



Note: These guidelines are prepared for convenience only. They are intended to indicate only the minimum requirements of the Ministry in the administration of the restricted area order referred to herein. They are not exhaustive and may be amended or varied from time to time or in a particular case.

***Effective: 1991
Revised 2010***

PART 1

SCHEDULE 1 (ATTACHED) MAP OF CLEARWATER BAY RESTRICTED AREA ORDER

PART 2

Intent of Order

The Clearwater Bay Lake Trout Advisory Committee recommended that the order be implemented to ensure that additional development on private lands will not negatively impact on water quality and lake trout habitat. Studies conducted from 1984 to 1987, by the Ontario Ministry of Natural Resources on Clearwater Bay, Echo Bay and Cul de Sac Lake, revealed that reduced oxygen conditions along with higher than normal nutrient levels were prevalent in the main basins of Clearwater Bay and Echo Bay.

Except under the authority of a work permit issued under Section 13 of the Public Lands Act, no building or structure shall be erected and no improvements shall be made to any lands within the Restricted Area.

The Development policy categories outlined in Parts 4, 5 and 6 comprise the general guidelines, which will be used by the Ministry in controlling development in the area. In the interest of the health, safety, convenience and well-being of the present and future residents, and to meet the objective of protecting water quality and lake trout habitat, development will be restricted to those areas which, in the opinion of the Ministry, are best suited for development.

The purpose for which any land or building in the restricted area is now used shall not be changed, except under the authority of a Work Permit, issued by or under the authority of the Minister. Limited new commercial operations and controlled industrial development in the Restricted Area will be permitted in accordance with the *Crown Land Use Policy Atlas*.

These guidelines are intended to set out the minimum dimensions of lots, the minimum set back from any lakeshore, and other factors governing development in the area. Additional particulars and information may be obtained from the District Manager, Ministry of Natural Resources, P.O. Box 5080, Kenora, Ontario, P9N 3X9.

PART 3

Definitions

Unless otherwise expressly provided in these guidelines.

“Ancillary” when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principle use, building or structure on the same lot.

“Amendment” means any changes to an approved work permit in either design, construction details or location, that will require an amendment to a work permit if approved.

“Boathouse” shall mean a structure located entirely or partially on land and/or in water, constructed for the purpose of storing boats and accessories, but it shall not be used for accommodation of persons.

“Boat Port” means a permanent roofed-structure over one or more boat slips, constructed for the purpose of storing boats and accessories, but it shall not be used for accommodation of persons.

“Building” means a structure consisting of a wall, roof and floor or any one of them or a structural system serving the same purpose.

“Building addition” means any change in one or more of the external dimensions of an existing building or any change or conversion of use of the external structure. Building addition does not include the replacement of siding, roofing or movement of internal walls etc.

“Building lot” means a parcel of useable land of sufficient size to provide the minimum area requirements for its intended use.

“Bunkhouse” means an ancillary building that provides sleeping accommodations only, and does not contain cooking facilities, washroom facilities or sinks.

“Commercial use” shall mean the use of land or buildings for the purposes of buying and/or selling and/or leasing commodities and supplying services.

“Development” means severing or sub-dividing land and/or the erection of a structure thereon.

“Dock” means a structure to protect and secure watercraft and/or amphibious aircraft.

“Erect” includes:

- (a) The construction, re-construction or re-location of a building or structure;
- (b) Any preliminary physical operation such as excavating, filling, or draining;
- (c) The altering of any existing building or structure by an addition, enlargement, extension, movement of, or other structural change; and
- (d) The locating or placing of construction material on land.

“Existing” means in existence on the effective date of the Order.

“Garage” means a single-storey accessory structure or portion of a structure designed and/or used for the sheltering of private motor vehicles and recreational vehicles and is incidental to the main building, and not to be used as a dwelling or accommodation of persons.

“Hazard lands” means lands having undesirable physical characteristics such as poor drainage, potentially unstable soils, flood susceptibility, erosion susceptibility, steep slopes, or other physical conditions which in the opinion of the Ministry render the lands unsuitable for development.

“Improvement” means an addition made to property or buildings intended to enhance its value or adapt the property or buildings for new or further purposes.

