



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. **B19/2024 Cordua**

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

Date of Decision: September 04, 2024

The Application submitted by Brandon Cordua to create one (1) new lot having 80m (+/-) of shoreline frontage, a depth of 62 m (+/-), and an area of .47ha (+/-), leaving the retained lands with a depth of 62m (+/-) and an area of 0.91ha (+/-) is approved. The subject lands are located at CON 14, Part Lot 13 PLAN 42R-2703 Part 8 and 13 Spence Township in Magnetawan, which is located on a private road, (Roll 4944 040 007124800).

Decision: Approved with the following conditions;

- That the foregoing conditions be fulfilled within two years of the notice of decision;
- Draft Reference Plan to be approved by the Municipality prior to registration;
- Two (2) true certified paper copies of the registered plan and an electronic version with a certification that it is a true copy be provided to the Municipality;
- Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
- A copy of the original executed transfer (deed) with all schedules be provided to the Municipality;
- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed Lot 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 this application;
- That the Applicant undertake and submit a Lake Capacity Study (Water Quality) that demonstrates there is development capacity on Bells Lake to support the proposed development and demonstrates mitigation measures if required for the proposed severed parcel;
- That the Applicant undertake and submit an Environmental Impact Study to review the deer wintering habitat and any other natural heritage features (if identified), and to establish suitable building site and dock envelope along with any mitigation measures to be completed on the severed lot;
- That the Applicant enter into a Development Agreement with the Municipality to be registered on title to address mitigation measures and recommendations contained in both the Lake Capacity Study and Environmental Impact Study.
- That the Applicant enter into a Limited-Service Agreement with the Municipality to be registered on title;
- That the Applicant submits a Zoning By-law Amendment to rezone the severed lot to address the non-compliant minimum lot area and frontage requirement within the Shoreline Residential designation.

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 5th day of September 2024.


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 September 24th, 2024.

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

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the OLT website at www.olt.on.gov.ca setting out the objection to the decision and the reasons for the objection and accompanied by the fee as per the current Ontario Land Tribunal Fee Chart.

Erica Kellogg, Deputy Clerk
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Date of Mailing: September 05, 2024

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