

Application for variance : Feb 7, 2025

**34 Magnet road, Magnetawan Ontario
Lot 4 Registered Plan M-372**

Reason for variance request : Existing structure and its foundation are not within the current zoning bylaw required setbacks. The building is in disrepair and did not hold up to snow loads over the years. The building is believed to be constructed by the previous owner in 1980 - 1990s. This request is to build the structure to comply with the current Ontario Building Code and to extend the existing foundation by 2.4M to the east to allow for sufficient storage of a tractor and its implements, consistent with the original use of the structure. The existing foundation and the post and beams are in place. The roof will need to be constructed to meet the minimum OBC requirements to prevent collapse under heavy snow loads.

Property background : We purchased the property October 2013 there was an existing wood framed sun room with a roof over a trailer. The structure was in disrepair and failing. We applied for a repair permit to make the building safe under the bylaw 2011-21 sec 3.33 sec 3.19 in August of 2015

The permit was approved and work completed. Final inspection completed and file closed. In approximately 2018 we received notice from the township of Magnetawan that they will no longer be collecting fees for a trailer permit and that there has been a change to the zoning bylaw regarding trailers on properties zoned SR. We were informed that we had to remove the Trailer seasonally. We agreed to remove the trailer and in May of 2019 we were issued a permit to enclose the structure and form a legal non conforming principal building. We also applied for a septic system permit and electrical permit. All were approved and completed. Final inspection from the building department was August 2024. Our intention is to construct the tractor drive shed in its existing location with a small extension of 2.4 meters to the East. (see plan A-1) the existing foundation and wall structural framing remain in place.

Property characteristics and Features : This request is specific to our property and its natural features. The entire property slopes continuously towards the Magnetawan River at a elevation drop of approximately 40 ft. The location of the existing tractor shed was likely selected due to it being the most naturally level location on the property and its proximity to the main building and its services. Relocation of the structure is not possible due to the natural steep contours of the property and due to concerns of the environmental impact regarding watershed and the impact on deer habitat and other wildlife. There is a municipal storm culvert that crosses the road loading water directly onto our property from the ditches on both sides of Magnet road. See plan A-1.1 for culvert location. The culvert was recently replace by the town of Magnetawan a few years ago as part of Magnet road upgrades and should be on file. The North/east corner of the

cont.

2 of 2

lot will flood during snow melt and heavy rains. The water cascades diagonally across the driveway as noted on plan A-1.1 and eventually to the Magnetawan river.

There is a natural path of travel for the very large local deer and moose populations. The trail comes from Poverty Bay through the wooded municipal lot Block "A" and passes down the east side of our Lot that is comprised of many hardwood and conifer trees and saplings, to the only flat outcrop on the river between two sets of rapids. Open water is available year round. The path is very popular for many different wild life populations. This request would not require any tree cutting or disruption to a natural habitat trail.

Intent : To build a structure that will comply with the current Ontario Building Code. There will be no environmental impact or interruption to the deer and other wildlife habitat as they seek food and winter water. The structure is secluded and barely visible from the road and all neighboring properties with a wooded buffer. The intent is to have the structure blend in with the surrounding trees on all sides by choosing natural colors for exterior finishes. This variance request is mainly to build on an existing foot print and extend it 2.4M east as seen on plan A-1. There are other properties within the same zoning bylaw requirements on Magnet road that have existing accessory structures, specifically garages, built many years ago that would not meet the current setback requirements and are not detrimental to neighboring properties and do meet the general intent of the zoning bylaw and official plan.

Receiving this variance will place us on equal footing with neighboring properties that have accessory structures that do not meet the current zoning setback requirements.

Granting this variance will be in harmony with the general intent and purpose of the current zoning bylaw and the official plan. Granting this variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Thank you and hope to hear from you soon.

Regards,

Edward Saunders (edwa@mail.com)
34 Magnet road Ont.



