

COTTAGE LOT DEVELOPMENT FEASIBILITY STUDY

LAC SEUL – WHITE WING ROAD

Prepared on behalf of:

THE TOWNSHIP OF EAR FALLS

by

J.F.T. DEVELOPMENTS LTD. ("JFT")

October 24, 2017

INTRODUCTION

This is a Development Feasibility Study ("DFS") intended to be in compliance with Section 1 - Step 2 of the Ministry of Natural Resources and Forestry ("MNR") Guide to the Acquisition of Crown Land to Support Municipal Cottage Lot Development as revised in 2015 (the "Guide"). This DFS also includes much of the information which would be included in the Project Description section (Section 1 -Step 4) of the Guide.

PROPERTY AND BACKGROUND INFORMATION

The proposed development is located on Lac Seul in the vicinity of White Wing Road, located in The Township of Ear Falls (the "Township"). No municipal address has been assigned. Approximate GPS co-ordinates are N50.57678 W93.15105, on NHIC Grids 15VS 8803, 8902, 8903 and 9002.

http://www.gisapplication.lrc.gov.on.ca/mamnh/Index.html?site=MNR_NHLUPS_NaturalHeritage&viewer=NaturalHeritage&locale=en-US

The entire parcel is located within municipal boundaries.

Schematic drawings showing a development of twenty-five (25) lots with access to White Wing Road are attached as Appendix A. The schematic drawing is for illustration only and is not intended to depict the actual layout of the development.

INITIAL SCOPING MEETING

An initial scoping meeting was held in Ear Falls on April 4, 2017, attended by representatives of MNR, the Township and JFT.

The determination on next steps at the initial scoping meeting was that the proponent should proceed to the Development Feasibility Study stage of the project.

Referencing the topics stated in the Guide to be addressed in the feasibility study:

EVALUATION OF DEVELOPMENT MODELS

The two models for the creation of cottage lots are plan of subdivision or vacant land condominium ("VLCC"). The proponent's preferred model is the VLCC for the following reasons:

1. in a subdivision, any new road created for access to lots must be dedicated to a public authority, creating a real or potential obligation to provide for maintenance. In a VLCC, the access road is part of the common elements of the condominium, owned in common by the unit owners, and is in effect a private driveway. Maintenance is the responsibility of the condominium corporation, funded by the unit owners.
2. restrictions can be added to the Condominium Declaration to prohibit the use of the units for year round or permanent residential use. In the subdivision model, binding restrictive covenants are difficult to enforce and of questionable legal validity.
3. development controls can be added to the Declaration creating a VLCC for the benefit of all unit owners to ensure orderly and appropriate development on each unit and to provide a means to enforce rules dealing with matters such a size of dwellings, inappropriate exterior finishes, the storing of abandoned vehicles on the units, and so on. Such restrictions are not possible under the subdivision model.

For these reasons, this DFS will focus on the VLCC as the preferred development model.

OPPORTUNITIES FOR DEVELOPMENT ON PRIVATE LAND

Opportunities for cottage lot development on private land are extremely limited. The vast majority of the geographic territory in the Township outside the settlement areas is Crown land. Rarer still are privately held parcels on water bodies of a size suitable for cottage lot development. None are for sale in the Township.

Lac Seul has been chosen due the size of the waterbody and ease of access from existing roadways.

RELATIONSHIP TO ECONOMIC DEVELOPMENT IN THE COMMUNITY

The most recent update to the Townships Strategic Plan was 2015. Stakeholders consistently identified new economic development and tourism opportunities and population growth and retention as key objectives for the development of the community.

A letter for support for the proposed development from the Town of Ear Falls dated August 29, 2017 is attached as Appendix B.

Seasonal cottages are a traditionally popular recreational activity. The availability of scarce cottage lots will assist in attracting people to live and work in Ear Falls and will attract seasonal residents to assist in expanding the economic base of the community.

A letter dated October 17, 2017 from Apex Realty, a real estate broker, commenting on demand for cottage lots and limited inventory is attached as Appendix C.

Purchasers will come from other communities in Northwestern Ontario, the Winnipeg area and the USA to take advantage of the opportunity to purchase a cottage lot. The municipality will benefit from increases to the tax base with no requirement to extend municipal services, and the community at large will benefit from the increased economic activity generated by the construction and occupation of the new lots.

PLANNING MATTERS

Crown Land Use Policy

The proposed development is located in the controlled under Policy G2514 in the Crown Land Use Policy Atlas ("CLUPA").

<http://www.gisapplication.lrc.gov.on.ca/CLUPA/Index.html?site=CLUPA&viewer=CLUPA&locale=en-US>.

Policy G2514 prohibits Crown land disposition for cottage lot development within the Township. The Township has made an application to MNR for amendment of Policy G2514. The application for amendment is being coordinated with this application for the disposition of Crown land for the proposed cottage lot development.

Planning Act

Consent from the appropriate governmental authority is required under the Planning Act for the creation of new lots by vacant land condominium. The Township is the consent granting authority for new condominiums in Ear Falls.

Provincial Policy Statement

The Provincial Policy Statement ("PPS") was revised in 2014. The revised PPS states in s. 1.1.5.2, with respect to rural lands in municipalities, that permitted uses include "*resource based recreational uses (including recreational dwellings)*" and "*limited residential development*", and in s. 1.1.5.3 that "*recreational, tourism, and*

other economic opportunities should be promoted." The complete text to the provisions of the revised PPS with respect to rural lands in municipalities is attached at Appendix B.

The term "recreational dwelling" is undefined in the revised PPS. The proponent's view is that this term suggests that the development should not be for permanent or year round residential dwelling purposes. It is, however, difficult to distinguish a permanent residence from a seasonal/recreational residence based on physical construction or appearance. For example, a dwelling might be constructed with a basement, be well insulated, heated by a furnace, serviced by a well and septic field and connected to electrical power and yet used by the owner for seasonal cottage purposes while maintaining a separate permanent residence elsewhere. The proponent's view is that the concept of "recreational dwelling" can be addressed in several ways.

Restrictions can be included in the Declaration for the vacant land condominium stating that:

- a. units may only be used for to seasonal recreational use;
- b. no unit may contain a dwelling unit which is a permanent dwelling;
- c. no Unit may be used as the principal residence of the Owner or occupier of the Unit;
- d. each Unit is to be used for private recreational occupation only and for no other purpose; and
- e. each Owner shall provide a signed statement, in the form provided by the Condominium Corporation, addressed to the Condominium Corporation at the time his Unit is purchased and from time to time on request of the Condominium Corporation confirming the address of his permanent dwelling.

