

PROVISIONAL DECISION

[The Planning Act, R.S.O. 1990, Chapter 13, Section 45(8)]

Files: **B 38/21 LOB**
Applicant(s): **2026710 Ontario Inc. & Juergen Keller**
Application for Consent for: **Lot addition**
Location: **Part Lot 16, Concession 6, McLean Ward**
Parent Roll Nos.: **040-001-03500**
Date of Decision: **October 29, 2021**

TAKE NOTICE THAT in accordance with the delegation of authority to approve uncontested consents through By-law 2020-054, the Township of Lake of Bays Director of Planning Services provisionally approved consent application B 38/21 LOB on October 29, 2021 under Section 53(17) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to allow a lot addition.

Upon application for consent for the lands described in the above noted file, the decision of the Corporation of the Township of Lake of Bays is as follows:

THAT Consent will be GRANTED provided:

- (1) That the portion of Heney Lake Road that deviates onto the subject lands in the vicinity of the developed portion of the property, being Part 2 on Plan 35R-26189 as shown in attached Schedule "A", be dedicated to the Township of Lake of Bays at the owner's expense, with confirmation provided to the Director of Planning Services.
- (2) That an Unassumed Road Improvement Agreement be entered into with the Township for the proposed road realignment construction on the Original Road Allowance between Concessions 6 and 7 in Lot 16, McLean Ward, and a copy of this be provided to the Director of Planning Services.
- (3) That any outstanding balances related to the subject application be paid to the Township of Lake of Bays in accordance with the Cost Acknowledgement Agreement.

REASONS:

1. The Director of Planning Services is satisfied that the consent application generally conforms to the intent of the Township Official Plan and will serve to provide a lot addition to the northerly abutting property under Roll Nos. 4427-040-001-03600 & 03700 to correct the matter of an encroaching dwelling owned by Wendy and Gordon Nicholls located at 1100 Heney Lake Road.

CERTIFICATION

[The Planning Act, R.S.O. 1990, Chapter 13, Section 45(8) and (10)]

I, **MELISSA MARKHAM**, Director of Planning Services of the Corporation of the Township of Lake of Bays, in the District Municipality of Muskoka, certify that the provisional decision for Application **B 38/21 LOB (2026710 Ontario Inc. & Juergen Keller)** is a true copy of the provisional decision of the Director of Planning Services with respect to the application recorded therein.

Dated this 29th day of October, 2021.



Director of Planning Services
Township of Lake of Bays

TIME LIMIT FOR FULFILLING CONDITIONS

Pursuant to Subsection 41 of Section 53 of the Planning Act, all conditions imposed must be fulfilled within **ONE YEAR** from the date of the sending of the Notice of Provisional Decision or the application is deemed to be refused.

It is the requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Director of Planning Services of the certificate provided for, in Subsection 42 of Section 53 of the Planning Act.

APPEALING THE DECISION TO THE LOCAL PLANNING APPEAL TRIBUNAL:

LAST DAY FOR APPEALING TO THE TRIBUNAL: November 18th, 2021.

The applicant, and every other agency or person to whom a Notice of Provisional Decision was sent, may appeal the Provisional Decision and/or any conditions imposed to the Local Planning Appeal Tribunal (LPAT) (previously the Ontario Municipal Board). In order to appeal, you must submit a Notice of Appeal setting out written reasons for the appeal and, if applicable, specifying which conditions are being appealed, within twenty (20) days of the giving of this notice. If you wish to appeal the decision, please visit www.elto.gov.on.ca.

