

<b>Applicant:</b>	<b>2843290 Ontario Inc. (Lakeview Estates)</b>	<b>Date of Decision:</b>	<b>May 8, 2026</b>
<b>File No.:</b>	<b>60-T-247539</b>	<b>Date of Notice:</b>	<b>May 8, 2026</b>
<b>Municipality/Twp:</b>	<b>Geographic township of Southworth, District of Kenora</b>	<b>Last Date of Appeal:</b>	<b>May 28, 2026</b>
<b>Subject Lands:</b>	<b>PIN 42093-0479 (LT), being Part of Broken Lots 17 and 18, Concession 6, Southworth, District of Kenora.</b>		

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## NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision  
Subsection 51(37) of the Planning Act

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The Minister of Municipal Affairs and Housing made a decision on the date noted above to approve the Draft Plan of Subdivision for the Subject Lands. A copy of the decision is attached.

### **When and How to File a Notice of Appeal under the Planning Act**

Notice to appeal the decision to the Ontario Land Tribunal must be filed with the Minister of Municipal Affairs and Housing (MMAH) on or before the last date of appeal as noted above.

The notice of appeal should be sent to the attention of Heather Boyer, Manager Community Planning and Development at the address shown below and it must,

- (1) set out the reasons for the appeal, and
- (2) be accompanied by the fee required by the Tribunal, fee chart available at <https://olt.gov.on.ca/fee-chart/>.

### **Right of Applicant or Public Body to Appeal Conditions**

The following may, at any time before the final plan of subdivision is approved, appeal any of the conditions imposed by the Minister of Municipal Affairs and Housing by filing a notice of appeal with the Minister:

- The Applicant,
- Any public body that, before the Minister made his decision, made oral submissions at a public meeting, if one was held, or written submissions to the approval authority,
- Any specified person defined by the Planning Act, who, before the Minister made his decision, made oral submissions at a public meeting or written submissions to the approval authority;
- The municipality in which the Subject Land is located, or the planning board in whose planning area it is located,
- If the Subject Land is not located in a municipality or planning area, any public body.

### **How to Receive Notice of Changed Conditions**

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.

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You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of changes to the conditions.

**Addition of Parties to Appeal Regarding Changed Conditions**

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting, if one was held, or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Ontario Land Tribunal’s opinion, there are reasonable grounds to add the person or public body as a party.

**Addition of Parties to Appeal Regarding Decision**

No person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Ontario Land Tribunal’s opinion, there are reasonable grounds to add the person or public body as a party.

**Other Related Applications**

N/A

**Getting Additional Information**

Additional information about the application is available for public inspection during regular office hours at the address shown below.

**Mail Address for Notice of Appeal**

Ministry of Municipal Affairs and Housing  
Municipal Services Office North (Thunder Bay)  
435 James Street South, Suite 223  
Thunder Bay, ON. P7E 6S7

Submit notice of appeal to the attention of:  
Heather Boyer, Manager Community Planning and Development  
Municipal Services Office North (Thunder Bay)

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Telephone: (807) 630-3486

Also, send a copy of your notice of appeal to the Minister of Environment, Conservation and Parks. You can provide notice by email at [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca) or by mail at:

College Park  
5th Floor, 777 Bay Street  
Toronto, ON  
M7A 2J3

### **Appeal Rights under the Environmental Bill of Rights**

The *Environmental Bill of Rights, 1993* provides a separate ability to seek leave to appeal decisions on subdivision applications that are posted to the Environmental Registry of Ontario (ERO). This appeal must be commenced within 15 days of the notice of decision being posted on the ERO. For more information about this appeal method, refer to the *Environmental Bill of Rights, 1993*, or <https://www.ontario.ca/page/environmental-bill-rights>.

The notice for this application is available to view on the ERO at: <https://ero.ontario.ca/notice/019-9243>



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Heather Boyer,  
Manager, Community Planning & Development  
Municipal Services Office – North (Thunder Bay)

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The Minister of Municipal Affairs and Housing has approved the Draft Plan of Subdivision noted above subject to the following conditions of approval:

No.	Conditions
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Subject Lands

1. This approval applies to the redlined Draft Plan of Subdivision, 60-T-247539, certified by Peter de Haan, Ontario Land Surveyor, dated April 18, 2026, attached as Schedule 'A', which sets out the Subject Lands, showing a total of twelve lots (Lots 1-12), and three blocks (Blocks 13, 14, and 15) (referred to as "Draft Plan of Subdivision") .
2. This approval will lapse on **May 8, 2029**.

Undertakings

3. Prior to final approval, the Applicant shall provide a solicitor's personal undertaking to:
  - a) comply, promptly and in good faith, with all the obligations set out in these conditions; and
  - b) that the Subdivision Agreement shall be registered on title in priority to any other instrument.
4. Prior to final approval, and prior to site alteration associated with the plan of subdivision, the Applicant shall provide in wording acceptable to the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing, an undertaking that the Applicant agrees to fully adhere to the requirements outlined in Appendix 3.