Provisions could be added to the Declaration to prohibit amendment of those provisions of the Declaration without the approval of the Township.

These provisions will allow the Condominium Corporation to enforce recreational dwelling restrictions by requiring each unit owner to demonstrate that he or she has a permanent residence elsewhere, so that the unit in the VLCC is, by definition, a secondary or seasonal recreational dwelling.

Restrictions on permanent residential use can also be addressed by adding provisions in the municipal zoning by-law restricting the use of the property to seasonal recreational uses and prohibiting the construction of buildings other than seasonal recreational dwellings as defined above.

Finally, restrictions can be created by registering a consent Order on the title to the property, in favour of the Township, to confirm that the use of the property is

restricted to seasonal recreational uses and that no dwelling other than a seasonal recreational dwelling may be built on the on the property. MMAH has recently adopted a policy of registering consent orders on title to ensure that prospective purchasers are aware of the restrictions on permanent residential use, and a similar policy can be adopted by the Township.

Official Plan

The Township has an up-to-date Official Plan, approved in October, 2015.

The Official Plan designation at this location is Crown Land Overlay, which provides that:

Crown lands are administered by the Ministry of Natural Resources. The Township of Ear Falls does not have jurisdiction over Crown Lands. Crown lands are shown on Schedule A.

Crown Land Overlay Policies

1. The Ministry of Natural Resources is encouraged to have regard for the policies and schedules of this Plan and to consult with the Township of Ear Falls with respect to the use and disposition of Crown Lands.

2. All proposed development on Crown Lands will require consultation and approval from MNR.

3. An Official Plan amendment is not required to update the boundaries of Crown lands.

The OP designation for this location will become Natural Resources Area. The section of the OP dealing with seasonal residential development in the Natural Resources Area is as follows:

Seasonal Residences

7. Seasonal residences are defined as 'buildings of residential occupancy used or intended to be used as seasonal recreational buildings as per the Ontario Building Code and are dwellings which are used for intermittent residential occupancy that are not considered to be used as a permanent residence. It is the intention of this Plan to permit seasonal residential development in the Natural Resources Area provided that such development is located in environmentally suitable areas and that the range of Municipal and Provincial responsibilities is limited to essential services.

8. Existing seasonal residential development shall be recognized and placed in an appropriate zone in the implementing Zoning By-Law. New proposals shall require an amendment to such By-Law.

9. All proposed developments on private land should proceed on the basis of a registered plan of subdivision or by application for consent if considered appropriate by Council, and satisfy the requirements of the resource management and cottage subdivision policies and programmes of the Ministry of Natural Resources.

10. All proposed development on Crown Land will be initiated through the cottage subdivision and resource management programmes of the Ministry of Natural Resources.

11. Existing seasonal residential developments shall be recognized and placed in an appropriate zone in the implementing Zoning By-Law. New proposals shall require an amendment to such By-Law.

12. Seasonal residential lots which do not front onto the water shall be minimum of 1.0 hectare in size, with a minimum lot width of 45 metres.

13. Seasonal residential lots which front on the water shall be a minimum of 0.4 hectares in size, with a minimum lot width of 45 metres. Proposed lots with less than the minimum area or frontage shall require a hydrogeological assessment or appropriate study to demonstrate that sewage effluent will not impact or degrade local groundwater supplies. Notwithstanding, Council will not consider the creation of a new lot with a lot area of less than 0.4 hectares.

14. Natural site features and tree cover should be retained where possible and incorporated into the overall development scheme.

15. The developer shall, if required, submit a detailed site plan to the Township.

16. The provision of municipal services, especially snow clearance and road maintenance, in seasonal residential areas will be limited and affected property owners will be notified accordingly.

17. The developer shall enter into a Subdivision Agreement with the Township, and be responsible for the provision of such internal or external services as may be required in the specifications of the Agreement.

The proposed lots will exceed the minimum of 45 metres of lake frontage and the minimum size of .4 ha. The proposed development will comply with the requirements for development in Natural Resources Areas and an Official Plan amendment will not be required.

Zoning

The Township is amending its zoning by-law as a consequence of the update to the Official Plan in 2015 and so it is not possible to comment on zoning at this time,

except to note that an amendment to the zoning by-law will likely be required to add the proposed location.

VALUES

A map illustrating values depicted for the proposed location available from Natural Heritage Ontario.

(http://www.gisapplication.lrc.gov.on.ca/mamnh/Index.html?site=MNR_NHLUPS_NaturalHeritage&viewer=NaturalHeritage&locale=en-US)

is included at Appendix D.

The proposed development is located in MNRF Ecoregion 4S-2.

Timber Harvesting

The proposed location is in the Whiskey Jack Forest. Mapping is Operations 48560. An extract from Map 48560 and the adjacent Map 49560 are attached.

The proposed location is identified as No Cut Reserve for forestry purposes.

Caribou

The proposed development is located in the Churchill Range. There is no indication on the Natural Heritage Ontario website or other publicly available websites that the proposed location is an area of concern for caribou habitat. The proponent has completed data sensitivity training and has requested further disclosure from MNRF.

Species at Risk

The proposed development area appears to be outside the no development area for any nests for protected bird species. The nests shown on Operations Maps 48560 and 49560 appear to be located a sufficient distance away from the site.

The proponent has requested disclosure of further information from MNRF.

Fishery

Fish species are primarily pickerel, whitefish and northern pike. Lac Seul is not lake trout habitat.

MNRF considers the maximum sustainable yield of a fishery in its review of development proposals, using a tool known as Maximum Sustainable Yield ("MSY"). Given the size of Lac Seul, the sustainability of the fishery would not be materially impacted by the development based only on MSY calculations.

The Lac Seul Management Plan ("LSMP") was adopted in 1988 as a result of concerns about the sustainability of the Lac Seul fishery. The proposed development is in Zone 1 in the LSMP. The original LSMP expressed concerns regarding additional cottage lot development but did not recommend a prohibition on additional cottage lot development. The LSMP was updated in 1992. The update did not include any recommendation for or against the development of additional cottage lots in Zone 1. The proponent is not aware of additional updates to the LSMP and has requested further information on the fishery from MNRF.

Provincially Significant Wetlands

There are several small wetlands located to the south of the proposed development in Grids 15VS8902 and 9002. No provincially significant wetland will be impacted by the proposed development.

