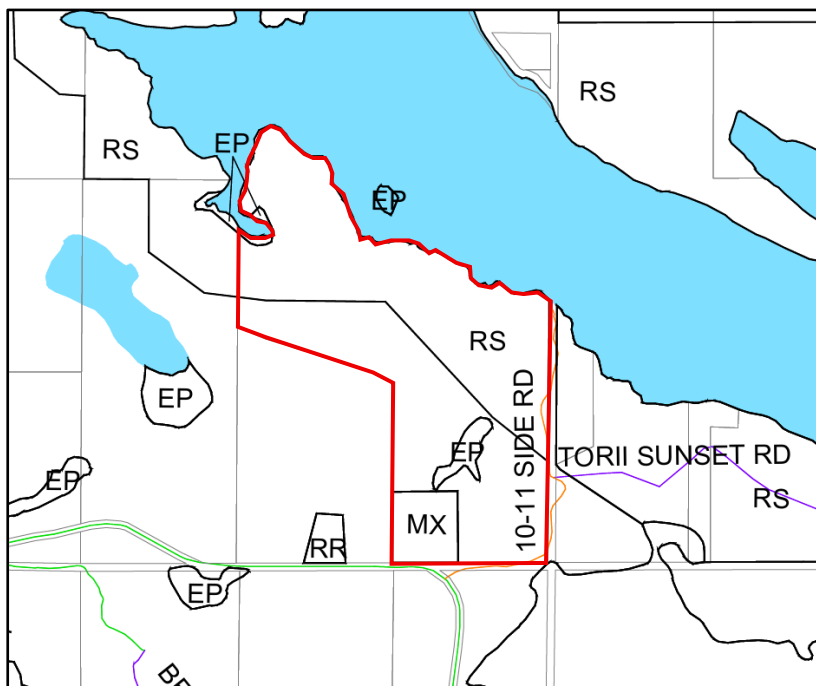
Following a review of the Zoning By-law Amendment application, it is difficult to make a recommendation to Council to approve the Zoning By-law Amendment application, without policies in the Official Plan to provide direction on how to evaluate boathouses that exceed the maximum width and associated size requirements. It is also noted that the proposed guest cabin component of the shoreline building is over double the size of what is permitted. In terms of scale the size of an accessory use needs to be examined against a principal use.

Although from a land use compatibility perspective, the subject property has a very large lot frontage and is well separated from adjacent properties and other developed shorelines, it is our opinion that the application does not conform to the objectives of the Official Plan.

Municipality of Magnetawan Zoning By-law

The subject lands are currently zoned Shoreline Residential (RS), Rural (RU), Environmental Protection (EP) and Extractive Industrial (MX) Zone as shown in Figure 7.

Figure 7: Excerpt of Zoning By-law Schedule A



The provisions of the RS Zone apply to the proposed shoreline building, including the boathouse and various components, and the proposed guest cabin. The following is

a summary of the Zoning By-law provisions that apply to the subject property and the RS Zone:

Two Storey Boathouse Definition

Any accessory building or enclosure in which one or more boats, or float planes and related equipment are stored, kept or repaired and where the second storey is maintained for the accommodation of an individual or individuals where facilities for cooking are not provided. A two-storey habitable boathouse shall be considered a guest cabin for the purposes of determining the number of permitted accessory buildings on a lot.

Two-Storey Boathouses – Section 3.1 h) iii) and iv)

Section 3.1 h) iii)

- a) **maximum width 15 metres of 25% of the lot frontage, whichever is less;***
- b) minimum side yard 6 metres;*
- c) minimum lot frontage 75 metres;*
- d) maximum height 7.6 metres;*
- e) prior to the issuance of a building permit, the Chief Building Official shall receive foundation plans certified by a professional engineer or professional architect;*
- f) maximum projection of the ground floor dock 4 metres (13ft) from any wall of the ground floor;*
- g) maximum projection of second storey decks of 4 metres (13ft) from any wall of a two-storey boathouse.*

Section 3.1 h) iv)

Where a lot has more than 180 metres of frontage, a second boathouse shall be permitted, provided that the boathouse is located no closer than 100 metres to an existing boathouse.