Reports

5. Prior to final approval, the Applicant shall provide the Ministry with written confirmation from the Ministry of Citizenship and Multiculturalism (MCM) indicating that an archaeological assessment completed by a licensed archaeologist under the *Ontario Heritage Act*, and completed in accordance with the Ministry standards and guidelines for Consultant Archaeologists for the entirety of the Subject Lands has been received, reviewed and confirming that no further study is required, and the assessment has been entered into the Ontario Public Register of Archaeological Reports. Recommendations from this report, or from MCM, requiring mitigation of impacts to any identified

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archaeological resources may require additional provisions to be included in restrictions registered on title in conditions 8, 9, 10 and 11 and in the agreement referred to in condition 12 of this decision.

### Easements

6. Prior to final approval, the Applicant shall ensure the following easements are registered:
  - a) Easements across Block 15 on the Draft Plan of Subdivision in favour of Lots 1-12, for the purposes of access and utilities.
  - b) Easements across Block 14 on the Draft Plan of Subdivision, in favour of Lots 1-12, for the purpose of water access and docking.

All of the above easements shall be granted in perpetuity to the satisfaction of the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing.

### Septic system/Wastewater

7. Prior to final approval, the Applicant shall provide the Ministry with written confirmation, which has been signed and sealed by a Professional Engineer with experience in wastewater engineering, that a septic system has been designed for each proposed lot (except Lot 2 on the Draft Plan of Subdivision), which is compliant with the Ontario Building Code and the additional specifications described in a) or b) of this condition.

**a) Lakeshore Capacity Assessment Handbook Specifications:**

- i. the site where the septic tile-bed is to be located, and the region below and 15 metres down-gradient of this site, toward the lakeshore, across the full width of the tile bed, consist of deep (more than 3 metres), non-calcareous (1% equivalent by weight) soil, or soil meeting the same definition has been imported to reach three metres as described;
- ii. an unsaturated zone of at least 1.5 metres depth exists between the tile bed and the shallowest depth (maximum) extent of the water table; and
- iii. systems include pump-dosing or equivalent technology to uniformly distribute septic effluent over the tile bed.

OR

**b) Equivalent Effect Specifications:**

A septic system which is compliant with the Ontario Building Code, which does not include tertiary treatment units or advanced septic systems, and which will

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have the equivalent effect of mitigating phosphorus migration to Wabigoon Lake, as would be achieved through the specifications in the criteria noted above (7.a).

Restrictions on Title

8. Prior to final approval, the Applicant shall provide the Ministry with written confirmation that the Applicant has applied to the Director of Titles, pursuant to section 118 of the *Land Titles Act*, for an entry to be made on the register for Lots 1 to 12 on the Draft Plan of Subdivision, indicating that no transfer shall be made or charge created with respect to the Lots described above, unless the consent of the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing is given to the transfer or the creation of a charge. Consent for each lot will only be provided where:
  - a) the Applicant has provided the Ministry with written confirmation from the Ministry of Transportation (MTO), or written confirmation signed and sealed by a Professional Engineer, indicating that the access road to be constructed across Block 15 on the Draft Plan of Subdivision has been constructed to the standard identified in Appendix 1 to the southern boundary of the lot; and
  - b) except Lot 2 on the Draft Plan of Subdivision, the Applicant has provided the Ministry with written confirmation from the Northwestern Health Unit, or written confirmation signed and sealed by a Professional Engineer with experience in wastewater engineering, or written confirmation from a Licensed Sewage System Installer holding a valid Building Code Identification Number (BCIN) issued by the Ministry of Municipal Affairs and Housing, confirming that a septic system has been installed in accordance with the design specifications provided by a Professional Engineer as outlined in condition 7 a) or b).
  
9. Prior to final approval, the Applicant shall provide the Ministry with written confirmation that the Applicant has applied to the Director of Titles, pursuant to section 118 of the *Land Titles Act*, for an entry to be made on the register for Block 14 and 15 on the Draft Plan of Subdivision, indicating that no transfer shall be made or charge created with respect to the Blocks described above, unless the consent of the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing is given to the transfer or the creation of a charge. Consent will only be provided where Blocks 14 and 15 are transferred together, with the transferee receiving both Blocks.
  
10. Prior to final approval, the Applicant shall cause a restriction to be registered on all Lots in wording acceptable to the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing, having the effect that:
  - a) No new buildings, wells, and driveways shall be built within 30-metres of the

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highwater mark of Wabigoon Lake.

- b) No septic fields shall be installed within 50-metres of the highwater mark of Wabigoon Lake on Lots 1, 2, 3, 4, 7, 10, 11 and 12.
  - c) No septic fields shall be installed within 30-metres of the highwater mark of Wabigoon Lake on Lots 5, 6, 8 and 9.
  - d) No vegetation shall be removed within 30-metres of the highwater mark of Wabigoon Lake.
  - e) Lots 1-12 on the Draft Plan of Subdivision shall only be used for resource-based recreational uses (including a recreational dwelling) and shall not be used for permanent residential use.
11. Prior to final approval, the Applicant shall cause a restriction to be registered on Block 13 and Block 14 on the Draft Plan of Subdivision in wording acceptable to the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing, that Block 13 and Block 14 can only be used for resource-based recreational uses with no recreational dwelling and shall not be used for permanent residential use.

Subdivision Agreement

12. Prior to final approval, pursuant to subsections 51(25) and 51(26) or (27) of the *Planning Act*, the Applicant shall enter into a Subdivision Agreement with the Ministry of Municipal Affairs and Housing, with the wording of the Subdivision Agreement being to the satisfaction of the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing, and provide evidence of the registration of the Subdivision Agreement on title to the Subject Lands within 30 days of the registration of the plan of subdivision, with the Subdivision Agreement addressing requirements, set out in this Notice of Decision, including the provisions outlined in Appendix 2.