“Industrial use” shall mean the use of land, buildings or structures primarily for manufacturing,

processing of goods or raw materials, warehousing and bulk storage of goods and repair and servicing of goods including transportation terminals, but excluding retail sale on the premises.

“Lot” means a parcel of land;

(a) which is capable of being legally conveyed pursuant to the Planning Act; or

(b) Shown as lot or block on a registered plan of subdivision.

“Lot area” shall be the total horizontal area within the lot lines of a lot.

“Lot lines” shall mean the boundary lines of a lot defined as follows:

“Front lot line” shall mean:

(a) In the case of an interior lot, the lot line dividing the lot from the street;

(b) In the case of a corner lot, the shorter lot line abutting the street unless each lot line is of equal length in which case the front lot line shall be the lot line from which the principal access to the lot is provided;

(c) In the case of a through lot, the front lot line shall be the lot line where the principal access to the lot is provided; and

(d) In the case of a lot fronting on a navigable waterway, whether access is gained to the lot from a public street or not, the front lot line shall be the lot line closest to or adjacent to the navigable waterway; such line shall be determined by joining the points of intersection of the side lot lines and the high water mark on the landward side of the shoreline reserve.

“Rear lot line” shall mean the lot line farthest from and opposite to the front lot line.

“Side lot line” shall mean a lot line other than a front or rear lot line.

“Main building” means the building in which is carried on the principal purpose for which the lot is used. Considerations for determining the main building include size, value of improvements and occupancy.

“Minister” means the Minister of Natural Resources.

“Ministry” means the Ministry of Natural Resources.

“Motor Home” means a vehicle licenced under the Highway Traffic Act designed to be used as temporary accommodation for travel, recreational and vacation purposes and being independent of water, sewage disposal and electrical services.

“Non-conforming” means a use of any land, building or structure, for any lawful purpose that does not conform with the Clearwater Bay Guidelines but that was in place prior to the effective date of the Order.

“Order” refers to an order made by the Minister under the authority of Section 13 of the Public Lands Act, R.S.O., 1990.

“Projected Property line” means the straight line projection of the side lot lines beyond the shoreline or as otherwise agreed to by adjoining neighbours and the Ministry.

“Rehabilitation”, when referring to a lot, means the return of a disturbed or developed area to natural vegetation with native trees and shrubs that are at least two feet in height and planted at a maximum of 2 metre spacing .

“Screened- in Structure” means a freestanding structure, roofed and screened on at least three sides providing shade and basic shelter.

“Sensitive area” means an area of land or land and water which is considered by the Ministry to have special value for the purposes of:

(a) Natural maintenance of species, with special emphasis on the maintenance and recovery of lake trout.

(b) The preservation and/or conservation of biota, and which should be reserved for uses related to those purposes;

(c) Scientific research; and

(d) Education and interpretation.

“Setback from water” shall mean the least horizontal distance measured at right angle between the normal or controlled high water mark of any navigable waterway and the nearest part of a building or structure (including decks etc.).

"Shoreline" shall mean the boundary of lands adjoining navigable waters as the line marked by the normal or controlled high water mark (323.47m Above Sea Level).

"Structure" means anything man-made that is fastened to or into the earth or another structure or rests on the earth by its own mass.

"Yard" shall mean a space located on the same lot as the main building or structure and which space is open, unoccupied and unobstructed from the ground to the sky except as otherwise permitted by these guidelines. In determining yard measurements, the minimum horizontal distance between the main building or structure and the respective lot lines measured perpendicular from the lot line shall be used:

- (a) **"Front yard"** shall mean a yard extending across the full width of a lot between the front lot line and the nearest main wall of the main building or structure on the lot;
- (b) **"Rear yard"** shall mean a yard extending across the full width of a lot between the rear lot line and the nearest main wall of the main building or structure on the lot;
- (c) **"Side yard"** shall mean a yard between the sidewall of the main building or structure on the lot and the side lot line and extending from the front yard to the rear yard.

"Twenty (20) Metre Shoreland Setback Area" means the area immediately adjacent to the shoreline extending 20 metres (approximately 66 feet) back from the normal high water mark (323.47m Above Sea Level); sometimes referred to as the 66 foot Crown Reserve.

"Work permit" means a written authorization, under Section 13(2) of the Public Lands Act from the Ministry of Natural Resources, to undertake any form of construction, development or physical alteration of a site or any building or structure on the site, including a sewage disposal system and/or water supply system.