Guest Cabins – Section 3.1 k)

Notwithstanding any other provision of this By-law to the contrary, a guest cabin is permitted on a lot provided that:

- i) no cooking facilities are located in the building;*
- ii) **no servicing (septic system or well) is located in the building;***
- iii) **the building has an area of 40 square metres or less;***
- iv) the building has a height not greater than 5.0 metres;*
- v) **the building complies with all of the setbacks that apply to the principal building on the lot;***
- vi) for the purpose of determining the number of Guest Cabins on a lot, the second storey of a habitable boathouse that existed as of January 1, 2023, or other accessory building shall be considered a Guest Cabin; and,*
- vii) on the lands abutting a navigable waterway, where a lot has at least 45 metres of frontage. An additional Guest Cabin is permitted with each additional 90 metres of frontage.*

Amendments are required to the Zoning By-law to permit the following:

1. To increase the permitted width of a boathouse when measured parallel to the shoreline – the overall proposed width of the boathouse structure, including all decks and docks is 32 metres, and the structure itself is 25 metres. A maximum width of 15 metres is permitted.
2. To permit a guest cabin on the second storey of the boathouse with a size of 103 square metres and to include washroom facilities. The maximum permitted size of a guest cabin is 40 square metres, and a guest cabin is not to include any water and sewage services.
3. To permit a guest cabin with a minimum setback of 6 metres from the shoreline, a size of 52 square metres including a balcony, and to include washroom facilities. The maximum permitted size of a guest cabin is 40 square metres, and a guest cabin is not to include any water or sewage services. Further, a guest cabin is required to meet the required front yard of the RS Zone which is 15 metres.

Following a review of the permissions associated with the boathouse and guest cabins within the RS Zone, a two-storey boathouse and a number of guest cabins are permitted on the subject property, however the above noted amendments are required to recognize the size and components of the proposed structures.

The size of the proposed guest cabin on the second storey of the shoreline building is more than double of what is permitted in terms of the maximum size of a guest cabin in the Zoning By-law and also is not located directly above the boat storage component of the boathouse. The guest cabin is sited in a manner that results in the shoreline building having a greater width than what is permitted for a boathouse in the Zoning By-law.

It is recognized that the second storey also includes a covered deck (91 square metres) and an open deck (201 square metres) – for a total second storey of 395 square metres or 4,252 square feet.

The first storey of the boathouse includes the boathouse itself (183 square metres) and a total dock area of 473 square metres, for a total first storey size of 656 square metres or 7,062 square feet on the first storey.

The design of the overall structure separates the boathouse component from the covered deck, open deck, covered dock/boat storage and guest cabin component which ultimately contributes to the expanded size of the structure.

The Official Plan provides policy direction for a natural vegetation buffer to be maintained between development and the shoreline to protect water quality, to allow for vegetation within the front yard and between buildings and structures from the shoreline, and to provide opportunity for visual screening from the lake. Planning Staff do not support the reduced setback from the shoreline for the guest cabin that is located on land.

Planning Staff have concerns that only a portion of the shoreline building is a boathouse and that the proposed building is not permitted or contemplated by the planning documents.

A draft Zoning By-law Amendment has been prepared based on the application that has been submitted for Council's consideration.

The owner is responsible for getting any other approvals that may be applicable, including MNR or DFO.

Comments from Departments

The following comments were received on the application:

Road Department:

Fire Chief:

Building Department:

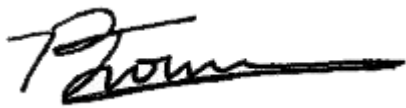
By-law Department:

Summary

Planning staff recommend that the applications be denied or deferred so that Planning Staff can work with the applicant to reduce the extent of zoning relief that has been proposed. Planning staff do not support the reduction in shoreline setback for the guest cabin. On the matter of the proposed boathouse as depicted in the application, Planning Staff are not satisfied that the proposed shoreline building is a boathouse. Staff do recognize that a portion of the shoreline building is a boathouse, however much of the shoreline building does not appear to meet the definition of a boathouse. In addition, the overall size of the building does not conform to the character objectives of the Official Plan or the compatibility policies.

A draft Zoning By-law Amendment has been included for Council's consideration based on the application that has been submitted.

Respectfully submitted,



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MHBC Planning



Jamie Robinson, BES, MCIP, RPP
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Attachment 1: Boathouse Drawings