The following NOTES are for your information:

NOTES:

- 1. It is the Applicant's responsibility to fulfil the conditions of draft approval and to ensure that all required documents are forwarded by the appropriate agencies to the Municipal Services Office North (Thunder Bay), Ministry of Municipal Affairs and Housing, quoting the Ministry File number 60-T-247539.
- 2. All measurements in subdivision final plans must be presented in metric units.

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- The construction and demolition of buildings, including those in unorganized territories, must comply with the requirements of the *Ontario Building Code*. This has been a requirement since December 31, 1975. At this time in unorganized territory, building permits and the payment of permit fees are not required. Inquiries about the Building Code should be made to:

Buildings and Development Branch  
 Ministry of Municipal Affairs and Housing  
 17th Floor, 777 Bay St.  
 Toronto, ON M5G 2E5  
 Telephone: (416) 585-7041  
[codeinfo@ontario.ca](mailto:codeinfo@ontario.ca)

- Wild rice harvesting on provincial waterways is managed by the Ministry of Natural Resources under the *Wild Rice Harvesting Act, 1990*. A licence is required to harvest wild rice.
- As of April 1, 2026, the *Endangered Species Act, 2007* has been repealed and replaced by the *Species Conservation Act, 2025*. It is the Applicant's responsibility to comply with all applicable requirements of the *Species Conservation Act, 2025*.
- Approval of the Draft Plan of Subdivision will lapse on **May 8, 2029**. It is the responsibility of the Applicant to request an extension of the draft approval if one is needed.

A request for extension should be made at least 60 days before the approval lapses because no extension can be given after the lapsing date. The request should include the rationale for requesting the extension.

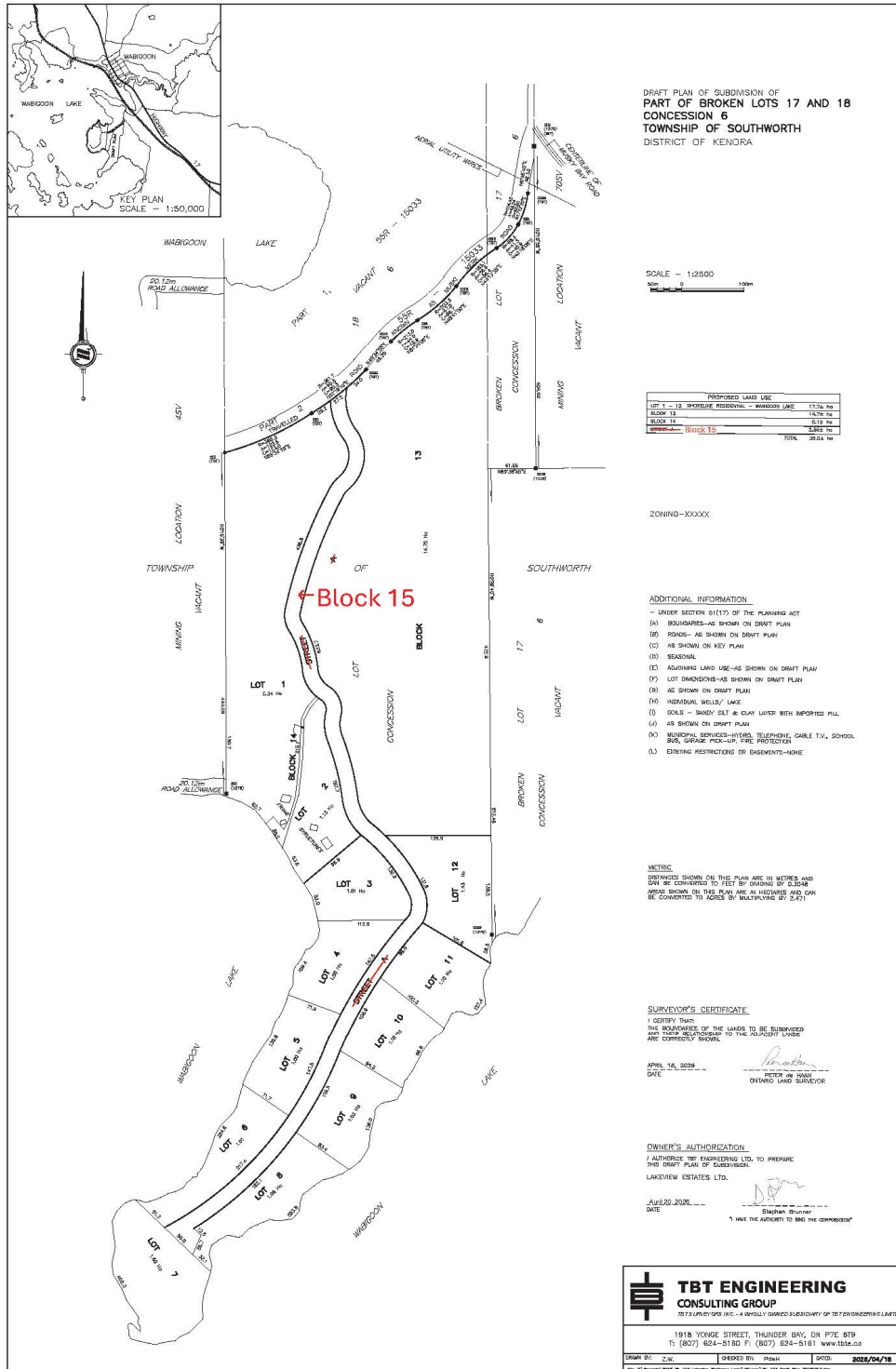
- The final plan approved by the Minister must be registered within 30 days of the approval or the Minister may withdraw approval under subsection 51 (59) of the Planning Act.
- A permit approval under the *Public Lands Act or the Lakes and Rivers Improvements Act, 1990* may be required for any waterfront structures from the Ministry of Natural Resources = ("MNR"). No shoreline alterations, dock construction, break waters, submerged water line, water crossings, or any other water related work shall be undertaken without first contacting the approval authority. Depending on the nature of the work, a work permit may or may not be required or issued.