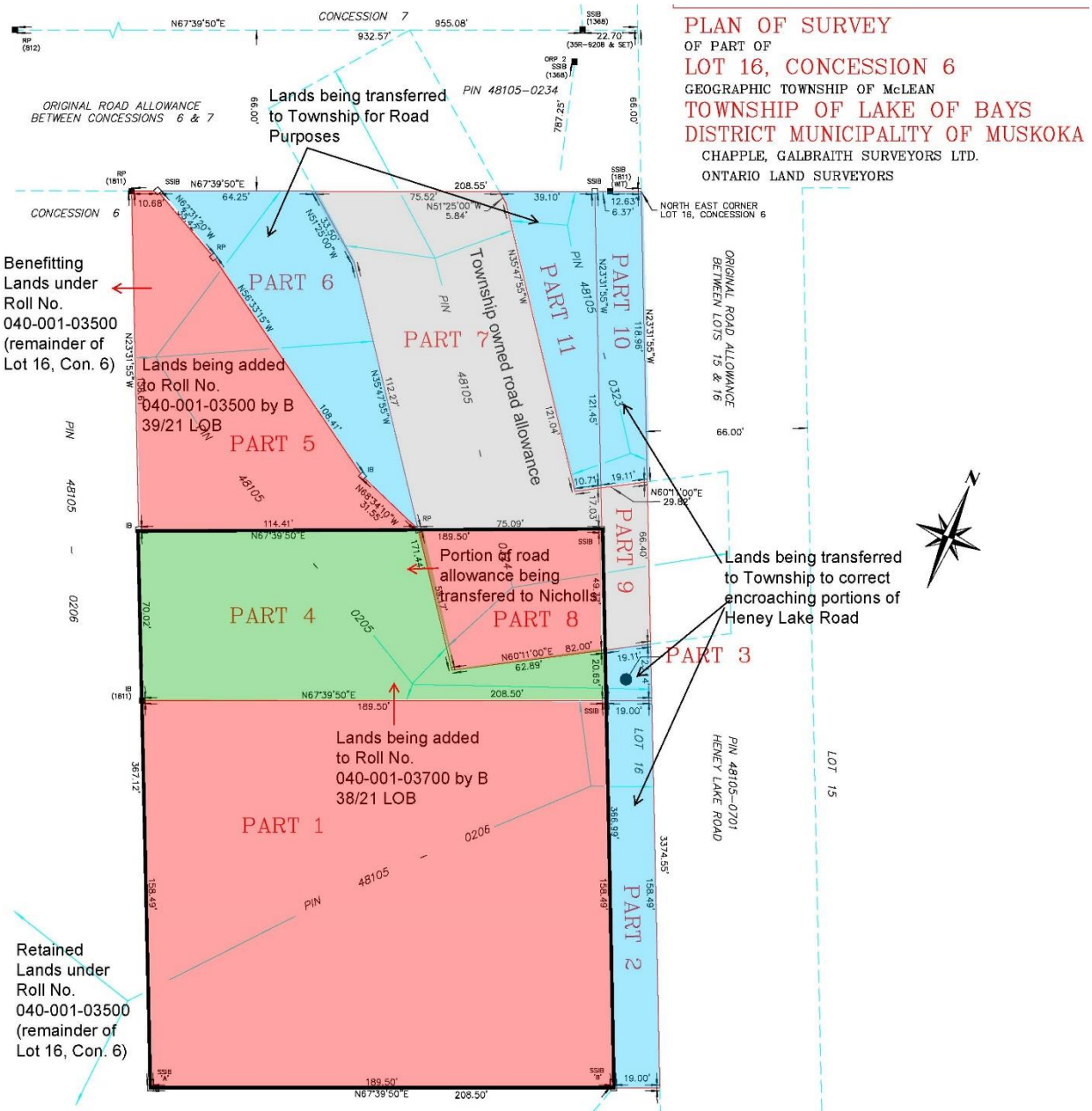
The Notice of Appeal should be submitted to the Director of Planning Services and be accompanied by the required fee(s).

Send to: Director of Planning Services
Township of Lake of Bays
1012 Dwight Beach Road
Dwight, ON P0A 1H0

Forwarded by email on: October 29th, 2021.

x.c. Applicant
Solicitor (if applicable)
Agent (if applicable)
Director of Planning Services, District of Muskoka

SCHEDULE "A"
CONSENT APPLICATION B 38/21 LOB (2026710 Ontario Inc. & Juergen Keller)
Part Lot 16, Concession 6, McLean Ward
1140 Heney Lake Road, Roll No. 040-001-03500



PLAN OF SURVEY
 OF PART OF
LOT 16, CONCESSION 6
 GEOGRAPHIC TOWNSHIP OF McLEAN
 TOWNSHIP OF LAKE OF BAYS
 DISTRICT MUNICIPALITY OF MUSKOKA
 CHAPPLE, GALBRAITH SURVEYORS LTD.
 ONTARIO LAND SURVEYORS