PART 4

Further Development

Only limited further development will be permitted in the restricted area and such development will be governed by the following general policies:

- a) Only one main building with conforming ancillary buildings will be allowed on each lot.
 - b) Only one boathouse or boat port may be allowed on adjacent Crown land for each lot. No living accommodation or pressurized water systems will be permitted in the boathouse. Only single storey, low profile boathouses will be permitted. The Ministry may consider the replacement of existing two storey boathouses. Replacement of existing two storey boathouses will be subject to proper authorization by Crown lease.
 - c) Severance and subdivision proposals will be considered subject to the guidelines described herein; and.
 - d) Commercial and industrial uses will be assessed on a case by case basis.
 - e) No more than 25% of the shoreline may be disturbed, impacted, modified or occupied by shoreline improvements and/or structures.
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PART 5

5.1 Guidelines Relating to Further Development on Existing Lots

- (1) Every building, including decks, shall have a minimum 20 metres (66 feet) shoreland setback area from the normal high water mark except for one ancillary building (i.e. storage shed, water pump house, sauna, screened in structure etc.) not to exceed 24 square metres in size.
- (2) No main building or ancillary building shall be constructed within 5 metres of a side lot line or rear lot line.
- (3) Ancillary buildings shall not exceed a maximum height of 4.5 metres (approximately 14.6 feet).

(4) Building additions to a main building must be substantial in the connection and use to the existing building such that the addition becomes an integral part of the existing building.

(5) No more than 20% of the area of a lot (including the 20 metre shoreland setback area - whether Crown or privately owned) shall be occupied by main building and / or ancillary buildings or cleared of natural vegetation, e.g. parking lots, driveways, gardens, septic fields, lawns, etc.

(6) Within the 20-metre shoreland setback area there shall be essentially no alteration made to the vegetative cover or the existing soil mantle, so as to minimize erosion and maximize nutrient retention.

(7) Acceptable modification to natural conditions may include:

- a) Footpath(s) or if slope requires, stairway(s) from the cottage to the lakeshore, not to exceed a maximum of 3 metres in width (including clearing of vegetation).
- b) Selective removal of natural vegetative cover to provide a view from the cottage to the lake as well as removal of trees which constitute a safety hazard.
- c) Limited excavation within the lot, should a water supply line be required.
- d) A clear space near the shoreline for the placement of one ancillary building (not to exceed 24 square metres). Pressurized water systems are not permitted in saunas, hot tubs, etc. unless provisions are made for discharging wastes to an approved sewage disposal system.

(8) Applications to screen-in existing decks located on either main or non-conforming buildings will be considered. Removable plastic window coverings over screens will be considered.

(9) Where the location of an existing main building within the 20 metre shoreland setback area and/or terrain features make it difficult to design an addition to the main building so as to be outside of the shoreland setback area, consideration will be given for a building addition provided that a similar, or greater amount of disturbed area within the shoreline setback is rehabilitated, with the objective being 'net-gain' of natural vegetation along the shore.

Consideration will also be given for allowing a second storey to an existing main building.

(10) In those few situations where a main building is wholly or substantially located within the 20 metre shoreland setback area such that a building addition is not feasible, consideration will be given to allowing for a bunk house not to exceed 18 square metres (approximately 192 square feet). Any bunkhouse shall be located outside of the 20 metre shoreland setback area. This provision is meant to provide relief for those property owners whose main building is situated in the shoreland setback area such that an addition is logistically difficult, and is not meant to be a general provision.

(11) General maintenance activities that will not require a work permit may include:

- a) Replacing rotten boards on a deck or dock.
- b) Replacing roofing shingles, or roof decking materials.
- c) Replacing siding, windows and doors.
- d) Painting.
- e) Driveway/road maintenance.
- f) Leveling cottage.
- g) Movement of internal walls.

Property owners are advised to consult with Ministry staff to determine if proposed maintenance activities require a work permit.

(12) If the existing property development calculation exceeds 20%, a plan for rehabilitation of developed areas with native trees and shrubs that are at least two feet in height and planted at a maximum of two metre spacing will be considered as an effort towards reducing the developed area. This plan must accompany the application and will become part of the work permit.

