



PROVISIONAL DECISION

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

Files: **B 54-57/21 LOB**
Applicant(s): **Momani Management Consulting Ltd.**
Application for Consent for: **Lot Creation Together with an Easement for Right-of-Way**
Location: **Part Lots 2 & 3, Con. 9, Finlayson Ward, on Dotty Lake**
Parent Roll Nos.: **020-013-05200**
Date of Decision: **February 22, 2022**

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

THAT Consent will be GRANTED provided:

- (1) That a "Transfer in Preparation" and a "Long Form Certificate" for the severed lands and easement be provided to the Secretary-Treasurer.
- (2) That the owner enter into an agreement with the Township of Lake of Bays under Section 51(26) of the Planning Act and this Agreement be registered on the title of the severed and retained lands. The agreement shall state:
 - a) that the severed and retained lots be developed in accordance with the following studies: "Site Specific Soils Investigation, Elmaraghy Property, Dotty Lake" by RiverStone Environmental Solutions Inc., dated January 11, 2017, File RS# 2016-026; and "Environmental Impact Statement, Elmaraghy Property" by RiverStone Environmental Solutions Inc., dated March 8, 2017, File RS# 2016-026);
 - b) that municipal and emergency services will be limited due to access being by a road over Crown land and a private road;
 - c) that a development permit application be submitted prior to development to ensure that the recommendations of the Site Specific Soils Investigation and Environmental Impact Statement are implemented; and
 - d) that prior to a Development Permit being issued for the retained lands the owner shall submit an application to close the Original Shore Road Allowance.

REASONS:

- 1. The Committee is satisfied that the consent application generally conforms to the intent of the Township Official Plan and will serve to create three (3) new lots on Dotty Lake, together with a 20 metre (66 ft.) wide easement over the subject lands for a right-of-way over the retained lands for vehicular and pedestrian access to the three new waterfront residential lots, and being accessed from a road over Crown land.

Mike Peppard
Signature of Member
of Committee


Bob Lacroix
Signature of Member
of Committee

Nancy Tapley
Signature of Member
of Committee

George Anderson
Signature of Member
of Committee

Jacque Godard
Signature of Member
of Committee

Rick Brooks
Signature of Member
of Committee


Signature of Chairperson

CERTIFICATION

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

I, **April Best-Sararas**, Secretary-Treasurer of the Committee of Adjustment of the Corporation of the Township of Lake of Bays, in the District Municipality of Muskoka, certify that the provisional decision for Applications **B 54-57/21 LOB (Momani Management Consulting Ltd.)** is a true copy of the provisional decision of the Committee with respect to the applications recorded therein.

Dated this 22nd day of February, 2022.


 Secretary-Treasurer, Committee of Adjustment
 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 **TWO YEARS** 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 Secretary-Treasurer of the certificate provided for, in Subsection 42 of Section 53 of the Planning Act.

APPEALING THE DECISION TO THE ONTARIO LAND TRIBUNAL:

LAST DAY FOR APPEALING TO THE TRIBUNAL: March 17th, 2022.

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 Ontario Land Tribunal (OLT). 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.olt.gov.on.ca

