

File No. MF 005-09

L. Kamerman ) Thursday, the 3rd day  
Mining and Lands Commissioner ) of June, 2010.

**THE ASSESSMENT ACT**

**IN THE MATTER OF**

Plan 55M505, Blks 23 and 24, Lambert Island. Township of MacGregor, The Corporation of the Municipality of Shuniah, District of Thunder Bay, more particularly identified as roll numbers 58 28 010 005 613 08 0000 and 58 28 010 005 613 46 0000, respectively;

(Amended June 3, 2010)

**AND IN THE MATTER OF**

Plan 55M505, Lambert Island, Township of MacGregor, The Corporation of the Municipality of Shuniah, District of Thunder Bay, more particularly identified as roll numbers:

(Amended June 3, 2010)

58 28 010 005 613 00 0000; 58 28 010 005 613 02 0000;  
58 28 010 005 613 04 0000; 58 28 010 005 613 06 0000;  
58 28 010 005 613 10 0000; 58 28 010 005 613 12 0000;  
58 28 010 005 613 14 0000; 58 28 010 005 613 16 0000;  
58 28 010 005 613 18 0000; 58 28 010 005 613 20 0000;  
58 28 010 005 613 22 0000; 58 28 010 005 613 24 0000;  
58 28 010 005 613 29 0000; 58 28 010 005 613 34 0000;  
58 28 010 005 613 36 0000; 58 28 010 005 613 38 0000;  
58 28 010 005 613 40 0000; 58 28 010 005 613 42 0000;  
58 28 010 005 613 44 0000; 58 28 010 005 613 48 0000;  
58 28 010 005 613 50 0000; 58 28 010 005 613 52 0000;

- and -

Island 15 South of Lambert Island, Parcel 11780. Township of MacGregor, The Corporation of the Municipality of Shuniah, District of Thunder Bay, more particularly identified as roll number 58 28 010 005 617 00 0000;

(Amended June 3, 2010)

- and -

W/L WG 140 OPP ML 15 Francis, Township of MacGregor, The Corporation of the Municipality of Shuniah, District of Thunder Bay, more particularly identified as roll number 58 28 010 005 625 00 0000;

(Amended June 3, 2010)

**AND IN THE MATTER OF**

The Managed Forest Tax Incentive Program, administered by the Ministry of Natural Resources;

**AND IN THE MATTER OF**

Section 40 of the **Assessment Act** and Ontario Regulation 282/98, as amended;

**AND IN THE MATTER OF**

The 2009 and the 2010 taxation years;

**B E T W E E N:**

LAMBERT ISLAND LIMITED,  
DOREEN GAY BECOTTE and GEOFFREY BRIAN DAVIS  
Appellants

- and -

THE MINISTRY OF NATURAL RESOURCES  
Respondent  
(Amended June 3, 2010)

- and -

THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH  
Party of the Third Part  
(Amended June 3, 2010)

**ORDER**

**WHEREAS** this matter was appealed to the Assessment Review Board on the 2nd day of January, 2009 and referred to this tribunal on the 14th day of September, 2009;

**AND WHEREAS** a consent to grant this application without costs and with conditions, dated the 31st day of May, 2010, was executed and filed by Mr. Jack N.M. Jamieson, counsel for the appellants and by Ms. Doreen Gay Becotte and Mr. Geoffrey Brian Davis, appellants, on their own behalf;

**AND WHEREAS** a consent to grant this application without costs and with conditions, dated the 26th day of May, 2010, was executed and filed by Ms. Peggy Thompson, counsel for the respondent;

**AND WHEREAS** a consent to grant this application without costs and with conditions, dated the 25th day of May, 2010, was executed and filed by Ms. Maria Harding, agent for the party of the third part;

