



MUNICIPALITY OF MAGNETAWAN
COMMITTEE OF ADJUSTMENT
DECISION OF CONSENT WITH REASONS
AUTHORIZED UNDER SECTION 45 (8) OF THE PLANNING Act, R.S.O 1990 c.P13

FILE NO. B003/2025 VanderBreggen

Subject of Application: to create on (1) new lot

Date of Decision: February 12, 2025


The Applications submitted by Jacobus & Katelyn VanderBreggen to create one (1) new lot. The subject lands are located at CON 8, Part Lot 21 PLAN 42R-6889 Part 2 and 3 Croft Township and Con 8 Part Lot 21 42R9551 Part 2 Croft Township in Magnetawan, which is located on a private road, (Roll 4944 030 00504910 and 4944 030 00504920). The proposed consent applications conform to the Municipality of Magnetawan's Official Plan, Zoning By-law and the Provincial Planning Statement.

Decision: Approved with the following conditions;

CERTIFICATION
(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))

I, **Erica Kellogg**, Deputy Clerk of the Municipality of Magnetawan, hereby certify that the above is a true copy of the decision of Council with respect to the application recorded herein. Dated this 12th day of February 2025.

- That the foregoing conditions be fulfilled within two years of the notice of decision of the Committee of Adjustment;
- Draft Reference Plans to be approved by the Municipality prior to registration;
- Two (2) true certified paper copies of the registered plans and electronic versions for the proposed severed lots prepared by an Ontario Land Surveyor with a certification that it is a true copy be provided to the Municipality for review and approval which conforms substantially with the applications as submitted;
- Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
- A copy of the original executed transfers (deeds) with all schedules be provided to the Municipality;
- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed Lot (Part 2) and the Retained Lot (Part 1) can be adequately serviced by individual on-site septic systems;
- Payment of all taxes, municipal legal fees, planning fees and fees as per the current Fees and Charges By-law, Park Land Dedication By-law and all other fees associated with the processing of these applications;
- That the Applicant receive conformation from the Municipality of a suitable location for an entrance to the severed and retained lots from Ahmic Lake Road;
- The entering into a Site Plan Agreement, to be registered on title, with the Municipality to implement the recommended measures contained in the Planning Report for the proposed Severed Lots;
- The owner's solicitor shall provide an undertaking to make an application within 1 week for consolidation following registration of the deed for the resulting enlarged parcel and to provide the Municipality with documentation which demonstrated that the consolidation has taken place.


Erica Kellogg, Deputy Clerk – Planning and Development
Municipality of Magnetawan

The last date that this decision may be appealed to the Ontario Land Tribunal is,
March 4th, 2025 at 4:30pm.



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NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)

The Planning Act, R.S.O. 1990, as amended, Section 45(12)

The applicant, the Minister or a specified person or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee of Adjustment by filing a notice of appeal with the Deputy Clerk – Planning and Development either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Magnetawan [*Municipality of*] as the Approval Authority or by mail to the address on the Notice of Passing no later than 4:30 p.m. on or before the last day of appeal. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to planning@magnetawan.com.

Note: In accordance with Section 45(12) of the *Planning Act* third party appeals by persons or individuals are not permitted. When no appeal is lodged within twenty days after the giving of notice, the decision becomes final and binding and notice to that effect will be issued by the Secretary.