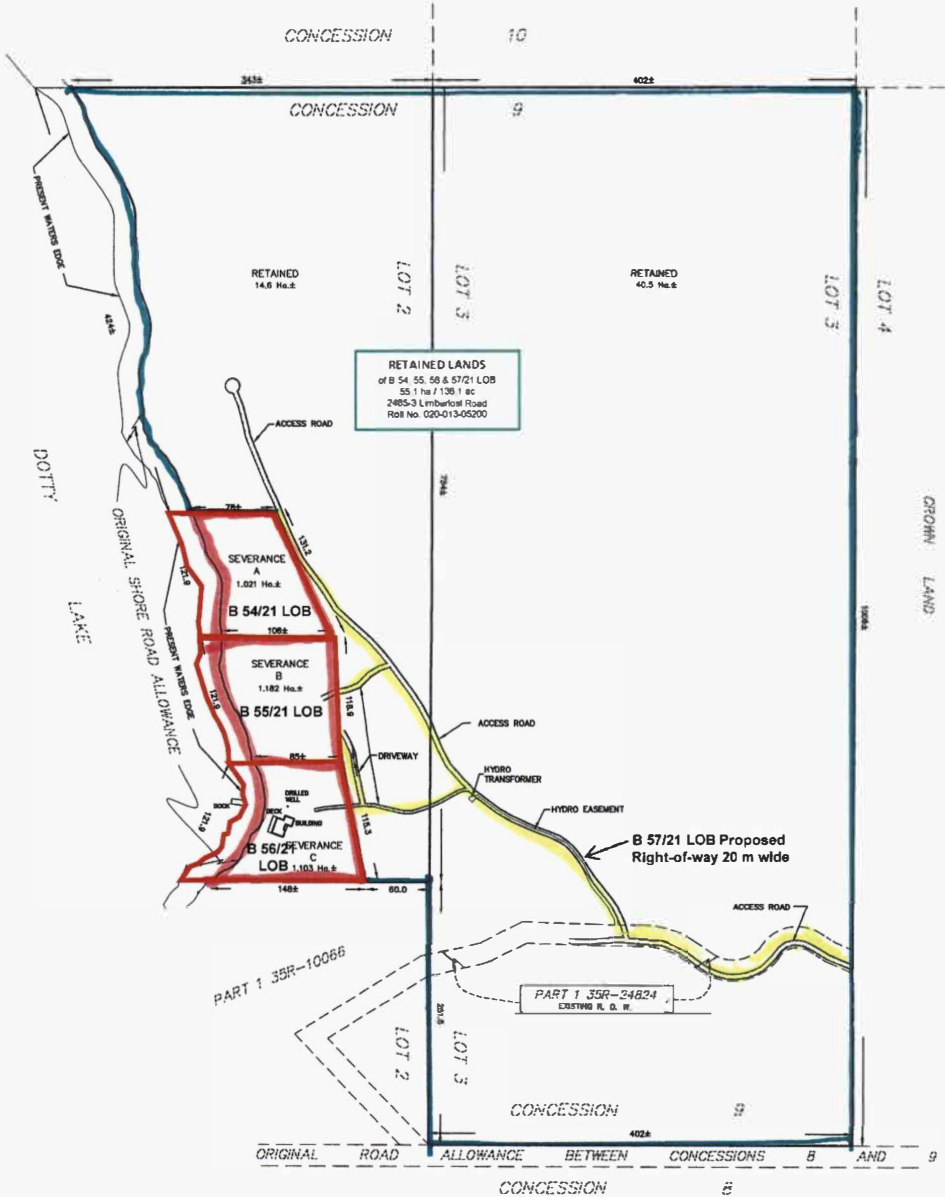
The Notice of Appeal should be submitted to the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the required fee(s).

Send to: Secretary-Treasurer - Committee of Adjustment
 Township of Lake of Bays
 1012 Dwight Beach Road
 Dwight, ON P0A 1H0

Forwarded by Mail on: February 25th, 2022

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

SCHEDULE "A"
CONSENT APPLICATION B 54-57/21 LOB
(Momani Management Consulting Ltd.)
Part of Lots 2 & 3, Con. 9, Finlayson Ward, on Dotty Lake
2485-3 Limberlost Road, Property Roll No. 020-013-05200



SCHEDULE "B"
CONSENT APPLICATION B 54-57/21 LOB
(Momani Management Consulting Ltd.)
Part of Lots 2 & 3, Con. 9, Finlayson Ward, on Dotty Lake
2485-3 Limberlost Road, Property Roll No. 020-013-05200



PLAN 35R-26200

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

DATE: MARCH 22, 2008

DATE: March 31/08

Robert C. Thaler
 ROBERT C. THALER
 ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MEGKOKA (802)

PART	LOT	CONCESSION	FIN	AREA
1				0.252 Ha.±
2		PART OF THE ORIGINAL SHORE ROAD ALLOWANCE LINED IN FRONT OF LOT 2, CONCESSION 9	NO FIN	0.254 Ha.±
3				0.295 Ha.±
4				1.021 Ha.±
5				1.181 Ha.±
6			PART OF FIN 48868-0203	1.103 Ha.±

PLAN OF SURVEY OF
 PART OF
LOT 2, CONCESSION 9
 AND PART OF THE
ORIGINAL SHORE ROAD ALLOWANCE
 LYING IN FRONT THEREOF
 GEOGRAPHIC TOWNSHIP OF FINLAYSON
 TOWNSHIP OF LAKE OF BAYS
 DISTRICT MUNICIPALITY OF MUSKOKA

SCALE: 1:750

ROBERT C. THALER SURVEYING LTD.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;
- THE SURVEY WAS COMPLETED ON THE 30th DAY OF OCTOBER, 2006.

MARCH 22, 2008

Robert C. Thaler
 ROBERT C. THALER
 ONTARIO LAND SURVEYOR

PART 1 35R-10066
 PIN 48069 -- 0149