Conservation Reserve

Islands to the north and east of the proposed development are designated as Conservation Reserve on Natural Heritage Ontario mapping. These islands are identified as CS317 in the Crown Land Use Policy Atlas. See Appendix D.

Staked Mining Claims

There are no staked mining claims abutting the shoreline of Lac Seul at this location.

Abandoned Mine Sites

There are no abandoned mine sites located within 5 km of this location.

(<http://www.mndm.gov.on.ca/en/mines-and-minerals/applications/ogsearch> - Abandoned Mines Information System Database)

Wildland Fire Hazard

To educate purchasers of cottage lots we will provide links to FireSmart hazard assessment and mitigation information at <https://www.ontario.ca/page/forest-fires-safety-information> and will include the FireSmart Site Assessment Form and Areas Assessment Form in the condominium disclosure package.

Water

Water levels on Lac Seul and Pakwash Lake are regulated under the jurisdiction of the Lake of the Woods Control Board ("LWCB").

(<https://www.lwcb.ca/BoardDesc/index.html>).

Lac Seul is located in the Central English Tertiary Watershed. The hazard land levels recommended by the LWCB, below which there should not be any development apart from docks and boathouses is 357.8 metres. The condominium declaration and description will contain provisions prohibiting construction other than docks and boathouses below the recommended hazard land level and establish "no build" areas on each lot.

Uses

A Uses Inventory is attached for reference as Appendix E. It does not appear that the proposed development will have a negative impact on any uses indicated on the inventory.

Archaeological Features

Map 48560 indicates a high potential for the presence of cultural heritage values.

Shoreline is regarded as having potential for features of archeological interest. A Stage 1 report to determine whether there are features of archeological significance at the site of the proposed development will be completed at the appropriate stage of the project.

SERVICING

Road Access

Road access will be from Highway 105 and White Wing Road. From verbal comments from MTO, it appears that White Wing Road is a public road. White Wing Road was formerly under the jurisdiction of the MTO but was abandoned to MNRF in 1969. We have asked MNRF if there are concerns with the use of White Wing Road for access to the proposed lots. MTO does not have an issue with connecting the access road to the condominium to White Wing Road, but might wish to consider whether the intersection with Hwy 105 is acceptable with the additional traffic volume from the proposed lots.

The municipality is aware that the municipality does not own White Wing Road. White Wing Road is under the jurisdiction of the Province but is plowed and maintained by the Township. There are currently six (6) assessment parcels which use White Wing Road for access to Highway 105, of which two (2) are commercial.

Electricity

There will be no electrical services provided. Potential purchases will rely on privately owned and operated solar power and generators. The nearest connection to the electrical power grid is White Wing Road.

Water

Water will be drawn from Lac Seul. Individually owned water wells will not be installed by the proponent.

Sewage

Sewage disposal service will be by individual privately owned septic systems located on each lot. All lots will be inspected by the Northwestern Health Unit to determine that each lot is suitability for installation of a Class IV septic system.

Larocque Enterprises, a licensed sewage hauler, will confirm in writing that it has capacity to handle the potential sewage generated by the proposed development.

Lake Capacity

A preliminary review of the MOECC's lake capacity model, based on the size and characteristics of the watershed and the absence of other development, indicates that there is capacity for the proposed development. This will be verified by testing water samples as the project proceeds.

Solid Waste

The Township operates a landfill located within municipal boundaries, significant capacity and has no concern with solid waste from camps. The most recent Volume and Financial Assurances report dated November 24, 2015 states an estimated capacity of 85 years. There is capacity to handle the solid waste expected to be generated from the development.

CONSULTATIONS

MOECC – letter to the Ministry of Environment and Climate Change dated June 13, 2017, 2017, with MOECC's letter of October 2, 2017 are included in Appendix F.

MNDM – letter to the Ministry of Northern Development and Mines dated June 13, 2017 with MNDM's letter of July 7, 2017 are included in Appendix G.

MTO – letter to the Ministry of Transportation dated June 13, 2017 is included in Appendix H. MTO did not give written comments. MTO's verbal contacts per meeting with Kevin Ellis, Corridor Control are noted above under the heading SERVICING/Road Access.

MTCS – letter to the Ministry of Tourism, Culture and Sports dated June 13, 2017 with MTCS's letter of October June 21, 2017 are included in Appendix I.

FIRST NATION CONSULTATIONS

First Nation consultations have not yet been initiated.

CONCLUSION

It appears that the proposed development is feasible and warrants proceeding to the next stage of review under the Guide.

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The Corporation of the
Township of Ear Falls

P.O. Box 309
Ear Falls, ON P0V 1T0

From the Office of the Mayor

ph (807) 222-3624
fx (807) 222-2384

August 29, 2017

Ministry of Natural Resources and Forestry
227 Howey St
P.O. Box 5003
Red Lake, ON
P0V 2M0
Attention: Charlie Mattina

Re: Proposed Cottage Lot Developments in Ear Falls – Lac Seul and Pakwash Lake

Dear Mr. Mattina:

I am sending this letter to confirm the community's support for both the cottage lot development initiatives currently under review by the Ministry of Natural Resources and Forestry (MNRF), as outlined in the initial proposal prepared by JFT Developments Ltd. dated September 12th, 2016, and the amendment of the Crown Land Use Policy to allow Crown land in the municipality to be disposed of for cottage lot development. The Township of Ear Falls has authorized JFT, by Resolution No. 351-12, to pursue these initiatives on the municipality's behalf, and we are fully aware of, and regularly informed by JFT, of the status of these applications.

The applications are consistent with the community's Strategic Plan and our 2015 Official Plan. Given our remote location, opportunities for economic growth are limited, and leveraging the natural resources in our community, for tourism and seasonal residential development are key initiatives, both to grow our tax basis and to increase the traffic in the municipality. The 2017 municipal residential tax rate in Ear Falls is 0.02306782. Assuming a value of \$180,000 for a lot with a cottage, each lot will generate \$4,152 in municipal taxes. This does not include the school tax portion which will also increase revenue for the school boards.

We recognize that there are internal municipal planning steps required to approve the creation of cottage lots in addition to requirements under MNRF's Cottage Lot Development program. The Township of Ear Falls is the consent granting authority under the Planning Act for new subdivisions and condominiums. Our Official Plan is current and will not require amendment to allow these applications to proceed. Zoning for these locations will be required and the municipality will support the applications to create appropriate zoning consistent with the Official Plan. The municipality will work with MNRF to coordinate all public consultations required under the Cottage Lot Development program and our internal processes. We fully support these applications and look forward to a co-operative and expedient process for completion.