(13) While it is not the intent of these guidelines to limit the parking of motor homes/travel trailers on properties, the permanent use of a travel trailer (ie permanent hook-up to sewage disposal/water/electric services) is not permitted.

NOTE: Changes in size or location of building or structures will require a work permit. If in doubt check with the Ministry of Natural Resources.

5.2 Guidelines Relating to Dock or Boathouse Construction

- (1) Any dock, boat port or boathouse erected in front of a lot shall be erected no closer than 5 metres to the side lot line.
- (2) Dock, boat port and/or boathouse proposals that impact upon an identified value such as critical fish habitats i.e. spawning ground, nursery area or waterfowl staging area or occupy more than 25% of the shoreline area will not be approved.
- (3) Only one boathouse or boat port may be allowed for each lot and no living accommodation or pressurized water systems will be permitted in the boathouse. Only single storey, low profile boathouses will be permitted. The Ministry may consider the replacement of existing two storey boathouses. Replacement of existing two storey boathouses will be subject to proper authorization by Crown lease.
- (4) One screened-in structure (not to exceed 24 square metres in size) may be placed on a dock or boathouse, subject to authorization by land use permit. Pressurized water systems are not permitted.

5.3 Guidelines Relating to Severance and Subdivisions

Severance and subdivision proposals will be considered subject to the following:

- (1) Every application for severance or subdivision must be made to the Ministry of Municipal Affairs and Housing, and must reflect the requirements of these guidelines to prevent any further nutrient inputs that will negatively impact on water quality and lake trout habitat within the defined area. Severances to accommodate existing non-conforming buildings and structures will be recommended for approval to the Ministry of Municipal Affairs and Housing. Severances or subdivisions that would create new, vacant lots will not be recommended for approval

due to the additional nutrient inputs from these lots.

- (2) Any new lot created by severance or subdivision shall have a width of not less than 46m (150 feet) and a minimum depth of 92m (300 feet). Topography and site conditions will be considered in determining acceptable lot size.
- (3) All guidelines relating to development on existing lots shall apply to severances and subdivisions.

5.4 Guidelines Relating to Commercial or Industrial Development

In the case of an application for commercial or industrial use, the application will be dealt with on its own merits. An applicant shall submit a site plan showing the location of all existing and proposed:

- a) Structures, utilities and transportation facilities;
- b) Storage areas for materials (if any);
- c) Areas of proposed dredging; and
- d) Screening and buffer areas (if applicable);

The site plan shall be accompanied by written comments of abutting property owners with respect to the proposed development of the lot by the applicant. When reviewing these applications, the Ministry of Natural Resources will take into consideration:

- (a) The present quality of the water and the capability of the body of water to sustain an increased level of development in light of the objectives of protecting water quality and lake trout habitat;
- (b) The degree of existing development in the immediate area;
- (c) The impacts of the proposed development on existing development;
- (d) The impact of the proposal on Ministry programs; and
- (e) The guidelines or intents that may be expressed or implied for the area in the *Crown Land Use Policy Atlas*.

PART 6

6.1 General Principles

In reviewing applications for work permits, the Ministry will take into consideration;

- a) The general policies, development guidelines and area intents as stated in the, *Crown Land Use Policy Atlas*, *Kenora District Fisheries Plan*, *Clearwater Bay Lake Trout Strategy*, *Transport Canada* and by the *Federal Department of Fisheries and Oceans*;
- b) The degree of existing development in the immediate area;
- c) The impact of the proposed development in relation to existing development;
- d) The present quality of the water and the adjacent land to sustain an increased level of development in light of water quality criteria to maintain optimal lake trout habitat;
- e) The impact of the proposal on Ministry programs, and;
- f) Comments of the Northwestern Health Unit on suitability and capability of the sewage system to sustain all aspects of the proposed development, including additions, hot tubs, outdoor showers, ancillary buildings, etc.

As with any other land development in Ontario, there must be compliance with provisions of the Planning Act, the Ontario Building Code, the Environmental Protection Act, the Fisheries Act and any other Acts which are in effect at the time.