**1. IT IS ORDERED** that this appeal and referral be and is hereby granted upon the following conditions:

1. **THAT THE ASSESSED PROPERTY, HAVING A TOTAL OF 102.43 ACRES, SHALL BE ASSESSED AS HAVING A MANAGED FOREST COMPONENT OF 16.16 ACRES, IN ACCORDANCE WITH SCHEDULE "A" ATTACHED HERETO AND FORMING PART OF THIS CONSENT, FOR THE 2009 AND 2010 TAXATION YEARS.**
2. **THAT THE ASSESSED PROPERTY POSSESS A UNIQUE SUBDIVISION AGREEMENT THAT WILL NOT ALLOW FOR THE FUTURE SALE OF THE 26 ROLL NUMBERS THEREBY PROTECTING THE PROVINCIAL INTEREST OF MAINTAINING THE INTEGRITY OF THE FOREST BLOCK.**
3. **THAT THE ASSESSED PROPERTY WILL CONTINUE TO BE MANAGED IN ACCORDANCE WITH THE APPROVED MANAGED FOREST PLAN IN A CONSISTENT MANNER ACROSS THE COMPARTMENT, BEING THE 1ST DAY OF JANUARY, 2009 TO THE 31ST DAY OF DECEMBER, 2018.**
4. **THAT THE RESPONDENT (THE MINISTRY OF NATURAL RESOURCES) SHALL BE NOTIFIED IN WRITING OF A CHANGE THAT RELATES TO:**
  1. **THE ELIGIBILITY OF THE LAND FOR CLASSIFICATION AS A MANAGED FORESTS LAND;**
  2. **A CHANGE IN ANY OF THE INFORMATION CONTAINED IN THE MOST RECENT APPLICATION FOR CLASSIFICATION; OR**
  3. **AN INCREASE OR DECREASE IN THE SIZE OF THE FOREST DELINEATED BY THE MAP ATTACHED HERETO AND FORMING PART OF THIS ORDER AS SCHEDULE "B".**
5. **THAT THE GRANTING OF THIS APPEAL AND REFERRAL ON CONSENT SHALL NOT BE PRECEDENT SETTING IN ANY WAY.**

2. **IT IS FURTHER ORDERED** that no costs shall be payable by any party to this appeal and referral.

**THIS TRIBUNAL FURTHER ADVISES** that this matter will be referred forthwith to the Assessment Review Board for a determination of valuation.

**DATED** this 3rd day of June, 2010.

Original signed by L. Kamerman

L. Kamerman  
MINING AND LANDS COMMISSIONER

**SCHEDULE "A"****LAMBERT ISLAND**

<b>ROLL NUMBER</b>	<b>TOTAL AREA (Ac)</b>	<b>MANAGED FOREST AREA (Ac)</b>
58 28 010 005 613 00 0000	3.18	0.20
58 28 010 005 613 02 0000	2.58	0.20
58 28 010 005 613 04 0000	2.26	0.34
58 28 010 005 613 06 0000	5.48	1.36
58 28 010 005 613 08 0000	1.99	0.00
58 28 010 005 613 10 0000	2.90	0.20
58 28 010 005 613 12 0000	4.97	0.28
58 28 010 005 613 14 0000	7.17	2.11
58 28 010 005 613 16 0000	3.01	0.77
58 28 010 005 613 18 0000	3.03	1.33
58 28 010 005 613 20 0000	3.01	1.05
58 28 010 005 613 22 0000	3.18	0.76
58 28 010 005 613 24 0000	2.84	0.99
58 28 010 005 613 29 0000	17.54	1.58
58 28 010 005 613 34 0000	3.29	0.20
58 28 010 005 613 36 0000	4.02	0.45
58 28 010 005 613 38 0000	3.57	0.83
58 28 010 005 613 40 0000	2.76	0.25
58 28 010 005 613 42 0000	2.45	0.47
58 28 010 005 613 44 0000	2.85	1.19
58 28 010 005 613 46 0000	6.10	0.00
58 28 010 005 613 48 0000	6.69	0.54
58 28 010 005 613 50 0000	2.79	0.86
58 28 010 005 613 52 0000	3.64	0.20
58 28 010 005 617 00 0000	1.00	0.00
58 28 010 005 625 00 0000	0.13	0.00
<b>TOTAL</b>	<b>102.43</b>	<b>16.16</b>

Schedule "B"  
MFTIP Analysis  
Lambert Island, Thunder Bay, Ontario  
April 2010



- Scale  100 m
- Parcel Boundary
  - 61346 Parcel No.
  - Tree Cover Boundary
  - Residential - 1 acre circle

Images: Jun 18, 2006 - Jul 29, 2007

Image © 2008 GeoEye

© 2009 Tele Atlas  
48°32'18.66" N 89°53'06.45" W elev 184 m

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Eye at