Yours truly,

THE TOWNSHIP OF EAR FALLS

A handwritten signature in black ink, appearing to read "Kevin Kahoot", written over a faint, illegible stamp or background.

Kevin Kahoot
Mayor

cc: Jack Jamieson

C



APEX REALTY SERVICES LTD.
BROKERAGE

Apex Realty Services Ltd.

391 Oliver Road, Thunder Bay, ON P7B 2G2

Ph: (807) 683-9871

Fax: (807) 345-4667

October 17, 2017

To whom it may concern

My name is Elio Scocchia, a Real Estate Broker with Apex Realty Services Ltd.

I have been selling real estate since 1978 and my area of practice is in Vacant Land and Recreational Land and Cottage sales throughout the Province of Ontario.

I am a member of the Thunder Bay Real Estate Board.

I am the owner/operator of the web site WWW.RECREATIONLAND.NET which is a marketing vehicle where I promote land and recreational listings.

The recreationland.net web site currently enjoys well over 100,000 unique visitors per month.

These web site visitors are all looking for vacant lands, riverfront properties, lakefront properties and cottages that may be found on such properties.

I have and continue to conduct a detailed review of inventory of existing private waterfront lots that may be available on the market at any time throughout the year.

A review and analysis of data from MLS (Multiple Listing Services) throughout Northern Ontario reveals that there is an extremely limited number of privately owned undeveloped vacant land lakefront cottage lots or riverfront cottage lots available on the market at any time throughout Northern Ontario.

I find that in many cases when a family has a recreational property on a lake or river it is usually handed down to family members.

That makes supply minimal.

As a result very few properties make it to the open market and when they do, they sell very quickly and often times there are bidding wars.

It is extremely rare to find a privately owned large parcel of land that can be developed for recreational waterfront cottage lots and again, not have such lands available for development makes the supply that much smaller.

Thus there is considerable demand for undeveloped waterfront cottage lots throughout all of Northern Ontario.

Today, it appears that people have more leisure time and usually with both spouses working, families have more money to invest.

In the Ear Falls region the demand comes from locals within 1-6 hours from the area, from the City of Thunder Bay to the east and from Winnipeg to the west and from a healthy U.S. market from the States of Minnesota, Wisconsin, the Dakotas and Iowa.

In summary, our biggest challenge is inventory.

We have very little.

There are plenty of people interested and looking to buy, but not a lot of property available.



Elio Scocchia

Broker

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D



E

USES INVENTORY

June 7, 2017

Proposed Development – Lac Seul, White Wing Road, Township of Ear Falls

The location of the proposed development is shown on the Google Earth sketches attached.

The following summarizes our research on other land uses in the vicinity to date.

Nearby Properties

There are six (6) assessment parcels using White Wing Road for access to Highway 105. Of these, one is a commercial resort, one is a seaplane base, and four (4) are residential.

Roads

Road access will be from Highway 105 and White Wing Road. White Wing Road is under the jurisdiction of the Province. White Wing Road is a year round road, maintained and plowed by the Township of Ear Falls.

Active Mines

None within 1,000 metres

Abandoned Mine Sites

None within 1,000 metres

Mining Claims

There are no mining claims abutting the shoreline reserve at the proposed development

Forestry

The proposed development is located within a No Cut Reserve

Industrial Facilities

Referencing MOE's D-6 Guidelines, there are no Class I, II or III facilities within 1,000 metres of the proposed development

Aggregate pits/quarries

None within 1,000 metres

Landfill Sites

None within 1,000 metres

Waste Disposal Sites

None within 1,000 metres

F

J.F.T. Developments Ltd.

306 – 147 Fanshaw St.
Thunder Bay, ON P7C 5Z9
T: 807-627-6395
F: 807-346-3600

June 13, 2017

Ministry of Environment and Climate Change
Suite 331
435 James St S
Thunder Bay ON P7E 6S7

Via email to anneleis.eckert@ontario.ca

Attention: Anneleis Eckert

Dear Ms. Eckert

RE: Vacant Land Condominium – Lac Seul, Township of Ear Falls, (the “Property”)

I am preparing a Feasibility Study for the creation of a vacant land condominium on Lac Seul in the Township of Ear Falls, and am requesting comments on this proposal from MOECC.

I am enclosing a sketch of the location of the proposed lots and a copy of the initial scoping letter for this proposal for reference. Please refer in particular to the section of the scoping letter headed Lac Seul - White Wing Road. We estimate that this location can accommodate 25 to 35 lots.

The land is currently owned by the Crown. J.F.T. Developments Ltd. is working with MNRF Red Lake (Charlie.Mattina@ontario.ca) and the Township of Ear Falls to assess the possibility of acquisition of the land from the Crown to create a vacant land condominium at this location.

There will be approximately 30 lots at this location. Target size is 60m frontage by 100-120m deep, so more than .4 but less than 1 ha. in size.

I am particularly interested in modeling requirements given the size of the water body and clarification that can be provided for the studies required under the D-5 guidelines.

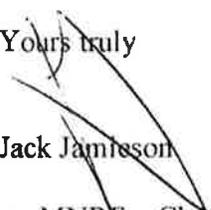
I am attaching a draft Uses Study with respect to existing uses in the vicinity of the proposed development.

The Township advises that there is approximately 85 years usage available at the local municipally operated landfill according to the most recent.

There is a licensed sewage hauler in the municipality with capacity to handle pumped sewage.

We will provide written confirmation on these points in due course. In the meantime, I look forward to receipt of your initial comments with respect to the proposed development.

Yours truly


Jack Jamieson

cc. MNRF – Charlie Mattina

cc. Township of Ear Falls – Kimberly Ballance

**Ministry of the
Environment
and Climate Change**

199 Larch Street
Suite 1201
Sudbury ON P3E 5P9
Tel.: (705) 564-3237
Fax: (705) 564-4180

**Ministère de
l'Environnement et de
l'Action en matière de
changement climatique**

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October 2, 2017

J.F.T. Developments Ltd.
306-147 Fanshaw St.
Thunder Bay ON P7C 5Z9
T: 807-627-6395

Cc: Kimberly Ballance

Dear Jack Jamieson,

The Ministry of Environment and Climate Change (MOECC) has received your request to identify our interests in the proposed developments for Lac Seul and Pakwash Lake. This proposed development is part of the Ministry of Natural Resources and Forestry's (MNRF) Crown Land Disposition for Cottage Lots Program for Municipal Economic Development.