6.2 Non-Conforming Uses

Nothing in these Guidelines shall prevent the use of any land, building or structure, for any purpose for which it was lawfully being used at the effective date of the Order. Increases in size or changes in functional use of a non-conforming structure will not be permitted unless the change conforms to these guidelines. Where a building lot, having a lesser frontage, depth or area than is required herein, is held under distinct legal and separate ownership from adjacent building lots on the effective date of the Order, the lot may be used or developed if such use or

development otherwise conforms to the requirements of these Guidelines, and the lot is, or can be equipped with water and sanitary facilities satisfactory to the Northwestern Health Unit. A work permit is required before any development occurs.

6.3 Replacement of Damaged Structures

If a building or structure which existed at the time the Order came into effect is damaged or destroyed, nothing in these guidelines prevents its being repaired or rebuilt, provided that such repair or rebuilding does not increase its size, height, or capacity, and the purpose for which the building is used is not changed, and that reconstruction is commenced within 3 years of the damage or destruction. If the building or structure is not reconstructed within a 3-year period, any application for a work permit must follow the guidelines herein. The remnants of a foundation, cement pad, or other non-functional structure will not be considered as an existing non-conforming use.

Changes to non-conforming use will only be allowed if the change conforms to these guidelines.

PART 7

7.1 Work Permits

Applications for a work permit **must** include the following information:

A copy of a legal lot plan / survey showing the following shall accompany every application for a work permit:

- a) Legal description of property and proof of ownership;
- b) The true dimensions of the lot to be built upon or developed;
- c) The proposed location, dimensions and intended use of any building, or structure proposed for such lot;
- d) The location of all existing buildings, structures and disturbances (e.g. driveways, parking lots, lawn, gardens etc.) on the lot and existing use;
- e) A statement, signed by the owner and/or lessee, disclosing the exact use proposed for the lot and each building or structure and such additional information as the Ministry may consider necessary to determine if such building, structure or use conforms with these guidelines; and
- f) A letter from the Northwestern Health Unit confirming that the lot presently contains or is capable of supporting an approved sewage disposal system for the proposed development.
- g) The amount of the lot that has been disturbed of natural vegetation. This information should be provided for each type of disturbance and the amount of square footage area, including the 20-metre shoreland area (whether privately owned or Crown land). Disturbances include: area of buildings (main and ancillary), parking lots, driveways, lawn, gardens, hydro lines, etc. – e.g. all areas cleared of natural vegetation.
- h) The property owner must sign the application for a Work Permit or provide a signed letter authorizing your designate the authority to sign for the application.

Note: Tenants-in-Common property owners require an accurate sketch showing existing and proposed development for the entire property. Applications for tenant-in-common properties must also include all property owners' signatures.

Prior to considering any dock or boathouse proposals (including proposals for screened in structures on docks and boathouses), the Ministry of Natural Resources requires the following:

- 1) Accurate sketches showing the location of the existing and proposed improvements in relation to the projected property lines of the lot;
- 2) Shoreline work permit applications require neighbour's comments from the abutting property owners regarding the proposal, or proof that the applicant has notified the neighbours and the neighbours have had an opportunity to comment.
- 3) Construction details showing:
 - In the case of a dock, the dimensions and type (crib, floating, pier, etc.);
 - In the case of a boathouse and/or boat port, the dimensions, including height, roof style, crib, floating, pier; and
 - In the case of a screened in structure, the building dimensions, and location on dock or boathouse.

The issuance of a work permit does not relieve the applicant from the responsibility of acquiring any other agency, board, government, etc. approval as may be required nor does it relieve the permittee from the requirements of any other legislation.

Work Permit Application Tips:

Photographs are always helpful ... they provide visual information on the location for the proposed improvement as well as existing structures and disturbances on the lots.

Make sure your application is complete. Missing information and poor quality sketches will delay processing of the application.

Please provide clear directions to locate your property both by water and road. Mark your property with a name sign or flagging tape or some other identifier.

It is always helpful to MNR field staff if you can identify where on your lot you are applying for a work permit. Use flagging tape or stakes to mark corner posts, etc.

Remember ... the easier MNR field staff can find both your lot and location on the property where you are proposing improvements the faster your permit can be processed.

For an example of an acceptable sketch to accompany your work permit application see Schedule 2.

7.2 Expiry of Permits and Amendments

A work permit shall expire on the date specified on the permit. Renewal of work permits will be considered if work has not been completed by the expiry date. Work permit holders may be required to notify the Ministry of Natural Resources when work commences and work ends.