**The Corporation of the
Municipality of Magnetawan**

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APPLICATION FORM

ZONING BY-LAW AMENDMENT

Date Received by Municipality: _____

1) APPLICATION INFORMATION

Name of Applicant: EDWARD K SAUNDERS LEOUNA SAUNDERS

Mailing Address: 6 RUBY RIDGE ORO-MEDONTE ONT. L0L 2E0

Telephone Number (Home): 905-630-0670 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: _____

Mailing Address: _____

Telephone Number (Home): _____ Fax Number: _____

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

3) MORTGAGES, CHARGES OR OTHER ENCUMBRANCES

Name: _____

Mailing Address: _____

Name: _____

Mailing Address: _____

4) SUBJECT LANDS

Geographic Township: CRDET Concession: 11 Lot: 4

Reference Plan: REG PLAN M-391 Part/Block/Lot: PART OF LOTS 16 17 CONCESSION 11

Street Name and Number: 34 MAGNET ROAD
(If corner lot, please include both Street Names)

Water Access only: _____

(Name of Waterbody)

Area of subject lands (ha): _____ Frontage (m): 48.58M Depth (m): 90.33M

5) **OFFICIAL PLAN / ZONING STATUS**

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

What is the current Zoning?

SR.

6) **REASONS FOR REQUEST**

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

TO MAKE SAFE BY REPAIR AND RESTORATION AND
EXTEND STRUCTURE BY 2.4M UNDER ZONING PROVISIONS

4.2.2 (vi)

SEE ATTACHED DOCUMENT.

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?

DWELLING (PRINCIPAL BLDG.)

TRACTOR STORAGE SHED

What are they used for?

TOOL STORAGE SHED

Please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building	DWELLING	TRACTOR SHED	TOOL STORAGE
Setback from Front Lot Line	30M +/-	62M +/-	60M +/-
Setback from Rear Lot Line	19.5M (ROAD)	4M TO 8.8M (ROAD)	14M
Setback from Side Lot Line	12M +/- W	11M W	19.5M E
Setback from Side Lot Line			
Height (metres)	4.3M	4.42M	3.66M
Dimensions	7.9M X 10.9M	3.96 X 7.3M	2.44M X 4.3M
Floor Area	87m ²	28.96m ²	10.41m ²
Date of Construction	2015 2018	1980 +/-	2015

SEE
PLAN A-1

What is the proposed future use of the subject lands: NO CHANGE

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

☒ yes ☐ no

If yes, 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			

When were the subject lands acquired by the current owner? 2013

How long have the "existing uses" continued on the subject lands? 2013 TO CURRENT 2025

12 yrs.

9) **SERVICING**

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frontage on Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is storm drainage provided by:	<input type="checkbox"/> Sewer	<input checked="" type="checkbox"/> Ditch	<input type="checkbox"/> Swale
	<input type="checkbox"/> Other (describe) _____		

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? _____

What is the status of the application? _____

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 PLANS
A A-1 A-1.1

Required Sketch should include the following:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Lot dimensions | <input checked="" type="checkbox"/> Buildings and Structures |
| <input checked="" type="checkbox"/> Major Physical Features | <input checked="" type="checkbox"/> Sewage and Water Systems |
| <input checked="" type="checkbox"/> 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.

FEB 11, 2025

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.

FEB 11, 2025

Date

[Signature]

Signature of Registered Owner(s) or Agent

14) PAYMENT OF FEE AND DEPOSIT

- | | | |
|--------------------------|-----------------------------------|--|
| <input type="checkbox"/> | Application Fee | As per the current Fees and Charges By-law |
| <input type="checkbox"/> | Residential Deposit Fee | As per the current Fees and Charges By-law |
| <input type="checkbox"/> | 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.

FEB 11, 2025

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, [Signature] of the District of Parry Sound in the Municipality of Magnetawan 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 Municipal office in the Municipality of Magnetawan

of District of Parry Sound this 12 day of February.

FEB 12/25

Date

[Signature]

Signature of Registered Owner(s) or Agent