The MNR also provides online information on work permits:  
<http://www.ontario.ca/page/crown-land-work-permits> and for information about occupational authority: <https://www.ontario.ca/page/buy-or-rent-crown-land#section-3>.

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**Schedule 'A'**



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### Appendix 1 – Road Standard

<u>Terrain</u>	<u>Flat or Gently Rolling</u>	<u>Steeply Rolling and/or Rocky</u>
*Right-of-Way	20.0 m	20.0 m
Minimum Width of Clearing	12.0 m	9.0 m
Surface		
(a) Width	5.5 m	4.5 m
(b) Depth	100 mm	100 mm
(c) Type	Crushed gravel or stone	Crushed gravel or stone
Shoulder Width (including Rounding)	1.0 m (ea. side)	1.0 m (ea. side)
Depth of Granular Base	As determined by consideration of sub-grade material.	
Ditches	Minimum depth from crown of road to bottom of ditch - 0.5 m. All ditches to be carried to sufficient outlet.	
Culverts	CSP concrete or plastic. Minimum 400 mm diameter, larger as required.	
Geometrics	Such that maintenance equipment can work effectively. Turning areas to be provided at the terminus of dead end streets.	

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## **Appendix 2 – Provisions to be included in Subdivision Agreement**

### **Subject Lands**

- a) The Subject Land shall be divided into 12 lots numbered 1-12 and 3 blocks referred to as Block 13, Block 14 and Block 15, as shown on the Draft Plan of Subdivision attached as Schedule A.
- b) Lots 1-12 on the Draft Plan of Subdivision shall have the following easements:
  - i. easements across Block 15 in favour of Lots 1-12, for the purposes of access and utilities; and
  - ii. easements across Block 14 in favour of Lots 1-12, for the purpose of water access and docking

### **Land Use**

- c) Lots 1-12 on the Draft Plan of Subdivision shall only be used for resource-based recreational uses (including a recreational dwelling) and shall not be used for permanent residential use.
- d) Block 13 and Block 14 on the Draft Plan of Subdivision shall only be used for resource-based recreational uses with no recreational dwelling and shall not be used for permanent residential use.

### **Building, septic system and well placements, and vegetated buffers**

- e) A minimum 30-metre natural vegetative buffer shall be maintained or restored along the shoreline of each lot. Clearing within this buffer is prohibited except for a narrow access path.
- f) Buildings, wells, and driveways shall be sited a minimum of 30-metres from the highwater mark of Wabigoon Lake.
- g) No septic fields shall be installed within 50-metres of the highwater mark of Wabigoon Lake on Lots 1, 2, 3, 4, 7, 10, 11 and 12.
- h) No septic fields shall be installed within 30-metres of the highwater mark of Wabigoon Lake on Lots 5, 6, 8 and 9.
- i) Wells shall be drilled with no surface discharge or interaction with the lake or slopes.
- j) Septic systems shall be designed, installed and maintained to be compliant with the Ontario

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Building Code, and the additional specifications described in subsection j) i. or ii.:

**i. Lakeshore Capacity Assessment Handbook Specifications:**

1. the site where the septic tile-bed is to be located, and the region below and 15 metres down-gradient of this site, toward the lakeshore, across the full width of the tile bed, shall consist of deep (more than 3 metres), non-calcareous (1% equivalent by weight) soil, or soil meeting the same definition has been imported to reach three metres as described;
2. an unsaturated zone of at least 1.5 metres depth exists between the tile bed and the shallowest depth (maximum) extent of the water table; and
3. systems include pump-dosing or equivalent technology to uniformly distribute septic effluent over the tile bed.

**OR**

**ii. Equivalent Effect Specifications:**

A septic system which is compliant with the Ontario Building Code, which does not include tertiary treatment units or advanced septic systems, and which will have the equivalent effect of mitigating phosphorus migration to Wabigoon Lake, as would be achieved through the specifications in the criteria noted above in subsection j) i.

