

# ONTARIO MUNICIPAL BOARD

Case No: PL160402; PL160403

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

|                               |  |
|-------------------------------|--|
| Appellant:                    | Minaki Cottagers Association Inc.                  |
| Appellant:                    | Alex Rheault                                       |
| Subject:                      | Proposed Plan of Condominium                       |
| Property Address/Description: | Part of Registered Plan M-222                      |
| Municipality:                 | District of Kenora                                 |
| Municipal File No.:           | 60-CD-159381                                       |
| OMB Case No.:                 | PL160402   |
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| OMB Case Name:                | Minaki Cottagers Association Inc. v. Ontario (MMA) |

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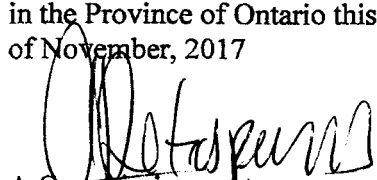
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|-------------------------------|-----------------------------------|
| Appellant:                    | Minaki Cottagers Association Inc. |
| Appellant:                    | Alex Rheault                      |
| Subject:                      | Proposed Plan of Condominium      |
| Property Address/Description: | Part of Registered Plan M-222     |
| Municipality:                 | District of Kenora                |
| Municipal File No.:           | 60-CD 154046                      |
| OMB Case No.:                 | PL160402                          |
| OMB File No.:                 | PL160403                          |

## AFFIDAVIT OF DOUG JOHNSTON

I, **DOUG JOHNSTON**, of the Town Site of Minaki, in the Province of Ontario, MAKE OATH AND SAY AS FOLLOWS:

1. I am employed with Minaki on the River Inc. (“MOTR”). I have been employed with MOTR for 7 years.
2. Following the release of the OMB’s decision and order dated October 18, 20017 (the “Decision”), Ms. Cathy Debney, Senior Environmental Officer, Kenora District at the MOECC, called me to discuss the Decision. Ms. Debney advised that after circulation of the decision, MOECC staff believed it possible to amend the Amended Environmental Compliance Approval No. 7471-9LVPLH, dated August 28, 2014 (the “ECA”) to address the concerns raised in the Decision respecting the lack of financial security and a financial agreement.

3. On October 31, 2017, a meeting took place at the MOECC branch in Kenora to discuss the above. In attendance was Ms. Cathy Debney, Mr. Glenn Niznowski, Kenora Manager, MOECC and myself.
4. At this meeting I advised MOECC that MOTR was willing to provide the required financial security and enter into a financial agreement. In fact, MOTR never opposed doing so but since it was never made a condition of the ECA, such matters were never provided.
5. I was advised that the Director was willing to amend the ECA to require that MOTR provide financial security and enter into a financial agreement.
6. I was further advised that under the circumstances the Director was also not opposed to the Board including a condition of approval (to the plans of condominium) requiring proof of the above-noted amendments to the ECA prior to final approval (registration) of the plans of condominium.
7. On behalf of MOTR, I can confirm that MOTR is prepared and willing to file any required application with the Director (MOECC) to amend the ECA to require the provision of financial security and to require the signing of a financial agreement.
8. I swear this affidavit in support of a request by MOTR made pursuant to section 43 of the Ontario Municipal Board Act and for no other or improper purpose.

SWORN before me at the Town of Kenora )  
 in the Province of Ontario this 14<sup>th</sup> day )  
 of November, 2017 )  
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 )  
 A Commissioner, etc. )

  
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**DOUG JOHNSTON**