It is understood that there are two proposals for the disposition of parcels of crown land on Lac Seul and Pukwash Lake. The parcel on Lac Seul's White Wing Road totals approximately 40ha and will be further subdivided into 25-35 lots. The parcel on Pukwash Lake is 228.95ha in total starting with Phase 1 of approximately 30ha. Both developments are proposed to be in the form of vacant land condominiums with individual water and septic services. There is currently no expectation of size of dwelling, site plan control, etc. proposed. The road immediately adjacent to the lots will also be part of the condominium corporation. The proposed development will also require access over crown land.

The Ministry of the Environment and Climate Change (MOECC) is responsible for protecting clean and safe air, land and water to ensure healthy communities, ecological protection and sustainable development for present and future generations of Ontarians. This includes:

- servicing (including potable water, sewage disposal, stormwater management, and solid waste management);
- water quality and quantity (including surface drainage, source water protection and lakeshore capacity assessment);
- air quality and climate change;
- land use compatibility (including noise, vibration, dust, and odour); and

- contaminated sites.

The following comments provide more detail on MOECC's interests.

Water Quality

MOECC requires a minimum of 3 years of water quality data to be submitted. A lakeshore capacity assessment study may be required, in accordance with the Lakeshore Capacity Assessment Handbook. Where water quality does not support further development, lot creation will only be considered where planning controls exist that require and enforce the placement of septic systems outside of 300 linear metres of the lakeshore or permanently inflowing tributary. It would be prudent to schedule a meeting with MOECC to further discuss water quality requirements.

Due to the proximity of the development, specifically that on Lac Seul, to the town core of Ear Falls, it is possible that there will be year-round use. MOECC requests test wells to ensure that potable water is available on the site through drilled wells in the event that year round users prefer drilled wells. This testing should be done in accordance with D-5-5.

Servicing Options Statement

A Servicing Options Statement outlining the proposed servicing and alternatives is required. Special attention shall be given to the servicing hierarchy as outlined in MOECC's Guideline D-5-3 and the Provincial Policy Statement (PPS) sections 1.6.6.2-1.6.6.6. Guideline D-5-3 provides details regarding the contents of the servicing options statement and can be found online at: <https://www.ontario.ca/page/environmental-land-use-planning-guides>. This statement must address both water and septic. Any requirements set out in the Official Plan Section 6.2 should also be addressed in regards to required studies.

Should the current proposal of individual on-site septic systems be the selected option, MOECC guidelines require lot sizes to be an average of 1 ha in size on average (with no lot less than 0.8 ha) unless it can be demonstrated through hydrogeological studies to the satisfaction of MOECC that a reduction in lot size will not impact the environment in accordance with D-5-4. This is consistent with Ear Fall's OP Section 6.2 (2).

Stormwater Management and Site Plan(s)

The ministry has an interest in how stormwater will be managed on a general level for the entire site (communal/common areas, the roadway, and minimum standards for individual lots).

As part of good stormwater management and to ensure the protection of water quality, the ministry recommends the maintenance of natural vegetative buffers at the shoreline. MOECC is also interested in any proposed maximum lot coverage, maximum building size (footprint and height) that the condominium corporation may be considering.

Climate Change

In accordance with section 1.8 of the PPS, Energy, Air Quality, and Climate Change must all be addressed in planning proposals. Air Quality and Climate Change fall within MOECC's mandate area. Information must be provided on how these items will be considered and enforced in the proposed development. Possible examples include, incorporating vegetative buffers and standards, minimum vegetative lot coverage, green building materials, passive heating and cooling, and active transportation pathways connecting the development to the town centre and other recreational areas.

Waste and Septage

The introductory letter regarding the project indicates that there is sufficient space at the solid waste disposal site and that there is a licenced septage hauler. MOECC requires a letter from the septage hauler including the hauler's licence number and the ECA number of the receiving site.

Previous and Adjacent Land Uses

Previous uses of the sites, if any, should be identified along with the possible need for brownfield assessments or record of site condition. The application from (2003) identifies that no mines are present within 5 km of the proposed sites. The proponent should consult with MNDM to determine/reconfirm that there are no known mine hazards or abandoned mines. Any known contaminants or natural hazards (ex: radon) should also be identified. Adjacent land uses should be identified along with potential impacts to the proposed cottages and impact of the proposed cottages on the existing adjacent land use. MOECC recommends that a minimum of a 1000m radius is used when assessing adjacent land uses. Included in the land uses should be patent land, non-patent land, and regulated land (mining claims, conservation reserves/provincial parks, Federal land, Indian Reserves) and any other relevant land use.

Approvals and Non-Planning Act Assessments

Environmental Assessment requirements (if any) and exemptions should be identified along with the general steps to be taken to complete the EA(s). Consultation should be undertaken with MNRF regarding the Resource Stewardship and Facility Development Class EA for the disposition of crown land and the requirements of the proponent in fulfilling this Class EA. As this is a municipally driven project, EA requirements may exist in the Municipal Engineer's Class EA. Requirements in multiple EAs are encouraged to be addressed simultaneously through one EA document that meets all of the criteria of all required EAs.

Depending on the outcome of the servicing options statement, approvals may be required for communal septic and water services. It should also be noted that MOECC measures total flow volumes of combined septic systems on the same property. The total flow on the property of 10,000 litre/day or less will require approval through the local health unit. If flows exceed 10,000 litres/day an Environmental Compliance Approval is required. The structure of the condominium corporation will determine if the property is considered to be one property or multiple properties.

General

MOECC encourages the municipality to consider the possibility of future backlot development (lots that do not have direct water access) and to leave shoreline access for these possible future users.

Conclusion

Thank you for the opportunity to identify MOECC's interests. This concludes our comments at this time. New information, changes to the project, and policy or legislative changes may necessitate amendments to these comments. If you have any questions or concerns, please do not hesitate to contact me. We look forward to reviewing your proposal and accompanying information in one comprehensive and current document.

Sincerely,



Anneleis Eckert
Environmental Planner / EA Coordinator

cc: Paula Allen, MOECC
Todd Kondrat, MOECC
Paula Spencer, MOECC
Charlie Mattina, MNRF
Graeme Swanwick, MNRF
Thora Cartlidge, MNRF
Sylvie Oulton, MMA

G

J.F.T. Developments Ltd.