**Restrictions on Title**

- k) The Applicant shall provide the Ministry with written confirmation that the Applicant has applied to the Director of Titles, pursuant to section 118 of the *Land Titles Act*, for an entry to be made on the register for Lots 1 to 12 indicating that no transfer shall be made or charge created with respect to the lots unless the consent of the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing is given to the transfer or the creation of a charge. Consent for each lot will only be provided where:
  - i. the Applicant has provided the Ministry with written confirmation from the Ministry of Transportation (MTO), or written confirmation signed and sealed by a Professional Engineer, indicating that the access road to be constructed across Block 15 has been constructed to the standard identified in Appendix 1 to the southern boundary of the lot; and
  - ii. except Lot 2 on the Draft Plan of Subdivision, the Applicant has provided the Ministry with written confirmation from the Northwestern Health Unit, or written confirmation signed and sealed by a Professional Engineer with experience in wastewater

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engineering, or written confirmation from a Licensed Sewage System Installer holding a valid Building Code Identification Number (BCIN) issued by the Ministry of Municipal Affairs and Housing, confirming that a septic system has been installed in accordance with the design specifications provided by a Professional Engineer as outlined in j) i. or ii.

- l) The Applicant shall cause a restriction to be registered on Lots 1-12 on the Draft Plan of Subdivision in wording acceptable to the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing, having the effect that:
  - i. No buildings, wells, and driveways shall be built within 30-metres of the highwater mark of Wabigoon Lake.
  - ii. No septic fields shall be installed within 50-metres of the highwater mark of Wabigoon Lake on Lots 1, 2, 3, 4, 7, 10, 11 and 12.
  - iii. No septic fields shall be installed within 30-metres of the highwater mark of Wabigoon Lake on Lots 5, 6, 8 and 9.
  - iv. No vegetation shall be removed within 30-metres of the highwater mark of Wabigoon Lake.
  - v. Lots 1-12 shall only be used for resource-based recreational uses (including a recreational dwelling) and shall not be used for permanent residential use.
- m) The Applicant shall cause a restriction to be registered on Block 13 and Block 14 on the Draft Plan of Subdivision in wording acceptable to the Manager, Community Planning and Development, Municipal Services Office North – Thunder Bay, Ministry of Municipal Affairs and Housing, that Block 13 and Block 14 shall only be used for resource-based recreational uses with no recreational dwelling and shall not be used for permanent residential use.

#### **Road Construction, Maintenance and Notices**

- n) Erosion and sediment control shall be used during construction including silt fencing, erosion control blankets, and sediment traps to prevent runoff into the lake. Disturbed soils shall be stabilized immediately.
- o) Road base to incorporate geotextile fabric and constructed using a layered approach of compacted crushed stone (4" base and 7 /8" cap). Silt fencing shall be installed throughout all road and driveway construction areas prior to earth disturbance and shall remain in place until surfaces are stabilized and revegetated.
- p) Where minor fill is required (e.g., at low points), proper compaction and erosion control shall be applied to ensure drainage continues away from the lake.

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<b>Subject Lands:</b>	<b>PIN 42093-0479 (LT), being Part of Broken Lots 17 and 18, Concession 6, Southworth, District of Kenora.</b>		

- q) Culverts on the main access road shall be of appropriate size and stabilized with riprap to manage seasonal flows. All culvert work shall include temporary sediment controls and prompt revegetation.
- r) The road shall be constructed and maintained by landowners to the standard attached as Appendix 1 to this decision.
- s) The Province of Ontario does not guarantee road access to the Subject Lands and land owners who rely on the private road for access and utility may need to assume costs and responsibility for upkeep and maintenance of the roadway. Future road upgrades are the responsibility of landowners.
- t) A road sign shall be erected and maintained at the entrance to Block 15 shown on the Draft Plan of Subdivision, clearly identifying the roadway as a private road not maintained by the Province of Ontario.

#### **Stormwater Management**

- u) Lot-level infiltration measures (e.g., rain gardens, swales) shall be used to reduce runoff volume and filter nutrients before discharge.
- v) Fertilizers shall not be used, and impervious surfaces area shall be limited.

#### **Shoreline use**

- w) Permanent structures shall not be built within 30-metres of the highwater mark of Wabigoon Lake.
- x) Docks shall only be of portable designs with no built-in features.
- y) Infilling or beach creation shall not be undertaken within 30-metres of the highwater mark of Wabigoon Lake.
- z) If planned works may cause any of the prohibited effects under the *Fisheries Act* or *Species at Risk Act*, a Request for Review form should be completed for the works and submitted to [FisheriesProtection@dfo-mpo.gc.ca](mailto:FisheriesProtection@dfo-mpo.gc.ca).
- aa) Approvals from Fisheries and Oceans Canada under Section 35 of the Federal Fisheries Act are required for projects, in and around water involving fish habitat, which may or may not require a Work Permit from the Ministry of Natural Resources and Forestry (MNR). Proponents should conduct a self-assessment using the DFO website: <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> to determine any DFO approval requirements. DFO can be contacted at:

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Fish Habitat Biologist  
Fisheries and Oceans Canada, Ontario-Great Lakes Area  
867 Lakeshore Road  
Burlington, ON L7R 4A6  
Email: English: [fisheriesprotection@dfo-mpo.gc.ca](mailto:fisheriesprotection@dfo-mpo.gc.ca)  
French: [protectiondespeches@dfo-mpo.gc.ca](mailto:protectiondespeches@dfo-mpo.gc.ca)  
Tel: 1-855-852-8320  
Fax: 905-336-6285