Any proposed changes to construction details or location will require an amendment to the approved work permit. The proposed changes must be provided to the Ministry in writing and any approved changes will be reflected in an amendment to the work permit.

7.3 Offences

Section 13(3) of the Public Lands Act and amendments thereto provides as follows:

“Every person who erects or causes to be erected a building or structure or makes or causes to be made

any improvement on lands in an area designated by the Minister as a restricted area without a permit and every person who contravenes or causes to be contravened any term or condition of a permit issued under this section is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.”

Section 13(4) provides that;

“An officer who finds a building or structure being erected or an improvement being made without the authority of a permit may order that work on the building, structure or improvement cease until a permit is obtained and any person continuing the work or causing the work to be continued in contravention of the order is guilty of an offence and on conviction is, in addition to any fine that may be imposed under subsection (3), liable to a fine of not less than \$200 for each day the work is continued in contravention of the order.”

Section 13(5) provides that;

“Upon conviction of any person of an offence under this section, the court, in addition to the imposition of a fine, may order that person to dismantle and remove any building or structure erected or improvement made in contravention of this section within such times as the court orders and, if the person convicted fails to comply with the order, the Minister may cause the building, structure or improvement to be dismantled and removed and any cost or expense incurred thereby is a debt due the Crown and may be recovered by the Minister in a court of competent jurisdiction in an action against the person convicted”.

PART 8

Appeals

Work Permit applicants that are refused a work permit by the Ministry of Natural Resources have the opportunity to appeal the Ministry of Natural Resources decision to the Clearwater Bay Restricted Area Order Appeal Board. The Appeal Board is comprised of a representative of the Lake of the Woods Property Owners Association, Ontario Federation of Anglers and Hunters, Ministry of Environment and the Ministry of Natural Resources. The Appeal Board provides advice and recommendations to the Kenora MNR District Manager. Submissions to the Appeal Board will be based on written supporting material only. Appeals and the supporting rationale must be made in writing to:

Clearwater Bay Restricted Area Order Appeal Board
c/o Ministry of Natural Resources,
P.O. Box 5080, 808 Robertson Street,
Kenora, Ontario P9N 3X9

PART 9

DESCRIPTION OF RESTRICTED AREA

All that parcel or tract of land in the geographic Townships of Boys and Glass, and in the Territorial District of Kenora and Province of Ontario, being composed of that part of the said geographic townships and territorial district more particularly described as follows:

COMMENCING at the northwesterly corner of the geographic township of Boys;

THENCE easterly along the northerly boundary of the said geographic township to a point distant 0.122 kilometres (400 feet) measured perpendicularly from the water's edge along the easterly shore of Deception Lake;

THENCE easterly, southerly and westerly along a line parallel to and distant 0.122 kilometres (400 feet) from the said water's edge along the easterly shore of Deception Lake to its intersection with the centreline of the Rice Lake Road;

THENCE southerly along the said centreline of the Rice Lake Road to its intersection with the southerly limit of The King's Highway No. 17;

THENCE easterly along the southerly limit of the said King's Highway to its intersection with the easterly limit of the Kenricia Road;

THENCE southerly and easterly along the easterly and northerly limits of the Kenricia Road to a point distant 0.122 kilometres (400 feet) measured perpendicularly from the water's edge of the northerly shore of Kendall Inlet of Lake of the Woods;

THENCE easterly and southerly along a line parallel to and distant 0.122 kilometres (400 feet) from the water's edge along the said northerly and easterly shores of Kendall Inlet to its intersection with the northerly limit of Mining Claim No. K3912;

THENCE easterly along the northerly limit of Mining Claim No. K3912 to the northeast corner thereof;

THENCE southerly along the easterly limit of the said mining claim to its intersection with the production westerly of the northerly limit of Indian Reserve No. 38A;

THENCE easterly along said production to the northwest corner of Indian Reserve No. 38A;

THENCE southerly along the westerly limit of the said Indian Reserve to the water's edge of Clearwater Bay;

THENCE in a general southwesterly direction, easterly, southerly and westerly following the water's edge of Clearwater Bay, White Partridge Bay and the Corkscrew Channel of Lake of the Woods to the southwesterly corner of Indian Reserve No. 39A;