306 – 147 Fanshaw St.

Thunder Bay, ON P7C 5Z9

T: 807-627-6395

F: 807-346-3600

jamieson@tbaytel.net

June 13, 2017

Ministry of Northern Development and Mines
Thunder Bay, ON

Via email to ryan.tuomi@ontario.ca

Attention: Ryan Tuomi

Dear Mr. Tuomi

RE: Vacant Land Condominium – Lac Seul, White Wing Road, Township of Ear Falls, (the
“Property”)

I am preparing a Feasibility Study for the creation of a vacant land condominium on Lac Seul in
the in the Township of Ear Falls, and am requesting comments on this proposal from MNDM.

I am enclosing a sketch of the location of the proposed lots and a copy of the initial scoping letter
for this proposal for reference. Please refer in particular to the section of the scoping letter
headed Lac Seul - White Wing Road. We estimate that this location can accommodate 25 to 35
lots.

The land is currently owned by the Crown. J.F.T. Developments Ltd. is working with MNRF
Red Lake (Charlie.Mattina@ontario.ca) and the Township of Ear Falls to assess the possibility of
acquisition of the land from the Crown to create a vacant land condominium at this location.

I am enclosing a Uses Inventory for this location.

I look forward to receipt of MNDM's comments with respect to the proposed development.

Yours truly

Jack Jamieson

cc. MNRF Red Lake – Charlie Mattina
cc. Township of Ear Falls – Kimberly Ballance



Ministry of
Northern Development
and Mines

Ministère du
Développement du Nord
et des Mines

July 7, 2017

Subject: Feasibility Study by J.F.T. Developments Ltd. for the creation of vacant land condominium through the acquisition of Crown land by the Township of Ear Falls to support municipal cottage lot development – Lac Seul and Pakwash Lake

The Township of Ear Falls has made an application to acquire Crown land within the municipal boundary for economic development. The intended use for the acquired land is seasonal residential cottages, using a condominium model for the development of the vacant land.

The Ontario Geological Survey Resident Geologist Program has done the following with regard to the review of the proposed Ear Falls area of proposed cottage lot development:

1. checked the Ministry's Mineral Deposit Inventory (MDI) for mineral occurrences. There are no known mineral occurrences on the proposed project areas. The nearest MDI record is approximately 5 kilometres from the Pakwash Lake proposed lot development site. There are no MDI records on or adjacent to the Ski Trail, English River, Goldpines, Highway 105 and White Wing proposed lot development areas.
2. checked the Ministry's CLAIMapsIV for land tenure. At the Pakwash Lake site, the proposed lot development area includes the following unpatented mining claims: 4249981, 4249979, and 4249980. As well, there are patented surface and mining rights adjacent to the Pakwash Lake proposed development site. There are patented surface and mining rights adjacent to the English River proposed development site. Note, surface and mining rights may be held together or separately.

Application by the Township of Ear Falls for the acquisition of Crown land to support municipal cottage lot development – Lac Seul and Pakwash Lake

Please direct any questions regarding mining claims and land tenure to Leanne Messier - Deputy Mining Recorder FLS at 705-670-5793 or leanne.messier@ontario.ca

Land tenure information can be found at: <https://www.mndm.gov.on.ca/en/mines-and-minerals/applications/claimapsiv>

3. checked the Ministry's OGSEarth application for bedrock geology. Each of the proposed lot development areas are underlain by metasedimentary rocks consisting of wacke, siltstone, arkose, argillite, slate, mudstone, marble, chert, iron formation, minor metavolcanic rocks, conglomerate, arenite, paragneiss, migmatites. In addition to the metasedimentary rocks, the Highway 105 proposed lot development site is also underlain by foliated tonalite.

The proposed lot development areas are overlain by glaciolacustrine deposits consisting of silt and clay, minor sand, basin and quiet water deposits.

4. checked the Ministry's OGSEarth application for Assessment File Report Inventory (AFRI) to determine whether past mineral exploration activity has been reported for the proposed area. There are numerous AFRI records in the area adjacent to the Pakwash Lake proposed lot development site. There are no AFRI records in the proposed lot development areas of Ski Trail, English River, Goldpines, Highway 105 and White Wing sites.
5. used the GIS-based "Metallic Mineral Potential Estimation Tool" to get an estimation of the mineral potential of the proposed project area. A moderate metallic mineral potential is estimated for the area, with the scores ranging from 70.1 – 80 out of 100 for Pakwash Lake, Ski Trail, English River, Goldpines, and Highway 105, and a low MMPET score for the White Wing proposed lot development site of 30.1 – 40 out of 100.
6. checked the Ministry's AMIS (Abandoned Mines Information System) database: There are no known and recorded AMIS sites on or near to Pakwash Lake, Ski Trail, English River, Goldpines, Highway 105 and White Wing proposed lot development areas. The nearest AMIS site is located approximately 5 kilometers to the northeast of the Pakwash Lake proposed lot development site; AMIS No. 03873 – Griffith, iron mine.

As always, the information provided in the AMIS database has been compiled from various sources and MNDM makes no representation and takes no responsibility that such information is accurate, current or complete. The user is warned to undertake his or her own independent investigation to validate the information and ensure that the lands in question are safe and suitable for the purpose under consideration.

The information provided is intended as reference material.

Published reports and Mineral Deposit Inventory and Abandoned Mines Information System records are available for viewing or free download through the "Search

Application by the Township of Ear Falls for the acquisition of Crown land to support municipal cottage lot development – Lac Seul and Pakwash Lake