### **Servicing**

- bb) A complete assessment has not been undertaken for groundwater quality or quantity. Groundwater supplies may not be adequate to support the use of individual private wells, should this source of water be used in future.
- cc) In-ground wells shall not be utilized for potable water on any lot unless a hydrogeological study undertaken by a qualified professional has confirmed that there is sufficient quality and quantity of water to support the well with no interference with the water supply of another property.
- dd) The owner acknowledges and agrees that the water supply will not be used for human consumption unless it meets the applicable requirements of Ontario's Drinking Water Quality Standards and is treated as necessary to ensure compliance. Based on currently available studies, identified water quality concerns and potential treatment measures include:
- i. Total coliforms may be detected (maximum allowable concentration), particularly in newly installed, low-yield wells.
  - ii. The turbidity level in groundwater may be greater than 5 NTU (the aesthetic objective for turbidity in drinking water), particularly in newly installed, low-yield wells.
  - iii. The colour of the groundwater may be greater than 5 TCU (the aesthetic objective for colour in drinking water), particularly in newly installed, low-yield wells.
  - iv. The hardness concentration in groundwater may be greater than 100 mg/L (the top range for the operational guideline for hardness in drinking water).
  - v. The DOC concentration in groundwater may be greater than 5.0 mg/L (aesthetic objective).
  - vi. The aluminum concentration in groundwater may be greater than 0.1 mg/L (the operational guideline for aluminum in drinking water).
  - vii. The iron concentration in groundwater may be greater than 0.30 mg/L (the aesthetic objective for iron in drinking water).
  - viii. The manganese concentration in groundwater may be greater than 0.05 mg/L (the aesthetic objective for manganese in drinking water).
  - ix. The sodium concentration in groundwater may be greater than 20 mg/L. The local Medical Officer of Health should be notified when the sodium concentration

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exceeds 20 mg/L, so this information may be communicated to local physicians for their use with patients on sodium restricted diets.

- x. Uranium may exceed 0.02 mg/L (maximum allowable concentration).
  - xi. Treatment recommendations (applied as required):
    1. Total Coliform – a UV disinfection system with a sufficient pre-filter (5-micron) system. This system should be preceded by treatment for interfering minerals (see below).
    2. Turbidity – a multi-media sediment filter (typically 5 microns or smaller) to remove suspended particles and to ensure the effectiveness of downstream disinfection.
    3. Colour – activated carbon filtration or anion exchange to absorb the organic compounds that cause aesthetic staining and tints in the water.
    4. Hardness – a cation exchange water softener to remove calcium and magnesium ions, to protect plumbing and improve water quality.
    5. DOC – anion exchange or nanofiltration to reduce organic matter to prevent interference with disinfection Systems and to improve taste.
    6. Aluminum – a RO system or a specialized chemical coagulation to adjust pH to settle out the particles.
    7. Iron – for levels above 0.3 mg/L, an oxidizing filter can be applied to convert dissolved iron into solids for physical removal.
    8. Manganese – like iron, an oxidizing filter with a high Ph environment or specialized greensand media.
    9. Sodium – a RO system.
    10. Uranium – due to the location of the Site and reported uranium exceedances in the Wabigoon and Dryden area, a RO system should be applied to drinking water taps, at minimum. For additional protection, a specialized anion exchange resin or a whole house RO system should be installed to remove uranium from the water supply.
    11. Water quality for wells completed in granite bedrock may be affected by iron bacteria, which cause biofouling and UV shielding that significantly reduces the effectiveness of disinfection systems for total coliforms. To effectively treat iron bacteria, the system should utilize chemical oxidation (such as chlorine or hydrogen peroxide injection) followed by an oxidizing media filter and a water softener to remove the neutralized biofilm and minerals.
  - xii. Pump depths should be consistent with recommendations provided by the licensed well driller, as noted on the official well record.
- ee) New wells shall be installed in accordance with the requirements of Ontario Regulation 903 (Wells). Water quality and quantity testing should be completed for each new parcel in accordance with MECP's "Technical Guideline for Private Wells" (1996) and conducted by a qualified professional. If water from test wells exhibit values for health and aesthetic parameters that are above the Ontario Drinking Water Standards, the water must be treated prior to consumption. Upon installation, a qualified professional should also demonstrate that there is an adequate quantity of groundwater available to meet the requirements of the residence without interference to adjacent properties.

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### **Additional**

- ff) If any archaeological resources (artifacts or any other physical evidence of past human use or activity) are found, all alteration must immediately cease on the site and a licensed consultant archaeologist must be engaged to carry out an archaeological assessment in compliance with subsection 48(1) of the *Ontario Heritage Act* prior to any further alteration. Any alterations or soil disturbance to an archaeological site prior to having met the requirements of subsection 48(3) of the *Ontario Heritage Act* is an offence. The Ministry of Citizenship and Multiculturalism may be contacted for guidance ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)). The *Funeral, Burial and Cremation Services Act, 2002* requires that any person discovering human remains must cease all activities immediately and notify the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with Ontario Regulation 30/11 the coroner shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery, which administers provisions of that Act related to burial sites. In situations where human remains are associated with archaeological resources, MCM should also be notified ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)).
- gg) Property owners are encouraged to participate in the Lake Partner Program to help gather information about phosphorus concentrations on Wabigoon Lake. Information regarding the program can be obtained by contacting [lakepartner@ontario.ca](mailto:lakepartner@ontario.ca).
- hh) It is the Applicant's responsibility to comply with all applicable requirements of the *Species Conservation Act, 2025*.
- ii) Canadian Pacific Kansas City ("CPKC") Rail and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, CPKC shall not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard.