THENCE westerly along the westerly prolongation of the southerly boundary of Indian Reserve No. 38A across Corkscrew Channel to the water's edge along the easterly shore of Corkscrew Island;

THENCE northeasterly and westerly following the water's edge along the southerly portion of the said

island and continuing along the southerly shore of the marshy area between the north and south portions, to the most westerly tip of the said southerly portion;

THENCE northwesterly in a straight line to the northeasterly corner of Mining Location P308;
THENCE easterly along the northerly limit of said mining location to a point distant 0.122 kilometres (400 feet) measured perpendicularly from the water's edge of the southerly shore of Zigzag Island;

THENCE northeasterly and southwesterly along a line drawn parallel to and distant 0.122 kilometres (400 feet) from the water's edge along the easterly and northerly shores of Zigzag Island to its intersection with the water's edge along the southerly shore of the most westerly peninsula of Zigzag Island;

THENCE continuing westerly along the water's edge of the said peninsula to the most westerly extremity thereof adjacent to Mud Portage Channel;

THENCE west astronomic to the intersection with the southerly boundary of the geographic township of Boys;

THENCE in a general southwesterly direction along the southerly boundary of the geographic township of Boys to its intersection with the prolongation southerly of the easterly limit of Location EB 2109;

THENCE continuing southerly in a straight line to a point in the water's edge on the southerly shore of Echo Bay distant 0.122 kilometers (400 feet) measured perpendicularly from the water's edge along the easterly shore of Echo Bay;

THENCE southerly, westerly, northerly and easterly along a line drawn parallel to and distant 0.122 kilometres (400 feet) from the water's edge along the shores of Echo Bay of Lake of the Woods to its intersection with the easterly boundary of the geographic township of Glass;

THENCE northerly along the easterly boundary of the geographic township of Glass to the northeast corner thereof;

THENCE continuing along the boundary between the geographic townships of Forgie and Boys to the

northwest corner of the geographic township of Boys being the point of commencement.

Ontario Regulation 224-90
May 19, 1990

***FURTHER INFORMATION ON THE
CLEARWATER BAY RESTRICTED AREA
ORDER MAY BE OBTAINED BY CALLING:***

*Ministry of Natural Resources
Kenora District
(807) 468-2500*

***COMPLETED APPLICATIONS CAN BE
MAILED OR FAXED TO:***

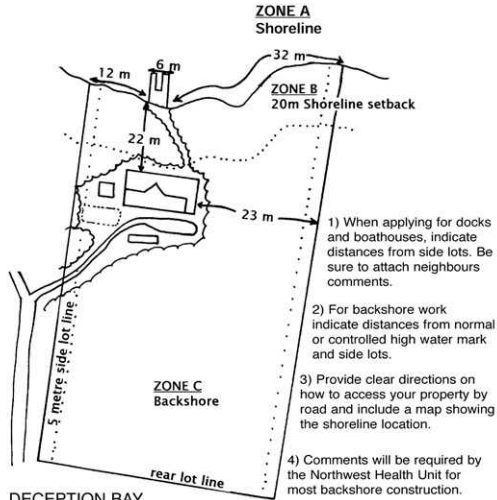
*MINISTRY OF NATURAL RESOURCES
P.O. BOX 5080
KENORA, ONTARIO
P9N 3X9
FAX (807) 468-2736*

**SCHEDULE 2
WORK PERMIT APPLICATION GUIDE**

Shoreline Development Calculation

50m shoreline
 25% maximum development
 50m x 25% = 12.5m maximum developable shoreline

Actual development
 6m x 100 = 12%
 50m



DECEPTION BAY
 BOYS TWP.
 LOCATION-CL 1234
 PART OF BLOCK A
 PLAN-M-123

Lot Development Calculation

Cottage & Decks 10m x 17m = 170m sq.
 Guest Cabin 7m x 5m - 35m sq.
 Septic Field 5m x 10m - 50m sq.
 Driveway 3m x 43m - 129m sq.
 Shed 3m x 5m - 15m sq.
 Area cleared of natural vegetation (Yard/lawn): (4m x 15m = 60) +
 (4m x 5m = 20) + (5m x 8m = 40) + (3m x 20m = 60) + (2m x 40m = 80) = 260m sq.

Total: 659 m sq.

Total developed area 659 m sq. = 20% maximum lot development
 Lot size - 3240m sq.