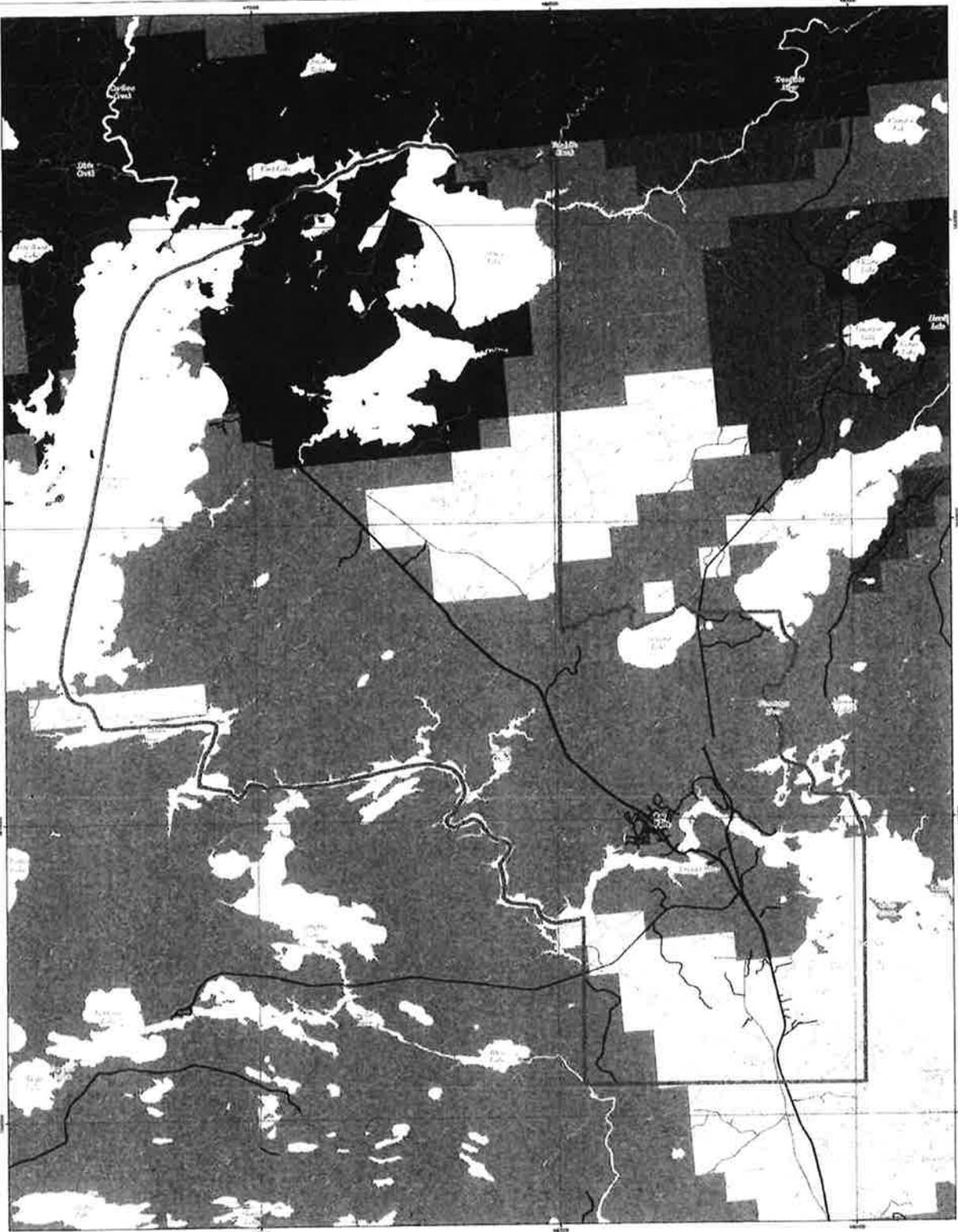
GeologyOntario” portal using the following link:
<http://www.geologyontario.mndm.gov.on.ca/index.html>

Regards,

C. Daniels

Catherine Daniels, M.Sc., P.Geol.
Ontario Geological Survey
Regional Land Use Geologist – Northeastern Ontario
5520 Highway 101 East, Bag Service 3060
South Porcupine, Ontario P0N 1H0
T (705) 235-1612
F (705) 235-1620
catherine.daniels@ontario.ca

cc :
Stephen DeVos – MNDM
Charlie Mattina – MNRF
Kimberly Ballance – The Township of Ear Falls



**Township of Ear Falls:
Metallic Mineral Potential Estimation Tool**



Regional Geology compiled by Geol. Surv. Canada, 1994, 1:50,000
 Geological Survey of Canada, 1994, 1:50,000
 This map shows an MMPE (Metallic Mineral Potential Estimation) map of the Township of Ear Falls, Ontario, Canada, based on the Regional Geology of Ontario, CGO 2210 and using Mineral Deposit Inventory (MDI) data. The MMPE is a GIS-based tool that provides a high-level, regional-scale evaluation of the likelihood of any given parcel of land to be prospective for a metallic mineral deposit.

This map was prepared by the Township of Ear Falls, Ontario, Canada, in 2014. It is a public domain map and is not subject to copyright.

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H

J.F.T. Developments Ltd.

306 – 147 Fanshaw St.
Thunder Bay, ON P7C 5Z9

T: 807-627-6395

F: 807-346-3600

jamieson@tbaytel.net

June 13, 2017

Ministry of Transportation
615 James Street South
Thunder Bay, Ontario P7E 6P6

Via email to kevin.ellis@ontario.ca

Attention: Kevin Ellis

Dear Mr. Ellis

RE: Vacant Land Condominium – Lac Seul, White Wing Road, Township of Ear Falls (the “Property”)

I am preparing a Feasibility Study for the creation of a vacant land condominium on Lac Seul in the Township of Ear Falls, and am requesting comments on this proposal from MTO.

I am enclosing a sketch of the location of the proposed lots and a copy of the initial scoping letter for this proposal for reference. Please refer in particular to the section of the scoping letter headed Lac Seul - White Wing Road. We estimate that this location can accommodate 25 to 35 lots.

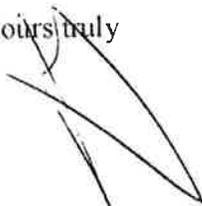
The land is currently owned by the Crown. J.F.T. Developments Ltd. is working with MNRF Red Lake (Charlie.Mattina@ontario.ca) and the Township of Ear Falls to assess the possibility of acquisition of the land from the Crown to create a vacant land condominium at these locations.

Access to the proposed development is from Highway 105 and then White Wing Road to the site. I am advised that White Wing Road is owned by the Province but is maintained and plowed by the Township of Ear Falls. The proposed access driveway for the condominium units would connect to White Wing Road.

I am enclosing a Uses Inventory for this location.

I look forward to receipt of MTO's comments with respect to the proposed development.

Yours truly

A handwritten signature in black ink, appearing to be a stylized name, possibly 'J. Jamieson', written over the typed name 'Yours truly'.

Jack Jamieson

cc. MNRF Red Lake – Charlie Mattina

cc. Township of Ear Falls – Kimberly Ballance

I

J.F.T. Developments Ltd.