### **Agreement of Purchase and Sale**

- jj) The Applicant agrees that the following notices shall be included in the Agreements of Purchase and Sale for all Lots and blocks within the subdivision:
  - i. That Lots 1-12 shall only be used for resource-based recreational purposes (including a resource-based recreational dwelling) and are not to be used for permanent residential uses.
  - ii. A complete assessment has not been undertaken for groundwater quality or

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quantity. Groundwater supplies may not be adequate to support the use of individual private wells, should this source of water be used in future.

- iii. In-ground wells shall not be utilized for potable water on any lot unless a hydrogeological study undertaken by a qualified professional has confirmed that there is sufficient quality and quantity of water to support the well with no interference with the water supply of another property.
  
- iv. The owner acknowledges and agrees that the water supply will not be used for human consumption unless it meets the applicable requirements of Ontario's Drinking Water Quality Standards and is treated as necessary to ensure compliance. Based on currently available studies, identified water quality concerns and potential treatment measures include:
  - a) Total coliforms may be detected (maximum allowable concentration), particularly in newly installed, low-yield wells.
  - b) The turbidity level in groundwater may be greater than 5 NTU (the aesthetic objective for turbidity in drinking water), particularly in newly installed, low-yield wells.
  - c) The colour of the groundwater may be greater than 5 TCU (the aesthetic objective for colour in drinking water), particularly in newly installed, low-yield wells.
  - d) The hardness concentration in groundwater may be greater than 100 mg/L (the top range for the operational guideline for hardness in drinking water).
  - e) The DOC concentration in groundwater may be greater than 5.0 mg/L (aesthetic objective).
  - f) The aluminum concentration in groundwater may be greater than 0.1 mg/L (the operational guideline for aluminum in drinking water).
  - g) The iron concentration in groundwater may be greater than 0.30 mg/L (the aesthetic objective for iron in drinking water).
  - h) The manganese concentration in groundwater may be greater than 0.05 mg/L (the aesthetic objective for manganese in drinking water).
  - i) The sodium concentration in groundwater may be greater than 20 mg/L. The local Medical Officer of Health should be notified when the sodium concentration exceeds 20 mg/L, so this information may be communicated to local physicians for their use with patients on sodium restricted diets.
  - j) Uranium may exceed 0.02 mg/L (maximum allowable concentration).
  - k) Treatment recommendations (applied as required):
    - 1. Total Coliform – a UV disinfection system with a sufficient pre-filter (5-micron) system. This system should be preceded by treatment for interfering minerals (see below).
    - 2. Turbidity – a multi-media sediment filter (typically 5 microns or smaller) to remove suspended particles and to ensure the effectiveness of downstream disinfection.
    - 3. Colour – activated carbon filtration or anion exchange to absorb the organic compounds that cause aesthetic staining and tints in the water.

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4. Hardness – a cation exchange water softener to remove calcium and magnesium ions, to protect plumbing and improve water quality.
  5. DOC – anion exchange or nanofiltration to reduce organic matter to prevent interference with disinfection Systems and to improve taste.
  6. Aluminum – a RO system or a specialized chemical coagulation to adjust pH to settle out the particles.
  7. Iron – for levels above 0.3 mg/L, an oxidizing filter can be applied to convert dissolved iron into solids for physical removal.
  8. Manganese – like iron, an oxidizing filter with a high Ph environment or specialized greensand media.
  9. Sodium – a RO system.
  10. Uranium – due to the location of the Site and reported uranium exceedances in the Wabigoon and Dryden area, a RO system should be applied to drinking water taps, at minimum. For additional protection, a specialized anion exchange resin or a whole house RO system should be installed to remove uranium from the water supply.
  11. Water quality for wells completed in granite bedrock may be affected by iron bacteria, which cause biofouling and UV shielding that significantly reduces the effectiveness of disinfection systems for total coliforms. To effectively treat iron bacteria, the system should utilize chemical oxidation (such as chlorine or hydrogen peroxide injection) followed by an oxidizing media filter and a water softener to remove the neutralized biofilm and minerals.
    - i) Pump depths should be consistent with recommendations provided by the licensed well driller, as noted on the official well record.
- v. New wells shall be installed in accordance with the requirements of Ontario Regulation 903 (Wells). Water quality and quantity testing should be completed for each new parcel in accordance with MECP’s “Technical Guideline for Private Wells” (1996) and conducted by a qualified professional. If water from test wells exhibit values for health and aesthetic parameters that are above the Ontario Drinking Water Standards, the water must be treated prior to consumption. Upon installation, a qualified professional should also demonstrate that there is an adequate quantity of groundwater available to meet the requirements of the residence without interference to adjacent properties.
  - vi. Wabigoon Lake has a history of cyanobacterial blooms which can pose health risks to people swimming in and consuming the water. Therefore, the water of Wabigoon Lake should not be used for human consumption unless it is disinfected and/or treated to meet the Ontario Drinking-Water Quality Standards, as stipulated in O. Reg. 169/03 of the *Safe Drinking Water Act*, 2002.
  - vii. The Province of Ontario does not guarantee road access to the property and private owners who rely on the private road for access may need to assume costs and responsibility for upkeep and maintenance of the roadway. Future road

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upgrades are the responsibility of landowners.

