

Brenda Heidebrecht, a Commissioner, etc.,
Regional Municipality of Niagara, while a
Deputy Clerk, for the Corporation of the
City of Port Colborne.

THIS IS EXHIBIT 1 TO THE
AFFIDAVIT OF Jonny Tot
SWORN BEFORE ME ON THE
DAY OF Feb. 05 2025
Brenda Heidebrecht
A Commissioner Etc.

(4 pages to
exhibit) 31



**The Corporation of the
Municipality of Magnetawan**

Box 70 4304 Hwy 520
Magnetawan ON POA 1P0
Phone 705 387 3947 Fax 705 387 4875
www.magnetawan.com

APPLICATION FORM

ZONING BY-LAW AMENDMENT

Date Received by Municipality: _____

1) APPLICATION INFORMATION

Name of Applicant: Jonny R Tot
Mailing Address: 726 West Main Street, Port Colborne, ON. L3K5V4
Telephone Number (Home): 905-736-9691 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: Jonny R Tot
Mailing Address: 726 West Main Street, Port Colborne, ON. L3K5V4
Telephone Number (Home): 905-736-9691 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: Magnetawan Concession: 9 Lot: 21
Reference Plan: _____ Part/Block/Lot: _____
Street Name and Number: 44 Stanyers Road
(If corner lot, please include both Street Names)

Water Access only: _____

(Name of Waterbody)

Area of subject lands (ha): 1.7 Frontage (m): 130 Depth (m): 130

5) OFFICIAL PLAN / ZONING STATUS

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

What is the current Zoning?

Rural Residential (RR-1)

6) REASONS FOR REQUEST

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

Inherited land with structure built without permits. I am looking to refurbish the existing structure to be code compliant as a rural zoned hunt camp.

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? Cabin structure with storage shed

What are they used for? Seasonal short term visits and tool storage

Please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building	Cabin structure	Storage shed	
Setback from Front Lot Line	52m	55m	
Setback from Rear Lot Line	66m	68m	
Setback from Side Lot Line	43m	30m	
Setback from Side Lot Line	78m	95m	
Height (metres)	5m	3.6m	
Dimensions	7.3x7.3m	3.6x5m	
Floor Area	54m ²	18m ²	
Date of Construction	2006	2008	

What is the proposed future use of the subject lands: Seasonal retreat

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? May 2021

How long have the "existing uses" continued on the subject lands? Cabin and shed have been in place since 2005-2006.

9) **SERVICING**

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sewage Disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Frontage on Road	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Is storm drainage provided by: ☐ Sewer ☐ Ditch ☒ Swale
☐ 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? _____

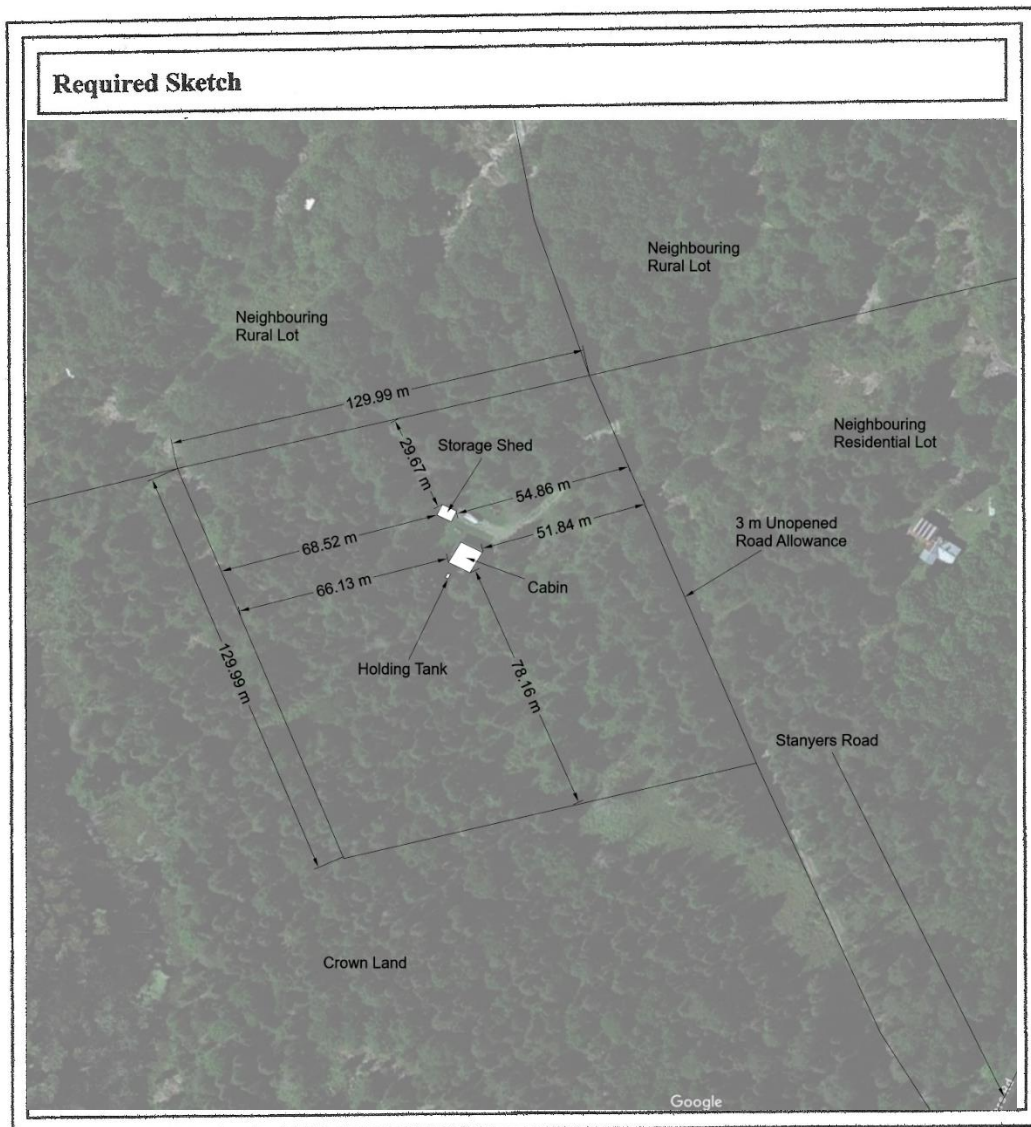
Have the subject lands ever been the subject of an application under Section 34 of *The Planning Act* (rezoning)? ☐ yes ☒ no

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 should include the following:

- | | |
|---------------------------|----------------------------|
| ✓ Lot dimensions | ✓ Buildings and Structures |
| ✓ Major Physical Features | ✓ Sewage and Water Systems |
| ✓ 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.

05/02/25
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.

05/02/25
Date

[Signature]
Signature of Registered Owner(s) or Agent

14) PAYMENT OF FEE AND DEPOSIT

- | | | |
|-------------------------------------|-----------------------------------|--|
| <input checked="" 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.

05/02/25
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, Jonny Tot of the City of Port Colborne in the Regional Municipality of Niagara 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 CITY OF PORT COLBORNE in the Regional Municipality of
NIAGARA this 5 day of FEBRUARY, 2025.

FEBRUARY 5, 2025
Date

[Signature]
Signature of Registered Owner(s) or Agent

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Brenda Heidebrecht, a Commissioner, etc.,
Regional Municipality of Niagara, while a
Deputy Clerk, for the Corporation of the
City of Port Colborne.

[Signature]
COMMISSIONER OF OATHS