306 – 147 Fanshaw St.
Thunder Bay, ON P7C 5Z9
T: 807-627-6395
F: 807-346-3600
jamieson@tbaytel.net

June 13, 2017

Ministry of Tourism, Culture and Sports
Programs & Services Branch
401 Bay St., Suite 1700
Toronto, ON P7A 0A7

Via email to archaeology@ontario.ca

Dear Sir or Madam

RE: Vacant Land Condominium – Lac Seul, White Wing Road, Township of Ear Falls (the “Property”)

I am preparing a Feasibility Study for the creation of a vacant land condominium on Lac Seul in the Township of Ear Falls, and am requesting comments on this proposal from MTCS.

I am enclosing a sketch of the location of the proposed lots and a copy of the initial scoping letter for this proposal for reference. Please refer in particular to the section of the scoping letter headed Lac Seul - White Wing Road. We estimate that this location can accommodate 25 to 35 lots.

The land is currently owned by the Crown. J.F.T. Developments Ltd. is working with MNRF Red Lake (Charlie.Mattina@ontario.ca) and the Township of Ear Falls to assess the possibility of acquisition of the land from the Crown to create a vacant land condominium at this location.

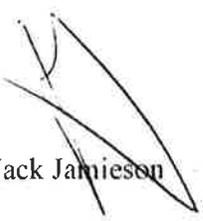
I am attaching a partially completed Criteria for Evaluating Archaeological Potential form. It is not fully completed as we have not yet consulted First Nations communities with respect to information they may have concerning the site.

Given that the site is on water, we acknowledge that an archaeological assessment will be required.

I am also attaching a Uses Study with respect to existing uses in the vicinity of the proposed development.

I look forward to receipt of your comments with respect to the proposed development.

Yours truly



Jack Jamieson

cc. MNRF – Charlie Mattina

cc. Township of Ear Falls – Kimberly Ballance

**Ministry of Tourism,
Culture and Sport**

Culture Services Unit
Programs and Services Branch
401 Bay Street, Suite 1700
Toronto ON M7A 0A7
Tel: 416 314 7182
Fax: 416 212 1802

**Ministère du Tourisme,
de la Culture et du Sport**

Unité des services culturels
Direction des programmes et des services
401, rue Bay, Bureau 1700
Toronto ON M7A 0A7
Tél: 416 314 7182
Télééc: 416 212 1802



June 21, 2017 (EMAIL ONLY)

Jack Jamieson
J.F.T. Developments Ltd.
306-147 Fanshaw Street
Thunder Bay, ON P7C 5Z9
E: jamieson@tbaytel.net

RE: MTCS file #: 0006908
Proponent: J.F.T. Developments Ltd.
Subject: Notice of Feasibility Study
Vacant Land Condominium – Lac Seul, White Wing Road
Location: Township of Ear Falls, Ontario

Dear Jack Jamieson:

Thank you for providing the Ministry of Tourism, Culture and Sport (MTCS) with the notice of preparation of the Feasibility Study for your project. MTCS's interest in this project relates to its mandate of conserving Ontario's cultural heritage, which includes:

- Archaeological resources, including land-based and marine;
- Built heritage resources, including bridges and monuments; and,
- Cultural heritage landscapes.

Under the EA process, the proponent is required to determine a project's potential impact on cultural heritage resources.

Your proposal is for the creation of a vacant land condominium on Lac Seul in the Township of Ear Falls, potentially resulting in 25-35 lots. The land is currently under ownership of the Crown and J.F.T. Developments Ltd., is working with MNR Red Lake and the Township of Ear Falls to determine the possibility of acquisition of the land from the Crown to accommodate the proposal.

Please note that the *Standards and Guidelines for Conservation of Provincial Heritage Properties* (S&G), prepared pursuant to Section 25.2 of the *Ontario Heritage Act (OHA)*, came into effect on July 1, 2010. All Ontario government ministries and public bodies that are prescribed under Ontario Regulation 157/10 must comply with the S&Gs with respect to property that is owned or controlled by the Crown in right of Ontario or by a prescribed public body.

While some cultural heritage resources may have already been formally identified, others may be identified through screening and evaluation. Aboriginal communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Aboriginal communities includes a discussion about known or potential cultural heritage resources that are of value to these communities. Municipal Heritage Committees, historical societies and other local heritage organizations may also have knowledge that contributes to the identification of cultural heritage resources.

Archaeological Resources

We acknowledge receipt of the partially completed Criteria for Evaluating Archaeological Potential form, and note your intention to consult with Aboriginal communities with respect to the site. We further acknowledge that you will be undertaking an Archaeological Assessment. The Archaeological Assessment should be undertaken as early as possible in the process, and must be completed prior to a potential transfer of land.

Built Heritage and Cultural Heritage Landscapes

The MTCS Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes should be completed to help determine whether there is potential for cultural heritage resources on the property or within the project area. If there is potential for cultural heritage resources, then a Cultural Heritage Evaluation Report (CHER) needs to be undertaken by a qualified person prior to the transfer of Crown lands out of provincial control. Depending on the findings of the CHER, MTCS may have additional recommendations e.g. if the property is determined to be of cultural heritage value, a Strategic Conservation Plan and/or Heritage Impact Assessment will need to be completed.

Environmental Assessment Reporting

All technical heritage studies and their recommendations are to be addressed and incorporated into EA projects. Please advise MTCS whether any technical heritage studies will be completed for your EA project, and provide them to MTCS before issuing a Notice of Completion/commencement of work on-site. If your screening has identified no known or potential cultural heritage resources, or no impacts to these resources, please include the completed checklists and supporting documentation in the EA report or file.

Thank-you for consulting MTCS on this project: please continue to do so through the EA process, and contact me for any questions or clarification.

Sincerely,

Jeff Elkow
Heritage Planner
jeff.elkow@ontario.ca

Copied to: Charlie Mattina, MNRF
Charlie.mattina@ontario.ca

Kimberly Ballance, Township of Ear Falls
kballance@ear-falls.com

It is the sole responsibility of proponents to ensure that any information and documentation submitted as part of their EA report or file is accurate. MTCS makes no representation or warranty as to the completeness, accuracy or quality of the any checklists, reports or supporting documentation submitted as part of the EA process, and in no way shall MTCS be liable for any harm, damages, costs, expenses, losses, claims or actions that may result if any checklists, reports or supporting documents are discovered to be inaccurate, incomplete, misleading or fraudulent.

Please notify MTCS if archaeological resources are impacted by EA project work. All activities impacting archaeological resources must cease immediately, and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

If human remains are encountered, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services must be contacted. In situations where human remains are associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.