- viii. Property owners are encouraged to participate in the Lake Partner Program to help gather information about phosphorus concentrations on Wabigoon Lake. Information regarding the program can be obtained by contacting [lakepartner@ontario.ca](mailto:lakepartner@ontario.ca).
- ix. It is the property owner's responsibility to comply with all applicable requirements of the *Species Conservation Act, 2025*. Prior to development, property owners are directed to contact the Ministry of the Environment, Conservation and Parks ("MECP") Species at Risk Branch to help determine potential requirements under the Act.
- x. Canadian Pacific Kansas City ("CPKC") and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, CPKC shall not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard.

### **Enforcement**

- kk) Provisions to obtain undertakings from the Applicant and/or the Applicants' lawyer to implement conditions and requirements, including that the Subdivision Agreement be registered on title in priority to other documents; and
- ll) Provisions relating to the enforcement of the Subdivision Agreement.

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### **Appendix 3 – Provisions to be included in Applicant Undertaking**

#### **Building, well placements, and vegetated buffers**

- a) A minimum 30-metre natural vegetative buffer shall be protected, maintained or restored along the shoreline of the Subject Lands and Lots. Clearing, which includes any disturbance of vegetation or soil within this buffer, is prohibited except for a narrow access path.
- b) Cabins, wells, and driveways shall be sited a minimum of 30-metres from the highwater mark of Wabigoon Lake.
- c) Wells shall be drilled with no surface discharge or interaction with the 30-metre natural vegetative buffer, lake or slopes.
- d) Erosion and sediment control shall be used during construction including silt fencing, erosion control blankets, and sediment traps to prevent runoff into the 30-metre natural vegetative buffer or lake.

#### **Road Construction and Maintenance**

- e) Erosion and sediment control shall be used during construction including silt fencing, erosion control blankets, and sediment traps to prevent runoff into the lake. Disturbed soils shall be stabilized immediately.
- f) Road base to incorporate geotextile fabric and constructed using a layered approach of compacted crushed stone (4" base and 7 /8" cap). Silt fencing shall be installed throughout all road and driveway construction areas prior to earth disturbance and shall remain in place until surfaces are stabilized and revegetated.
- g) Where minor fill is required (e.g., at low points), proper compaction and erosion control shall be applied to ensure drainage continues away from the lake.
- h) Culverts on the main access road shall be of appropriate size and stabilized with riprap to manage seasonal flows. All culvert work shall include temporary sediment controls and prompt revegetation.
- i) The Applicant shall provide the Ministry with visual confirmation demonstrating that a sign has been erected at the entrance to Block 15 on the Draft Plan of Subdivision, clearly identifying the roadway as a private road not maintained by the Province of Ontario.

#### **Stormwater Management**

- j) Lot-level infiltration measures (e.g., rain gardens, swales) shall be used to reduce runoff

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volume and filter nutrients before discharge.

- k) Fertilizers shall not be used, and impervious surfaces area shall be limited.

### **Shoreline use**

- l) Permanent structures shall not be built within 30-metres of the highwater mark of Wabigoon Lake.
- m) Infilling or beach creation shall not be undertaken within 30-metres of the highwater mark of Wabigoon Lake.
- n) If planned works may cause any of the prohibited effects under the *Fisheries Act* or *Species at Risk Act*, a Request for Review form should be completed for the works and submitted to [FisheriesProtection@dfp-mpo.gc.ca](mailto:FisheriesProtection@dfp-mpo.gc.ca).

### **Servicing**

- o) New wells must be installed in accordance with the requirements of Ontario Regulation 903 (Wells). Water quality and quantity testing should be completed for each new parcel in accordance with MECP's "Technical Guideline for Private Wells" (1996) and conducted by a qualified professional. If water from test wells exhibit values for health and aesthetic parameters that are above the Ontario Drinking Water Standards, the water must be treated prior to consumption. Upon installation, a qualified professional should also demonstrate that there is an adequate quantity of groundwater available to meet the requirements of the residence without interference to adjacent properties.
- p) In-ground wells shall not be utilized for potable water on any lot unless a hydrogeological study undertaken by a qualified professional has confirmed that there is a sufficient quality and quantity of water to support the well with no interference with the water supply of another property.

### **Additional**

- q) If any archaeological resources (artifacts or any other physical evidence of past human use or activity) are found, all alteration must immediately cease on the site and a licensed consultant archaeologist must be engaged to carry out an archaeological assessment in compliance with subsection 48(1) of the *Ontario Heritage Act* prior to any further alteration. Any alterations or soil disturbance to an archaeological site prior to having met the requirements of subsection 48(3) of the *Ontario Heritage Act* is an offence. The Ministry of Citizenship and Multiculturalism may be contacted for guidance ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)). The *Funeral, Burial and Cremation Services Act, 2002* requires that any person discovering human remains must cease all activities immediately and notify the police or coroner. If the coroner does not suspect foul play in the disposition of the remains, in accordance with Ontario Regulation 30/11 the coroner

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shall notify the Registrar, Ontario Ministry of Public and Business Service Delivery, which administers provisions of that Act related to burial sites. In situations where human remains are associated with archaeological resources, MCM should also be notified ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)).

- r) It is the Applicant's responsibility to comply with all applicable requirements of the *Species Conservation Act, 2025*. Prior to development, the Applicant is directed to contact the Ministry of the Environment, Conservation and Parks ("MECP") Species at Risk Branch to help determine potential requirements under the Act.